

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

5:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on August 14, 2018 at 5:00 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**ITEM A., CALL TO ORDER: 5:00 PM**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rita Pritchett	Chair	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Kristine Isnardi	Vice Chair/Commissioner District 5	Present	

**ITEM B., MOMENT OF SILENCE**

Chair Pritchett called for a moment of silence.

**ITEM C., PLEDGE OF ALLEGIANCE**

Chair Pritchett led the assembly in the Pledge of Allegiance.

**ITEM D., MINUTES FOR APPROVAL**

The Board approved the July 24, 2018, regular meeting minutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

The Board approved the July 10, 2018, regular meeting minutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM E.1., RESOLUTION, RE: UNITED STATES SPECIALTY SPORTS ASSOCIATION (USSSA) 2018 WOMEN'S BASEBALL WORLD CUP**

Commissioner Smith read aloud, and the Board adopted Resolution No. 18-104, recognizing the USSSA 2018 Women's Baseball World Cup.

A Representative of USSSA stated USSSA is extremely humbled and honored to receive the Resolution on behalf of the WBSC, Eric Garvey and Bonnie King with the Tourist Development Commission (TDC), and all four Chambers for being instrumental in bringing the first WBSC Women's World Cup on to U.S. soil; the impact of this event and the magnitude that surrounds it is uncharted territory for all of them; USSSA is a multi-body association, they were accustomed to running 400 to 500 team events for teams all over the country, but this event is with 12 countries, he has never seen an impact or the amount of energy and participation for an event of this magnitude; and he thanked all those involved. He added the County has been an amazing partner since the first day the USSSA stepped foot in Brevard County; it has been refreshing to him because where he came from it always felt like they were not on the same page; timing is everything and everything happens for a reason; and USSSA could not be happier to have partners within the County, the TDC, and the support from the Board. He mentioned the visibility of the trophy tour has reached tens of millions of people; the visibility that has brought to the County and the Space Coast has been greater than he could have ever imagined; he thinks this is just scratching the surface as far as future events that can be brought to Brevard County with the partnerships like WBSC and the County's resources making everyone feel as welcomed as they made USSSA feel when they came here; and he is looking forward to the next couple weeks because he thinks the impact is going to be felt. He expressed his appreciation for being a part of something so much bigger than what USSSA has done before.

Chair Pritchett stated she is thankful USSSA picked Brevard County; it is significant that they are in the middle of the County; in Titusville last weekend there were a lot of hotels and restaurants filled up from overflow; and she feels it is great tourism being brought in with families. She thanked him for all of it.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**CONSENT AGENDA**

Commissioner Barfield stated he would like to vote no on Item F.1, Acceptance of a Binding Development Plan for Grand Lakes Estates, LLC, with no further comment.

**ITEM F.1., ACCEPTANCE, RE: BINDING DEVELOPMENT PLAN - GRAND LAKE ESTATES, LLC (18PZ00022)**

The Board executed Binding Development Plan Agreement with Grand Lake Estates, LLC, for property located on the north side of Chase Hammock Road, approximately 1.14 mile east of North Courtenay Parkway, Merritt Island.

**RESULT:**       **ADOPTED [4 TO 1]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Rita Pritchett, John Tobia, Curt Smith, Kristine Isnardi  
**NAYS:**        Jim Barfield

**ITEM F.2., ACCEPTANCE, RE: BINDING DEVELOPMENT PLAN - PRAXAIR, INC.**

The Board executed Binding Development Plan Agreement with Praxair, Inc., for property located at 2801 Hammock Road, Mims.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.3., ACCEPTANCE, RE: BINDING DEVELOPMENT PLAN - PANORAMA MOBILE HOME PARK, INC. (18PZ00032)**

The Board executed Binding Development Plan Agreement with Panorama Mobile Park, Inc., for property located at 225 S. Courtenay Parkway, Merritt Island.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.4., ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM HOLY TRINITY EPISCOPAL ACADEMY TO BREVARD COUNTY, RE: CONSTRUCTION RELATED TO THE PINEDA GRADE SEPARATION PROJECT**

The Board approved acceptance of Temporary Construction Easement (TCE) from Holy Trinity Episcopal Academy for construction related to the Pineda Grade Separation Project; and authorized Public Works Director to record the TCE.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM F.5., PERMISSION TO USE CONTINUING CONSTRUCTION MANAGEMENT (AT RISK) CONTRACT, RE: RENOVATIONS AT FIRE STATION #40**

The Board granted permission for staff to use the previously Board approved Continuing Construction Management (At Risk) Contract for the renovations at Fire Station #40; and authorized the Chair to execute said contract.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.6., AMENDMENT TO INTERLOCAL AGREEMENT WITH CITY OF INDIAN HARBOUR BEACH, RE: MAINTENANCE AND REPAIR OF TRAFFIC SIGNALS AND OTHER TRAFFIC SIGNAL EQUIPMENT**

The Board approved and executed Amendment to Interlocal Agreement with City of Indian Harbour Beach for maintenance and repair of existing traffic signals, luminaries, overhead signs, ITS, and other traffic signal equipment.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.7., TASK ORDER NO. 19 FOR MEAD & HUNT, INC., RE: SOUTH CENTRAL SERVICE AREA RECLAIMED WATER FACILITY PLAN**

The Board authorized the Chair to execute Task Order No. 19 with Mead & Hunt, Inc. for the South Central Service Area Reclaimed Water Facility Plan; and authorized any budgetary changes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.9., APPOINTMENT, RE: ENVIRONMENTALLY ENDANGERED LANDS PROGRAM SELECTION AND MANAGEMENT COMMITTEE**

The Board appointed/reappointed **Kathryn Elizabeth Becker**, as a citizen volunteer, to the Environmentally Endangered Lands Selection and Management Committee, with said term to expire December 31, 2020.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.10., ACKNOWLEDGE AND CONSENT, RE: TOWN OF INDIALANTIC TO ALLOW DOGS ON LEASHES AT SUNRISE PARK**

The Board acknowledged and consented for the Town of Indialantic to allow dogs on leashes at Sunrise Park.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.11., APPROVAL, RE: EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT WITH FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM)**

The Board approved and authorized the Chair to execute the 2018/2019 Emergency Management Performance Grant Agreement with State of Florida Division of Emergency Management; and authorized the County Manager, or his designee, to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the Grant Agreement, subject to approval by the County Attorney's Office and Risk Management.

**RESULT:**       **ADOPTED [UNANIMOUS]**  
**MOVER:**       Jim Barfield, Commissioner District 2  
**SECONDER:**   John Tobia, Commissioner District 3  
**AYES:**        Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.12., APPROVAL, RE: EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE GRANT AGREEMENT WITH FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM)**

The Board approved and authorized the Chair to execute the 2018/2019 Emergency Management Preparedness and Assistance Grant Agreement with the State of Florida Division of Emergency Management; and authorized the County Manager, or his designee, to submit and execute any additional changes, documents, or budget actions, as well as any amendments to the Grant Agreement, subject to approval by the County Attorney's Office and Risk Management.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.13., PERMISSION TO PARTICIPATE IN FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PILOT PROGRAM, RE: PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES (PAAP) FOR DIRECTION ADMINISTRATIVE COSTS (DAC) AND ADVERTISE REQUEST FOR PROPOSALS (RFP) FOR DISASTER REIMBURSEMENT CONSULTANT SERVICES**

The Board authorized participation in FEMA Pilot Program for Public Assistance Alternative Procedures for Director Administrative Costs (PAAP DAC); approved the development and advertisement of a Request for Proposals (RFP) for disaster reimbursement consultant services; appointed a Selection and Negotiation Committee consisting of representatives from the Budget Office, Public Safety Group, and Risk Management; authorized the Chair to execute the associated agreement to Items 1 and 2, upon approval by Risk Management and the County Attorney's Office; and authorized the County Manager to approve related budget change requests.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.14., APPROVAL, RE: BUDGET CHANGE REQUESTS**

The Board approved the Budget Change Requests.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.15., PERMISSION TO ISSUE, RE: ANNUAL SUPPLY BIDS, PROPOSALS AND REQUESTS FOR QUALIFICATIONS (RFP) (FY 2018-2019), AND/OR NEGOTIATE COMPETITIVE AGREEMENTS**

The Board granted Purchasing Services approval to perform the following actions regarding the attached list of commodities and services for Fiscal Year 2018/2019:

- Solicit competitive bids, quotes, and/or negotiate competitive agreements and award to lowest, responsive, and most qualified supplier

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- Solicit competitive proposals and requests for qualifications, establish selection/negotiation committees approved by the County Manager, or his designee, and award contracts and/or open purchase orders with the best-ranked proposer
- Exercise renewal options upon evaluation of supplier performance, and recommendation from user departments/offices, which establishes that continuance of the contract is favorable prior to extension of the agreement
- Authorized the Chair to execute contracts and contract renewals over \$100,000 in annual value, subject to approval by the County Attorney's Office and Risk Management

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.16., PERMISSION TO ISSUE, RE: OPEN PURCHASE ORDERS (FY 2018-2019) TO APPROVED VENDORS OF RECORD**

The Board approved the use of State Contract, cooperative contracts, and other agency contracts as vendors of record; approved the use of vendors determined to be the single or sole source for the products or services indicated; approved the issuance of blanket purchase orders; authorized the Chair to execute contracts to those vendors exceeding \$100,000, subject to County Attorney and Risk Management approval; and approved competitive action in the event of unforeseen changes to the approved vendors and/or the cooperative purchasing programs.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM F.17, MODIFICATION, RE: BOARD POLICY BCC-32, COMPUTER AND NETWORK ACCEPTABLE USE**

The Board approved the modification of Board Policy BCC-32, Computer and Network Acceptable Use; and authorized the Chair to sign the modified Policy.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jim Barfield, Commissioner District 2  
**SECONDER:** John Tobia, Commissioner District 3  
**AYES:** Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM H.1., RESOLUTION, RE: ADOPTION OF STATE REVOLVING LOAN FUND #WW05113, WASTEWATER FACILITY PLAN - RIVERSIDE DRIVE FORCE MAIN REPLACEMENT PROJECT REQUIRED BY FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)**

Chair Pritchett called for public hearing on a resolution to adopt the State Revolving Loan Fund #WW05113, Wastewater Facility Plan, Riverside Drive Force Main Replacement Project required by Florida Department of Environmental Protection (FDEP).

Jim Helmer, Utility Services Director, stated this Item is in regards to Riverside pipeline replacement that the County has had trouble outlining for quite a while with many breaks in the line; they are replacing that line at a cost of \$7.8 million; it is in design right now; and they will be paying for it through the SRF, State Revolving Loan Fund, which gives them an interest advantage over conventional financing; and he added it is a requirement for an SRF loan, to have the project approved at a public hearing.

There being no further comments or objections, the Board conducted a public hearing and adopted Resolution No. 18-105, adopting the State Revolving Fund (SRF) Fund #WW05113 Wastewater Facility Plan for the Riverside Drive Force Main Replacement Project required by Florida Department of Environmental Protection (FDEP). The public hearing process was used to explain the Project and present the financial impacts to the public. The Board unanimously approved the Resolution and there were no speakers or opposition to the Item.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.2., APPEAL, RE: TRANSPORTATION IMPACT FEE EXEMPTION BY BANANA RIVERFRONT, LLC**

The Board tabled consideration of an appeal by Banana Riverfront, LLC of a denial for transportation impact fee exemption for the Squid Lips Deck Addition Project to the October 23, 2018, Board meeting.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 10/23/2018 9:00 AM</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2	
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5	
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi	

**ITEM H.2., ORDINANCE, RE: AMENDMENTS TO THE TOURIST DEVELOPMENT TAX BUDGET PLAN**

Chair Pritchett called for a public hearing on an ordinance to amend the Tourist Development Tax Budget Plan.

Bonnie King, Assistant Director of Tourism Development, stated this is the second public hearing for the change of the ordinance to the Tourist Tax Budget Plan; with the changes they need to include the language of Lagoon and Estuary projects to be funded with the beach

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improvement; and it would provide up to \$1 million per year of Tourist Tax Revenue Funds to be used for Indian River Lagoon (IRL) related projects and approval of any necessary budget change requests related to the Ordinance. She added this came before the Board on July 24, 2018, for advertisement, and was advertised on August 2, 2018.

There being no further comments or objections, the Board adopted Ordinance No. 18-19, amending Section 102-119 of the Code of Ordinances of Brevard County, Florida, relating to the Brevard County Tourist Development Tax; specifically amending Section 102-119 of the Code of Ordinances of Brevard County, Florida, relating to the Tourist Development Tax Budget Plan; providing for the inclusion of Lagoon and Estuary-related projects into Section 102-119(4)a. of the Code of Ordinances of Brevard County, Florida; providing for inclusion in the Code; providing for severability; providing for an effective date; and approved any necessary budget change requests relating to the Ordinance changes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM I.1., WAIVER OF SUBDIVISION PERIMETER BUFFER, RE: ABACOS TOWNHOMES (18SP00015/18WV00014)**

Tad Calkins, Planning and Development Director, stated this is a request for a waiver of Section 62-2883(d), which requires a 15-foot buffer tract along the perimeter of a residential subdivision for the Abacos Townhomes Site Plan; with this Section of the Code it requires a 15-foot buffer tract for attached townhome subdivisions; the Item came before the Board on July 24, and was tabled to allow for notification to the adjacent property owners; that has been completed and the applicant is in attendance; and he advised they have received one letter in opposition from the property owners.

Commissioner Isnardi asked Mr. Calkins to talk about the history and why this was initially put in place, and of its unique situation.

Mr. Calkins stated if this were a detached single-family subdivision there would not be a need to provide the 15-foot buffer tract; however, since it is a townhome subdivision the 15-foot buffer tract is required.

Bruce Moia stated he will elaborate on the history Commissioner Isnardi was asking for; he knows a lot about it because he wrote the Ordinance when he was the development engineer for the County; it was in response to a lot of development that was occurring back in the previous boom when very large subdivisions were being developed, 200 to 300 lot subdivisions abutting up against existing subdivisions causing some erosion problems and a lot of air-borne dust and such; therefore, one of the requirements was to put a buffer around the entire development to alleviate that. He continued this request is for a little over half an acre; the only reason they are subdividing this is because they chose to go with townhomes, if it was an apartment complex they would not need it to build the exact same building in the exact same location; it is just because they are subdividing it that they are subject to this requirement; he noted it has been waived many times in the past; and he feels it is appropriate to be waived this time. He went on to say they need all the setbacks; it is only because they are doing a plat that they have to even provide it for a half-acre lot; it does not really meet the intent the Ordinance

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was put in place for; and they are hoping for approval so they can move on with their development. He advised the developer is in attendance if the Board has any questions.

The Board granted a waiver to Section 62-2883(d) that requires a 15-foot perimeter buffer tract along the perimeter of a residential subdivision for Abacos Townhomes - 18SP00015/10WV00014.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Rita Pritchett, John Tobia, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	Jim Barfield

**ITEM J.2., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: PROPOSED AMENDMENT TO ZONING CLASSIFICATION**

Tad Calkins, Planning and Development Director, stated this a request to approve legislative intent and authorize staff to advertise the title to the attached ordinance at least 10 days prior to September 18, for public hearing; what they are looking at is a modification to Section 62-1511, which deals with tourism on Tourist Commercial TU-1 Zoning classification, to modify some hotel requirements.

Commissioner Tobia stated he initially was not in favor of this because this is specifically a carve out, an exemption for one particular piece of property; he appreciates and generally welcomes development, however, he objects to the fact that the County is going to have a carve out in its Code for just one piece of property; he thinks everybody should be treated equally; and he is wondering if there is middle ground. He stated he put in a change that he thinks would solve the issue of the carve out and deal with Mr. Knox and his client equitably; all he has done is delete the carve out for the U.S. 1 corridor, south of Micco Road; this would change the ordinance Countywide and the County would not be extending a benefit just to one landowner; and it would be the County providing that same equitable benefit to everyone. He advised the only change are the strike-throughs that identify that this goes to this one particular piece of property; Mr. Knox's client could still build his or her hotel, but anyone deciding to do this in a similar zoning class Countywide would have that exact same benefit; and they would not have to go through this same process, again. He stated the edit is there for the Board's approval; he will make a motion, subject for discussion, that legislative intent is approved; and it will direct staff to advertise the title of the ordinance as contained in the amended ordinance that he has proposed.

Chair Pritchett inquired if the Board pulled this off, is it going to cause any harm with any other properties residentially anywhere.

Commissioner Tobia stated all he did was just remove the one bit that is specific for that one section of County Commission District 3.

Chair Pritchett noted she is good.

Commissioner Tobia continued on to say clearly the County has gotten into changes with hotels; it took away the minimum square footage Countywide and this would be Countywide as well; and although he does not know how many it would impact, he just knows it would impact equitably, and that he thinks should be one of the Board's goals.

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Chair Pritchett stated she is in agreement; she called and asked staff earlier how this would affect any other properties and was told no other properties would be affected, which is Commissioner Tobia's point; and she inquired if there are any that the Board should consider because this changes the flavor of it a little bit, not that she is not in support of it.

Mr. Calkins stated if he understands what Commissioner Tobia is proposing, that it would negate what the County has for North and South Beaches and Merritt Island, and this would just apply universally across-the-board throughout the County; that is what they would be moving forward with through those changes; he thinks it would actually be expanding a little bit more than what was originally intended for the revision; if the Board so chooses, he would suggest when looking at the changes and understanding what is really being affected is the general tourist commercial district as it relates to hotels and motels; and that is what the Board allows him to come back with.

Chair Pritchett stated she is good because the County is still going to advertise.

Commissioner Tobia asked for Mr. Knox to weigh in as he is the one who brought this to the County's attention.

Scott. Knox, Attorney representing the applicants, stated he does not have any problem with what Commissioner Tobia has proposed; the issue he is addressing indirectly is the fact that when there is a change to the floor area requirements for hotels to eliminate them all together, sometimes people forget to change the densities; there are hotels located in commercial property where they have 30-unit per acre restrictions in TU-1, which means if the floor area of a particular room is 200 square foot, it can get 30 200 square foot units in there and the market may not generate that and the County may want smaller than that; and he thinks Commissioner Tobia's change probably helps in the long run, because what it accomplishes is what the Board tried to do the first time around that did not quite make it because of the density limitations.

Commissioner Tobia stated he would like to amend the motion with any changes that Mr. Calkins recognizes and pointed out; this was just a draft on his part to get rid of the individual delineations; and if Mr. Calkins notices any other changes that were unintended, he would make the motion that he has the authority to make those changes.

Commissioner Barfield inquired if legal looked at this and if are they okay with it.

Eden Bentley, County Attorney, stated they have not looked at the broader language, but Mr. Calkins has addressed the issue she was concerned about, which would be the breath of the advertisement, so the County has the authority to run the ad the way it needs to be done and to address the other issues in the ordinance; and she thinks they can make it work.

The Board approved legislative intent and permission to advertise for an ordinance amending Section 62-1511, by adding a new subsection (4) to increase the maximum density for hotel use, upon compliance with specific criteria in the zoning classification Tourist Commercial, TU-1.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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**ITEM J.4., RESOLUTION, RE: PROHIBITING SANCTUARY POLICIES**

Commissioner Tobia stated he wants to tackle this as logically as possible; some questions have come up and one of those questions is what are sanctuary cities or counties; according to Politi-fact there is no firm definition, but generally it means that a jurisdiction has decided not to cooperate with federal officials; the next logical questions is what does the resolution do; all this resolution does is affirm the County's adherence to the fundamental idea of following the law and rejecting the liberal movement to protect illegal immigrants at the expense of the community's safety; it prevents future politicians or sheriffs who follow the shining example of Sheriff Wayne Ivey, to interfere or fail to cooperate with federal government law enforcement; and more importantly he thinks it is important to talk about what this resolution does not do. He continued there is no mention in this resolution of race, ethnicity, or any other protected class of people; in other words, this resolution does not encourage or sanction racism or racial profiling; in fact it will not have any immediate effect on current Policies because Sheriff Ivey has already enforced federal law; one may ask why this is necessary and he wishes it was not necessary; however, sanctuary cities sacrifice fiscal responsibilities and community safety to protect unlawful immigrants. He went on to say jurisdictions like Alachua and Clay Counties have in the past adopted policies which the U.S. Department of Justice has said interfered with local law enforcement to work with their federal partners; President Trump's administration sent a letter to West Palm Beach earlier this year because West Palm Beach refused to cooperate with federal officials, possibly jeopardizing federal funds; and he certainly does not want that to happen in Brevard County, and hopes the Sheriff will serve in perpetuity, but unfortunately that is probably an impossibility, so this would lay it out for not only future Commissions, but future Sheriffs as well.

Philip Stasik expressed his appreciation for the Board and for it to allow everyone to speak on this particular issue; he stated the Space Coast Progressive Alliance is asking the Board to vote no on Commissioner Tobia's proposal regarding Brevard County as an alleged sanctuary for immigrants; they clearly see Commissioner Tobia's proposal as a thinly veiled political maneuver that is wrapped in an anti-immigrant message; he is attempting to corner the Board into playing a game that favors his political allies, after all it is election season; and this is all at the expense of some of the most vulnerable among the County, immigrants. He continued Commissioner Tobia's actions threaten immigrants of all types, including those that have come here seeking asylum for unspeakable oppression; Space Coast Progressive Alliance would support any effort that this Board would make to encourage the Federal Delegation to pass immigration reform in a bipartisan fashion especially if the Board would take that action immediately; after all it is their responsibility to get this done; this would surely alleviate this nation's problems in a manner that everyone can support; and they are honored to stand with the American Civil Liberty Union, the Southern Poverty Law Center, United Third Bridge, and all of their other friends in attendance today in opposition to this ill-conceived proposal. He added he would like to remind the Board that everyone is an immigrant; and he asked that the Board vote no on this proposal.

Commissioner Pritchett requested for the audience to not applaud or boo because she wants everybody to have freedom of speech, and to feel protected in their views and opinions.

Raed Alshodoi stated he has been a resident of Brevard County for 18 years; he is representing many of his Iraqi, Libyan, and Sierra's unfortunate families who are stuck here due to the unbearable atrocities in their countries, atrocities and regimes that they were part of creating due to their lack of involvement; these people are not of any harm to the society as Commissioner Tobia claims; they have very few options right now and this resolution would make their lives even worse as they go through the residency process; and the resolution will only enforce deporting many back to their doomed home reality. He continued in 1939 in Florida, there was an immortal call to reject a ship of 1,000 desperate Jews from seeking refuge

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away from the Nazis; they were forced back and denied entry; 250 were ultimately killed due to this immortal call; and he asked the Board which side of history it wants to be on. He went on to say everyone is for the due process, but this call will only encourage more prejudice and discrimination from law officers in mis-targeting people like him with an accent or ethnic background; and he asked the Board to leave this decisive resolution to the national law makers to deal with. He asked the Board to please vote no on this resolution.

Oliver Torres stated he is asking the Board to vote no on the anti-sanctuary resolution; the resolution states that its purpose is to reduce individual tax burdens and to comply with federal immigration laws, but it would accomplish the exact opposite; the resolution cites a law, 8 USC, Section 13.73 that purportedly precludes local governments from restricting communication with federal immigration authorities; at least two courts have held that this law is unconstitutional; even if it were enforceable there is no requirement to actually do anything; not participating in federal immigration enforcement is not the same as interfering with federal law enforcement; therefore, every action Brevard County takes to work with the federal government is its own choice. He went on to advise today's vote would determine Brevard County's ability to comply with the Constitution; this resolution will prohibit any policy that prevents or limits the County from lawfully complying with immigration detainers, but unless there is a judicial warrant signed by a neutral magistrate or probable cause of a criminal violation, there is no lawful way to comply with the immigration detainer; and local law enforcement is only authorized to enforce State criminal law, immigration is federal civil law. He stated immigration detainers are a request from U.S. Immigration and Customs Enforcement (ICE), where ICE asks local law enforcement to hold someone for 48 additional hours giving ICE time to pick up that person even though that person must be legally released; compliance with the detainers is completely voluntary as ICE has admitted in multiple court cases; and by saying yes to ICE's unlawful request and complying with immigration detainers, Brevard County is choosing to violate the Constitution. He added it is re-arresting people who have been determined by a judge not to be a threat to the community, people who are illegally required to be set free because they have paid bail, served their time, or charges against them were dropped; and Brevard County is keeping people in jail without a probable cause that they have committed a crime as required by the Fourth Amendment. He continued the resolution states it seeks to protect tax dollars; he asked where Brevard County gets the money to house and feed the people it is unconstitutionally arresting for ICE; he stated that Brevard County has complied with at least 718 detainers and likely hundreds more; a day in jail costs taxpayers in Florida an average of \$52; at most the federal government is paying Brevard County less than half that amount; he asked how can a resolution that prohibits a county ending this expense, protect tax dollars; and he advised that nationwide many counties have been sued for the same practice that Brevard County is engaging in. He went on to say several suits came between \$15,000 and \$350,000 each in damages and settlement costs, with the average being over \$95,000; and he respectfully asked where Brevard County will get these thousands of dollars that will not cost the taxpayers. He stated Brevard County's only obligation is the needs of its residents; and he noted the people of Brevard County deserve to live in a County where no one is too afraid to call the police and where taxpayers' dollars are used to better the community. He asked the Board to vote no.

Aaron Adams stated he is suspicious of the motivations for this proposal; that suspicion stems from the recent proposal which passed unanimously against DACA; Commissioner Tobia, for that proposed resolution, used a group called FAIR, and FAIR has been labeled as a hate group; as a matter of fact, the Chairman of that group has known association with white supremacists and anti-Semite's; that is a dangerous type of person on whom someone should rely upon for data; in addition, the study in which Commissioner Tobia relied on has been debunked by diverse groups at opposite ends of the spectrum such as the Heritage Foundation; and he thinks it is extremely dangerous to go down this road of association with known white supremacists and anti-Semites, especially in the political situation that the Country is in nationally and he believes it is no place for the County Commission.

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Samantha Nazario stated she would implore the Board to please vote no on this particular resolution; it brings nothing but more discrimination, because there is already enough discrimination in Brevard County, and more fear; she is an American citizen and she is being looked at and threatened to have ICE called on her because everyone is in a panic; and she noted she was born in New York City. She continued this County is having enough issues with race, and now making it dangerous for people who look Hispanic to drive their cars, look Indian, or Saudi, whatever the immigration situation is, they are being called out just on how they look; she noted it is not just happening to immigrants, this engulfs a multitude of cultures; it makes a difference to a lot of people because if they look a certain way then the officer feels entitled to harass people, mistreat people, to pull people out of their cars, or decide that someone's identification is fake; those are all true accounts of what has happened to people she knows; and this resolution has not even been voted on. She went on to say as a mother in Brevard County, as person who works in multiple humanitarian efforts, she would implore the Board to please vote no on this; she does not believe it is the right fit for Brevard County and it is not a label this County wants especially when moving forward with hosting Women's Softball next month; she asked if the Board wants this to be the County that is pro women's softball and anti-immigration; she stated they all have to stand together as a County and remember at the end of the day everyone is a human being; and she noted her experience is not going to be the same as everyone on the Board because no one on the Board represents her or her culture. She explained the Board members cannot possibly understand how she feels or how her son feels when he is told to go back to his country, when this is his country; this is bad, ugly, and horrible for Brevard County; she moved here for a better life and has never experienced racism in the South Bronx; and since she has come to Brevard County she has been looked at funny on more than one occasion. She went on to say Brevard County is a beautiful, a great place to live, and she wants people to continue to be welcoming.

Mitchell Roffer stated he wondered why Commissioner Tobia was introducing this other than for political theatrics because there has not been any referendums in his district; he lives in that district and receives his emails and mail yet no one has been asked as a community if they agree on this proposal; he asked why precious time is being wasted on this when the rule of law already exists in the County; he asked if the County needs a new law to ask people not to break other existing laws, like robbery or kidnapping, he does not think so; he stated the County should be using its precious time to discuss water and sewage treatment in this County; and he mentioned the County is not ready for 2018 let alone 2050 or 2075. He went on to ask why the County is talking about reducing the nitrogen and other nutrients than other pharmaceuticals and chemicals that are entering the County's waterways; he thinks there should be zero limits, but that is another discussion for another time; and he thinks the Board's time should be used properly instead of talking about political posturing. He asked why the Board is not talking about effective, meaningful, integrated land and water monitoring to protect the County from cancerous and other toxic chemicals that are only being discovered now in the County's groundwater; he advised this should have been done 25 years ago, not now; and finally he stated he believes immigration is a federal responsibility and thinks the Board should keep the rule of law in the County as it exists without any non-useful laws, the County does not need any more of that on its books; and he asked the Board to not give this vote a second, and if it does, he asked that the Board vote no.

Samuel Lopez asked the Board to vote no on this issue. He explained this is not the first one, the first one was about Puerto Rico and the Board did not support Commissioner Tobia; now he is coming again with this one and DACA; the Commissioners supported it, but the next day he read in the newspaper that some of the Board members had second thoughts about what was signed; and he is asking today for the Board to rescind that one, because having second thoughts means something, it means that gut feeling was saying to do something else or look at something else. He continued now the County is finding out what this is all about; the third one

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is sanctuary cities and all these Policies; he believes the people are dealing with an individual who is a racist.

Chair Pritchett asked that Mr. Lopez not get too personal with that line.

Mr. Lopez continued to say the people it is going to affect are the people who look like him; those people who look like him have already been affected; they have been stalked, harassed by the police, asked for their identification, and these people do not need this; he asked why the County needs to continue to vote on things that basically are going to affect 40,000 people who live in the County and who are predominantly Hispanic and Puerto Rican; this is who it is going to affect; and just like the resolution on Puerto Rico, this is going to affect a lot of Puerto Ricans who live in this County, who are American citizens. He went on to say the federal government is doing its job, it should continue to do its job; the County does not need to piggyback on this; and he asked the Board to vote no.

Vicki Impoco stated unfortunately Commissioner Tobia once again drags national politics into local elections; his non-sanctuary resolution will have zero impact on an issue that will be decided by the Whitehouse, Congress, and the Federal Courts, not the Brevard County Commission; the only people who will benefit from consideration of this non-sanctuary resolution are fans of political theater; it is a distraction from the real dangers of the local community by callousness, school funding, the opioid crisis, failing infrastructure, budget control, lack of living wage jobs, and fixing the IRL; and she strongly urges the Board to delineate itself from federal immigration policies unless it is to encourage Congress to pass comprehensive immigration reform. She asked the Board to please vote no on Commissioner Tobia's resolution and rescind the Board's DACA Resolution.

George Rosenfield stated he is veteran of World War II and Combat Infantry, and Korea and Combat Engineers; he is an American fighting man; his father was a legal immigrant to America in 1912 at age 30; his family came in 1905, but he had to serve six years in the Russian Army; although a high school education in Odessa, he attended night high school to learn English and how to be an American; he served two years in the U.S. Navy in World War I and two more years as a U.S. Merchant Marine; he was an Americanization officer at both his American Legion and Jewish War Veterans Post; and his children were members of the Sons of both Posts. He continued his father's proudest day was when he received his regular U.S. Army Commission as an Army Graduate from Advanced ROTC; his mother's parents were also legal immigrants to America coming in about 1895; some 30 years ago his son Andrew worked for several years in Eastern Shore Virginia as eligibility worker for rights of migrants agricultural work crews for Mexico; although not all workers were legal they were there to work at harvesting the crops from Florida to New England and repeating it; and they were not here as criminals to cause trouble. He stated the DACA children should not be deported although they were brought here by illegal parents, they only know America, were educated here, and speak English; the laws to become citizens already exists to apply for citizenship; work and study five years, pass a written and speaking test for English and comprehension, not have a criminal record, and swear allegiance to the United States of America; and illegal immigrants are just that and should not have sanctuary cities to continue breaking the law. He advised they came here illegally and unvetted; these times are not those of the 18 and 1900s; not all coming here are refugees seeking a better life; not all coming here want to work and help America, some want to hurt America, some do not want to learn English or follow the laws, and some just want to live as they did in their previous country and not become Americans; sanctuary cities are not the answer; and he asked the Board for a second and to pass the resolution.

Mary Hawkins stated the Board has no idea how much she hates being at the podium or speaking in front of a crowd, but sometimes people just have to do what they need to do; she could not look at the future generation and say she stood on the sidelines and did not speak out;

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there is a proposal to make clear that immigrants are not welcome in this area, to label them as other undesirables or lesser; this has happened repeatedly throughout history, to American Indians when people invaded their lands, to Africans when they became slaves, to the Japanese as they were shoved into concentration camps, and it all happened on U.S. soil; and all of these actions were legal. She went on to say now there is a new group that is being targeted; this is paving a path that will only lead to hurting fellow human beings; it is an atmosphere where hate is being created and it will end badly; she asked the Board not to help pave this evil road with small minded, hateful agenda; and she asked that everyone try to be nice to each other.

Yolanda Tschann stated she is a resident of Melbourne, Florida, and married to a green card holder; she has come to speak out against Commissioner Tobia's anti-sanctuary resolution; as a Catholic, she has been very concerned about her fellow Christian members who have either stayed silent on the issues of immigration or have no compassion for the struggle of migrants in this country; all of the Catholic Church has consistently respected the rights of Sovereign Countries to regulate their borders; and the U.S. Catholic Bishops believe that the broken U.S. immigration system unjustly separates families, denies due process, and contributes to the exploitation of immigrant workers in the workplace. She continued Pope Francis agrees with the statements made by the members of the U.S. Conference of Catholic Bishops that the Board as representatives must create legislation that is pro-family and respectful of human dignity; current legislation allows the incarceration of families and separation of children from their parents; the family is the central social institution that must be supported and strengthened not undermined; Catholics have a duty to protect a family unit as they are the image of a loving communion of the Father, the Son, and the Holy Spirit; and this includes protecting their right to immigrate as a family in search of a better life, which has been stated by both Pope John Paul II and Pope Francis. She stated by allowing Brevard County to come an anti-sanctuary County it will be essentially supporting incarceration and separation of families; she cannot in good conscience support a Policy that harms families; a growing populism has led to the fear of migrants; although it is not a sin to have fear or doubts, it is a sin to allow these fears to determine responses, limit choices, to compromise respect and generosity, and to feed hostility and rejection; the sin is to refuse to encounter the other, to encounter the different, to encounter the neighbor, which this is in fact a privileged opportunity to encounter the Lord; and she read a passage from Matthew.

Jean Michel Tschann stated he is an immigrant; he came to the U.S and ended up staying when he met his wife; he likes the country; he is trying to become a citizen and should pass his oath in the next two weeks; he carries his passport and green card most of the time in case he gets in trouble; he does not get in trouble, he tries his best, but he is scared and does not want to be arrested and spend time in jail just to prove his identity; and his passport costs money. He continued it cost \$120 and the Visa on it is another \$100; he just renewed it so he does not really want to lose it; and he noted he should not have to carry all of those documents all of the time. He mentioned he does not know why the Board would want to force them to carry those documents all the time; he has nothing against Commissioner Tobia, but he just does not understand what this resolution will do for the Board; Brevard County depends on tourism, there is Cape Canaveral, Cocoa Beach, it has beautiful places and the Board tries to get more international events; and he just does not understand why this would bring more tourism in Florida. He noted he thinks it would cost the County a lot of money, bad publicity, and maybe the election too.

Angela Roberts stated she has five children and she would do anything to raise them in a safe environment; she feels like this Policy would make people scared to speak out when they are being victimized; she was also a victim of violent crime before she was mother; if she were in a position of these women she would never have spoken up against her assaulter because she would be fearful of being separated from her family; she does not think a situation like this is

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okay; it makes people remain quiet and they do not reach out when they are victimized; and that is just simply wrong. She continued the Board needs to do whatever it can to make people feel safe to work with law enforcement and this would not; and she asked the Board to please vote no.

Randene Nelson stated she agrees with Mary, she is one of those people who does not usually do this, but when she heard this was on the Agenda she could not believe it was even being considered; she could not believe that the County was doing such political posturing on the County level; she is a descendent of immigrants and she is sure everybody is either an immigrant or a descendent, she does not believe there are too many 100 percent Native Americans here; and she thinks Brevard County should be a welcoming community. She advised her dad was a World War II vet; he taught her love, that people should appreciate and love all races, people who have done bad things in the past, and people that are coming in now are good people; there is bad with everyone but that is what the laws are for; the County should focus on County affairs, not the leanings of national politics; she feels that when doing that it just shows that persons side of their political views; and she always thought the County should only be working on County things, and let the federal people take care of their own. She commented she wants the Board to vote no on the resolution for prohibiting sanctuary policies; the County should not waste its resources on this; the County should be using it for the State laws and the County laws; it should not be wasting her taxpayer money on federal policies and federal laws, this is something the federal government has to take care of; and she reiterated she wants the Board to vote no on this resolution. She wants this County to be a welcoming County and not a fear mongering, hateful one that makes people afraid to go out on the street.

Joel Tooley stated he is the grandson of immigrants, and the great grandson of undocumented European immigrants; his daughter is an 11 year old Mexican born U.S. citizen for the past seven years; she has been singled out repeatedly as an immigrant and more in the last two years since they have moved to Brevard County, than her previous seven years anywhere else they have lived in the State of Florida and the United States; measures like the one Commissioner Tobia has brought forward affect all immigrants not just those who are undocumented; and measures like this point out the community negatively in the light of tourism, national student enrollment at FIT and Eastern Florida State, and family relocations to this community. He noted the Board is in the process of trying to invite immigrant families to move to Brevard County and these people are cautious; more than 500 communities throughout the United States including states have defined themselves as sanctuary cities or states; there were roughly 40 during the Obama administration; a major increase has been noticed since the volatile immigration policies have been implemented under the current presidential administration; law enforcement agencies and cities that have become identified with anti-sanctuary status report a decrease in crimes being reported by the immigrant population as a whole and especially amongst those who are undocumented; and organizations like the National Immigration Forum report that through community building initiatives, local law enforcement agencies widely prefer operating without the pressure of reporting federal immigration issues. He went on to say it is interesting that the appeal is to honor the legacy of the Sheriff, but the identity of many law enforcement personnel would speak against that; the Pew Research Center reports that violent crimes at a 40-year low, amongst immigrant populations even lower than that; on behalf of the church community locally as well as the National Nazarene Immigration Network, where they have 135 churches represented in Central and Northern Florida, and three of five Nazarene churches in Brevard County are largely immigrant populated and multi-cultural churches, and on behalf of the more than 40 percent of his local congregation who are immigrants and half of the community that he lives in, he asked the Board to vote against this proposal; and on behalf of immigrants in his community who are university students, engineers, hospitality employees, business owners, community leaders, band parents, and association members he would ask the Board to vote against this horrible Policy.

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Katherine Banko stated while researching the sanctuary communities she came across Frank Sharry the Founder and Executive Director of America's Voice; she advised she will be citing his article published April 25, 2017, called Immigration 101, *What is a Sanctuary City*; some of what she is about to say is her commentary; and she began to read. She started, "Legal point number one, being undocumented is not a crime it is a civil violation, undocumented immigrants have rights under the United States Constitution. Important legal point number two, holding an immigrant past the point when they should be released just so ICE can pick them up is unconstitutional and multiple courts have said so. The immigrant can sue the police for unlawful holding. It is ironic and a little hypocritical of southerners to consider non-sanctuary cities for their communities because a lot of southerners consider themselves Conservatives and are supposed to support protecting local government from federal intrusion. At that end there are pretty solid Supreme Court rulings, some written by Conservative judges that protect State's rights for determining over non-sanctuary policies." She stated she is not sure how this new resolution making Brevard County a non-sanctuary County is going to read, but as a taxpayer in this County, she would be quite perturbed if an action were to be triggered, a law suit, by one of those bleeding heart groups like the ACLU or SPLC; she continued to say, sanctuary cities make everyone safer, and research backs this up; one analysis has shown that sanctuary cities see 15 percent less crime than non-sanctuary cities; and another found that two-thirds of the cities that had the highest jump in murder rates in 2016 were not sanctuary cities, in fact they were the opposite. She added generally they were eager to hold immigrants for ICE to pick up and detain; she is surprised the Board does not recognize that sanctuary policies are protected under the 10th Amendment; and as southerners everyone knows the 10th Amendment separates federal and State powers.

Stephanie Steen stated she lives in West Melbourne and is a therapist and business owner; her son Nicholas, 11 years old, is super funny and loves to dance; he is in Brevard County Public School, in the fifth grade; he loves football and is on the West Melbourne Broncos, who won their first game last weekend; and he is also an immigrant. She continued he was born in Guatemala and lived there for the first year and a half of his life before coming home on a Visa, through adoption; even though Nicholas is a U.S. citizen, his life will be impacted by aggressive immigration policies; according to the *Times* review of federal lawsuits, internalized documents, and interviews, immigration and customs enforcement agents mistakenly detain and deport people on a regular basis; and an article by Jacqueline Stevens noted that almost 20,000 people over the last 12 years were detained even though they were legal citizens. She went on to say U.S. citizens, like her son, are being detained because of clerical errors, like stating Jr. instead of Sr. or maybe their names were spelled incorrectly; what this means is that her child is not 100 percent exempt from being detained unlawfully; she wanted to share the story of her son and to let people know he is not the only one with a story; and she noted there are millions of people living in the United States that have a story and will be impacted by aggressive immigration policies. She urged the Board to look past the color of people's skin, look past people's immigration status, and to see the person, their story, and know they are more than a status.

Sanjay Patel stated he is a proud first generation immigrant and he is beyond grateful to be a citizen of this great country; this charged national political scene is pitting neighbor against neighbor and even making it so families cannot even have conversations at the dinner table; more than ever this County needs leaders who will bring this community together, not those who will further divide them; and instead County Commissioner Tobia has yet again decided to blow his dog whistle in an attempt to villainize and dehumanize the immigrant population in this County and this country rather than focus on the real challenges facing the community like the disastrous health of the IRL and the crumbling infrastructure. He continued Commissioner Tobia has decided to shirk those responsibilities in search of an easy target to pick on; the truth is over one-third of Brevard County residents are struggling to afford basic daily needs including rent, childcare, and healthcare; seniors and hardworking people in this District cannot afford rent or

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their medications and while some highlight the low unemployment rate, they rarely talk about the elephant in the room which is the fact that working people are working longer hours at more jobs and still cannot make ends meet; and he has met teachers who are working second and sometimes a third job after a full day in the classroom. He stated Commissioner Tobia wants people to believe that the handful of DACA students and undocumented immigrants in this community are the reason for that; the truth is that Commissioner Tobia and other elected officials like him do not want to be blamed for their inaction and avocation of their responsibilities to the community; those officials want the people to blame one another so people do not stand together against their failed policies which have only benefited themselves and their cronies, not those that have paid their taxes and whom they were elected to represent; he agrees with those who say there is a need for comprehensive immigration reform, but that is not the job of the County Commission; he is an immigrant and what an immigrant looks like; and he shared that he came from nothing, his parents worked minimum wage jobs, started their own business, and raised four kids who eventually all went to college and got great jobs. He asked the community when it thinks of immigrants to think of him, think of their neighbors, think of their friends, and not to fall for the ridiculous narrative that people like him are dangerous criminals or terrorists; he is calling on the Board to rescind the DACA Resolution and refuse to offer a second to this anti-sanctuary resolution proposed by Commissioner Tobia. He noted the community is in this together and it needs leaders who bring the people together to address the real issues in this community.

Christina Koshishian asked the Board to vote no on the non-sanctuary resolution; there has been so much anger and betrayal in the media, political commercials, and online against undocumented immigrants that she feels the country could be at a tipping point towards something very dangerous; she has spoken with people in the Hispanic community in Brevard County who are already afraid to go to the police for help and some will not even leave their homes; to make undocumented immigrants feel safe to report crimes and live their lives without a fear of being preyed upon by criminals, some cities are adopting policies that prevent city workers, including police officers, from asking law abiding residents for their citizenship status; last month the Orlando City Council unanimously agreed to pass this kind of resolution, called the Trust Act; and this policy does not mean that undocumented immigrants can commit crimes and get away with it, nor does it mean that federal warrants will go unanswered, it simply means people who are not breaking the law and committing crimes will not be asked about their citizenship status. She continued, sadly the resolution on the docket today promotes the anti-immigration agenda; in a television interview, Commissioner Tobia stated he is introducing his resolution so that Brevard County does not miss out on grant money that the federal government could withhold if it does not enforce federal law, and that claim is patently false; the Supreme Court has already ruled there is no requirement for local governments to enforce federal law; court after court has ruled that the federal government cannot withhold funding from an area that does not enforce federal law; and while she fully respects the letter of the law, being in the U.S. while undocumented is a civil offense at the federal level, not a crime. She went on to say these offenses have traditionally been enforced by federal agents, not local police forces; this year Texas enacted the controversial Show Me Your Papers Law, which required local police to enforce federal immigration; according to reports on MPR's Morning Edition, the Houston police data shows a 43 percent drop in Hispanics reporting sexual assaults, and a 12 percent drop in Hispanic reported robberies and aggravated assaults since the state of Texas began authorizing any Texas officer to check the immigration status of the subject they detain; she does not want people to be afraid to seek help from the police; and she does not want people to live in fear in their own communities. She asked the Board to vote no on the resolution.

Christopher Strickland stated he is an engineering manager for one of the largest contractors in the U.S.; the company does a lot of cyber security work and his job specifically focuses on hiring engineers for high paying jobs; the people they hire are typically millennials and one of the

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things they focus on and value when choosing a place to live is the inclusion of diversity in their area; this particular item makes it difficult for him to actually bring people into the area to hire for that type of job; and he asked the Board to not second this or to please vote no on the resolution.

Santa Isabel Wright stated she has been in this country since she was two years old, her brother served in the Marine Corp, and she is a very proud American-Cuban; she says it that way because she was raised here, she believes in these laws, and she believes in this country; she does not like what is going on in Washington, she definitely does not support President Trump and his idea of what immigrants are, they are not aliens, they are immigrants who migrated to the U.S. just like everybody on the Podium; and she announced she has been watching everyone on the Board and she would like to comment on the Board. She continued the Board consists of elected officials, and all of the members are immigrants, including Commissioner Tobia, who is from Hawaii, which traditionally has a lot of Japanese people, who are immigrants as well; she is sure his parents came from somewhere because he is not a Native American; she has seen the indifference in the Board members faces; she has looked at the Board and the only one who seems engaged in the community has been Commissioner Pritchett; and she is so saddened that the Board as an elected body does not care what is going on here by showing the people, not all Hispanic but voting people like her, that will do what they have to do to make sure the members who vote yes on this resolution do not get re-elected, because they would not be representatives of this community, of this country, or of any American citizen or any immigrant. She went on to say immigrants come here for a better life, as her parents did; they came from a country where they were not allowed to speak their rights or have any ability for their families; and for a Board member to say that he or she wishes the Sheriff was in perpetuity is an embarrassment because that is called Communism. She added if the Board does not know what communism means, then it should look up what Cuba has lived through in the past 50 years, Communism under the dictatorship of one man, and that is what this County is being asked to do; she stated she is embarrassed by Commissioner Tobia; she noted she has run against Commissioner Tobia and they have always respected each other, but she is amazed that anyone would second anything that has to do with this resolution; the Board needs to think about humanity and the community because they vote; and come next election, whoever votes yes for this resolution will not be sitting up there again. She stated she wishes the Board the best of luck in making the right decisions if the Board members want a political career. She went on to say she hopes the Board makes the right decision because this is about humanity, it is not about Brevard County because the County does not have the right, the power, or any ability to govern under anything that is on the federal level.

Chair Pritchett explained the Board members are not allowed to talk and that is why there is no engagement at this point; and she advised her, the Board is very caring.

Charles Graham stated he grew up in a county similar to Brevard County, suburban, rural, in Kansas City; Brevard County is 75 percent white and that county was 82 percent white, and much whiter there when he grew up; he heard many of the N word, hick, hick starting with 'sp', Italian, Irish, Jewish, Polish, Catholic, and Chinese jokes throughout those years; and some were funny, but most were not, although he laughed and smiled at many, they were racist. He explained at flight school, a good buddy was marrying a women from Tupelo, Mississippi, and he was in the wedding party; one brides maid was in her second year of law school at Ole Miss and her parents held a gathering for the guests and the wedding party; her father was a prominent judge and the house was gorgeous, straight out of the movies; he made it to the kitchen and met the maid of the house, who was 50-ish, dressed in the classic maid outfit, with the apron and head gear; he asked if she had prepared the delicious h'dourves and she started to nod yes; however, before she could speak the mother jumped in between them and stated she had made them herself, and ordered him out of the kitchen. He noted that was racist. He continued on to say later that evening he and that bridesmaid had gravitated towards one

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another while drinking and chatting with the rest of the wedding party, when the conversation was somehow directed to the KKK; this highly educated and very attractive second year law student let them all know that those nasty stories about the KKK were false, fake news in today's world; he was shocked then and he is still shocked today, but that is what happens when racism is allowed to fester unchecked; and that was racist. He went on to say often immigrants are far better citizens than most; in Texas legal immigrants had a criminal conviction rate of 85 percent below that of native born Americans; hence they were falsely accused from the get go, and that is racist; sanctuary cities do not breed crime, they encourage people to report crime; in San Diego 600 respondents randomly assigned to one of two groups, both were asked the same questions, however, for the first group the question was preferenced with, if the San Diego Sheriff's Department said they would not work with ICE on deportation would they be more or less willing to report a crime that had been witnessed to the police, and the second group was asked if they were working with ICE on the deportation rates; and the results were somewhat predictable, 64 percent would report crimes if law enforcement agencies were not cooperating with ICE to 3 percent with. He inquired what the dollar cost is to law enforcement agencies for a policy like this resolution; he stated Virginia was \$6.4 million for the first year and \$26 million over five years; what is being talked about is a resolution that has no authority, unless the sponsor of this resolution is willing to state that this resolution is racist, then he respectfully asked that it be withdrawn; and he stated should that not occur, he would expect no one on the Board second that motion.

Ron McClellan inquired why the Board is talking about this; it was heard earlier that it is a civil offense; for clarification he does not support nor does he want open boarders, that it is an over-used juvenile attempt at fear-mongering; he asked again why this is being discussed here and answered, it is fear, a phobia to be exact; he stated people have come here fleeing famine and that fear was only experienced in the U.S. on September 11 and the country has still not recovered from it; it is no secret that a resolution like the one here tonight impacts people mainly from Mexico, Central America, and Haiti; Italians were finally accepted, the Irish were accepted, and the Germans were accepted; and he asked why and when people became so afraid. He went on to say it is no secret that if people look hard enough they will find the boogeyman behind every tree, around every corner, and lurking in every shadow; American people like to pound their chest as they sing the last words of the National Anthem, people may not know the rest of the words, but they make sure to belt out "Land of the Free and Home of the Brave"; when people are driven by fear, they are neither free nor brave; when people allow policies and resolutions like this one, they are not free nor are they brave; and he encouraged the Board in the strongest way possible, if it must address this issue tonight, to vote for freedom and bravery.

Laura Rankin stated she is the great granddaughter of a Native American who survived the American policy of extermination; she would appreciate if the Board were to vote no on this; she quoted from a prominent Protestant pastor who emerged as an outspoken public foe of Adolf Hitler and spent the last seven years of Nazi Rule in concentration camps; she is also as lesbian and concerned about being put in a camp; and she went on to say first they came for socialist and she did not speak out because she was not a socialist, then they came for the train unionist and she did not speak out because she was not a train unionist, then they came for the Jews and she did not speak out because she was not a Jew, then they came for the immigrants and she did not speak out because she was not an immigrant, and then they came for her and there was no one left to speak for her.

Terry Mueller stated he is here because he believes in this country, he is here for his children, he is here for those who will be antagonized for this; he is a first generation immigrant from Nicaragua, and he fled during the War in the 80's; because of great leadership he was given the opportunity to become a citizen, and served in the U.S Army for four years, one year in combat; and when he sees this policy it really disturbs him because it feels like a direct attack against his family and his people. He continued he tries to understand where the hatred comes from and

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what is the purpose of these types of decisions that will affect his friends, his family, and himself; luckily, as a veteran he honestly has been treated very fair with respect in a good way by society; he worries about those who do not have the same experience or background that he does, and the ones who go out and try to do the right thing every day just to be pulled over and antagonized because of laws like this; and in the six years he has been here, it has been very peaceful. He continued a lot of it has to do with Samuel Lopez and the people who stand up for what is right; so far he feels that everything is fair, now he is starting to see with the laws and policies that are beginning to be put in place, that the U.S. may go backwards in all the progress that veterans have been fighting for all this time; and he asked the Board to put itself in his shoes with his family. He asked the Board if it would pass laws that affected its own family members and friends; and he urged the Board to vote no for this policy.

Seeta Begee stated she is not sure why Commissioner Tobia brought this resolution prohibiting the sanctuary policies; she is an immigrant and when she came to America she came with \$5 dollars in her pocket and cleaned houses for \$4 an hour; she asked if Commissioner Tobia is afraid of her or people who look like her; she stated when she grew up in Trinidad and Tobago she had 18 brothers and sisters; America offered an opportunity, a dream, so she could help her parents with her sisters and brothers; and when she came to the U.S. people were scared because they did not see people who looked like her. She added unfortunately she grew up with the myth that people with white skin, blonde colored hair and blue eyes was what was expected; that was what she thought she wanted to be when she came to America, because that was what was fed to her; she wants people to know that people who look different are no different than the anyone else; most of them want the same thing that everyone wants, they want a safe house, affordable housing, a job with benefits, healthcare, and they want to take care of their children; and she asked that before the Board brings about policies that can affect so many people's lives to think about it because it may not understand why people come to America, it is not to take someone's job, or to take the cities, or to commit crimes, they come for a better opportunity. She asked that people try to get to know their neighbors; people live in communities where they erect fences and have gated communities but do not talk to each other; she stated they know about Mexican food but she asked what do they actually know about the people and why they come here; she thinks if Commissioner Tobia sat down with people one on one he would understand why they are here in this great country that has been extremely good to her; she advised that is why she is running for State Representative in District 52; and she thinks he would understand that most of them will give back to the U.S. but they have to protect the people who do not have a voice. She stated sanctuary cities have often been a place of refuge; she noted when her mother was being beaten by her husband she would have to cradle her mother's busted head while someone hid her in their home because had her father found her there, she would have been dead; when she herself was a victim of domestic violence, had someone not hid her in a church in Hollywood, Florida, she would probably be dead today; and she asked with the remaining years they have left on earth and with the senses that God has given all, to please use it for the common good, stop spreading hate, and stop dividing this nation because it does not do anyone any good.

Cameron Buchheister stated he feels this issue jeopardizes the diversity at Florida Institute of Technology (FIT) that he strongly values; it represents an attitude; this policy is going above and beyond in a way that does not need to happen; this County should be going above and beyond to protect the Lagoon, but instead it is going above and beyond to promote an attitude of immigrants not being welcome in this County, an attitude that has put his younger sister in a position, because she was adopted in Guatemala that she has to ask his mother if she was going to be deported; this is the attitude that is being perpetuated by saying yes to this; and he asked the Board to vote no to protect the diversity that Florida Tech offers, to protect the diversity that the country offers, and to perpetuate an attitude that this is a welcoming country full of opportunities.

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Sheriff Wayne Ivey, Brevard County Sheriff's Office, stated he is in attendance to share what the Sheriff's Office is currently doing in the law enforcement arena on this subject; in March they entered into a basic Order and Agreement with ICE; the basis of the Agreement is if they have someone incarcerated in their facility, they give ICE and Customs the ability to interview them to determine their legal status; if they serve the Sheriff with a detainer then they are housed for an additional 48 hours which gives ICE the ability to do their paperwork and provide them with the per-diem costs that comes with that; if they are housing somebody, they currently receive \$50 per day for each person being housed because of that Order; and since March when they enacted as part of that Order and Agreement, 31 people who have fallen under that Agreement, resulting in ICE reimbursing them with \$1,550. He added in March they had four, April they had two, in May they had 10, in June there were seven, and in July there were eight that all fell under the Order of that Agreement; the services commence at the time they are scheduled for release, so if that person has made bond, or has been released by any aspect, that is when the services start; they will not hold anyone for more than 48 hours; and when they currently started there were 17 Sheriff's Offices throughout the State of Florida that entered into the Agreement and there are now 40. He stated it was done as a phase in process to evaluate the program to determine how it was going to operate, then started signing others up; and it is a program that was piloted in the State of Florida and is expanding throughout the country. He commented normally they would call it a Memorandum of Understanding, the Feds call it a basic Order and Agreement; and he stated as long as he is Sheriff and that Order is deemed legal by those who make the decisions, he will follow the order and continue to partner with the Federal partners to make sure they are keeping Florida safe and certainly keeping Brevard County safe.

Commissioner Tobia thanked everyone for showing up; he stated this is a testament to the United States, no matter what someone's opinion is, they have the ability to stand up and voice that opinion for a period of time; he is not going to dignify some of those comments because they are personal and he believes if people actually read they resolution, they would find that none of the stuff that was discussed is actually located in that document; and he stated he would certainly hope to see the people attend the meeting in a couple weeks because he intends to bring something else up in a few weeks. He advised there was talk about him targeting a certain class of people; it was interesting that the Puerto Rican population was claiming he was only targeting Puerto Rican's and the Mexican population was claiming he was only targeting Mexicans; what he is doing is in a couple of weeks he will be targeting the elite, the business owners that abuse the illegal immigrants by hiring them illegally, which not only harms them, but it also harms the legal immigrants by taking jobs that others might not have the opportunity to get, paying unfair wages, and dealing with that through the E-Verify system; regardless of people's opinions, he would like to hear people's voices moving forward while looking at business owners that are taking advantage of this system; and he stated he appreciates everyone's engagement no matter what side of the issue they are on. He encouraged the people to please read the resolution because he believes following the law is not racist, it is a fundamental part of society. He mentioned he strongly believes in legal immigration, he just has an issue with illegal immigration; and he just happens to disagree on the prospective that many in attendance have brought forward.

Chair Pritchett advised there should be no comments from the audience. She stated immigrants are so welcome here; as a matter of fact she hopes everyone will move to Brevard County because it absolutely needs the workforce; she thinks there is such a mess going on with social media that is emotional and not based on a lot of facts; it is hard to deal with things that have no truth in them; she thinks everybody has an ability to read through things and make good decisions as the Board has to do; she believes diversity is very important; and she believes this country is based on diversity and is essential to be a great country. She continued she has never made herself greater by making someone else less; she does not know how to fix all this, the way that people have opinions of one another; it is a lot to get through and somehow people need to get through it; and the problem is there are federal laws in place, but not on immigrants.

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She advised her mother came from another country and became a citizen; her dad was an Indian; she has grandchildren who are from Puerto Rico and grandchildren that are Asian; she has never seen a lot of racial problems in the Brevard County community; when talking about legal and illegal, she has a duty to stand up for the law; it is illegal for someone to cross the border without going through the proper channels; and there needs to be a law change but she and the Board have to abide by the law. She went on to say if everybody who came here obeyed the laws and did good things, then this would not even be a discussion; the Board has a duty to protect the whole community; as far as this resolution, it is not making a law it is telling the County Manager to obey the law and support the Sheriff for obeying the law; and she cannot vote against something that states the County has to obey laws. She stated what people do at voting time is their opinion, but she has to do what is in her heart and what she feels is right; and it is about protecting the community.

The Board recessed at 6:43 p.m. and reconvened at 6:54 p.m.

Commissioner Isnardi stated she appreciates everyone coming out to speak on this; she understands there are passions on both sides; the one thing she kept hearing was immigrant and this is not an anti-immigrant resolution, that is not a fair assessment of the resolution; she is first generation American, her mother is Canadian, and her father was born in Germany; and her grandfather, if he was still alive today would say he was a proud American. She continued he worked very hard to become an American, as did her father who enlisted in the Marine Corp but before he could be sworn in he was drafted by the U.S. Army and fought in Viet Nam, then re-upped for four years. She noted there were a lot of people yelling shame and this is racist, but that is not true; to be pro legal immigration is not racist and it is a shame anyone would accuse someone on this panel or make any decision based on what is false; this is a country of immigrants, but people need to follow the law; she does not understand how anyone could be opposed to that; she is frustrated with the fact that Congress has not done anything to fix immigration, and wishes there was an easier process for her relatives to come to Florida; however, people need to be mad at Republicans and Democrats because when both had the House and Senate they have done nothing to fix this. She urged the people who are upset to use that effort to deal with them because in her opinion they are the ones who have failed everyone because they will not compromise and they refuse to compromise; she stated that is a shame as far as immigration goes; and to paint this as something other than what it is, to her it is a sad shame. She noted she will be supporting this.

Commissioner Smith stated he knows many of the folks in the room; they all know he does not have a prejudice molecule in his body; the Board has to follow the law and he thinks everything said before him is the way he feels; it is not about hate or disrespect, everyone has to work together; and that is why there are laws to help do that.

Chair Pritchett commented there are a lot of problems that need to be fixed with this nation, a whole bunch; the Board will have to start working on those problems; this is a resolution she does not know that she would have brought forward; however, it is not something she will vote against either.

The Board adopted Resolution No. 18-106, prohibiting the adoption of Sanctuary Policies.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

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The Board recessed at 6:58 p.m. and reconvened at 7:01 p.m.

**ITEM J.1., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: CODE REVISIONS TO ALLOW TINY HOUSES**

Tad Calkins, Planning and Development Director, stated this request is for the Board to approve legislative intent and permission to advertise revisions to Chapter 62, Article VI, Zoning Regulations, to allow for tiny homes on foundations and tiny homes on wheels (THOWs) as permanent residences; the proposal before the Board would basically create three new Zoning classifications in the Zoning Ordinance; the first would be a Tiny Home Planned Unit Development Zoning classification; and it would establish some minimum criteria such as a 25-foot buffer, 30 percent of the entire development would be for open space, and it would require for 40 percent lot coverage with each of the lots having a private or publicly maintained road. He added it would also provide some flexibility for the developer to establish the minimum lot width, lot sizes, and floor area requirements are for the development, which the Board would be approving through the Preliminary Development Plan through the PUD process. He continued the second one is a Tiny House Urban classification which mirrors some of the smaller Zoning classifications in lot size, lot width, and lot depth, but it removes or establishes a new square footage of 120 square feet; the third would be the Tiny Home Agricultural Zoning classification and it would mimic existing agricultural classifications with lot size, lot width, and lot depth; and it would also allow for 120 square foot minimum living area.

Commissioner Tobia stated the County is on the razors edge of this so what staff had to come up with was new; he understands how difficult it is to do that; he asked for reiteration of the Planned Unit Development; he asked what Planning and Development heard back about the potential development opportunities; and he inquired if the way they have it set, is where staff believes that private enterprise will come in and provide this type of opportunity for tiny homes.

Mr. Calkins stated what they did through their meeting was to look at providing as much flexibility as they could for the Planned Unit Development for Tiny Homes; they looked at what some of the existing Codes are; Rockledge has a solution very similar to this, but they established minimum criteria of an 18 foot lot width; the real question is he cannot tell the Board if 18 feet is a good minimum width for a tiny home or not a good minimum width for a tiny home; with this provision, it would allow the developer to come in and tell them what is a good size and what they want to provide in their tiny home community; and the Board would have the opportunity to look at that, approve it, and make conditions or alterations through the Preliminary Development Plan through the PUD process. He added the Board is familiar with those since it has seen a few of those recently. He explained they think they have looked at what they thought they would be limiting, as in minimum square footage, and decided to let the developer define what the square footage is; they do have a provision for a 900 square foot maximum because when it is at the 900 square foot it is really at the regular PUD and there is a set of regulations for that; they have tried to put this in the developers court to say what they want; and hopefully that will be enough for them to move forward.

Commissioner Tobia stated the County was very flexible in setting up the frame work for a solution that no one has quite figured out; Brevard County will be on the cutting edge to figure that out and he greatly appreciates the flexibility that they have shown on this; he asked for help with understanding the new Zoning classifications; and he inquired if the new Zoning classifications would allow for anyone to purchase a piece of property of a certain size, purchase a tiny home, and to place it on the property.

Mr. Calkins stated since these are new Zoning classifications they do not exist; the first step in purchasing that property would be a change in the Zoning to allow for the tiny home; the Zoning would have to be established on any property that is chosen to have a tiny home on it at this

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point because they just do not exist at this point; once the zoning is changed, the way they set it up is the tiny home would be a Permitted Use and at that point it would be able to be placed on the property; and they have provisions for both tiny homes on foundations and THOWs.

Commissioner Tobia clarified right now he would not be able to purchase a piece of Agricultural Land and put a tiny home on that piece of property without first coming to the Board.

Mr. Calkins responded that is correct; the zoning would have to be changed to one of the new Zoning classifications.

Commissioner Tobia inquired if that would have to be with each and every piece of property that was purchased.

Mr. Calkins stated it would be for each and every piece of property to establish the use as a Permitted Use through the new Zoning classification.

Commissioner Tobia inquired if every tiny home not located in a PUD would first have to come to the Board under this ordinance.

Mr. Calkins responded affirmatively.

Commissioner Tobia asked regardless of the size of that piece of property.

Mr. Calkins again responded in the affirmative.

Commissioner Tobia inquired if there were 100 people that wanted to purchase a tiny home and put it on a piece of land, if the Board would see at least 100 applications during a Zoning meeting to potentially allow them to put their home on that.

Mr. Calkins stated yes; the way they have it set up with the proposed changes, that would be the direction they would be headed.

Commissioner Tobia stated he appreciates the work and Mr. Calkins dealing with five Commissioners and private enterprise; and he asked if he spoke with any builders or if this is something the builders thought would help with the tiny home movement in Brevard County or something that would be more of a hindrance.

Mr. Calkins stated that would be the next step through the legislative process; right now what they are doing is seeking legislative intent and permission to advertise; they have created some standards but they are just for discussion points; if the Board grants this and they move forward, then they would further define those into an ordinance; and at that point they would start seeking stakeholder input and going through the public process, which would include going to the BCAC, the LPA, and bringing it back to the Board of County Commissioners.

Commissioner Tobia inquired if the Board went with the permission to advertise and then the Board expands that to allow for maybe five acre agricultural residential zoned lots, if it would still fit under that initial advertisement or if that would be too large of a change.

Eden Bentley, County Attorney, stated what the Board has right now would be limited; it could direct staff to examine lot sizes or acreage that might be appropriate and give staff some kind of leeway as to appropriate acreage sizes; legislative intent is a Policy by the Board; the other thing is, it could ask staff to come back with acreage analysis and ask for additional legislative intent before coming back with these items or other items; however, the Board has a lot of flexibility in that arena.

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Commissioner Tobia asked if he was to vote for this and on the first reading he was to ask to expand it to the 2.5 acre Agricultural Residential Zoning, would the County need to re-advertise again.

Attorney Bentley confirmed they would need to re-advertise.

Commissioner Barfield stated this has been talked about a lot; he really likes option 1, the Tiny House Planned Development Unit, because there is green space and everything else on how that works; it also protects the adjoining property owners too; the way he reads some of it is someone could tear their house down and potentially put in a tiny house, if they went through the process; and he asked if that was correct.

Mr. Calkins responded if the person received a successful zoning change then yes it would be allowed to be inter-mixed with other existing zoning districts.

Commissioner Barfield stated he thinks the Tiny Home Planned Development Unit is the best way to go; it is the same that is done with the manufactured homes; that is what he would like to see done; and he asked if the Board can vote to have staff pursue coming back with a draft of the zoning regulations before they ever do intent because it could grow a lot based on what Commissioner Tobia said.

Attorney Bentley responded yes.

Commissioner Barfield advised that is what he would like to see the Board do.

Michael Cheatham stated he is the owner of Movable Roots; he thanked everyone for all the work they have done with this; he stated he is sure what everyone is trying to find is not easy because Brevard County is on the cutting edge of this; and he is so happy it is happening here in Brevard County. He continued they went to the Orlando Home Show to display one of their tiny homes; they had thousands of people go through their home and the number one question was where could people put it; he would love to be able to tell people to come to Brevard County because it has that availability; in talking with a lot of them, Planned Unit Developments or Tiny Home Communities are what they are looking for, so they are a great option; he thinks it is something that would be great for the County; however, most of the developments are going to take extended periods of time and lots of bank rolls to get them set up, not making that an immediate option for people looking to buy tiny houses immediately. He went on to say the other thing is most planned developments set up their developments as rentals, where the people own the home but not the land; the American dream is to own a home and the land; what he would like to see is something in line of what Commissioner Tobia was saying; potentially maybe stating a certain size piece of property whether it be a half an acre, an acre, or more, and that tiny homes are a permitted use where the owner will not have to roll the dice to buy the property and potentially not have the ability to rezone it; and if it was permitted use, and they have already had the building department come to their warehouse and come up with some wording that says if the house meets a certain requirement they would be good. He stated the other thing it does with PUDs and Planned Unit Developments is it also offers multiple different options in the lower income housing options for veterans homes; and it also gives those same people the option to buy their own piece of property where they know they can buy that house and that piece of property and place the house on it without having to come before the Board for the rezoning process.

Lynda Hauser stated she has many years in administration construction of affordable homes both with Habitat for Humanity, and For Profit Ventures; she is very involved and invested in affordable housing; she would like to encourage the Board, she loves what she saw with all the work that has been done already, to simplify the process so that each person who wants to own

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a small home on a foundation or on wheels will not be required to spend the Board's time or the energy required to bring 100 or so applicants before it; she supports the idea that upfront there may be usable purposes for certain lots of land; and she loves the idea of a small home community, the PUDs. She stated to cast a vision, if people think of Norman Rockwell with a painter of light and a beautiful community where people are investing in a neighbor association where they support each other more, it builds an environment not only where they have a safe environment but a place where their children are raised in safety and a place where people are able to invest in each other's lives and their pursuit of happiness.

Commissioner Isnardi stated if it were up to her she would agree with Mr. Cheatham about the Permitted Use; although she does not believe that is the flavor of the Board she does like the idea of allowing for Zoning changes that allow these houses to go in; she does not know how to rectify the situation because she sees the concern with somebody buying land in hopes of the Board allowing for a Zoning change, that is a big gamble for someone to take; she does not think the Board would be favorable to Permitted Use based on any size residential property; she does not want to lose that Zoning option for people who want to do that because she is sure there are plenty of people who own lots in Palm Bay and are either waiting to build, going to build in the future, or would like to have the option to have a tiny home; and she would implore the Board to not lose that Zoning option. She continued the reality of a big developer coming in and building a bunch of these little houses is not a very big one; someone may do it, and take a gamble, but a developer stands to make a lot more money building a bunch of larger homes instead of these tiny houses; she thinks this would be more appealing or equally appealing to someone who does not want to live in a PUD because the cost of them may actually be more than living in a place like Barefoot Bay or in a recreational park; and if the County is going to do this she would suggest it be done right and allow this option for people to change the zoning. She clarified she would like the option of zoning changes to stay.

Commissioner Tobia stated Commissioner Barfield mentioned he was concerned about these tiny homes popping up in between fixed larger homes and decreasing the value which is a very real issue; if the Board were to focus this on land that was zoned Agricultural and it were set to a minimum size of two acres, a place that right now people can have horses, cows, and bees, he does not think that a tiny home on that piece of property is going to decrease the value of the surrounding agricultural land; on top of that, having a two-acre plot of land, it is highly likely that people may not even see their neighbor; if that was made a new Zoning classification or a Permitted Use in an Agricultural Residential zone of two acres or higher, the price of that land in Brevard County is pretty reasonable at approximately \$15,000 to \$20,000 an acre, then someone could make the decision to purchase that land without having to come to the Board and not be impacting the value of surrounding neighbors; and they could be certain that when the house was built they could then place the tiny home on that property without going through the expense, the time, and the uncertainty to come before the Board. He reiterated that would be zoned Agricultural of two acres or larger and would help with Commissioner Barfield's concerns and help Mr. Cheatham, as well as give people another option of not having to purchase in a PUD that may not exist for years; and he stated his motion would be to adjust the language and to include tiny homes and THROWS in Zoning classification of Agricultural Residential Use of two and a half acres. He went on to say this gets the County closer to the goal and it can re-adjust as they find out if this is adequate or not.

Commissioner Isnardi stated she wished it was a Permitted Use and a much easier manner, however, there are pros and cons to both and if that is the best the Board can do then she will accept it; she is less concerned, if Permitted Use is off the table, if the item comes back before the Board and there is a Board that has to vote on the Zoning change, she does not understand how that would impact somebody with a high valued home because if it is not conducive with the area the Board, whether it be this Board or another, would have grounds to not allow for the zoning change; if Joe Smith comes in and wants to put a tiny home on a half-acre or an acre

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and it is not conducive of the neighborhood, then the Board would not vote for that; the other issue is if someone buys property with the intent of placing a tiny home on it, and then is not granted the zoning change, maybe this is the best compromise; however, it is really boxing people in to have to buy 2.5 acres of land. She went on to say there has to be another option where people can appeal to the Board; and she asked if that is feasible if someone owns a piece of land in Palm Bay and there are only two houses on the street, and it does not impact people's property, would these people have an option to appeal to the Board, even though it is not the standard variance.

Mr. Calkins stated he believes those are all things that would have to be taken into consideration in drafting the ordinance; if he understands what Commissioner Tobia is proposing, it is looking at modifying the existing Agricultural Zoning classification to allow them as a Permitted Use; that does allow for it to go right in and it would be immediately affective upon the changing of the adoption of the ordinance; and his concern is, in doing such there may be unforeseen impacts because they do not have their finger on every Agricultural zoned property, and there could be an adverse effect. He continued tiny house proposal number three is what they looked at as trying to do as a starting point; and he does not know off the top of his head if they would be able to get to a waiver because that would be through the Board of Adjustment and would not necessarily come to the Board because it is a zoning change, but that could certainly be taken into consideration in what they put forward to see what they can come up with.

Commissioner Isnardi stated if the idea is affordable housing then that is not making it affordable, not everybody can afford a \$20,000-plus piece of property; and if the goal is to help people with affordable housing to help them put roots in Brevard County, she does not know how this is helpful to them.

Commissioner Barfield stated he is okay with option three; he would also like to see the Board do option one as well, for PUDs; he thinks both of those are okay; he is with Commissioner Isnardi on this, he wished there was a way that they could figure out how to do it without all of these coming to the Board every time; and the other side is with option two, the Board could always change the ordinance later because it has not had a tiny house come to it yet and it does not know exactly what to expect.

Mr. Calkins stated that is correct, the ordinance can always be modified later to be either more restrictive or less restrictive based on the starting point.

Commissioner Smith stated his problem with this is that tiny houses are unusual and it is not something that is common so the County is trying to fix a problem that the Board does not know what to fix because tiny houses have not come up; knowing that they are unusual he thinks the logical place would be to restrict them to something like a mobile home park or a manufactured home area then they would not be so unusual because they would be in an area where there are already smaller homes; at some point in time, the County becomes inundated, this Board or another Board would maybe have a little more knowledge about these things; and people would better understand what they are getting into with these tiny homes and making decisions. He added he does not think the County needs to rush into anything at this time; and he thinks the simple answer would be to restrict them to a manufactured home community, or in a mobile home park, and let the managers of these places decide whether they want them or do not want them.

Chair Pritchett stated number one is a no-brainer, that one is easy; she asked what type of zoning trailers have; and she stated North Brevard has a lot of property in Scottsmoor and Mims where there is large acreage with trailers.

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Mr. Calkins stated there are Agricultural Zoning classifications that allow trailers as a Permitted Use, and when he says trailers, that includes manufactured homes; and then there is also a manufactured homes Zoning classification.

Chair Pritchett inquired if it is different than AU to do that.

Mr. Calkins stated they are a Permitted Use in the AU; and there are other different zonings that allow for a mobile home specifically as a standard Zoning classification.

Chair Pritchett commented there are some big open areas in Mims and Scottsmeer where it just makes sense because there are trailers up there, so why not put tiny homes up there and enjoy the water and everything out there; and she asked if it would work to do the same kind of Zoning in AU that is done for the trailer, so people could put their tiny homes out there since they are already these types of projects out there.

Mr. Calkins stated it could be an option and he believes that is probably what Commissioner Tobia was leading to.

Chair Pritchett stated she does not know how to get around part two since it is a new Zoning classification, how to ease the pain of everybody having to come in and change zoning because it is different; and maybe if the Board did some of these and also made it in areas where there are already trailers permitted that it would allow tiny homes to come in without going through the Board's actions.

Mr. Calkins responded one of the things in the Code is Permitted Use with conditions, so they could look at some citing conditions for that and maybe bring that back as a proposed criteria to help ease the Board's concerns.

Commissioner Tobia stated the Board has had some really good ideas, even more than the three options that were brought before it; Commissioner Smith has some very insightful observations for RV or trailer parks; he received a letter from Braveheart properties and their desire to have the zoning there, which makes a lot of sense; and he thinks the Board probably needs a little more time to work on this. He advised he wants to keep the ball rolling so he wondered if Mr. Calkins could enlarge the advertisement that encompasses all of the Board's ideas so if it contracts it, then the County is covered; and he does not know what that motion would be but hopefully it would include Commissioner Smith's RV idea, and Commissioner Pritchett's idea on the acreage that is already permitted for trailers; and he noted he certainly does not want it to stop here, he wants the Board and the County to work through this more, but to continue with the advertisement. He went on to say they have gotten this far and he does not want to hit pause; to be clear, there were two issues, one being the building standards and the Board and staff made it through that, therefore, they have gotten through half of the problem; and this is the closing stretch so he is hoping the County can expand the advertisement with the idea of contracting it as it moves forward.

Mr. Calkins stated the way the request is written is to modify Chapter 62, Article VI of the Zoning Regulations to allow for tiny homes on foundations and on wheels as permitted residences; he knows County Attorney, Eden Bentley, had some concerns about him providing the proposed classifications and it being narrow; however, he is wondering if the language is general enough or broad enough where it covers the Board's concerns and allows them to move forward with legislative intent and to start drafting the ordinance, knowing that those things will come back.

Attorney Bentley stated what she thinks is with the Board's direction and discussion and the broad description of tiny houses, that staff can come back with a long description that includes multiple Zoning classifications and probably some new ones as well.

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Chair Pritchett asked if it could move forward and if staff could make the scope a little larger.

Attorney Bentley and Mr. Calkins both responded affirmatively.

Mr. Calkins stated if that is the Board's motion and vote.

Commissioner Tobia stated he would like to make the motion to expand the scope to include the Board's suggestions.

The Board of County Commissioners, in regular session on August 14, 2018, approved legislative intent and granted permission to advertise revisions to Chapter 62, Article VI, Zoning Regulations to allow tiny houses on foundations and tiny houses on wheels (THOWs) as permanent residences; and directed staff to expand the advertisement to include tiny houses in the PUD zoning classification, to look into allowing the Agricultural Zoning classification of 2.5 acres or greater as a permitted use for tiny houses on foundations and THOWs, expanding or allowing them into the mobile home park Zoning classifications, and potentially creating site criteria to allow for tiny homes to be installed without having to come back before the Board every time.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

### **ITEM J.3., AMENDMENT, RE: BOARD POLICY BCC-08**

Commissioner Tobia stated his office is continuing to go through Board Policies that greatly need updating; the education Policy, BCC-08 is one that is due for an update; the last time this was updated was 2006; retention across the ranks and education certainly is something that benefits the Board as a body, as well as individuals who are part of the County's team; employees are only eligible for reimbursement for education that directly impacts their job for the County, ensuring that the organization as a whole benefits; it requires employees who receive these reimbursements, which are merit based and tied to grades, stay with the County organization; and it requires employees who received these reimbursements to stay with the County for years or they are required to pay it back, proportionally. He went on to say the amount was \$3,000 in 2006; if the Board looked at the College Board as a metric, tuition has increased dramatically by 66 percent, according to the standards that they set; he would like to change that, he put forward a few options on the Agenda Report; Option A is the 66 percent increase that would change the \$3,000 to \$4,980 with an expenditure increase of \$15,840; Option B is the 66 percent increase and look at a three-year increase of a basic Consumer Price Index (CPI) of three percent, that would bring it to \$5,440 and this would cost the County a little less than \$20,000; and Option C is some other option he did not think of, but either way he would like to provide this benefit to employees.

Commissioner Smith stated this is a great idea by Commissioner Tobia; he is good with either Option; and the only change he would consider would be to require employees to stay employed with the County for three years, rather than two years.

Commissioner Barfield inquired if the 66 percent is accumulative because each year it compounds.

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Commissioner Tobia stated yes, this did not include fees, this was general tuition, and the statistics have fees increasing at a rate faster than tuition, so this is aside from that; another Option he is going to throw out is \$5,000, but he is open to anything; he thinks Commissioner Smith brings up a very good point, that if it were to increase then it would be fair to extend that two years to three years; and he believes it is a good idea to change Options A, B, or C to the three years.

Commissioner Isnardi stated she is glad to see this come back because through the most difficult budget times a lot of cities and the County drew back on the reimbursement; she is happy to support Option B because school is very expensive and she thinks that offering to cover most of the cost of tuition is a good idea; and she likes Commissioner Smith's suggestions that it is moved to three years.

Chair Pritchett inquired if the employees, who were reimbursed in 2015, are still with the County.

Frank Abbate, County Manager, stated a majority of those employees are. He advised the County does have a provision of pro rata basis, if they are not with the County then the County would have been getting the pro rata share on that 24-month period since they provided the reimbursement and they did not serve, they would on a proportional basis be giving back the funds; if the Board does what it is discussing now that would be extended over a three year period, once they give that commitment; and to answer Commissioner Pritchett's question he does not have the data, but he believes a majority of those employees are still with the County.

Chair Pritchett inquired if some County staff came to Commissioner Tobia and requested this be researched because this is something different coming from his office and she was curious.

Commissioner Tobia stated his office is pretty good about reviewing Policies that came before; the gun Policy was a direct cause of his office going through Policies and seeing that they needed to be updated; and he believes this one recognizes the hard work and dedication of many County employees who are not only working hard to benefit themselves, but the entire Brevard County environment; and he greatly appreciates their dedication and would like to encourage that as much as the County has the ability to. He continued for the small amount of money here, be it \$20,000, he would like to keep those employees in the future.

Commissioner Barfield stated in the mid-2000s there were lay-offs; he asked if there is anything in the Policy where if an employee gets laid-off they are not going to get a double whammy and have to pay this back due to no fault of their own.

Mr. Abbate stated they did not make those who were being laid-off involuntarily pay it back; previously under this Policy there was a dedicated amount in that fund that was available; it has been eliminated so that is why there is a smaller amount; and the departments, other than those with an Enterprise Fund or Internal Fund who may be in a different position with the resources available, have to find it within their existing resources otherwise they would not be in a position to offer it.

Commissioner Barfield inquired if this would have to be added into the budget.

Mr. Abbate advised under the current Policy if the agency is approving it, it has to show that they have the resources available; it is not a general pooled funding source; if the Board wanted to do that to encourage more people to participate, because some people may not be doing it knowing their departments do not have the resources available, that could be done.

Commissioner Barfield inquired this may pass although there may be no funding to use it.

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Mr. Abbate responded affirmatively. He stated the way the Policy works is before going into the program the employee must seek permission and have it granted by their appointed authority; once that happens, the department would need to encumber the funds for that to happen; and he stated it is not automatic.

The Board approved Option B as presented in the proposed modification to the Education Tuition Reimbursement Policy, to adjust the maximum tuition reimbursement to \$5,440 per employee per year; and approved the requirement that an employee is required to stay employed with the County for three (3) years after receiving tuition reimbursements under Board Policy BCC-08, Education Tuition Reimbursement, or be required to repay the assistance received in the Policy.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM J.5., CITIZEN REQUEST BY JAMES ZUHLKE, RE: UNJUST FINES ON PROPERTY (PARCEL ID 24-36-30-00-253)**

Tad Calkins, Planning and Development Director, stated this is a request from James Zuhlke to remove fines that were imposed as a result of a Code Enforcement action on his property; the Special Magistrate found there was a violation of the wetlands Code; and the fines have accrued to \$15,274 to date.

James Zuhlke stated he is requesting this fine be removed from the property for two reasons; one, this property was not wetlands; looking at the maps, the property in question is actually a road; he had previously stated the property was cleared in 1991 which was a mistake, it was actually 1992; in 1991 he had started planting trees on part of the property that was already cleared; in 1992 he went to get a permit to clear the property, the permitting process at that time; they had determined that the property was Agriculture and had Agriculture Use since prior to 1958; and it was therefore grand-fathered in as Agricultural Use. He continued in 2000 he obtained the property and applied for greenbelt exemption; he was then asked by Brad in the Property Appraiser's Office (PAO) to withdraw his request because it would only raise his taxes and he had already been grand-fathered in as Agricultural Use; by being grand-fathered in he had already received a bonafied Agricultural classification; and after the accusation was made that he was destroying wetlands, Mr. West called in St. Johns River Water Management District (SJRWMD) who determined his land was agriculture, has been for years, and no action needed to be taken. He went on to explain that Mr. West refused to accept SJRWMD assessment and pushed the issue; in 2017, he requested the greenbelt exemption and Mr. Connolly from the POA stated the property was not properly fenced for his livestock, which he currently runs about 100 goats on the property; he advised people cannot run goats without fences and still have neighbors; in April, he came before the Board requesting a re-evaluation of the Special Magistrate; she ruled back in his favor and that she had made a mistake in her previous ruling; and that is the reason he received the letter that stopped the fines from accruing and brought him into compliance. He stated he feels when he was grand-fathered in 1992 and tried to re-evaluate it to ensure that it was there in 2000, that should be enough; and even when she overturned her ruling it should go back to January 2017, which was before the fines began to accrue. He added he has provided the Board with maps that show the roads in existence prior to and that it was not wetlands; and he asked the Board for its consideration.

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Commissioner Barfield stated he agrees with Mr. Zuhlke who has been dealing with government for over two years; the Board cannot change rulings of what has already been done; the process would send him back through the entire process again; and he asked what the actual administrative costs are for this.

Mr. Calkins stated the actual administrative costs are \$5,137 and the reason is because the case has been going on for some time; Mr. Zuhlke appealed the Magistrate's decision which incurred court costs as well; and this is an unusual case from a Code Enforcement standpoint.

Commissioner Barfield asked if Mr. Zuhlke could live with that, because the Board will not be able to knock it all off.

Mr. Zuhlke stated he may have to; he commented this is completely and totally unfair; the evidence is overwhelming; there was a road there beforehand, he had the Agricultural classification beforehand, and he provided the information; and he noted the purple map is the one the SJRWMD brought out when they met with him. He was told whatever SJRWMD stated, they would go with and then he came back and decided differently.

Chair Pritchett inquired what the full fine was.

Mr. Calkins stated the full fine maxed out at \$15,274.

Commissioner Isnardi asked what the absolute lowest was that the Board could go; this is not Mr. Zuhlke's fault; and she asked if the County made the mistake or if it was an incorrect ruling based on the information at the time.

Mr. Calkins stated the evidence was presented to the Magistrate and Mr. Zuhlke was found in violation; the evidence he is presenting now, he does not know if it was presented to the Magistrate; but if that were the case he would think it should go back to the Magistrate; and the Special Magistrate would take that into consideration for the reduction. He added Mr. Zuhlke has presented that he cannot go back through that process.

Commissioner Isnardi stated this is just terrible.

Chair Pritchett stated what if the Board splits it.

Commissioner Tobia inquired split what two numbers.

Chair Pritchett stated the actual cost; maybe based on more things coming through; she does not think he has any more funds; the Courts withheld the decision that was made; and she thinks this is just a tough one.

Commissioner Barfield asked if the Board would waive the entire fee because this has been going on for years.

Commissioner Tobia stated he dropped the ball on this one; it was pretty complicated and his focus was on other things for today; he asked if there were any violations found by the Magistrate when it came to any impacts to the wetlands; she stated it appears government got in his way a little bit, but if he is clear of everything he would go with Mr. Barfield's ability to waive it all; and he inquired if there was any impact to wetlands.

Mr. Calkins stated that is what the Special Magistrate found him in violation of, was impacting the wetlands.

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Commissioner Tobia asked if that was overturned or if there was any evidence to show that it did not in fact happen.

Mr. Calkins replied yes, based on what was presented to the Special Magistrate at those hearings; he was not present at the hearing or during the court case, so he is presuming that evidence was presented from the one carried forward; and it was upheld with the court case.

Commissioner Tobia stated it sounds like government was at fault here a little bit, what level of government is debatable; it sounds like Mr. Zuhlke had a little bit to do with the situation so to fully dismiss the violation at the expense of \$5,400 of administration costs does not seem fair to the rest of the County taxpayers; and he will not be voting for the second motion but he would vote for the actual cost to administration.

Commissioner Barfield stated from what he can read, SJRWMD did their evaluation later on and since it was Agricultural there could be some encroachment into the wetlands; that is confusing to him but is allowable to a certain point; and he will go with whatever the Board wants, but he thinks it is time to get rid of this thing.

Chair Pritchett stated she thinks there has to be something; and she asked the Board what it thinks about \$518, one-tenth of the cost.

Commissioner Isnardi stated either way because he tried to correct the problem; it is just a complete mess; and she believes fines become egregious. She noted she would go with a nominal fee if that will get the majority of the votes, but she agrees with waive the entire fine.

Commissioner Barfield stated this was a complicated case; he is on the Value Adjustment Board; and he has never seen one so convoluted. He continued on to say whatever it takes to get this over with.

Commissioner Smith stated he is familiar with this other than tonight's discussion; he thinks Commissioner Barfield seems to be more in tune with what has happened; he is not one to usually waive costs because there are procedures in place and for a reason; however, it appears to him the County has made this man's life miserable. He went on to say he would support Commissioner Barfield's motion to waive the fees.

Chair Pritchett stated she thinks there should be some ownership there, so she will not be voting to waive all the fees.

The Board of County Commissioners, in regular session on August 14, 2018, approved the citizen request made by James Zuhlke to waive the accrued fine on property located in Cocoa, for Tax Account No. 2423189, from \$15,274 to \$0.00.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Jim Barfield, Commissioner District 2
<b>SECONDER:</b>	Kristine Isnardi, Vice Chair/Commissioner District 5
<b>AYES:</b>	Jim Barfield, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	Rita Pritchett, John Tobia

**ITEM K., PUBLIC COMMENTS**

Charles Tovey stated it could be a matter of interpretation; what he wants to speak about is the prejudice on his house; he is afraid to go home and be attacked by a semi-truck driver parked on his road over night; he is not allowed to drop his car off or unload it or anything, but they are allowed to park all night; they are bored so they have nothing else to do; and he tries to get some sleep sometimes. He continued it seems just as he tries to get some sleep somebody comes along; there are rules and laws about overnight parking and stuff but it does not apply at 2555 Robert's Road, Melbourne; he has been meaning to talk about the Lagoon but there has been other important issues; right now is the height of the Lagoon fish kill or other fish kills around the area; and they can be found late July, mid-August, October, December, February, and May. He stated they are outlined in a book he wrote 20 years ago when he started on this problem; he wonders why no one welcomes him and his solutions or remedies to the Lagoon; the fish kills can be averted or at least minimized; there is \$40 million for the Lagoon; and everybody is making all this money with all these jobs cleaning the Lagoon, but look at the outcome and production. He went on to say he was at the Lagoon House and was thrown out for talking on his phone, then trespassed off the property; yet there are people in this room that have caused more disruption than he does; he feels he has been prejudiced against from his community, the town around him, and the nation; he wanted to remind everyone about 9-11; maybe no one has family but anybody is his family if they are not aggressing upon him; and he mentioned he is color blind. He stated he has many family members of different races, ages, and colors; he loves everybody; hell is written all over his house and he asked why; he stated Mr. Zuhlke has been through hell; this Board is familiar with his case; and Mr. Zuhlke just opened the door for him.

**ITEM L.4., JIM BARFIELD, COMMISSIONER DISTRICT 2, RE: REPORT**

Commissioner Barfield stated at the last Zoning meeting he made a motion and the Board had discussion about a water study in Merritt Island, and he wanted to clarify there was also a small area study going on, and this study he mentioned was to be separate from that; he does not want to slow bringing the small area study for approval; and he wants to make sure that is understood by everyone.

**ITEM L.5., JOHN TOBIA, COMMISSIONER DISTRICT 3, RE: REPORT**

Commissioner Tobia stated he wanted to point out the dedication of one of the Board members; there is a new Isnardi on the face of the earth, named Oliver; Commissioner Isnardi pulled herself away from a newborn to be in attendance; he thanked her for her dedication; and he congratulated her on her new grandchild.

**ITEM L.7., KRISTINE ISNARDI, COMMISSIONER DISTRICT 5, VICE CHAIR, RE: REPORT**

Commissioner Isnardi stated she just wanted to congratulate her daughter Anna and Ron; they spent most of the evening and morning welcoming him into this world; she is a proud grandma of 9 lb, 8 oz Oliver Jamison; and he is amazing.

**ITEM L.3., RITA PRITCHETT, COMMISSIONER DISTRICT 1, CHAIR, RE: REPORT**

Chair Pritchett announced she got to go to the Purple Heart Ceremony this past weekend; she stated it really touched her heart; she wanted to thank all the people who gave so much and did

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so much for this country; and she was able to go to a dedication for Children's Hunger Project last night. She went on to say they are doing such good work in the community.

Upon consensus of the Board, the meeting was adjourned at 8:15 p.m.

ATTEST:



A handwritten signature in cursive script that reads "Scott Ellis".

SCOTT ELLIS, CLERK



A handwritten signature in cursive script that reads "Rita Pritchett".

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

As approved by Board September 18, 2018