

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 December 4, 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**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rita Pritchett	Commissioner District 1	Present	
Bryan Lober	Vice Chair Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Kristine Isnardi	Chair Commissioner District 4	Present	

**ITEM B. MOMENT OF SILENCE**

Chair Isnardi called for a moment of silence.

**ITEM C. PLEDGE OF ALLEGIANCE**

Commissioner Tobia led the assembly in the pledge of allegiance.

**ITEM D. MINUTES FOR APPROVAL**

The Board approved November 13, 2018, Regular meeting minutes and November 20, 2018, Special meeting minutes.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM E.1., RESOLUTION, RE: VIERA HIGH SCHOOL HALL OF FAME**

Commissioner Smith read aloud, and the Board adopted Resolution No. 18-187, recognizing Viera High School Hall of Fame.

A representative of Viera High School expressed his appreciation for the Resolution.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Curt Smith, Commissioner District 4  
**SECONDER:** Rita Pritchett, Commissioner District 1  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**CONSENT ITEMS PULLED**

Commissioner Lober pulled Items F.1., Interlocal Agreement for Fountainhead Advanced Dentrification System Project, Item F.16., approval of AT&T ILEC Intrastate pricing schedule addendum, and Item F.19., appointments/reappointments, for discussion.

**ITEM F.2., FINAL PLAT AND CONTRACT APPROVAL, RE: VIERA TOWN CENTER III (18SD00019)**

The Board granted final plat approval subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and authorized the Chair to execute the final plat and Contract for Viera Town Center III.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.3., FINAL PLAT AND CONTRACT APPROVAL, RE: VIERA TOWN CENTER I PHASE 2 (16SD00014)**

The Board granted final plat approval subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and authorized the Chair to execute the final plat and Contract for Viera Town Center I, Phase 2.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.4., FINAL PLAT APPROVAL, RE: VIERA COLONNADE SHOPPES II (18SD00020)**

The Board granted final plat approval; and authorized the Chair to execute the final plat for Viera Colonnade Shoppes II, The Viera Company.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.5., WAIVER REQUEST, RE: SUBDIVISION SIGN AT EAGLE POINT (18WV00024)**

The Board accepted a waiver of Section 62-2889(b)(5) of the subdivision sign requirements to allow a sign not exceeding eight feet, two inches in height and 123 overall square feet for Eagle Pointe Homeowners Association.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.6., APPROVAL, RE: PERMANENT SANITARY SEWER EASEMENT FROM BAYTREE PLAZA, LLC**

The Board approved and accepted a permanent Sanitary Sewer Easement from Baytree Plaza, LLC.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.7., APPROVAL, RE: WATER LINE & INGRESS/EGRESS EASEMENT FROM BREVARD COUNTY TO THE CITY OF COCOA AND RESOLUTION AS PART OF THE CITY'S NORTH TROPICAL TRAIL WATERLINE LOOPING IMPROVEMENTS PROJECT**

The Board adopted Resolution No. 18-188, authorizing conveyance of real property interest; and authorized the Chair to execute the Waterline & Ingress/Egress Easement Agreement with the City of Cocoa.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rita Pritchett, Commissioner District 1  
**SECONDER:** Bryan Lober, Vice Chair Commissioner District 2  
**AYES:** Pritchett, Lober, Tobia, Smith, Isnardi

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**ITEM F.8., EXECUTION OF AGREEMENT WITH CITY OF MELBOURNE, RE: UTILITY BILLING SERVICES**

The Board approved and executed the Agreement with the City of Melbourne for the collection of monthly sewer and reclaimed water service fees.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.9., APPROVAL, RE: STATEWIDE MUTUAL AID AGREEMENT**

The Board executed and approved the 2018 version of the Statewide Mutual Aid Agreement.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.10., PERMISSION TO ADVERTISE INVITATION TO BID, RE: FUTURE CELLULAR SITE - WICKHAM PARK/PARKWAY DRIVE**

The Board granted permission to advertise for an Invitation to Bid for future cellular site on County-owned property located at 2500 Parkway Drive, Melbourne; authorized the County Manager, or his designee, to execute any documents and renewals required to administer any new license agreements or subsequent extensions of license, subject to approval by the County Attorney and Risk Management; authorized any associated budgetary changes; and approved the revenue source be directed to funding a new Emergency Operations Center, allowing the funds to be leveraged against State and Federal grants and/or appropriations that require local match.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.11., PERMISSION TO ADVERTISE TO BID, RE: FUTURE CELLULAR SITE - 10001 N. WICKHAM ROAD**

The Board granted permission to advertise for an Invitation to Bid for future cellular site on County-owned property located at 10001 N. Wickham Road; authorized the County Manager, or his designee, to execute any documents and renewals required to administer any new license agreements or subsequent extensions of license, subject to approval by the County Attorney and Risk Management; authorized any associated budgetary changes; and approved the

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revenue source be directed to funding a new Emergency Operations Center, allowing the funds to be leveraged against State and Federal grants and/or appropriations that require local match.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.12., PERMISSION TO ADVERTISE INVITATION TO BID, RE: BID FOR FUTURE CELLULAR SITE - FAY PARK**

The Board granted permission to advertise for an Invitation to Bid for future cellular site on County-owned property located at 4700 Fay Boulevard - Fay Park; authorized the County Manager, or his designee, to execute any documents and renewals required to administer any new license agreements or subsequent extensions of license, subject to approval by the County Attorney and Risk Management; authorized any associated budgetary changes; and approved the revenue source be directed to funding a new Emergency Operations Center, allowing the funds to be leveraged against State and Federal grants and/or appropriations that require local match.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.13., PERMISSION TO ADVERTISE INVITATION TO BID, RE: CELLULAR CO-LOCATION LICENSEE - MELBOURNE BEACH WWTP**

The Board granted permission to advertise for an Invitation to Bid for future cellular co-location assignments on County-owned tower located at 2800 Highway A1A, Melbourne Beach - WWTP tower; authorized the County Manager, or his designee, to execute any documents and renewals required to administer any new license agreements or subsequent extensions of license, subject to approval by the County Attorney and Risk Management; authorized any associated budgetary changes; and approved the revenue source be directed to funding a new Emergency Operations Center, allowing the funds to be leveraged against State and Federal grants and/or appropriations that require local match.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.14., PERMISSION TO ADVERTISE INVITATION TO BID, RE: CELLULAR CO-LOCATION - RADIO TOWERS**

The Board granted permission to advertise for an Invitation to Bid for future cellular co-location assignments on County-owned towers dedicated to the 800 MHz Public Safety Radio System, as new spaces become available, subject to agreement with tower site property owners; authorized the County Manager, or his designee, to execute any documents and renewals required to administer any new license agreements or subsequent extensions of license, subject to approval by the County Attorney and Risk Management; authorized any associated budgetary changes; and approved the revenue source be directed to support the 800 MHz Public Safety Radio System.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.15. GROUP HEALTH INSURANCE, RE: STOP LOSS (EXCESS INSURANCE) PLACEMENT**

The Board approved the renewal of Stop Loss insurance with Symetra Financial for the self-insured Group Health Insurance Program; and authorized the Human Resources Director to execute all documents necessary to bind coverage effective January 1, 2019.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.17., MICROSOFT AGREEMENT, RE: OFFICE SUITES AND WINDOWS 10 ENTERPRISE**

The Board approved Microsoft Agreement No. 01E73902 for Volume Licensing Program, waiving jurisdiction in Brevard County regarding Section 18 in the Enterprise Agreement; and authorized appointing the County Manager to execute the program enrollment form and all documents relating to the Program.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

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**ITEM F.18., APPOINTMENT, RE: BREVARD WORKFORCE DEVELOPMENT, INC. BOARD OF DIRECTORS**

The Board appointed/reappointed Amar Patel to the Brevard Workforce Development Board, with said term to expire June 30, 2021.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.20., APPROVAL, RE: BILLFOLDER**

The Board approved the billfolder.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.1., INTERLOCAL AGREEMENT, RE: FOUNTAINHEAD ADVANCED DENITRIFICATION SYSTEM PROJECT**

Commissioner Lober stated he has taken the stance that he will be watching and has been watching the dollars and cents with respect to all County expenditures; this is one that he certainly believes is well-intentioned; he does see that there is matching funding involved with it; and the concerns he has after doing some due diligence in respect to this, including having had a briefing with the department head from which this project originated, he does not know that he can support this, in the sense that he believes the money certainly should go to the Lagoon, but he does not believe this is the most efficient use of the funds for the Lagoon. He added it seems to be something that is more akin to trial and error using something along the lines of unproven technology. He continued he has no problem spending the same amount of money for Lagoon related purposes, he just does not believe this particular purpose is the best use of the funds; he asked that a Workshop be set up in April with this Department to address the Lagoon; and he noted he believes earlier in the year there has already been two months that have been taken up with other Workshops, so April is one of the first months in which that could be a possibility. He went on to say at this juncture he will be voting against it and asked the Board to do the same until there is more information.

Commissioner Pritchett inquired if this Item was one that was recommended by the Indian River Lagoon Board.

Virginia Barker, Natural Resources Management Director, responded this is an Item which the Department has a State grant for; it is a denitrification project where the department has been working on a number of denitrification project designs; they are fairly innovative designs; and this is one of those. She explained the science of denitrification has been used in wastewater treatment technology for decades; the transfer of that science for stormwater is relatively new; and they are testing different media types in the soils and the rainfall conditions.

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Commissioner Pritchett inquired how much of it is coming from grant funds and if there is a match on it.

Ms. Barker responded there is definitely a match on it; she does not know for sure if it is a 50/50 match or a 40/60 match.

Commissioner Lober commented in respect to that, for almost the exact same amount, and it is within a fraction of that amount, he has a proposal he is inclined to place on a subsequent Agenda to implement nutrient monitoring stations in the IRL; and with respect to the matching funds, those nutrient monitoring stations that usually start at \$80,000 a piece, have already been paid for by the Florida Department of Environmental Protection (FDEP) so the County would only be responsible for the maintenance and the on-going costs associated with keeping them functioning; and they could essentially take the money that would otherwise be going to this, and apply the same amount of money to that which gives the Board a baseline in determining whether all the projects are moving in a forward direction, actually benefiting the Lagoon by reducing the nutrients, or if they are going in the wrong direction and it is being increased. He noted he is not saying this is a bad idea, he just has a problem funding something that seems to be so new that it appears to be unproven technology or trial and error; and he reiterated he does not think it is a bad idea, just that the funds could be put to better use.

Chair Isnardi inquired how confident Ms. Barker is in the technology for this.

Ms. Barker explained there are different media types that work better under different conditions; some of them take a little bit of time to equilibrate in the field; once they equilibrate there seems to be very good performance and that is why she is trying to move in this direction; it is low maintenance, high performance, and relatively low costs; this particular project has a higher cost associated with all the additional monitoring being done to prove the extent to which it works; and she advised she did find the grant amount which is \$141,320. She commented staff knows the technology works, they just do not know the efficiency to which it works in this environment.

Commissioner Lober noted his understanding with respect to how this technology works in a general sense is there is biological matter degrading; it initially degrades early in the chain to ammonia, which is reduced or consumed by bacteria which then converts that into nitrite, which is better consumed by other bacteria; it is then converted to nitrate and consumed down the line until there is nitrogen gas and other compounds, like there would be in a fish tank filter in a public aquarium; his concern is the amount of money to be spent on this, given the amount that is even anticipated of being removed in terms of the nitrogen at the end; and looking at the sheet it reads at least 488 pounds of nitrogen will be removed annually, but for the amount of money being discussed he does not know if in the scheme of the IRL that it would amount to even a fraction of a fraction of a percent. He went on to say he would not take up any more time on this particular item because he had expressed his concerns as best he can.

Commissioner Pritchett inquired if the grant would also be able to be used for the nitrogen monitoring stations that Commissioner Lober is talking about.

Ms. Barker responded the grant is specific to the one project; therefore, if the County does not proceed with this project it will lose the grant.

Commissioner Pritchett asked if this is tabled to the next meeting if that would keep the County from receiving the grant.

Ms. Barker commented there is time.

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Commissioner Pritchett explained she has many questions and may need a couple weeks to investigate Commissioner Lober's ideas.

Commissioner Tobia stated Commissioner Pritchett has a good suggestion; but he does not know how Commissioner Lober feels about tabling this.

Commissioner Lober advised he would be happy to table this.

Commissioner Tobia stated he would like to have this tabled until December 18, 2018, to get a comparison from Ms. Barker's staff as to which one is better for cleaning the Lagoon.

Commissioner Lober inquired if that is sufficient time for Commissioner Pritchett.

Ms. Barker commented she has to know exactly what the Board's questions are so she can prepare the Agenda Report for the next meeting in the next day or so.

Commissioner Tobia inquired what the deadline is for the grant proposal.

Ms. Barker advised the Board has already executed the grant; she does not have the delivery time frame, but she is sure it is another year or so out to complete the construction, so there is time.

Commissioner Tobia inquired if it did not make it to the next meeting, if January would be sufficient for it. He advised he will change his motion to as soon as possible and reasonable to give Commissioner Lober the ability to make that determination.

The Board tabled consideration of the Interlocal Agreement with the City of Melbourne for Fountainhead Advanced Denitrification System Project to a future date.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.16., APPROVAL, RE: AT&T ILEC INTRASTATE PRICING SCHEDULE ADDENDUM**

Commissioner Lober stated he is in favor of this he just wanted Jeff McKnight, Information Technology Director, to apprise the Board of the basis of this Item.

Mr. McKnight stated this is contract extension for AT&T for network and telephone services; right now the services total about \$30,000 a month which has been greatly reduced since the contract was awarded to Brighthouse in 2016; he was not expecting to bring this back again, it was expected to be completed; the reason it is being brought back is because there have been significant delays with Brighthouse who is now Spectrum; when this Request for Proposal (RFP) was awarded to Brighthouse, they were a different company than what it is now with Spectrum; and there have been several discussions with Spectrum concerning the delays. He noted there is a meeting scheduled with Spectrum's legal on December 17, to discuss legal remedies to the delays.

The Board of executed and approved the Agreement with AT&T for ILEC pricing schedules, terms, and conditions for another year.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM F.19., APPROVAL, RE: APPOINTMENTS/REAPPOINTMENTS**

Pam LaSalle stated there are 90 re-appointments/appointments in the Consent Agenda for advisory boards; that Item is up for discussion later in the meeting for term limits; and she asked the Board to postpone the appointments and re-appointments until the next meeting, which would still be plenty of time to fill the vacancies. She advised of the 90 appointments and re-appointments, only seven are new appointments.

Chair Isnardi advised that is assuming that the Item Ms. LaSalle is bringing, passes.

Ms. LaSalle noted it gives her the benefit of the doubt that it may pass since she has no influence on the Board; and there would be no consideration only to go forward with the appointments and not retroactive.

Chair Isnardi stated not knowing how that Item will go that may be a question for the Board on how it feels about pulling this Item; the purpose of re-appointing now is so people are prepared to start at the beginning of the year; and there is nothing prepared for the Board to vote on right now.

Ms. LaSalle advised historically looking at past years, the major pushes for re-appointments occur at the second meeting of the month; and she is just asking the Board to consider holding off until the next meeting because she does not know how her Item will move forward.

Commissioner Pritchett stated she has one gentleman in there that has a meeting in seven days so she will have to have him approved tonight so he can go to the meeting and serve on that board.

Commissioner Tobia inquired if this could be tabled to later in the meeting after discussion on Ms. LaSalle's Item.

Eden Bentley, County Attorney, responded in the affirmative.

Chair Isnardi advised this Item will be moved to later in the evening.

**ITEM G., PUBLIC COMMENTS**

Pam LaSalle stated on most nights this room is empty except for one or two citizens, unlike this evening, tonight there is lot of people at this meeting; the community lost a member this week that often attends these meetings, Richard Charbonneau; in January, under Board Reports the Board passed a Resolution where the Board could not place Community Redevelopment Agencies (CRA's) on the Agenda unless it was approved before the meeting; she noted the public cannot make comments after Board Reports so at the next meeting, Mr. Charbonneau came to the meeting and he stood for three minutes in silence because he wanted to represent what had been done; and she commented Mr. Charbonneau was a real patriot and he will be sorely missed.

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Lee Hathaway stated he wanted to talk about term limits for everyone; he is very passionate about it; term limits for everyone no matter what he or she does for the County; in business plans and organizational charts, there has to be some kind of timetable for everybody who does something for the County; and he thinks the status quo is no longer valid. He advised of a couple of instances; he noted back in the 80's he sent a letter to George McGovern in Maine, and he made sure he received the letter; when he asked if they had received the letter, the woman in the office told him she would not give the letter to Senator Mitchell because it was for term limits; fast forward to October 18, 2016, at the Great Outdoors when Bill Posey came to speak; he only had a few minutes for people to comment; and when he commented that it was time for term limits, Mr. Posey stated he did not want that because they would lose the brain trust. He went on to say there needs to be new blood, people need to think outside the box, there needs to be more accountability, and there is a need to follow the money; and he reiterated he is passionate about term limits because no one has a lock on handing the money off until he or she wants to quit.

Charles Tovey stated he is going on his tenth year of public comments; and he tries to implement his name and address with everything although it is not recognized for everybody, it is only instituted when he come up to speak. He went on to say he is speaking on his right to defend himself; he has some legal books that he bought in vain because when he went to court he was not allowed to carry anything in; someone provided a pad and a pen; he put up a good defense against himself in court; and those books would have helped him out in court because the judge kept asking if he objected to things but he had no way to reference anything. He continued from two cars a day to 200 cars a day; he notified the Sheriff's Department and they let the assailants do further destruction and have more aggression against him; they threatened to arrest him, shoot him, and Baker Act him; and people call him Barney Rubble with his pile of stuff at Roberts Road. He stated the last incident was on Thanksgiving weekend and he provided the Board with evidence. He noted the overgrowth stops his assailants from spraying his plants with weed killer, they stop the blinding lights from shining in his house from the hundreds of cars on the highway that has been installed, and the four story building across the street where he has no privacy; when looking out his windows there are people waving, smiling, and laughing at him trying to drive him off his property; and this guy takes his tractor and tries excavating everything off his property. He added then Code Enforcement comes along and gives him all these fines; he pays the fines and complies every time; his truck stopped the bullets when they were shooting at him; he called Sheriff Ivey or Sheriff Parker and they stripped him down and checked his pockets but let the people go that were doing it; and he advised he has witnesses and it is all documented. He mentioned he has been up there for 10 years and tried to include his name and information every time; he gets reminded about the things he is not allowed to do, but everybody else can do what they want to; and although people think it is in vain, it is not in vain just because people do not understand what he is saying.

**ITEM H.1., PETITION TO VACATE, RE: PUBLIC UTILITY EASEMENT - MELBOURNE - MARK L. AND LESA N. LORUSSO**

Chair Isnardi called for public hearing on a petition to vacate a public utility easement in Melbourne requested by Mark L. and Lesa N. Lorusso.

Dan Jones, Interim Public Works Director, stated this is a petition to vacate a portion of a utility easement located in Suntree Woods which is plat book 40, page 15, in Melbourne; when the owners built their home a portion of a roof eave went over the utility easement; and they wish to vacate the portion where the eave is over it. He noted the County has investigated it and determined it is still able to maintain the sewer line as installed; they sent out a request for negative impact and have received none; and the County recommends approval of the petition.

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There being no further comments or objections, the Board adopted Resolution No. 18-189, vacating a portion of a public utility easement in Suntree Woods Subdivision as petitioned by Mark L. and Lesa N. Lorusso.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM H.2., PUBLIC HEARING, RE: CODE REVISIONS TO ALLOW FOR TINY HOUSES ON FOUNDATIONS AND TINY HOUSES ON WHEELS AS PERMANENT RESIDENCES**

Chair Isnardi called for public hearing on a Code revision to allow for tiny houses on foundations and tiny homes on wheels as permanent residences.

Tad Calkins, Planning and Development Director, stated this a request for the Board to conduct the second public hearing to approve the revisions to Chapter 62, Article VI, Zoning Regulations, to create Tiny House Planned Unit Development (THPUD) and amend Permitted Use with Conditions to add criteria for tiny houses and tiny houses on wheels (THOW) to allow them as permanent residences; in the PUD they have created an Ordinance to allow for the PUD size to be a minimum size of half-acre to 10 acres; it requires for 30 percent of that area to be considered open space, and that there is a 25-foot perimeter area setback for buffer; and it also provides for allowing the developer to establish some minimum lot dimensions in widths and lengths, which allows for development of a tiny homes solution. He continued they also amended the Permitted With Use Conditions to allow them in the GU, PA, GURA, GUGU(L), and the mobile home RRMH-1, RRMH-2.5, RRMH-5, and TR-3 Zoning classifications; this would include they are on a lot that is greater than 2.5 acres and contain a minimum living square footage of 120 square feet up to the minimum standard Zoning classification; and once it goes over the standard living area it would be considered a house and would not fall under the tiny home provisions. He went on to say the tiny house would be the only permitted residential use allowed on the property and the accessory structures would be limited to 600 square feet and they would need to obtain acknowledgement from adjacent property owners that there would be no issues with a tiny home being constructed on those properties; and it would also create a definition for THOWs.

Commissioner Tobia thanked Mr. Calkins and Eden Bentley, County Attorney, for their diligent work. He stated this ordinance will offer new opportunities for potential home owners as well as manufacturers of tiny homes, in Brevard County; he sees one minor thing he would like to change; in Section 62-1844 he would like to delete the 2.5 acre requirement for lots that meet the current minimum area for the Zoning classification; this would not impact the 2.5 requirement that is built in to the GU, PA, AGR, AU, AU(L), RRMH-2.5, RRMH-5, or TR-3 which would remain unchanged; the only exception would be RRMH-1, which is the rural residential mobile home; and he believes Commissioner Pritchett said something about that in the north part of the County. He added it would give those land owners the ability to go with that; all this would accomplish is to prevent codifying a limitation that is unnecessary; and it could make this more difficult to evolve as this moves forward. He went on to say he would like to adopt the ordinance with one change, that being to delete the requirement for 2.5 acres in Section 62-18844, Section I, all requirements inherent in the listing Zoning classifications include minimum lot size will remain as proposed; and additionally to give staff the authority to make nonsubstantive changes consistent with the Board's intent.

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Commissioner Smith inquired what Mr. Calkins thoughts are on the proposed changes by Commissioner Tobia.

Mr. Calkins stated the proposed change does only affect the one Zoning classification; the other classifications are larger than one acre, they are a 2.5 minimum; when the Board discussed this back in October, there was a question and concern to allow them on Agricultural Zoning classifications and it also included them into the Manufactured Home Zoning classification; then there was some discussion of what was considered Agriculture; and at that point it appeared the direction was to have a 2.5 acre limit and anything over would be considered Agriculture. He advised this change basically just affects one Zoning classification so it is minor from a standpoint that it is only allowing for the addition of that; it does bring more properties into the mix and allows for more properties to have the tiny homes; and it would also allow for more Zoning changes to go because it only talks about parcel size now. He went on to say it would be less restrictive; and as far as he is concerned it is a rather minor change and would allow for more land to be used for tiny home development.

Commissioner Smith inquired what Commissioner Tobia's reasoning is behind the change.

Commissioner Tobia advised the purpose of tiny homes, among other things, is to get people affordable housing; while tiny homes may be affordable, purchasing 2.5 acres or more may not be; providing an option for a one-acre lot at a lower price for land may give the option of affordable housing availability to a lot more people who can purchase a one-acre lot instead of a two and half acre lot; and this is only in the Rural Residential Mobile Home area, so it would not be in the traditional residential areas. He reiterated this is just to make it more affordable to folks.

Chair Isnardi commented that was her concern, making it affordable; having to buy such a large plat of land, if the idea is for affordable housing, was a concern to her; and Rural Residential is a perfect solution to her.

There being no further comments or objections, the Board conducted the second public hearing and adopted Ordinance No. 18-27, amending Chapter 62, "Land Development Regulations", Code of Ordinances of Brevard County, Florida; amending Article VI, Division I, Section 62-1102, Definitions and Rules of Construction by adding a definition for Tiny House on Wheels (THOW) to differentiate when it is to be considered a recreational vehicle or when it is to be considered a single-family dwelling; amending Article VI, Division 3, Section 62-1255 Establishment of Zoning Classifications and consistency with comprehensive plan by adding Tiny House Planned Unit Development (THPUD) to the listing of Planned Unit Development Zoning Classifications and to add the THPUD Use to Exhibit A to identify which Future Land Use designations the THPUD Zoning Classification is consistent with; amending Article VI, Division 4, Subdivision II, Sections: Section 62-1331 General Use GU, Section 62-1332 Productive Agriculture PA, Section 62-1333 Agriculture AGR, Section 62-1334 Agricultural Residential AU and AU(L) to add as a Permitted Use with Conditions Tiny House or a THOW to the listing of existing Permitted with Conditions Uses under certain circumstances; amending Article VI, Division 4, Subdivision IV, Sections: Section 62-1401 Rural Residential Mobile Home, RRMH-1, RRMH-2.5 and RRMH-5 and Section 62-1404 Mobile Home Park TR-3 to add as a Permitted Use with Conditions Tiny House or a THOW to the listing of existing Permitted with Conditions Uses under certain circumstances; creating Article VI, Division 4, Subdivision V, Sections: Section 62-1471 - 62-1480 for Tiny House Planned Unit Developments (THPUD) to provide criteria for this new Zoning classification; amending Article VI, Division 5, Subdivision II Permitted Uses with Conditions to add criterion for the Tiny House or Tiny House on Wheels (THOW) Use; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM H.3., PUBLIC HEARING, RE: TINY HOUSES ON WHEELS CONSTRUCTION STANDARDS ORDINANCE**

Chair Isnardi called for public hearing on an ordinance for tiny houses on wheels (THOW) construction standards.

Tad Calkins, Planning and Development Director, stated this is to create an ordinance to regulate the construction of THOWs; when looking at THOWs, it does not really fall within any of the local regulations or the Florida Building Code; staff felt it was necessary to create a separate construction standard that would regulate this, especially since the Board was considering utilizing them as permanent residences, to ensure they had all the safety concerns addressed; they looked at the American National Standard Institute (ANSI) 119 which regulates RV construction; and they mirrored that in the proposed ordinance, which identifies some improvised standards for fire safety equipment, plumbing, electrical, and fuel gas systems, and reasonable standards for living areas, kitchens, baths, and lofts. He added it also provides requirements for floors, walls, roofs, and stairways. He went on to say this ordinance creates permitting requirements, and requires a certification from a Florida Registered Professional Engineer, certifying the THOW meets those ANSI standards; and the County would then look at the connection to the sewer, electrical, and tie down from the Florida Building Code standpoint in the driveway from the local access standpoint.

There being no further comments or objections, the Board conducted a public hearing and adopted Ordinance No. 18-28, amending Chapter 22, "Building and Building Regulations," of the Brevard County Code of Ordinances; specifically creating a new article, Article X, "Tiny Houses on Wheels"; providing for minimum construction and installation standards for Tiny Houses on Wheels used as permanent residences; providing for conflicting provisions; providing for severability; providing for an area encompassed; providing for an effective date; and providing for inclusion in the Brevard County Code of Ordinances.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>SECONDER:</b>	John Tobia, Commissioner District 3
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM H.4., APPROVAL, RE: SECOND AMENDMENT TO M95 DEVELOPER'S AGREEMENT**

Chair Isnardi called for public hearing on a second amendment to the M95 Developer's Agreement.

Tad Calkins, Planning and Development Director, stated this is a request for the Board to consider approval of a second amendment for the Developer's Agreement between Melbourne 95 New Haven, LLC, and the City of West Melbourne; and he noted if the Board approves this, he is requesting it announce the second hearing to be on December 18, 2018, beginning at 9:00 a.m. He continued on January 29, 2008, the Board approved the original Developer's

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Agreement with M95 and the City of Melbourne; that Agreement required that M95 construct some off-site improvements on 192 and John Rhodes Boulevard and authorized the County to provide Transportation Impact Fee reimbursement for those improvements to the participating parties; that agreement expired on July 29, 2018; and M95 is requesting a five year extension that would allow them to recover the remainder of their expenses associated with that construction due to delay of the moratorium.

Commissioner Lober inquired if this in any way imposes on any impact fees that are not already in place.

Mr. Calkins advised it does not impose on any impact fees, it just provides reimbursement for the improvements that would be collected on certain properties; it is also capped so they cannot receive credit for any more impact fees than they would create.

Chair Isnardi stated the long and short of it is the Board of County Commissioners imposed a moratorium on impact fees and this developer was not able to recoup those fees; it was an unforeseen circumstance where they are just trying to recoup the investment they made with the infrastructure; it has been a long discussion; and she is glad it is finally being resolved. She expressed her appreciation to staff for working to get this resolved in a fair and equitable manner.

There being no further comments or objections, the Board conducted the first public hearing to consider approval of the second amendment to the Developer's Agreement with Melbourne 95 New Haven, LLC (M95), Echo Trading Company, LLC, Floridana, Inc., James E. and Barbara Fulcher, and the City of West Melbourne; and the Chair announced the second public hearing will be held on December 18, 2018, at the Board of County Commissioner's meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM H.5., SECOND HEARING, RE: RESOLUTION DESIGNATING TAX ACCOUNT 2426764 (265 E MERRITT ISLAND CAUSEWAY) AND TAX ACCOUNT 2426763 (267 E. MERRITT ISLAND CAUSEWAY) IN UNINCORPORATED BREVARD AS A BROWNFIELD AREA, UNDER SECTION 376.80, FLORIDA STATUTES, ON BEHALF OF SBJB MERRITT, LLC OWNER/APPLICANT**

Chair Isnardi called for public hearing on a resolution designating tax account 2426764 and 2426763 (265 and 267 East Merritt Island Causeway) in unincorporated Brevard County as a Brownfield Area under Section 376.80, Florida Statutes, on behalf of SBJB Merritt, LLC, owner/applicant.

Tad Calkins, Planning and Development Director, stated this is a request for the Board to conduct the second public hearing to allow 265 and 267 East Merritt Island Causeway, Merritt Island, to seek economic development incentives through the Brownfield designation pursuant to Florida Statute 376.80; this item came before the Board at the last meeting; they are asking the Board to designate this property so the applicant can seek their economic incentives for redeveloping the property; and he added Amy Long has a brief presentation to show SBJB Merritt, LLC, has met the standards in the Statutes.

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Amy Long, a representative of SBJB Merritt, LLC, stated she is requesting 265 and 267 East Merritt Island Causeway be designated as a Brownfield Area; this is a prerequisite so SBJB can enter into a Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection (FDEP); since this property has environmental impacts from petroleum products, this will allow her client to receive tax credits for the voluntary clean up as he is not the one who caused the contamination, but is the one who is voluntarily cleaning it up; and in order to be designated they must show that they have met the five criteria. She explained the photo shows the two proposed properties in Merritt Island; that is the proposed conceptual redesign, with Restaurant Use and Commercial Use of 3,500 square feet; the definition of Brownfield Area is a real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived contamination; and in this case they already know it is actually contaminated. She went on to say the purpose of doing this designation is to go into the Brownfield Site Rehabilitation Agreement; there are also bonuses such as creating jobs, getting money back, and loan guarantees; this is not a new process as there are over 450 in the State and 21 in Brevard County; and once they enter into the Brownfield Site Rehabilitation Agreement they get tax credits and liability protection. She advised the five criteria consists of owning or controlling the property which her client had purchased the property December 2017; criteria two is economic productivity in which this project will create no less than five full time equivalent jobs; criteria three is to be consistent with local planning documents, Commercial Use, and that is the current zoning; public hearing and public notice is criteria four, and they have had two public meetings and proof of public notice has been submitted to the County; she noted they had received two calls, both being favorable responses; and she stated criteria five is reasonable financial assurances which they have provided.

Commissioner Lober stated he would like for his colleagues to support this as it appears to help Merritt Island with no cost to the County.

There being no further comments or objections, the Board conducted the second public hearing and adopted Resolution No. 18-190, to allow tax accounts 2426764 and 2426763, 265 and 267 East Merritt Island Causeway, Merritt Island, on behalf of SBJB Merritt, LLC, as owner/applicant, to seek economic development incentives through Brownfield Area designation pursuant to Florida Statute 376.80(2)(c).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Commissioner District 1
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM J.1., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: AMENDMENT TO MODIFY ORDINANCE 99-17, SECTION 1 WHICH SETS FORTH THE BOUNDARIES OF THE BAREFOOT BAY WATER AND SEWER DISTRICT**

Jim Helmer, Utility Services Director, stated there is a church down in the Barefoot Bay area that is immediately on the other side of the road from Micco Road and they desire to have water service; in order to provide water service, the County has to expand the Barefoot Bay District to include that piece of property; this Item is to advertise the amendment and legislative intent to change the ordinance to include the space that this church occupies; and they would come back in two weeks for the public hearing to consider the final drawing of the church property.

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The Board approved legislative intent and granted permission to advertise an amendment of Ordinance 99-17, as subsequently amended, which sets forth boundaries of the Barefoot Bay and Water Sewer District to include property owned by the Diocese of Orlando.

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

**ITEM J.2., APPROVAL, RE: VALKARIA AIRPORT BOARD POLICY BCC-79, AIRPORT CONTROLLING DOCUMENTS, RATES AND FEES**

Steve Borowski, Valkaria Airport Manager, stated this Item is addressing the Valkaria Airport Policy BCC-79 which addresses the controlling documents, the rates, and the charges for the airport; the last time this document was updated was in 2009; recently, in May, there was an audit of the airport which came up with recommendations on policies, procedures, and rates; they received direction to go ahead and update the Policy in June or July, so that is what was done; it has been through Risk Management, Legal, discussed with senior management, the department multiple times, and to the tenants twice; and they received comments back and included what was applicable to the document.

Commissioner Tobia thanked staff on their diligent work bringing this to the Board; Mr. Borowski has shown great leadership in this transition; for members who are unaware, this airport is certainly a shining star for Brevard County; it does not take in tax dollars; some of the lease amendments are essential to follow FAA guidelines that make things much more clear; and he noted he has one slight concern. He continued his issue lies with some of the rate changes and recommendations; namely there is an increase in hangar rates over the Consumer Price Index (CPI) of 10 percent; and while he understands it is an independent audit and that this airport has the lowest rates in the State, he believes this makes it more attractive and will allow for continued growth. He made a motion to adopt the proposal for the aircraft storage hangar rates to remain at the CPI, not the proposed 10 percent.

Commissioner Pritchett inquired what the difference is between the CPI and the 10 percent increase.

Commissioner Tobia explained it depends on which CPI index is used; it could be six and a half or seven percent; they are looking at hangar rates of around \$250, so it would be about \$20 or somewhere in that neighborhood; he does not think there should be a fee increase of 10 percent on the current leasees; and he noted he thinks it should be indexed to the CPI, the same way the County has done everything else.

Commissioner Pritchett stated she understands Commissioner Tobia's thinking because she knows he likes to stay with the CPI; her thought is this is an enterprise and if the County is going to make that decision she would like to know the costs; it has to cover its own costs and be able to do the extra capital, this is not like the typical ad-valorem; and she thinks if the Board is going to make those decisions, for a modest increase, she is going to have to have answers for that.

Frank Abbate, County Manager, advised the CPI would be about \$8,000 and it would be \$38,000 if the full 10 percent were granted.

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Commissioner Pritchett stated that could be significant as far as what costs are and what capital investments are made; and she does not know if that is something she would want to do the CPI on.

Mr. Borowski advised the current rate is \$263 a month for a standard hangar; this would take it up to \$289 a month and it includes tax.

Commissioner Pritchett inquired why he decided to change the rates to these amounts.

Mr. Borowski stated he went up 10 percent across the board.

Commissioner Pritchett inquired if there is a cost reason for the increases.

Mr. Borowski replied affirmatively; he explained the audit looked at eight airports in close proximity and other airports around the State and this airport is the lowest by more than 10 percent; he advised the CPI has not kept up over the years; he noted the airport has had vast expansion over ten years going from 24 hangars to 71 in existence with 100 percent occupancy; and he stated they are currently in the process of building 24 more hangars right now. He added the loan they have on the new hangars and the terminal that is currently being built is about \$1.2 million; the maintenance cost alone have gone up quite a bit with the expansion of the airport; 10 years ago they were doing 17,000 to 20,000 operations a year and to-date they are doing about 65,000 operations per year; when looking at that they would still have the lowest hangar rates; and one of the responses he received from a tenant was, even with the increase in the rates, this is still the best deal in town.

Commissioner Pritchett inquired if the General Fund had to provide any supplements to the airport.

Mr. Borowski stated no the airport has not been given any supplements while he has been there, 14 years; and he advised the airport has paid for all of its matched funds, in addition to debt service through loans.

Commissioner Smith inquired when the airports had its last increase.

Mr. Borowski replied 2009, other than the CPI each year; he believes it was \$12 per year the first year and every year after that it may have been \$10 to get it up to market value because it was deemed fair market value at that time.

Commissioner Smith inquired even with this increase this airport is not comparative to other airports.

Mr. Borowski responded affirmatively. He added Melbourne, Sebastian, Merritt Island, and Arthur Dunn all get higher prices than they do.

Commissioner Smith asked if it was a free market for them to leave.

Commissioner Lober asked with respect for the impact if this were to be approved on the cost of aviation fuel, what that would be. He stated he would be curious to see the impact on the costs for either jet fuel or aviation fuel.

Mr. Borowski advised they sell 100LL, Jet A, which is the standard fuel; County Policy allows it to be marked up \$0.50 a gallon; he explained if they receive the fuel at \$4.00 a gallon, they sell it at \$4.50 a gallon; and he noted it has always been \$0.50.

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Commissioner Lober asked what the change would be if this were implemented.

Mr. Borowski noted the change for fuel is the same, \$0.50; sometimes what they do is if Sebastian airport is selling it at \$4.43, they may make it one or two cents off to remain competitive because people who fly will fly to the cheaper airport for a couple of cents; and he reiterated it is current County Policy for a \$0.50 mark up.

Commissioner Tobia stated Commissioner Pritchett brought up an interesting argument that there will be a \$30,000 decrease should the Board go with the CPI versus the 10 percent fee increase; and he inquired if there are any new services in which the airport will potentially derive new revues that could potentially make up for the \$30,000 loss.

Mr. Borowski commented the second page lists the new services; he doubts it would make up the \$30,000; with crash removal there is usually only one or two a year which is \$200; if someone wants to put up a sign for their commercial business it is only \$20 per month; lock replacement is \$50 and they did not have that before; overnight camping is \$25 per day; and while that happens, it is not that often, and it does not happen every single weekend. He went on to say tie downs have gone up to \$10; the only other difference, since they will have a terminal open hopefully this month, there will be three conference rooms that they can rent out for \$25 a half-day for a smaller conference or \$50 for a half-day if it is a large conference; and those are the new services. He reiterated he doubts they would make up the \$30,000 a year.

Chair Isnardi inquired, assuming Commissioner Tobia's motion is favorable, can the operation still be run as it has been; and she asked how it will affect operations if there is a CPI increase as opposed to the 10 percent being asked for.

Mr. Borowski commented it is the debt service that he is concerned about, the debt service on the two new buildings, the terminal and the new set of hangars being built, brings the total debt service up from around \$60,000 to about \$110,000 a year; and that additional charge will help with the debt service.

Chair Isnardi inquired if that means he will not be able to pay it.

Mr. Borowski stated he doubts that, he should be able to pay it. He continued the expenses and unforeseen expenses are growing; with the new terminal, for instance, he received his first electric bill because they now have landing lights and a GPS approach this year that costs them; he just received one bill for \$300 for last month, which was unscheduled but they were working on the lights; then he received one for this month that was \$365, and that is in addition to the nine standard electric bills that he receives; and he explained that was an expense that was not put in initially when he looked at the terminal that he now has to cover.

Chair Isnardi stated the reason she asked is because if he just went 10 percent straight across the board, she does not know if that is a fair assessment on who should be paying rent, if that is being compared to other airports.

Mr. Borowski noted the 10 percent is based off looking at the past nine years where it appears they are lagging 10 to 15 percent.

Chair Isnardi asked if that is for every single category of rental.

Mr. Borowski responded in the affirmative. He went on to say the hangar is at \$280 per month for a standard hangar, approximately \$526 for a medium hangar, and for a large hangar \$1,100 going up to \$1,200 plus and that is a bargain.

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Chair Isnardi noted this is a County-owned airport and the goal should not be for profit; the County should be providing a service to the public; and that is what she wants to be careful of.

Mr. Borowski stated they also have new equipment there; the maintenance level on all the new surfaces with new aprons and new runways, has increased; now with the landing lights on the new runway 1432, each one of those landing lights is about \$400; there are many of those that go up and down and when one gets hit or gets taken out it will cost quite a bit to repair it, not like in the old days when it was just a light bulb; and although they put that into estimates when building these, he thinks it is going to cost quite a bit.

Commissioner Pritchett stated this is an Enterprise Fund; she knows he says they are not trying to make a profit; her concern is the County just went through this with the golf courses and it was not talked about a lot until they started losing money; and she does not know if the government should be in the air hangar business because that is competition against the private market and she does not know if that is fair to be so far below that it gives the private market a problem with being competitive. She noted she is really struggling with this whole thing anyway. She went on to say she does not know if the County should stay on the competitive side of it; maybe that should be a later conversation of doing something with the airport; she thinks the County should go ahead and try to stay competitive with the fees because if someone owns an aircraft, then he or she is not typically having a hard time with funds; she thinks the County needs to cover its costs for sure and maybe building up the product so maybe later if the County decides to sell to add money to the General Fund, that may be a good idea; and she advised she will probably vote in favor of Mr. Borowski's recommendation.

Commissioner Tobia asked if Mr. Borowski said there were 24 under construction.

Mr. Borowski responded affirmatively.

Commissioner Tobia inquired when he expects those to be completed.

Mr. Borowski responded March.

Commissioner Tobia inquired if that would be new revenue.

Mr. Borowski commented it would be.

Commissioner Tobia stated that is \$286 a pop on average.

Mr. Borowski responded affirmatively.

Commissioner Tobia stated times 24, that is approximately \$82,000 of new revenue.

Mr. Borowski advised they would have to take out debt service after that.

Commissioner Tobia pointed out this is new debt service.

Mr. Borowski stated it is \$1.2 million worth of debt service.

Commissioner Tobia inquired what the annual debt service is.

Mr. Borowski stated he thinks the annual debt service prior to the terminal and the new set of hangars being built is around \$60,000; the new debt service is to be about \$110,000 per year.

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Commissioner Tobia pointed out that is \$40,000 to \$50,000 of new debt service and \$80,000 increase of income; that is more than what the airport had last year; that is \$80,000 coming in and \$40,000 going out; and he inquired if that would make up for the lack of the \$30,000 increase, or if he is missing something.

Mr. Borowski noted it is \$50,000, and minus the \$80,000 is a \$30,000 revenue increase.

Commissioner Tobia stated that would cover the increase between the CPI and the 10 percent. He inquired why Mr. Borowski would have any trouble paying for something if he had the exact same amount of revenue coming in.

Mr. Borowski explained what comes along with the extra hangars is extra expenses; now that they have 120 aircraft there, they will have more aircraft, more people running over the lights, running over the regulatory information signs, and more people each time someone calls because the hangar door does not work; and that will be a few thousand dollars there.

Commissioner Tobia inquired if there would be more people buying fuel at \$0.50 extra a gallon; and if that should be more revenue as well.

Mr. Borowski explained revenue with fuel is approximately \$300,000 a year; he added they net somewhere around \$30,000 on the fuel; he stated there is not that much profit on the fuel; and it is the hangars that make the profit or revenue to exceed expenses. He continued the airport was run for a long time by one person and it is way beyond that now; there is one more full time assistant; and they have a full time volunteer who will now become a full time administrative person. He noted they are at their max; the airport takes a lot to take care for it with 600 plus acres; just in the last two weeks the tractor has broken down twice; the transmission went out at a \$6,000 expense; and the bush hog has gone bad and he just received the bill today for \$3,900 to fix it. He pointed out the navigational equipment out in the field needs to be taken care of.

Commissioner Smith stated Commissioner Pritchett brought up a good point with the golf courses because he thought of that also; the County just finished a long period where the County owned golf courses and they costs the County a lot of money; the County subsidized those losses and the public paid for the losses; the County is finally out of the golf course business and he is not sure it should be in the airport business; he certainly does not think that being in the airport business should burden the public with subsidized losses; and he does not want to see the airport lose money while arguing over a few pennies here and there. He continued he believes it is a wise move from the business perspective for the County to make sure it is not costing the tax payers for some unforeseen instances that may come upon the airport and cost money; he does not think these are outrageous numbers; and he would be in favor of supporting this Item.

Mr. Abbate stated when the additional hangars were added, there was a cost associated with the nine electrical bills going up; there is also additional insurance; and those are relatively minor but he wanted them brought up.

Mr. Borowski stated when the last people who ran the golf course were in there they received \$85,000 a year for rent; with the other individuals who ran the golf course there was an additional \$33,000 a year; and he noted when they did their estimates with the terminal and the hangars that additional \$33,000 was there and now it is not, so they lost that money.

Commissioner Lober stated with respect to the lights, when he flew an aircraft he had insurance, moreso to protect someone else's property, and he was always under the assumption if his aircraft hit something and his insurance did not cover it, that he would have to pay that cost; he would venture to say that most people who rent or own an aircraft have at least

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the basic financial means to be able to pay for a \$400 light; and he inquired if there is some reason that any damage being caused by someone using the facility is not being transferred and being paid back by those individuals.

Mr. Borowski inquired how would they know who hit the light.

Commissioner Lober stated he hears both sides and both sides have some merit; his inclination would be to split the difference of what is being proposed on both sides; and in order to try to push people to vote toward the center, he will be voting no regardless, unless the Board can meet in the middle.

Chair Isnardi stated she understands why he is asking for the larger increase but at the same time she thinks both sides have merit; she likes CPI, it is a cost of living and it is what everyone in the real world lives by; she understands having an aircraft and being able to have flying lessons is a privilege and not the average middle class person does that; however, she does not want people punished because they have had successes in life either. She continued there must have been a benefit to the County or it would not have expanded; and she is curious if it was anticipated that a future Commission would approve this 10 percent or if the airport expanded because it knew it could fill those hangars because she knows this County management would not take on that kind of additional debt service if it was not a benefit to the airport.

Mr. Abbate explained that particular debt service can be paid as Mr. Borowski already mentioned; it is really not just an issue of that, the County consolidated that debt just to lay everything out on the table; this does not have anything to do with the necessity of making those debt payments because they planned that before deciding to do it; it was looked at as though it would not only benefit this operation but the overall County as well because they consolidated a number of debts with a better, shorter term rate without increasing it; and Mr. Borowski's debt was consolidated into that. He went on to say the genesis of this rate increase came out of the audit that was asked for in June; it really looked at where the County was in comparison to the other airports; and he explained staff came up with this trying to cover everything that was brought up this evening, but it was not from the need to have to pay the debt as much as having a cushion to pay expenses as the airport continues to grow into a much larger operation. He noted that is why this Item was proposed this way and it is how it got through County management to be proposed to the Board.

Commissioner Pritchett inquired if part of this money coming in would go towards the Reserve Fund.

Mr. Abbate stated he does not know if he would call it a reserve fund; if the Board does not approve this, they will be certain that the revenues being collected from the additional hangars and such will not exceed the expenses, so the hope is always that they will be able to do more; the criticism that was received over the last six months had to do with the mowing of the facility and such; his ability to do that with his existing staff is tough; however, he does believe that they will meet expenses and hopefully add to the reserve if the Board chooses to approve the recommendation or the middle ground.

Commissioner Pritchett stated she would be inclined to go with Commissioner Lober's recommendation if he makes that motion; she really thinks the Board needs to look at this because this airport is being funded way under market; and she does not think it is right to the business owners in the competitive market because this really messes it up with a government entity coming in well below market. She added the County is a not-for-profit so it can mess up the whole system; she loves the competitive market; and she thinks the County is in a place it should not be in. She went on to say she thinks there should be a rate increase; she does not

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think the increase is enough; and she reiterated she really thinks the government should get out of the airport business because she does not believe the government should be competing with the private sector.

Commissioner Smith stated he agrees with Commissioner Pritchett. He commented since the airport has not had an increase since 2009, he would suggest the Board accept these increases and impose a CPI going forward for each year, so it will remain competitive with the other market and it will not be in danger of falling behind and ending up in a situation like the County was with the golf courses. He noted the golf course situation really crept up on the County and that was hundreds of thousands of dollars that it was left responsible for; he really thinks it should be factored in that there has not been an increase since 2009; and if the Board wants to do CPI, it should do it from this point forward.

Commissioner Lober asked if he wanted to take what was proposed by Commissioner Tobia and what was in the Agenda packet and split the difference, what would be the cleanest way to phrase that for purposes of a motion.

Mr. Abbate advised John Denninghoff, Assistant County Manager, has already calculated what those rates would be.

Mr. Denninghoff advised the large hangar rate would change to \$1,166.84, the medium hangar would change to \$552.97, the standard T-hangar would change to \$276.48, and the half T-hangar would be \$138.24.

Chair Isnardi commented she is torn on the argument because she gets the County should not be competing with private businesses but she does not see one next door; CPI seems like the reasonable choice; however, she does not believe there is support of three votes.

Commissioner Tobia commented he is going to pull out his motion as there is another motion that may have a second and possibly the three votes; he will not be on the side of increasing the fees above CPI but he certainly does not think it is the Board's will to keep it at that.

The Board approved revisions to Board Policy BCC-79, Valkaria Airport Rules (X59) Rules and Regulations; and approved the Airport Controlling Documents, Rates, and Fees, amending Exhibit A to reflect Hangar Rates, as follows:

Large Hangar	\$1,166.84
Medium Hangar	\$ 552.97
Standard T-Hangar	\$ 276.48
Half T-Hangar	\$ 138.24

The Board further directed staff to re-examine these numbers in six months to see where the Airport is sitting financially.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Rita Pritchett, Bryan Lober, Curt Smith
<b>NAYS:</b>	John Tobia, Kristine Isnardi

The Board recessed at 6:26 and reconvened at 6:34.

**ITEM J.12., RESOLUTION, RE: REVOKING DELEGATIONS OF AUTHORITY OF DIAMOND SQUARE CRA**

Commissioner Tobia stated he would like to give an overview of where the Board has been on this subject the last couple of years, at least from his perspective. He stated it starts about two years ago in October 2015; Commissioner Smith said he was not anti-Community Redevelopment Agency (CRA), that he was against perpetual CRAs that do not go away; they last 20-25 years then come back and ask for extensions; and with that the Board made direction to the County Manager, voting unanimously to ask municipalities to bring CRAs to closure prior to their statutory sunset dates. He continued fast forward to just over a month ago; on October 23, 2018, the Board acknowledged that the Cocoa CRA extended its CRA to a statutory maximum of 60 years, redirecting at least \$7.5 million from County funds; and the reason this is coming forward is because he made a promise to not intend on raising taxes, and if he does not intend on raising taxes and the County is obligated to spend \$7.5 million, that money has to come from somewhere. He commented make no mistake this action only makes up one-thirtieth of that \$7.5 million bill the Cocoa CRA put on this very Board; while there is nothing the Board can do about the Cocoa CRA as it was created prior to the County Charter, the County Attorney's Office has informed him that the past Boards have at times, at least had the foresight to keep some residual authority when it created certain CRAs including the Diamond Square CRA; when this CRA was created in 1997 it was included in the resolution that the Board reserves the right to either revoke the delegation of authority to the City or to designate themselves as the Redevelopment Agency at the time the Board deems necessary for the protection of health, safety, welfare, or fiscal interests of the public or the redevelopment area; and this resolution would activate revoking some of the delegation of authority that was granted, potentially saving \$ 264,000 of the public's tax money. He went on to say this will not allow the Board to recoup the \$7.3 million in losses which the Cocoa CRA and the City of Cocoa has forced upon this Board within the last month and a half, but it is incumbent upon this Board to take every step available to avoid further waste; and this is a good first step as it would allow the Board to obtain documentation of the current fiscal state of the CRA; these funds that are currently used could be used to maintain parks, employee raises, or life-saving equipment for firefighters; while he does not always agree with Bill Mick, he found a statement from him very profound, after 20 years and there is still blight and there are still problems, what good has this County investment done year after year; and to be clear Cocoa will still pull in \$7.3 million more than County taxpayers had just a few weeks ago. He noted this will not shut down the CRA it will just limit their ability to encumber County funds until the Board decides what the best way is moving forward.

M.E. Kelly stated she is with Habitat for Humanity in Brevard County; since the inception of Diamond Square, Habitat for Humanity has built several homes in Cocoa; Commissioner Tobia talks about low income and affordable housing and that is what has been done there; he talks about a waste of \$7 million going to that; she had done some research and back in October there was \$7 million spent on a new sports Arena in Titusville, there was \$5 million for an upgrade on soccer and Lacrosse fields in Viera, \$1.7 million to expand campgrounds in Palm Bay, \$500,000 for the Cape Canaveral Air Force Station Lighthouse, and \$200,000 for the pier and the Lagoon; and when talking about the problems the Lagoon is having, the Board wants to repair a pier when the Lagoon problems have not been taken care of. She reiterated they have supported Habitat since their inception for very low and low income families; they do have a tax base from those homes in Cocoa; they have partnered with Cocoa to put six female veterans in veterans village because there is nothing in Brevard County for female veterans; she is a female veteran and this means the world to her; and she noted it is not just the veterans that this is taking the housing from, it is the future. She added Cocoa is one of the hardest hit areas in Brevard County for low income and Diamond Square is an asset to Cocoa.

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Pastor Oliver Wells stated not only is Diamond Square an asset it is a necessity; this is what people do not really recognize; sometimes when people talk about where they put money they do not recognize the people are the place where the investment needs to be; in the document Commissioner Tobia just read, one of the things it talks about is that this Board has the charge to do its best with the CRAs to work with them; that is the reason the County is buying in with that money; and there is proof those funds, even though there is talk about mismanagement, those funds are being used and are going to be used in a manner that is absolutely necessary for the betterment of the community. He noted the Board does not want blight, it wants situations where communities and people are growing and are being bettered, then what the Board should do is to keep whatever will help with this; this movement by Commissioner Tobia, and he believes it is good to look at it financially, but he also believes this is the wrong action to take; shows he does recognize that the City of Cocoa is in a situation with its land where it cannot move any further east, it cannot move north or south, and if there is any movement to be done, it is to move west; and he thinks that is a big piece of this. He went on to ask the Board to take into consideration the people because without those dollars, it tells the people to fend for themselves; and he noted it also makes the County responsible for the blight.

Tracy Moore inquired how to break the cycle of poverty. She stated there is poverty in 626; that poverty is 59.2 percent; the number of children less than 18 in poverty is 76 percent; the seniors 65 and over in poverty is 24 percent; and she asked how to measure the community's ability and civic responsibility. She went on to say looking at the statistics of the census tract in 626 and seeing an economically depressed area designated by the federal government enterprise zone and hub zone throughout the existence of the Diamond Square board, the total effort has been to provide a conduit for partnerships to generate projects that will capture the community's spirit; throughout their budget, one of the smallest CRA budgets in Brevard County, they have still managed to create a goldmine of diamonds; and examples of those projects are Habitat for Humanity, they have included better streets, united the community with the closest business zone being Cocoa Village, and they are bordering with Rockledge, Florida so they are resurfacing their streets, sidewalks, and bike lanes, as well as manicuring State Road 520 that leads to the beaches, they have instituted benches, trash cans, street lights, and infrastructure eliminating yesterday's blight and opening the door for more economic growth. She stated civic duty is what she is representing tonight because hope is not just an American promise or a Cocoa promise; their partnerships have captured Diamond Square dignity and they still need to bring that kind of dignity to the Cocoa area; Diamond Square continues its effort with single family housing, workforce housing, and veteran housing initiatives; they receive reports from the Housing Authority and they take a look at where they are overall; their civic minded businesses like WaWa, Dollar General, Family Dollar have provided an expanded vision that there is a viable business district in Diamond Square where they hope to bring pharmacies, grocery stores, and jobs to Diamond Square and all of Brevard County residents; and through workforce training, and organizations they are presenting civic responsibility. She noted Diamond Square has come too far to stop the civility now; and for the least of these she asked the Board to continue to provide them the tools for the Diamond Square community to build stronger alliances, and partnerships that will showcase the diamonds that the community possess.

Oliver Muhammad stated he is still in shock because the Diamond Square CRA is not just another CRA, it is there to ward off desperation; the people in this community are in more of a desperate state; there are young men who are in jail because they were victimized by the poverty in that community and in the initiative to reduce the crime they were caught up in the net; and one of the speakers read a litany of what this CRA is using these funds to do. He continued the things he heard in that category were for extra-curricular activities; if the County has funds for that kind of activity then it should have funds to deal with the desperation that is being faced in the Diamond Square community; when that initiative was brought to the area it was one of salvation not one that was the answer to everything but it was an opportunity; and now what the Board does after getting into office, it kicks the legs out from under the table of

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hope to help turn that community around. He went on to say it seems like when everyone is ready to cut the budget and save money they come to Diamond Square; the East Coast Railroad had an initiative to close the railroads that they thought were not performing so the City of Cocoa directed them to their railroad that represented access from their community to U.S.1, so they closed that railroad; in closing that railroad, they closed the street; and whereas when closing the street they closed the hope of people who were investing in that area to develop it as an economic corridor. He noted the City of Cocoa said they would help them to do that, but once they closed down the street they closed down the opportunity because people cannot have a viable business area in a cul-de-sac. He stated what he wants is for the Board to reconsider and understand that the needs in this community are not just a line item.

Marisol Soto stated she is speaking about the community center at Diamond Square that was already promised; it was said the money was already there; and she inquired when it was going to start being built because it needs to be started. She mentioned it was said that it has asbestos, but it is still being used for children; and she inquired why it is being used for children. She reiterated they said it was going to be built and that they already had the money for it; she commented another problem they are having is once they built WaWa and the other two stores, there is so much traffic; and when they built those little diamond square tubs people are hitting the bumps when they turn their cars around because it is so dark and there are no lights; it is messing up car rims; from Fiske to Barbara Jenkins there is nothing there, but there is not enough space for two cars at a time; and she noted yesterday her daughter ran over the sidewalk. She inquired what people were thinking when they built those streets because they are too tiny for two cars and all the traffic; and when they are going to start building so people can prepare themselves for the noise and all that.

George Austin Jr. stated he is fortunate that he would be able to move from the Diamond Square area if he chose to, but unfortunate because he gets to spend less time with people who have a heart, a hope, and a desire to dream; a city is only as strong as its people; he respects law and order as he is a retired Marine who read this book several times and does not like the way it ends; and he does not think the Board will either. He continued he has seen this in Baltimore, D.C., Philadelphia, San Diego, Savannah, and Atlanta; he recruited for the Marine Corp in those areas; he knows that CRAs are impactful to communities as it gives them an opportunity to be able to grow, hope, lead, and dream; he moved here 30 years ago instead of going back to Baltimore; and now this Commission is beginning to act like Baltimore historically in that leadership. He inquired when progress is being made, why would the Board pull the rug out from underneath success; there are never people in positions that have the City's best interest; slavery is a means to control people to be dependent upon society which controls the purse strings and the environment; and he noted Diamond Square CRA gives the people the opportunity to be able to do the things in the community that are necessary. He went on to say kids need to see progress, have hope, and be able to dream; the revitalization of the Diamond Square board provides not just the infrastructure investment but the investment in the lives of the community and especially in the future of the children; and the question is whether this area is worthy. He noted that is the question that needs to be presented to the Board; he commented maybe they should use the airport hangar for housing; maybe they should take the replacement of dealing with the Lagoon for the people who do not have a home to live in to worry about what is happening along the rivers; all they need is a level playing field now that they have people in positions that have the City's best interest at heart; and he requested that the Diamond Square CRA be continued because it gives them a voice for the community from the community.

Thomas Cole stated he would like to speak on behalf of Emma Jewel Charter Academy which is located in the Diamond Square community; he has with him the elected government student body officers who were elected to operate the school and make decisions throughout the school; and he thought it was very important for them to be there for this process. He continued about six years ago when God put it upon his heart to open up a school he directed him to the

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Diamond Square community; there were a lot of people telling him to go to particular areas to open the school but God wanted him to open it in the Diamond Square community; he had an opportunity to work with the CRA when they were developing a redevelopment plan; when he looked at the plan from the previous year and this plan he seen a significant amount of growth; the people who are serving on that CRA are very passionate about the community and believe in that community; he thinks the growth that is there is moving in a particular direction; and he mentioned one of the things his grandmother used to say to him was that every dollar helps. He commented he wants to turn that around because he wants the Board to understand that every dollar taken away hurts. He noted one of the things he always thinks about as a school leader is that the decisions he makes throughout the day do not end at 5:00 p.m.; if he makes a decision for one of the scholars he has with him, these decisions will affect them for the rest of their lives, whether it be extra tutoring, extra support, mentoring, or whatever the case may be; and he implored the Board to recognize the decisions it makes will not just affect these scholars but generations to come because there is so much growth that has taken place. He advised he has invested a significant amount of his personal money because he believes in the Diamond Square community; he believes in the growth that is happening; he believes in the growth that continues to happen; however, the Board needs to continue to partner with them. He stated this CRA has done a great job in partnering with other folks to continue to remove some of the blight, some of the crimes, and continue with some of the grass roots educational initiatives like the neighborhood restorations and alliance restorations at the grass roots level because those are the things that are going to stop some of the systemic challenges this area has been dealing with over the past 20 years; and he thinks taking it out now would be catastrophic. He asked the Board to consider the decisions it makes today.

Ramon Rivera stated he owns Diamond Rivera, LLC and operates Diamond Scientific out of that company; when he moved there he had one employee and now he has five in which three live in the neighborhood; most recently they filed for their first patton; he relocated to that area primarily because there was a CRA which helps him in his government work; he found that the community was very supportive; and he would encourage the Board to maintain the CRA as it is. He noted some irony today is as a famous president lies in state who was a war hero and who believed and practiced selfless concern for others that there is a conversation going on about not increasing those that have, but taking away from those that do not have; and he mentioned it brought to mind some lyrics from Glen Frye. He encouraged the Board to vote no against this proposal.

John Titkanich asked that the Board please be deliberate, understand the consequences, and to make no mistake about what it is being asked to approve. He stated the proposed resolution will negatively impact the Diamond Square community; it unfairly targets an area that is recognized as one of the most under-served and disadvantaged areas not only in the city, but in the County and in the State; he noted CRAs represent a partnership between the city and the County whereby a portion of the tax revenue generated from within the redevelopment area is reinvested by both the County and the city back into the redevelopment area; these revenues are to address the issues of blight and bring revitalization over a course of time; the property owners in Diamond Square pay \$166,000 in taxes to the General Fund for the County; the County earmarks \$75,000 to reinvest back into the CRA, so these tax dollars are solely generated within the redevelopment area; therefore, the County is not subsidizing the Diamond Square CRA, it is reinvesting property taxes collected from the property owners of the CRA back into the CRA. He went on to say through the CRA, the County and the city are enabling the Diamond Square tax payers to reinvest in their own community to improve their community; recognizing the CRAs limited resources, the city has undertaken numerous projects of the Diamond Square redevelopment plan that totals in the millions because of its resources; and it does it because it is the right thing to do, and it is just. He added it is either pay now or pay later. He stated someone mentioned earlier about breaking the cycle of generational poverty and low educational attainment; he did not want to give a bunch of facts and not show it; the Board has

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all been there, it has seen it, and it knows it; if the Board really wants to protect the health, safety, welfare, and fiscal interests of the public of the redevelopment area, the question should not be where else can the money be better redirected, it should be what else can the County and city collaboratively do to support the Diamond Square community; unfortunately, the decades of dis-investment and decline that have led to the creation of the Diamond Square CRA is not going to be reversible over night; there is tangible progress happening in Diamond Square right now; and it is not the revitalization to contact sports, it occurs one project at a time to get the success. He noted there is desperate and impoverished needs of this community with such little revenue, \$208,000, 18 years after its formation; and what this resolution says to the residents is that they have wasted their hard work, their investment, and there is no hope for those in the Diamond Square community, because the County needs its tax dollars to fund services outside of the Diamond Square CRA, even though it paid those taxes. He stated he is concerned about the revocation of power and seeking to recapture its portion of TIF revenues; he is also concerned because the Diamond Square CRA entered into a multi-year development agreement on November 8, and approved on November 15, with Habitat for Humanity to develop housing for female veterans; this resolution prohibits the disposition of property, while they are getting ready to close on those lots for six homes for female veterans; and he is concerned if the resolution impairs Diamond Squares contractual obligations, not only is it conveying the lots to Habitat for Humanity, it also is providing a financial contribution in the agreement. He went on to say the city has acquired 27 other lots for affordable and workforce housing. He asked the Board to do the right thing. He stated the Diamond Square community is not the CRA to take things out on; this CRA is meritorious and deserving; and he asked the Board to please vote no on this resolution.

Commissioner Tobia asked if Mr. Titkanich is familiar with the Sanibel Harbor Marriott Resort and Spa in Fort Meyers, that offers spa treatments with the goal that all guests experience total relaxation, with a restaurant, a princess yacht, multiple cabana bars, and three outdoor swimming pools.

Mr. Titkanich stated it is one of his wife's favorite places to go, but they have not been there within the last six or seven weeks.

Commissioner Tobia inquired if he attended a conference there because he budgeted \$3,780 to attend that conference; he has information from a public records request totaling \$38,000 and change that comes directly from the CRA's budget; and he inquired if Mr. Titkanich did not attend, then what other conferences were attended that costs the CRA more than \$38,000.

Mr. Titkanich assured the Board that those numbers are incorrect; he did not attend but members of the CRA board did attend; and he inquired how the board is supposed to engage and make meaningful decisions in what they should be doing in redevelopment if they do get educated by attending these conferences. He noted Commissioner Lober is an attorney and that he attends conferences to get continuing education related to his law profession, everybody does this; and he advised these conferences are geared towards training redevelopment members on how they should be acting in terms of making sure they are not like the ones pointed out in the Miami Grand Jury Report, the Broward County Inspector General Report, and the Daytona Report; they go there to learn about the fundamentals of redevelopment, what they should and should not do, and what projects may work in their community to get more bang for their buck; and that is why there is money budgeted to go to these conferences. He added he does not believe it was \$38,000.

Commissioner Tobia advised it was more money; he received this number through a records request from Mr. Titkanich's office; to be very clear the phone works in his office and he is absolutely welcome to contact his office or put whatever he wants in the paper; and he will provide him the information of the \$38,000 that Mr. Titkanich's office provided to him through a

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public records request. He noted he was a little disappointed when \$3,700 just this year alone was budgeted for a conference at that facility; and he noted it was budgeted for at least four board members on behalf of the CRA according to Mr. Titkanich's budget.

Mr. Titkanich stated it was \$3,700; and he thinks Commissioner Tobia is creating a perception that it was \$38,000.

Commissioner Tobia advised it was \$3,700 and since its inception it was a total of \$38,000; and he advised he is not creating a perception, he is just reading the numbers he was provided.

Mr. Titkanich stated he thinks people think this agency spent \$38,000 and it has not; they have gotten to a point in the past where only one or two members were selected to attend; only recently were they able to select four members to attend; he explained they do get new members coming in and they need to be informed and understand the basics of redevelopment; these people are offering up their time and do not have the knowledge and expertise; and the County Commissioners all go to conferences as well because that is where they receive the basis and the knowledge to make informed decisions.

Commissioner Tobia pointed out this is a \$206,000 budget; the budget of the County is \$1.3 billion; he advised if he would like to public records request his office, he will find not one penny used for attending conferences; and he has attended conferences which he paid for with his own resources.

Mr. Titkanich explained these people are volunteers and they do not receive payment for their time and efforts and to ask them to put out money on their own, in which many of them fall within the conditions that exist in Diamond Square, they would not be able to do that.

Commissioner Tobia noted that \$38,000 was put out for very nice hotels and very nice conferences that are honestly even outside of his means.

Mr. Titkanich pointed out that was over a 16-year period.

Commissioner Tobia explained he was just told every penny is important; and he takes \$38,000 extremely serious.

Commissioner Pritchett inquired if Mr. Titkanich is going to be around because she has questions for him after public comment.

Mr. Titkanich replied affirmatively.

Lieutenant Mike Delatorre, Cocoa Police Department, stated he is the public servant who has served this area for 23 years; during that time with Cocoa Police Department, before the CRA came into effect, he has had five knee surgeries and two shoulder surgeries fighting the crime in that area; he did a lot of the community policing that has been done in that area; over the years there have been State and federal programs that came to the area because the area was so blighted and so riddled with crime; and he inquired how long does it take to change a culture that was really bad at one time with a lot of despair. He continued through this little bit of money, he receives a chunk every year to do crime prevention and neighborhood programs; through the crime prevention programs he is able to work with the kids and a lot of the youth; Alliance Neighborhood Restoration has been a partner of the Cocoa Police Department since 1995 when the federal programs came in, but now they are gone; what still sustains is the money from the CRA for these crime prevention programs that specifically target the youth and redevelopment of this area; right before the down turn this area was somewhat being revitalized; and he knows because he was responsible for going after a lot of the blighted area

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with Code Enforcement. He explained they were moving in the direction where government housing started knocking down their government housing because they were going to start building single-family homes in the area; when the downturn came, they had empty houses and blighted areas, or empty streets with no houses; and now that the upturn is coming things are starting to turn around where they are actually building the single-family homes. He went on to say this is not a lot of money, and to take it away it will affect the crime prevention programs that he fought for to change this area; he spent a lot of time putting his soul into this area; and this is very little money to help support these programs for all the children. He advised they do summer programs, educational programs with the kids, they partner with the Alliance Neighborhood Restoration, and to take this little bit of money away it is going to have a bigger impact than people realize. He stated he has witnessed this must start when the kids are young to provide support for them and continue until they get to college, otherwise, it is a waste of time; that is what these programs have done; and that is why they get their money for these programs.

Commissioner Lober inquired if he is speaking on behalf of himself or in his official capacity as an officer of Cocoa Police Department.

He advised he is in speaking in his official capacity.

Trevor Tezel stated as a non-Diamond Square resident, he does not believe he can provide the kind of impassioned input as the other speakers; he thinks this is worth commenting on though; he feels the reasons for this being on the Agenda seem to be muddled when talking about government training for city management employees; he thinks the point of that being brought forward is to be used as an example of wasted taxpayer funds; in order to keep taxes low the Board must eliminate all waste; but the argument is made in the same breath that this is such a small amount of money that the County should not be concerned; at least that is what was put forward as the Item was introduced on the agenda; and it seems to go back and forth whether this is a lot of money or not. He continued the facts are, under the community reinvestment act, these are tax dollars coming from the city; some of the speakers stated very eloquently that Diamond Square CRA and Diamond Square are both assets to Brevard County; he thinks these dollars and the way they are being spent is an asset as well as with the way they are being raised; the idea that because this has always been a problem and it still is a problem means the money is not being spent wisely, he thinks is ignorant towards some basic understandings and facts around intergenerational and systemic poverty that have already been brought up; and he does not believe that argument holds a lot of weight. He commented the reasons for debating this is because the process; individuals across the spectrum have acknowledged this seemed to have been sprung on them; along with that, people have to acknowledged State and County politic CRAs are a very easy target; he thinks this is being done to the detriment of community members who really rely on this; and he asked the Board to reconsider. He added although he is not a Diamond Square resident, he is a Brevard County resident, and he is invested in this, the County either all rise together or all fall together.

Melissa Martin stated her eye-witness to the growth of Cocoa started when she was a little girl driving to the Banana River to go fishing; the gateway, 520, was very different back in the 80's; to a seven year old girl, there was a vibe of desperation, danger, and just a scary feeling; when she came back in 2000, the gateway had changed; it was obvious a lot of work had been done in the area; she did not know anything about Diamond Square but just from casual observation there was market difference; and even though there was still blight, there was a vibe of hope being worked on. She went on to say she decided her family should move to Cocoa; after a lot of research and visiting the area, it was obvious this area has beautiful potential for growth, something the CRA has enabled, and it is hard to put a number on it; she believes from the Board's point of view that it is its responsibility to put numbers on it; she has not seen any numbers comparing the investment of the area versus the potential costs, nor how much crime has been stopped, how much criminal and civil liability has this CRA benefited the County

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overall; she noted she believes Home Rule is a very conservative principle; and the structure of the CRA, the funds they are using are what they themselves worked hard for, and those funds going right back into the community are important to take note of, as is the return on investment. She pointed out the County is just benefiting from the CRA in Diamond Square; she thinks this should be a no-brainer; however, she is glad the community is able to talk about it.

Judy Koons stated she was the counsel for the class of residents of the core redevelopment area called the Heart of Cocoa; they filed three lawsuits against the city and the redevelopment agency in 1988; they successfully raised race discrimination against the zoning and redevelopment activities of the city; in that capacity she unearthed five decades of data that demonstrates discriminatory efforts to eliminate housing, displace residents, aggregate parcels, and place judaification in the hands of private developers; and they arrived at a consent decree in 1990 to preserve the homes and historic character of the community. She continued as she worked on the homes, she was aware that similar plans were under foot for the adjoining African American community now called the Diamond Square CRA; regarding the current proposal before the Board, it seems the proposed action of the County is the most recent step in a history of race-based discrimination and dis-investment of the area; she recognized that a charge of race discrimination is politically challenging especially for well-meaning public officials; and she can see the concern that the Board has demonstrated in listening to each one of the speakers, which she appreciates. She stated she does not use the phrase lightly, but in efforts to raise awareness for the injustice that has been wrecked on this community and that is proposed to be continued today by the Commission. She advised how this is race-discrimination, the Fair Housing Act of 1968 prohibits actions that have a purpose or effect of denying ownership or rental housing based on race; she is of the view that if the Board were to revoke its authority for the Diamond Square CRA it would violate the Fair Housing Act; she is going to leave the whole issue of discriminatory intent to the side and focus on discriminatory affect; this census track has 85 percent minority occupied people in it, 58 percent whom are African American; the redevelopment plan of this area denotes this census track is occupied by 10 percent of the black residents of the County; and a vote by the County to revoke its authority for the Diamond Square CRA is another act of dis-investment and race conscious dis-investment which has an overwhelming disproportionate impact on the African Americans not only in the County but also in the city. She added it could be met by much less discriminatory alternatives such as improve do not remove and rebuild, do not revoke.

Alex Goins stated if this CRA is the reason CRAs exist, this is the perfect example of why the line item should be removed by Commissioner Tobia; stats have shown today that this is the poorest census track, it is in the greatest need of economic development; if the Board believes the theory that people are only as strong as their weakest link, then the Board would remove this item and boost this area up; he and the Board may have political differences in regards to CRAs; Commissioner Smith may like term limits on CRAs and Commissioner Tobia may not like them in their entirety; however, the Board has to think about people, compassion, and understanding about who is living inside this Diamond Square community. He added Bill Mick before ridiculing this area, should come see Barbara Jenkins, or little Johnny who needs peanut butter, or the single family where the mother is raising seven kids while the father sits in prison. He noted Diamond Square has value; he knows at times people look at dollars and taxes, but inside of this community there are some great people; the area has been challenged but it only has a small budget; one thing about this community is they mountains out of mole hills; and he noted he would request that Commissioner Tobia remove this item. He invited the Board to come visit the area and see what this place is; it is not just a name of a CRA, there are human beings inside of the area that need the Board's assistance; and he noted this is his first year on council and he will be fighting tooth and nail for these people. He commented he thinks it is vital before making a decision that the Board actually sees the impact that this decision may have before making it.

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Purvette Bryant stated she grew up in Diamond Square and like many of the residents here, she went away and then came back; she commented the people are here to build up and not tear down but these people need the Board's help; she asked that the Board not reduce the funding in Diamond Square, but lend a helping hand; they are moving forward and advancing; whatever the city has done, she knows the Board wants accountability, they all do, but not at the expense of taking or reducing funds in this area; there must be a way to provide accountability and keep the funding in place whether that be systematic quarterly reports, or FOA requests on a consistent basis to show where the funding is going; and she reiterated she is asking the Board not to reduce funding but to increase accountability of where the funds are going. She went on to say the citizens of 626 finally have an opportunity to advance; they have new growth in Diamond Square; there is a new recreation center coming to serve the senior citizens, and the youth, this is coming at a time when they are looking upward and not backwards; there are other alternatives that can be looked at, maybe there needs to be a fire put under some people to make more quality decisions that will meet the Board's approval and make it see this is no longer a blighted area but an area that is moving forward with advancement; and she asked the Board to reconsider. She added the people in that community want to show the Board what it can do in that community.

Michael Blake stated he is product of Diamond Square; Diamond Square originated in 1998; a lot of great people came from Diamond Square; when people are given the time to prevail they persevere; he asked for a show of empathy and to have a caring and understanding heart because in the bible it states wisdom is everything, but when getting wisdom, get understanding; and he noted he wants the Board to understand the greatness that comes from Diamond Square. He went on to say what happens when coal is compressed is a diamond; this Board has impact on the people; the people come first because they are all God's children even though they come from different tribes they are all one race, the human race; and that is why he is asking the Board to have an understanding heart. He noted he has been a part of Habitat for Humanity; he is also a teacher and he noticed his students grades change when they have a permanent domicile and are not moving from pillow to pillow, and when they have stability in their lives; he is asking the Board Members to invest in the people because people invested in them; he asked the Board Members to think about who invested in each of them and helped them along the way; and he asked them to get out of their comfort zone and come visit the people in the Diamond Square community.

Charlie Graham stated George Herbert Walker Bush lies in state as he speaks; his points of light should be a model for all Commissioners and residents alike; the Diamond Square CRA is a point of light; he might be most known for his infamous quote, "Read my lips, no new taxes." and that should be a reminder to all elected to this body that despite what it has said or promised in the past; and the Board should, like President Bush, do the right thing when presented with facts that are contrary to each Board Member's pledge. He continued the will of the people of Florida has repeatedly been denied ever since the people voted to have a lottery and have the proceeds benefit the schools, that money was taken; politicians find a legal but unethical way of taking away the intent of the voters; he asked the Board to please not be a Robin Hood in reverse by taking from the poorest in this County and giving to the rich by eliminating the Diamond Square CRA; and he asked the Board to please build the roads, fix the bridges, sewers, schools, and other infrastructure, but do it without touching even a penny of the Save Our Indian River Lagoon Project Plan.

Commissioner Tobia commented a question was brought up about how to break the cycle of poverty and he does not have the answer but he knows the answer is not money. He explained this CRA was formed in 1998 and it comprises two-thirds of one square mile; in the 20 years of existence, the CRA has received more than \$1 million in payments from Brevard County funds; he looked at census track 626 to see if the County was getting a return on the funds and he found out, once adjusted, the Bureau of Labor Statistics, individual income has dropped 25

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percent; household income has dropped only one percent, but the two measures looked at for clearing up blight, individual and household income, has gone down since the inception of this CRA; he thinks it is very important that the cycle of poverty is dealt with, but he thinks it should be dealt with in the right way; and he does not believe continued investment this way which has shown a negative impact on its residence when measured by their income, is the right way to go. He noted he appreciates everyone's concern and beliefs on that as they are very valid points; he does not know how the people of Diamond Square sit out there quietly after hearing how the Board spent \$7 million on a stadium, \$5 million on increasing sporting events, \$500,000 for a lighthouse keepers museum, \$1.7 million for a nature park, or \$200,000 for a dragon boat dock, but he did not vote for that nor did a majority of this Board; he thinks this Board can work together in the future to help the people who live in the Diamond Square community but he does believe continued investment is the way to go as it is not showing any returns; and he commented maybe there are other ways to deal with it, but clearly this is not the best one.

Commissioner Pritchett asked Mr. Titkanich to come back to the podium; she stated the goals in getting rid of poverty is to get people into jobs to help them pay for housing and to help support their families as nobody wants to live on handouts; she does not think a CRA is set up to be a handout, it is set up to be a reinvestment into a community; she believes somehow this has gotten off track of what the discussion is about; she does not hate CRAs and she does not think they are evil; she does not know how that thought got out there; however, she thinks there are issues with CRAs but there are issues with anything that has human oversight because people make mistakes. She went on to say she believes CRAs work; they have worked in District 1; that CRA has revitalized the area, has gotten people working, has removed the blight, and has increased property values; she noted when an area's value is increased, property values go up, the tax values go up, and the government starts receiving more tax funds; and it all becomes a win, win when it is done correctly. She explained the sports stadium and the other things are tourism tax dollars; they are good things that create economy in the area which lowers tax liabilities; that money comes from a separate pot of funds; if the government can get more money coming in that leads to less of a liability on the citizens, there is money to go around to do new projects, and it helps the entire community; and the goal is to have a successful prosperous community that is not on the backs of all the taxpayers. She commented the million dollar question is the time; she happens to agree with the fact if something cannot be fixed in 30 years, it might be something to be looked at; this might be different and it is worth the conversation; and she inquired if this CRA has no debt.

Mr. Titkanich responded affirmatively.

She inquired how this ended up being a CRA with no debt.

Mr. Titkanich replied it is because of the TIF revenues, it would be highly unlikely that a financial institute would lend money to this CRA; this is an area that has suffered for decades of disinvestment and decline; when the recession came about, their TIF value dropped like a rock; they almost came close to the base value of when they were created in 1998; they did not receive their first TIF payment until 2000; and the TIF base was \$24.6 million when it was created and this year it is worth \$44.6 million, which is \$20 million. He added this year alone the value went up \$5.3 million because the city invested roadways, a regional stormwater facility to help WaWa, Family Dollar, Dollar General, O'Reilly Auto Parts, and Superb Kitchen which are all sales tax and gas tax dollars that do not go to the CRA, they go to the County, so there is investment happening.

Commissioner Pritchett stated that was going to be one of her questions because it appears as though this CRA has been in hibernation.

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Mr. Titkanich stated going back two years they would have issues when they would get a nonprofit developer to build a house for \$100,000 or \$110,000 and the brand new house would appraise at \$80,000; post new lending regulations, the appraised price or sales price, whatever is less as they cannot even use their buy-down programs to close that gap, so they worked with the County, Palm Bay, on Regina MIRA and they did four houses and the appraisals are starting to come up; the appraisals are finally near the cost of construction; looking at Cocoa as a whole it has lagged behind in terms of the growth of the tax base and the economy compared to any city in the County; and if the Board does not recognize that, it is being disingenuous because the City does struggle. He continued there was a comment about medium household income; population has increased in the Diamond Square area, the medium household income has increased by almost \$3,000 in the last two years; the two areas that have not increased are poverty and the unemployment rate; however, there is growth happening in the Diamond Square community.

Commissioner Pritchett inquired if they were not asking to add years to it, how many years would be left on this CRA.

Mr. Titkanich stated this CRA is set to expire in 2023; it is interesting because this plan was adopted in 2014 and it was on the Agenda October 24, 2014, after three requests to approve this plan, but was pulled by a former Commissioner to let the new Commission decide it; in 2015, it was brought back and they were asked to a while until the budget process was over, so they waited; then they went through the meetings regarding the CRAs; and at the time they had discussed sunsetting the CRA in advance to preserve the Diamond Square CRA, that is how important, even critical, this CRA is in terms of social and capital investment in this community. He stated outside consultants think this CRA should be extended for another 25 years and he does not disagree. He added the systemic issues there are not going to turn on a dime.

Commissioner Pritchett inquired if they have five years left why is it that they are now trying to extend the years.

Mr. Titkanich explained they actually came back in 2014 when they redid the redevelopment plan; they presented the letter and it made it on the Agenda but it was pulled; therefore, they never got the chance to ask for it. He noted these people did not come here to ask, they came here because at 3:48 on Thursday he received an email that the Final Agenda was posted and there was an Item on it for this CRA; public record requests show this has been under consideration well before the election; there are emails between Commissioner Tobia and his chief of staff going back to early November; and nobody bothered to call him. He noted they have invited members of the Board to come to the area and have a conversation; and he thanked Commissioner Smith for taking the time to come and learn about this CRA, and viewing the Regina MIRA subdivision; and he noted all eight of those homes were built, are occupied, and being taken care of.

Commissioner Pritchett advised she has a lot of questions. She stated she hopes this Board will not do anything tonight; she is not going to vote to revoke this tonight so she can get some questions answered; and she reiterated the CRA looked like it was in hibernation but now it seems to be getting some life to it. She commented she is not in favor of having an unlimited CRA so she needs to figure out why the County needs to do this, what the time span is, and what the goal is; she reiterated she does not think CRAs are evil if they do their job; and she commented as a citizen she wants to know these things as well.

Commissioner Lober asked Mr. Titkanich if he was given the opportunity to fully articulate this when they had spoken earlier; he inquired if the Cocoa Mayor was given the opportunity to articulate his concerns as well; and he stated unfortunately, Sunshine Law being what it is, he would have loved to have spoken with Commissioner Tobia to get his thoughts with respect to

this issue so he could have it in advance to this meeting, the pros and the cons, but that way the law is written, he did not have the ability to do that. He noted a lot of what he is hearing from Commissioner Tobia, he is hearing it for the first time; he has heard some really good and some really bad; and there is one item that he really found to be repugnant and distasteful which was the attempt to play the race card with respect to this Board voting on any basis other than what is in the best interest of the County. He continued he has spent quite a bit of time with Mr. Blake, he was his favorite as to this campaign; he spent time with folks of all sorts of ethnicities and he noted he has never cared what anyone's ethnic makeup is; and in the dealings he has had with all the Commissioners, the County Attorney, the County Manager, or County Department Heads and Directors, he has never seen, heard, or had any inkling suggesting that race had any motivation or basis to any of this. He advised, from his perspective he does not see that being a determining factor not from himself or any of the County employees. He mentioned he is an attorney. He went on to say it has been hinted to by some of his colleagues that decades in existence makes this CRA somewhat troubling; he also heard that if going forward with this tonight it would be taking money away from that area; he thinks the views of CRAs by Commissioner Tobia is that the area, not within that CRA area, are subsidizing it because the base level property is subject to whatever millage may apply; he believes that the base value of the CRA at inception was \$24.6 million and now it is roughly \$20 million higher in value; the appreciation and where the millage applies to that is what stays in the CRA; folks say it is generated there and question how the County is entitled to any of the money; and he explained the County is still providing services, roads, and potentially sewer, storm drains, Sheriff's officers, mosquito spraying, etc. He continued he is not saying that it overrides the concerns or that in itself is sufficient evidence to say the CRA has no value, it does not; however, he thinks often times there are two polarized sides, one that is totally anti-CRA and one that is totally pro-CRA and neither of them are willing to compromise. He stated there are some CRAs that make very effective use of their funds and some that do not; at this point he would like the other Board members to take the opportunity to speak with the Mayor of Cocoa and if it turns out that the concerns the Board has are not properly addressed to its satisfaction then the CRA may be getting axed, but he is not prepared to do it at this juncture; he thinks there are things that are very important and need to be gone over; he thinks determining what specific impacts have been achieved and when they have been achieved with the resources in place; he thinks that should be focused on by the City and the CRA; and he agrees that CRAs should not exist in perpetuity. He stated he feels there is some merit in question if a CRA has been in existence for 20 years and the area is still blighted, if it is really working; and he noted he does not know what the answer is, so he is allowing for the possibility that maybe it is doing its job. He stated he does not have all the information he needs to feel comfortable voting on this tonight; he has a willingness to be flexible and he hopes his colleagues have that same willingness, within reason; he hopes now that some of Commissioner Tobia's concerns have been brought to light that the CRA would be willing to indicate a plan to address those concerns; and potentially no one leaves thrilled but perhaps at least acceptably content. He asked the Cocoa Mayor to meet with the Board so that there are no sunshine issues; he would like it to be happen in the near future, not six months down-the-road; he believes there should be an opportunity afforded for both sides to get their concerns together; and on Commissioner Tobia's behalf, it was stated this was sprung on people at the last minute, but to him it did not appear to be the case. He mentioned he does not believe there was any notice requirement being violated; it did not spring on the Agenda any sooner or later than the vast majority of other Items; and just because people were not aware of it, he thinks it is inappropriate to take that out as some sort of malfeasance on his part. He commented rather than attacking the individual who expressed some concerns that he believes have a valid basis, to address the concerns and tell the Board what they are doing that is benefiting that area and the community; he believes the Board will give them a fair shake; however, he feels the personal attacks and the suggestions of ill motive for having this on the Agenda are counterproductive. He advised he is in trial all week and the threat of a law suit will never be able to bully him into acting a certain way, that type of action is so unproductive; and the way for this to be productive is to treat

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people as any person would want to be treated themselves. He went on to say he is not opposed to settling this any which way, but to have the safest possible outcome is to be less confrontational and to convey the information to show why it is meritorious and deserving of having that money continuing to come in; and he believes if it is done that way, they may have more support from the Board.

Commissioner Tobia stated it sounds like Commissioner Lober is interested in tabling this; he has a couple questions before pulling the motion off the table; and he inquired if the Board were to give notice to the City of Cocoa and Diamond Square CRA before taking action would there be anything legally to prevent them from obligating themselves from future projects before another meeting.

Eden Bentley, County Attorney, responded there would not.

Commissioner Tobia inquired if they were to do this, would it compromise the County in any legal proceeding in the event the County was to assert its legal authority to protect the best interest of the public.

Attorney Bentley stated if there is outstanding debt the County would have to take that on if it were to eliminate the CRA.

Commissioner Tobia stated he knows Commissioner Lober has not been a part of the Board for long, but he wants him to be fully cognizant of the facts; this Board voted unanimously to request that the CRAs sunset early; two weeks ago Cocoa CRA, one that is led by one of those who just spoke, extended it 14 years; so not only did they not sunset it early, but they extended it for 14 years; and he asked Commissioner Lober if he trusts in that individual that this CRA will not obligate debt or anything if this were to be tabled.

Commissioner Lober stated he is trying to be quick without being overly-hasty in how he addresses this; he asked who in the audience is on the Board of the CRA; and he asked them all if he were to table this, if they would not put him in a bind by occurring debt.

Commissioner Smith stated he heard a lot of interesting stuff, emotions, facts, and he is very impressed with what they have done; he knows there is a lot left to be done; the is stunning; they have a Dollar General, a Family Dollar, a WaWa coming in, an O'Reilly's Auto Parts and these are commercial businesses; there are a lot of positive things going on; and he can assure Commissioner Tobia if these people say they are willing to not increase debt, he has worked with them and he does not have any doubt. He noted he believes there is some middle ground and an agreement can be reached; he believes there is good work being done in Diamond Square and he does not want to tie its hands; at the same time, he is going on record saying that CRAs are not bad, his problem with CRAs is they never go away and the County never gets paid back the money; he thinks there are some extenuating circumstances that exist in this CRA; and he thinks it would behoove the Board to take a look at it and see what is best for the County moving forward and what the best way is for the community leaders to get their community to where they want it to go. He went on to say he agrees with Commissioner Lober in his belief that there needs to be a fresh look at this and to move forward; and he is willing to do this.

Chair Isnardi stated she is not conflicted on this; she fundamentally disagrees with CRAs; it is not personal to this CRA; she has seen them in affluent areas and she is still opposed to them; in actuality, although the Diamond Square CRA is compelling, she has seen poverty growing up north of Detroit; she understand systemic poverty, but she believes there has to be another vehicle; she thinks CRAs unfairly allocate funds to certain areas and other areas could suffer because of it; she is not saying that Diamond Square is one of them but she cannot see how

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one area deserves a CRA over another; and there could be blanket CRAs all over the County and that just makes funding limited to those areas. She commented Diamond Square obviously needs investment in that area, but investment more in jobs and infrastructure to change that culture and beautify the area, but she just does not believe a CRA is the way to go; she believes the Board made a commitment to eliminate them all if it had the power to do so; she noted Commissioner Lober just got here, so she does not expect him to be up to speed on it; but this issue has been such a big part of this Board, there have been workshops, and there have been tours of the CRAs; they have gone through the books and they have done the audits; and she would vote in favor of this tonight only because she does know the history. She mentioned she does believe the Board needs to find a way to invest in the area, however, she does believe the CRA is the way to go; she mentioned the CRA does not have to go away, the City can keep it, it is just the County's investment that needs to come to an end; and she reiterated she thinks there are other ways the County can invest in the community because unfortunately it has not been done in the past. she mentioned if the community has had 20 years and it has only gotten this far, she does not know if another 20 will make the difference in turning the area around, she would hope it would; she commented she does not know if Commissioner Tobia has the votes for his motion; and she does not know what he wants to do now.

Commissioner Tobia stated he has a question for the County Manager because it was brought up about this being sprung on the CRA; and he inquired how much of a heads-up the County got when the City of Cocoa unilaterally decided to extend the CRA, thus obligating the entire County for \$7.5 million in increases.

Mr. Abbate stated the City did send a letter to him and the Chair with two different dates to bring that up; one was a night meeting and one was a day meeting; it was set up so they could come to the night meeting; therefore, there was a 30-plus day notice.

Commissioner Tobia inquired when that was brought up that is when he mentioned he would be examining this CRA as well as the other CRAs; he is still smarten from the \$7.5 million that taxpayers are obligated for the extended 14 years; and he knows this is going to go down but he does not see any other alternative other than raising taxes and he made a lot of promises that he was not going to raise people's taxes. He noted he is good on his word.

Commissioner Tobia made the motion to revoke the delegation of authority of the Diamond Square CRA and Chair Isnardi seconded the Motion.

The Board denied the resolution to revoke delegation of authority of the Diamond Square CRA by a 3:2 vote.

<b>RESULT:</b>	<b>DEFEATED [2 TO 3]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Kristine Isnardi, Chair Commissioner District 4
<b>AYES:</b>	John Tobia, Kristine Isnardi
<b>NAYS:</b>	Rita Pritchett, Bryan Lober, Curt Smith

Chair Isnardi stated she does not know if the Board wants to make any more movement on this Item; it was Commissioner Tobia's Item; but if not nothing changes from where it is at.

Commissioner Tobia pointed out it is very clear that nothing is going to change on this CRA; he is almost ready to say, short of court action or legislative action, that nothing is going to change on CRAs; and he advised he will not make the motion to have a workshop because it is very clear that the sentiment of the individuals on the Board are in full and strong support of CRAs.

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He will not vote to drag this out; he admits he lost this one; he noted he loves the system and appreciates the community participating; and he stated he will not vote for a workshop because it would be a waste of everyone's time.

Commissioner Lober stated he understands Commissioner Tobia's comments and he understands why he is saying that; he commented when he said earlier that he had hoped people would be flexible, he does not know if either the Board or the CRA is going to get 100 percent of what it wants; he asked that there still be a meeting set up either as a Board meeting or a Workshop to avoid sunshine issues in the near, but not instantaneous, future to see where things are at; and he advised when he voted this down he quite frankly would rather have not voted on this at all tonight because he does not feel he has enough information to make an informed decision. He mentioned if he is put in a position to where he has to vote without all of the information on hand, then he is not going to change from what has been put in place because he can always put it on the Agenda down the road if he needs to. He commented he believes more research needs to be done; he is not saying for six months or a year, he is talking something more like six weeks out where they can all sit down and God willing, figure some things out, the good and bad; then determine if some compromises can be made so that some of Commissioner Tobia's concerns can be addressed and some of the CRAs concerns can be addressed; he does not like and he was aware that the Cocoa CRA extended its duration; that is something that can be discussed when everyone is in the same room; and he would like to have that meeting with the chance of having a productive outcome from it.

Commissioner Pritchett stated she agrees with Commissioner Lober; Cocoa did a negative for one CRA and added to the other; she thinks this needs to be a good conversation because the question is the best return on investment and that the right thing is being done with the taxpayer's dollars; and she does not have enough information. She added there are so many numbers to consider trying to make these decisions; the only thing given were to revoke or not revoke; there has to be a discussion so the board can give some ideas to help guide them in the CRA; and she noted she does not believe this should be a forever thing, it needs to be fixed and the County needs to get out because no one wants to sit in a blighted area for 30 years. She commented this is Commissioner Lober's community and she is looking forward to working on this when he is ready.

Commissioner Lober inquired with Attorney Bentley what the proper procedure is for setting something like this up; and he inquired if it should be in the form of a motion.

Attorney Bentley stated it could be done in the form of a motion or if he could take a few days to talk to his community contacts to figure out what kind of meeting they want and bring it back on December 18 for a proposal if he wants the Board to attend.

The Board adjourned at 8:22 p.m. and reconvened at 8:34 p.m.

**ITEM J.3., REAPPOINTMENT, RE: THE SAVE OUR INDIAN RIVER LAGOON CITIZEN OVERSIGHT COMMITTEE AND PERMISSION TO ADVERTISE FOR VOLUNTEERS TO FILL VACANT SEATS**

Virginia Barker, Natural Resources Management Director, stated this Item is for the reappointments and alternates for the Save Our Indian River Lagoon (SOIRL) Citizen Oversight Committee and permission to advertise for vacant seats; the Item includes several different actions; the first is to consider the recommendation of the Space Coast League of Cities to reappoint five of their original seven nominees who were interested in serving a second term on the SOIRL Citizen Oversight Committee; the second item is to consider the appointment of five of the seven members who were appointed by the Board to the slot it has filled; the third is to

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consider the promotion of Danielle Bowden from an alternate seat that was originally nominated by the League of Cities to the members seat that is determined by the Board and is vacant; and the fourth is the permission to advertise to fill the vacancies.

Dr. Peter Barile stated he wants to bring up some concerns he has about conflicts of interest; and he noted he would like to see a review of existing and future members of the Board to review conflicts before these members are allowed to be on this board in the future.

James Glass stated he is representing the Florida Fly Fishing Association; he noted they have quite a few members who are active in the Lagoon and have attended the meetings of the SOIRL Citizen's Oversight Committee; he has spoken at the meeting twice and usually listens to their videos, therefore, he is very familiar with what goes on with this committee; and he encouraged the Board to look at the membership of that committee because he thinks that committee needs some hands-on and understanding of the design, construction, planning of wastewater and stormwater infrastructure systems. He added that is what he believes is lacking on this committee. He continued he would support what Dr. Barile just spoke on; he thinks the Board needs to look at the make-up of the committee; there are some City Commissioners on there and other people who he believes have bias and personal interests of what goes on; and he reiterated he would certainly look at that committee and put some people on there that really know something about infrastructure and sewage systems.

Marilyn Waters stated in 2016 she was involved in the education of the community about the need for restoration of the IRL; when they talked to people the very first thing they heard was how will people know the County is not going to steal the money and use it for something else; they met with a lot of the Commissioners to let them know the County would need to have a Citizen's Oversight Committee in place for this to pass; the Board took this recommendation and put this committee in place and the people passed it; and she believes it is working. She mentioned the people who are there take this very seriously; they have spent the past two years and a lot of their own personal time trying to educate themselves and understand the issues of the IRL; they all bring different areas of expertise; she believes this committee has a lot of dedicated people who are smart, ask very good questions, and they analyze the projects because she believes they want to be good stewards of the trust for the IRL; and she believes it is a sound process and it makes sense to continue it without wiping the slate clean and starting anew. She added there are people on the committee who now understand the process of the projects in evaluating them before they go in front of the Board for final approval. She advised she is a member of the Indian River Lagoon Coalition and she has been to every single Citizen Oversight Committee meeting; she has seen it in action; she believes it is working very well; and that is not to say that it is not a good idea to have new members come in, but she believes staggering those new members is the smart thing to do to continue with the expertise.

Commissioner Tobia stated he had discovered something with this that makes him a little uncomfortable; this ordinance which sets out the process of filling SOIRL Citizens Oversight Committee can be interpreted to require Commissioners to vote to approve individuals that they do not actually approve of when they are selected by the Space Coast League of Cities; the ordinance states that the County Commission will appoint the League of Cities nominees to the Oversight Committee; while this is ambiguous and he does not want to generate any legal disputes, he is very uncomfortable that the Board is forced into voting for nominees that are not of the Board's choosing; and regardless of the makeup of the committee, this Board has changed and regardless of who the Board votes for today, he would suggest, should the committee be listening to this, there may be a stronger push for a little more infrastructure. He added it appears not only is there a citizen support for it, but also there is quite a bit of science that would support getting into infrastructure funding; and he made a motion directing the County Attorney's Office to research and bring options to the Board which would clear any

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ambiguity contained in 17(B) of Ordinance No. 16-15, as it related to the Board's approval authority of candidates selected by the Space Coast League of Cities.

Commissioner Smith stated he seems to remember the Board does have oversight over the League of Cities selections and he inquired if he is correct.

Ms. Barker stated she will defer to the County Attorney, but the language says, the County Commission will appoint the League of Cities nominees.

Eden Bentley, County Attorney, stated it could be amended to be made more clear; the way it is written states the Board will appoint them; there are other areas in the Ordinance that talk about the League of Cities having its own appointment process; to her it seems the Board is basically ministerial; and if the Board wants to change that it can bring some options back, or it can make it clear that the League of Cities go directly forward so the Board is not blessing something it is not in favor of.

Commissioner Smith advised he made an objection to one individual appointed by the League of Cities; and he noted Commissioner Tobia might want to look at those meetings because he knows he did object to someone.

Commissioner Tobia inquired if the result was that the person was appointed anyway.

Commissioner Smith advised he is not positive but he does not think so.

Commissioner Tobia noted all this would do is clear it up.

Commissioner Smith stated he thinks it is wise to have some oversight of the Oversight Committee.

Commissioner Tobia stated if the Board disagrees with that, then it would be ministerial in nature and should never come before the Board; in fairness that would be the other option; he would prefer the latter and that the Board would look over the individuals; and he noted those would probably be some of the options that Attorney Bentley would bring back to the Board.

Chair Isnardi inquired if the Board is required to use the League of Cities nominations or if the Board could modify that completely.

Attorney Bentley reiterated it says the Board will appoint the League of Cities nominees.

Chair Isnardi inquired if that is in the original Ordinance.

Attorney Bentley replied it is in the Ordinance.

Chair Isnardi explained what she is asking is if it can be modified so the Board does not even have to use the League of Cities.

Attorney Bentley stated her office probably could do that and she would look into it.

Chair Isnardi stated if that is okay with the Board she would like that to be one of the options; and she advised she has had people in her office who are citizens, that may not be part of the League, and there may be some positives and negatives, but there is something to gain going outside of the League of Cities.

Attorney Bentley stated she would see what she could do.

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Commissioner Pritchett inquired when this formed what was the advantage to having the Space Coast League of Cities bring in half the members of the Oversight Board.

Ms. Barker stated as a half-cent sales tax, in other sales tax collections, portions collected by the incorporated areas is usually distributed into the incorporated areas, and for this effort the idea was to develop one plan and put all the funds into one trust fund to implement that one SOIRL Plan; the proposal was the cities would have input over how those dollars were spent by having the League of Cities nominate half of the members to that Oversight Committee; and that would give city influence on how the Plan is updated annually for the 10-year life of the tax.

Chair Pritchett explained this is the way, instead of the County having to negotiate with each municipality, to let them choose a central board that would negotiate on that.

Chair Isnardi stated perhaps the Board could have those municipalities forward their councils if staff wants to keep them in it; the League of Cities does great things that she fundamentally disagrees with; if she is going off just who their appointments are, then she is trusting that they have vetted them; she would rather call up a council member within her District and ask why they chose a certain person; and she believes the League of Cities is a click all by itself. She noted she would like to see that as an option as well.

Attorney Bentley inquired if the Board wants this by December 18, or if January would be okay.

Commissioner Isnardi inquired with the Board if January would be okay.

Commissioner Smith stated there needs to be a look at the entire origin of this process because it was determined that the people wanted to make sure that the money is being spent for the Lagoon; another thing the people wanted to see was that there would be oversight so the money could not be diverted somewhere else for some other pet project; it was decided to have people appointed by the League of Cities and by the Commissioners to even it out; and he thinks it may be a good idea for the Board to have some oversight, but he does not believe the Board should usurp the decision making of the League of Cities because there is a lot of people in this community who care about the Lagoon. He added he thinks the Board can reach the entire community by having the League of Cities pick their people and the Board pick its people, but he believes there should be some oversight by the Board.

Commissioner Isnardi stated perhaps that would be when staff brings back the options; she thinks there are pros and cons of both; she does not know that a city manager sitting on the Citizen's Oversight Committee as a representative of the citizenry, or someone that is directly benefiting from funding, for a project that is being voted on whether that project gets done, is a good idea; and that is what she has an issue with.

Commissioner Smith stated that could be true but on the other side of the coin, there is a city mayor who is a captain on the IRL that he believes he would be an ideal person to be on that committee because he knows better than anyone what that river looks like from day to day.

Commissioner Tobia noted he believes that was a motion for Attorney Bentley to move forward, but he believes the Board needs to vote on the reappointment of votes; and he does not think the Board has time to do this before the appointments. He inquired if the Board is obligated by ordinance to vote for this.

Attorney Bentley responded affirmatively.

Commissioner Tobia explained there was direction to staff to come up with options. He stated the Board needs a motion to reappoint.

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Commissioner Lober stated he has concerns with one of the individuals that is identified; his specific concern is his continued inclusion could politicize the committee beyond where it needs to be; recently this individual used derogatory terms to refer to multiple members of this body, including himself; this individual is John Byron; he mentioned he has gone through all the individuals who submitted applications, with the help of his staff and there is a professional engineer named John Lusnar who is a structural project manager, a senior project manager at BRPH with a background in structural engineering, and he has areas of specialty in science, Lagoon advocacy, and technology; and he asked the Board to approve that portion with a substitution of John Lusnar in lieu of John Byron.

Commissioner Smith stated his problem with that is he has no idea who John Lusnar is; John Byron may be pejorative but he is well versed with the IRL; and he does not know what he is giving up to gain. He commented that makes this difficult for him.

Chair Isnardi asked if he could fill the Board in on John Byron's background.

Commissioner Pritchett inquired if that one alone could wait, or if that has to be done tonight.

Ms. Barker replied the Board could ask staff to include that in the advertisement; when it brings back applicants, the Board could consider it; and the Board could ask Mr. Byron and Mr. Lusnar to reapply if they are interested and consider that with the other applications.

Commissioner Smith stated he likes that idea.

Commissioner Lober agreed.

Chair Isnardi commented that sounds fair.

Commissioner Tobia stated he was going to fully vote for this prior to Commissioner Lober's suggestion; he is sure Mr. Byron has said things about him, but he does not read those things and he does not take that stuff very seriously; and he commented he is going to pause and see what Mr. Abbate has to say.

Mr. Abbate stated Mr. Byron was appointed by the County, so it was the Board's discretion anyways.

Commissioner Tobia thanked him for the distinction; and he stated he will be voting in favor of this.

The Board reviewed meeting attendance and participation records of the Save Our Indian River Lagoon Citizen Oversight Committee (COC); approved the re-appointments recommended by the Space Coast League of Cities consisting of Courtney Barker as Finance Member, Stephany Eley as Education Member, John Windsor as Lagoon Advocacy Member, Vinnie Taranto as Technology Alternate, and Charles Venuto as Science Alternate; approved the re-appointments of willing members and alternates ranked and appointed by the County Commission in 2016 consisting of Lorraine Koss as Science Member, David Lane Tourism Member, Terry Casto Lagoon Advocacy Alternate, and Todd Swingle as Finance Alternate; approved the promotion of Danielle Bowden from the Real Estate Alternate seat to the Real Estate Member seat; authorized staff to advertise for new applicants for specific seats representing vacant fields of expertise on the COC; directed staff to ask John Byron and John Lusnar to reapply for the Technology Member seat if they are interested, in which case they will be included with new applicants; and directed the County Attorney to research and bring back options to the Board which would clear any ambiguity contained in Section 17B of Ordinance 16-15, as it relates to the Board's approval authority of candidates selected by the Space Coast League of Cities,

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including if the Board can modify the Ordinance where the Board does not have what amounts to ministerial duties for the League of Cities appointment selection process.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Smith, Commissioner District 4
<b>SECONDER:</b>	Rita Pritchett, Commissioner District 1
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM J.4., RESOLUTION, RE: TOGETHER IN PARTNERSHIP ADVISORY BOARD**

Ian Golden, Housing and Human Services Director, stated this is a request for the Board to extend the sunset date for the Together in Partnership (TIP) Citizen Advisory Board and to amend or add Eckerd Alternatives as a standing committee member; TIP is a long standing group that provides an opportunity with Board oversight and structure for community agencies to come together in partnership to meet ongoing community needs; they address issues and try to reduce issues like juvenile crime, suicide, substance abuse, and mental health issues; and while they are not statutorily required, they do provide some ability for the community to meet some statutes particularly around the areas of the foster care system, Department of Children and Families planning, and Juvenile Justice planning.

Phebe Powell stated she is representing the Children's Home Society as the Regional Executive Director; she advised they have locations in Cocoa, Melbourne, and Palm Bay; they serve the community, about 5,000 children per year, throughout the County; and she participated personally in TIP since 2006 and participated in the subcommittees of TIP since 2004 because she really sees the value in this and what it does for the community. She advised the framework that is provided by TIP allows for the child serving agencies to come together and address the needs of the whole child not just one aspect of a child's life; over the years she has observed the subcommittees of TIP transform to address the changing critical needs in the community from a priority focus of Juvenile Justice to privatization of the foster care system which included with her lead agency for foster care being just one County instead of being multiple counties; they have shifted the focus to focus on mental health and child abuse prevention; and as Mr. Golden presented, their current focus is areas around opioid abuse, family homelessness, and children's mental health in this community. She continued as Executive Director for a local nonprofit and a parent of five children in this community, she greatly appreciates the framework provided by the County for TIP; as a nonprofit they have been able to seek Federal, State, and foundation grants to help fill the gaps because the County's oversight provides credibility to the things they do; and without this framework there would be duplication of services because they would need to go through several meetings just to receive the same information and they would be without the benefit of integration of services between not only the child welfare, juvenile justice, and the school board but also bringing those groups to talk with the substance abuse providers, the homelessness provider, domestic violence, mental health, and child welfare. She noted she is standing there as one of those agencies.

Mr. Golden stated Stanley Brizz sent him an email which he will forward to the Board; the bottom line is that he is the Chair of the Opioid Task Force; he talks about the different members and the fact that when going to other meetings of substance abuse throughout the four county area, that all counties are represented; they have County involvement; and TIP allows for Brevard County to have that involvement on that very important issue. He noted

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he talks about the crisis and the executive orders coming from the Governor's Office, but he does not want to read the entire thing because it is long.

Heather Howlett stated she is with Brevard Cares as their Community Services Manager; she has also been a member of various subcommittees for a little over 10 years; she advocates that TIP continues; what she has seen through working with TIP is that they have gotten to work on amazing community projects and make differences in children's lives; by her attendance and several of her staff's attendance at TIP, they learn about new ways to help families whether that be families that are suffering with opioid addiction, child abuse, victims of human trafficking, victims of domestic violence, victims of homelessness and housing issues, suicide prevention, or bringing families to children who need adopted; and with TIP she can attend one meeting to gather information, strategize, and help complete community projects across the spectrum. She went on to say it is important to move forward in a way where they are including all the resources for these families; she advocated that this be approved; and noted she thinks it would hurt the children that she serves if TIP is sunsetted.

Commissioner Lober inquired if he is incorrect in his assessment that the amount being talked about, \$2,706, which equates to 100 hours of staff support, and is less than has been spent in the past.

Mr. Golden responded it is less; several years ago they moved to have the County provide staff support for the main TIP meeting and the subcommittee's staff organizes and does the minutes for it.

Commissioner Tobia stated he is going to be supporting this; he thinks there was something that needs to be restated; and he inquired if Mr. Golden's understanding is that Statute requires the County to house some current projects in TIP so if the Board were to forego the sunset it would have to create another board or find housing for those statutory requirements.

Mr. Golden responded that is not his interpretation. He explained his understanding is that there are certain statutory requirements that require the community to have input; TIP allows an avenue for that input without the community itself trying to figure out how to do that; and it also allows for the County to provide some input into those processes and planning avenues.

Commissioner Tobia inquired what would happen if the Board were to sunset this.

Mr. Golden advised some of the speakers spoke to that; if it were to sunset it would require a lot more meetings for the individual groups; one of the things TIP provides is one stop for those agencies to come together and talk about services, plans for services, look at funding, and plan for funding; someone spoke about there being 10 to 15 different meetings with agencies that will no longer provide that partnership; and he advised there is no requirement for the County to staff for partnership.

Commissioner Pritchett stated this started in 1999 and it was extended eight times; therefore, she believes it is a good board.

The Board adopted Resolution No. 18-191, extending sunset date of the Together in Partnership (TIP) Community Action Board until December 4, 2021; and approved revising

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Section 2 adding an additional standing membership for Eckerd Connects to further enhance collaborative efforts of the Advisory Board.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Bryan Lober, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

**ITEM J.5., RESOLUTION, RE: REDUCING SALARIES OF THE COUNTY COMMISSIONERS**

Commissioner Lober stated the salaries the Board is receiving as County Commissioners are somewhat higher than what the median household income is in the County; during the course of his campaign to become a Board member, he mentioned on motion he would bring as his first act would be to reduce the Board's salary to address the fact that is over and above what the median household income is; it is phrased as a resolution as opposed to a motion simply due to an issue with the County Charter precluding the Board from doing this in the form of a motion; this is something where there would not really be any teeth in it if it were to pass; however, if it does pass he will certainly cooperate with it and he hopes that it does pass. He noted he certainly understands that people have different abilities and different inclinations in respect to this, but he has to hold true to his word and he did say he would bring this motion; he will be voting for it; and he would encourage his colleagues to do the same. He went on to say he will understand no matter which way it goes.

Commissioner Tobia stated this is unique; that seems like a unique promise to make to constituents that he would lower salaries by \$8,231.36; and he inquired what the origin of \$8,231.36 was.

Commissioner Lober explained it is the most recent dated difference between the Board's salary and the median household income, and that is where that was derived from.

Commissioner Tobia stated this is clear indication that this Board follows sunshine; and he inquired if this money would be returned post tax or in other words, will he have paid taxes on this money and thus returned it to the County.

Commissioner Lober stated the way he wrote it is after adjusting for taxes, but he would refer to County Attorney, Eden Bentley, to confirm his understanding is how it would apply in reality.

Eden Bentley, County Attorney, stated what she thinks would have to be done is to give back the money, therefore, the Board members would have to receive it before giving it back; and it would be taxed.

Commissioner Lober reiterated there are no teeth in this resolution at this point; and it is up to each individual Board Member whether it is pre or post tax.

Commissioner Tobia commented he does not know how it could be done as pretax; if he writes a check he has already paid taxes on that money; and he inquired if this is specifically for an intended use of these funds, such as staff increases or other expenses.

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Commissioner Lober noted it is just going to the General Fund; if that is something that would change his voting in the negative to voting in the positive, he is not opposed to earmarking it for something that is universally agreeable.

Commissioner Tobia inquired how compliance will be tracked; he inquired if that would be a job of Mr. Berman or someone else.

Commissioner Lober stated he would take on the responsibility to track it.

Commissioner Tobia asked if he would report it at the end of every meeting.

Commissioner Lober stated if he wants him to do so he would; however, that is a little more often than he anticipated, but he will be happy to do so.

Commissioner Tobia inquired if this is a non-binding agreement; he inquired if the vote is affirmative 3:2, the individuals who were to have voted no on this, are they obligated to pay the \$8,231.36.

Commissioner Lober stated he does not believe that it is lawfully binding whether they vote yes or no; he would hope the Board Members would honor their promise and do it; if his concern is that two may vote no and three may vote yes, and the three would be obligated and the two others would not, there is no lawful obligation and no punishment if they fail to do it other than it may look bad; his hope is that it is either all or nothing; and if it passes then the entire Board would adhere to it. He continued if there is something where the exact amount is problematic for someone and he or she would like to make a motion to amend the amount he is not opposed to that; he thinks the spirit of what he was going after was to reflect that the County Commission is being compensated over and above what the average household takes in; and he thinks it is a gesture of good will and would be nice to send some of that money back.

Commissioner Tobia pointed out that Commissioner Barfield donated his full salary for four years and had the unfortunate distinction of sitting next to him for a great period of that time; and he never once took recognition for it. He noted there was not a day that went by after he learned that fact that he was not proud to sit next to him. He commented his thought is to never trust a politician or used car salesman; what he would ask is to make this legally binding not only for this Board but for future Commissions; and he believes that would take amending the Charter through ballot language and his guess would be that it will pass overwhelmingly because in 2000 it was put before the voters, as Statute controls the Board's salaries, and had that cap not been put on the Board's salary it would have been \$90,418, but the voters voted 80 to 20 that the Board was being paid too much or that it should not be increased. He noted he thinks this is such a good idea that it should be memorialized in the Charter and to not just make it voluntary; he hopes it is not just the five on this Board but that future Board's follow; and he thinks it is wise to do it through ordinance or just do it cleanly and amend the Charter which could be done at the next election. He stated he would support Commissioner Lober if he is willing to place it on the ballot as he has some suggestions coming up in the next few months he would like to place on the ballot as well.

Commissioner Pritchett stated this is an interesting conversation; she had talked to Commissioner Lober about this when he was running for Commissioner; she noted had they not done the self-imposed charter cap the salaries of the Commissioners would have been \$91,181.00, which is already \$32,000 less than other Commissioners; Volusia County is making \$90,000 and Orange County is making \$100,000; and she thinks the money the Board is making right now is a fair compensation as this is a very expensive job to do and she could not afford to do it full time. She continued the opportunity cost of the things that have to be given up, the Commissioners lose money having to do this job and there is a lot of donated hours; another

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thought is the people on the Board need to be compensated to do the job; there needs to be educated people to do this job and people who are able to give up other income to sit in these positions; this is a high level position that takes a lot of study; she thinks those are some areas that need to be looked at; and she commented she will be moving very slowly in making a decision on this.

Commissioner Lober stated in terms of opportunity costs he agrees with that, many of the Board Members could be making more money if they were not sitting on this Board; one of the things that comes to mind is that sitting on this Board is done for civic betterment with respect to folks who cannot live on this salary; he understands that there are many individuals who may not apply for the job, but for the salary; in his background it is when he sees people running to be a judge or seeking to be a judge is whether or not they are doing it solely for a salary increase; granted that is a totally different number than what the Board members make, but he does not know that the community wants folks throwing their hat in the rink for the wrong reasons; and he noted he does not believe anyone on the Board has that but it is a concern of his.

Commissioner Smith stated he cannot add anything that has not already been said; the only thing he would add is there needs to be consideration of the fact that the salary has not changed since 1999; and he asked what the Consumer Price Index (CPI), that continues to be quoted all the time, has done in the last 19 years. He went on to say if looking for someone with talent, that person is not going to be found by paying them the least amount of money; when someone wants a winning baseball team they do not pay that person a bargain basement price; he is not sure this would pass in this County because it has changed a lot since 1999; and he thinks it would be interesting to put it on the ballot and see what happens.

Chair Isnardi stated she agrees; she does not have an issue with placing this on the ballot; she thinks it all depends on what the language is because if it reads should the Board be compensated as some of the like-counties, that may pass, but if it reads should they cut the pay, then of course it will pass because no one likes a politician; and her concern is, if there is a Charter change, it does not affect this Board it affects the next Commission, and she has a concern it will limit the field of people or if the salary is lowered to a point to where someone on the Board is supporting a family, then what would happen is that person would not be doing the job fulltime, while this is a full time job. She went on to say if the Board Member is not doing this job fulltime then the job is not being done correctly; if someone wants this job done right, then they would not want some old, retired, rich person who can afford to not make any money doing it; and as for Commissioner Barfield, he worked very hard outside of this job, he did it quietly, and he did it discreetly. She stated she likes the resolution; she thinks it is great; however, it goes against the Charter, it is not enforceable, and by giving \$8,000 of her salary, that says she agrees with how the General Fund is spent, and she does not. She explained by giving that money to the General Fund it is like giving it her blessing; this County has written some checks that she adamantly voted against; and to give them her earned money, even if it is just in this position, then that is blessing and endorsing how government is spending the money, and she does not always agree with how it is spent. She noted she is usually on the losing end of that. She added she is very conflicted; she donates money but she does not talk about it or brag about it; she does not talk about the hours put in at the office or the things they do outside of the office; she just knows that some of the Board Members do lose money by doing this job because Commissioner Pritchett could make a lot more money, as she herself could be making a six figure income working as a nurse practitioner five days a week; she is not looking for a pat on the back because she understood that coming into this; and that is the sacrifice she makes to do this job. She commented there has to be some balance because people are not going to say they want to run hard for that \$50,000, they will run for a constitutional job if it is all about the pay, at least if history is true about who runs for political office; she has seen and she is sure many others have seen it as well; and she thinks the Board needs to be careful with this. She stated she thinks if this Board starts adopting resolutions that are unenforceable and giving

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money to the General Fund, she loves Mr. Abbate, but he does the will of the Board and if it is spending money in a way she does not agree with; she inquired why would she give her hard earned money to do that; she noted she is more than happy to place it on the ballot, but she still thinks the Board should be careful in what it is asking the people to vote on; people will vote to pay the Board \$0 if it were asked; she asked who can do this job effectively and full time, because she does not want someone who cannot do the job full time because they have to work another job, eight hours a day, because they cannot afford to do this job; and she wants middle class people doing this job.

Commissioner Pritchett stated she appreciates Commissioner Lober's heart and she understands where he is coming from; she agrees with Chair Isnardi about that making the playing field for only very wealthy people being able to run; and she noted this is an expensive job; Commissioner Tobia made it so that to go out to lunch the Commissioner has to pick up the bill now, because the Board cannot take anything from anybody.

Commissioner Lober stated he understands where Commissioner Smith is coming from and it certainly makes sense that if someone wants the best talent they pay the most money; he does not know that he can analogize government service with private industry; it is the same in the non-profit world where people are getting paid often times nothing, and they are getting tremendous talent; he donates a lot of time and money in the non-profit world and were they to pay him he does not think he would take it anyway; and he does not know that there is always a one to one correlation where the higher the pay the higher the quality of individual being roped into the position. He went on to say he is getting a better sentiment of the Board with respect to this and it sounds like if he was to push this forward this evening there would be three of the Board Members who are not in favor of it; it does sound like there may be three in favor of potentially placing this on the ballot; and at this juncture that may be the best course of action.

The Board considered a request to reduce Commission salaries with each Commissioner returning \$8,231.36 after adjusting for taxes to the General Fund codifying similar reduction in the fourth quarter of FY 2019-2020, but took no formal action.

**ITEM.J.6., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: ORDINANCE IMPOSING TERM LIMITS UPON TOURIST DEVELOPMENT COUNCIL**

Commissioner Lober stated this Item is in reference to the Tourist Development Council (TDC) and imposing term limits on the Board of Directors and the Executive Director; this request seeks to direct staff to draft an ordinance retroactively imposing a two term limit on the Board of Directors of the TDC with the following requirements; any TDC Director who has served two consecutive terms shall be ineligible to serve for two terms following the service triggering the application of the two term limit, a Director must remain off the TDC's Board of Directors for a minimum of two terms prior to being eligible for reappointment to the TDC's Board of Directors where upon he or she will once again be subject to term limits, and additionally, a TDC Director and or any individual holding a similar position shall be ineligible to serve on the TDC's Board of Directors for a period of six years following the last date of employment; he pointed out it says similar positions so they do not have something cute where the title changes in order to avoid them applying; and moreover the retroactive application appears to be the cleanest and fairest way to have that apply once an existing term is over, so it will apply retroactively in a sense that if the term ends in six months and the member has been on eight years or longer, then the person is off for eight years. He advised it is not that if this passes tonight that the Board members are off instantaneously; he has spoken with some folks who are concerned that it would have a tremendous impact in essentially not allowing the TDC to plan for the change; and he believes in passing it in this fashion allows for that change to be accounted for so there is not absolute chaos.

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Commissioner Tobia stated this got a little complicated when reviewing State Statute so he wanted to get the County Attorney's opinion on the way the resolution is written; and he asked if it meets State Statute and if it is clean to where the Board will not run into legal concerns.

Eden Bentley, County Attorney, advised with the retroactive language not meaning immediate ouster, they have two four year terms per Statute, the Statute does not address term limits, therefore, that field is open for the Board to regulate; and it is clean.

Commissioner Pritchett stated her heartburn on this is Laurilee Thompson; she is absolutely amazing and she does a great job; she's been volunteering for a while; she does not have any ulterior motives for how she serves, she is just great input; and she is trying to figure out why this is being done. She continued she does not have a big pool of people who are knocking down doors to get on these boards; if the Board starts doing this with term limits, she is going to end up with boards that she cannot get appointments for after a while; one percent of the people in her world volunteer to do all the work for the other 99 percent, so it is hard to get qualified people to participate; and she commented if the Board did this on Chair appointments, but in their own appointments maybe they could have a little more negotiation with it. She went on to say her thought is there could be term limits anyways because if the Commissioner does not like someone they can remove them; she would like to work it out where if someone is newly elected, and they do not like the appointee, they are not bound by the previous Commissioner's appointment, the Commissioner can change the board if he or she wants to; she does not think it is fair if the previous Commissioner left a new Commissioner with a bunch of appointments who do not have the same views as the new Commissioner; she suggested if the Board wanted to change who was appointed by the previous Chair to have limits and keep the District's appointees she could do that; and she noted she would have a really hard time removing Laurilee Thompson because she is just amazing.

Commissioner Tobia stated he agrees with much of what Commissioner Pritchett has just outlined; what makes this board unique is it is covered with State Statute so the very condition she just mentioned, his appointee, who was made by the prior County Commissioner, disagree on a lot of philosophical political issues and he wishes he had the ability to do it but State Statute precludes him from removing that individual in the middle of the term; he thinks this is extremely important and he thinks it is targeted; and he thinks it needs to be looked at from a larger perspective. He commented one of the citizens, Pam LaSalle will be bringing this up; he thinks it is a wonderful idea; and that it serves to deal with some of the issues that Commissioner Lober mentioned but within the confines of the Statute. He noted he wished it would have been dealt with prior so he would not have ended up with someone who has a polar opposite political believe than he has.

Commissioner Smith noted he is not crazy about this idea; he thinks to solve Commissioner Tobia's problem with regard to him taking office and realistically being stuck with an appointee that he cannot change for four years, the Board can have the appointments run concurrent with the Commissioner; that way when someone takes office, the position would be vacant and that Commissioner has the opportunity to appoint someone; and he noted he had that problem too because he inherited an appointee and he could not remove him because he was appointed two years earlier and he still had two years left of his term, although he was fortunate that this individual turned out to be a terrific person and a good appointment. He reiterated he did not have the opportunity to change his appointee right away; he reiterated he would like if the appointments were made concurrent with the Commissioners, so the next Commissioners will have that opportunity; and he pointed out there would still be staggered terms.

Chair Isnardi stated that makes sense but she does not know statutorily if the Board can correct that problem.

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Attorney Bentley advised the Statute requires staggered terms; it states how they will be staggered; and even though the Board may be able to make some tweaks or adjustments, it will not be able to make them line up concurrently because then it would not have the staggering the Statute requires.

Commissioner Smith stated of course not because that makes too much sense.

Attorney Bentley advised if the Board were to do that with other advisory boards it may have the ability to do that, but the TDC is special.

Commissioner Smith noted his other problem is the pool of volunteers is very small.

Chair Isnardi advised she has people begging her to be on this board.

Commissioner Lober stated he has the same in his District.

Chair Isnardi stated she is just stating from her perspective, she could send people to Commissioner Smith if he gets stuck; perhaps it is because there is a tax dollar attached to it or maybe because it is a board that does something important; Planning and Zoning is another board people ask her about; and she understands his point on filling vacancies with other boards because she has the same problem, but not with this one.

Commissioner Smith asked Commissioner Lober to explain why this is important to him and what he is trying to achieve.

Commissioner Lober advised there is more than one individual who has been on that board for a very long time; there is one that has been on the board 16 years; he thinks the voters want there to be term limits; if this Board is delegating to some degree what it would otherwise be doing to advisory boards he thinks it would be important to have comparable term limits or even more stringent term limits depending on the composition of the board and the beliefs of the Commission; he agrees any time there are term limits, it may lose an individual who is qualified for period of time; but with respect to Laurilee Thompson, he would love for her to remain involved with that board, she just simply will not be involved in the capacity of someone who has voting rights; he noted that does not mean she cannot advise individuals or cannot come to meetings; and she may even be able to suggest someone who could take that spot. He continued he received a call from one of the members of the TDC who has been on there seven years, who would be impacted by this in a years' time who advised him he is in support of it; he did not push whether this individual had contacted any other Board Members but he was under the impression that he had contacted other members of the Board; and he would like to see this implemented on all the boards, but the TDC is one board where he believes it is sorely needed based on the composition.

Commissioner Smith commented he does not agree; that is not to say he will not agree in a week, a month, or a year from now; he would have to think more about this; therefore, he will not be supporting it at this time.

Chair Isnardi advised this is just legislative intent; she agrees with term limits; she thinks this is establishing public trust; and whether or not the TDC has done anything remotely questionable or whether people love everything it does, she thinks this helps reestablish the public's trust; the only thing she thinks is a bit extreme, and only because she is trying to be fair, is forcing someone to stay off for two entire terms, given that the terms are four years; and she stated she thinks four years is long enough.

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Commissioner Lober stated if Chair Isnardi is more comfortable with four years, he has no opposition to moving to have it approved substituting four years for the Directors; and he inquired if she is okay with having six years for the Executive Director.

Chair Isnardi responded she does not know how there can be a Commissioner who leaves this Board and comes back in two years to lobby it and now have a Director who cannot sit on a board; and she noted she is not biased in any way, but she is trying to be fair and equitable.

Commissioner Lober inquired if one term is the time they must remain off.

Chair Isnardi suggested unless Commissioner Lober wants to make it equal to what a Commissioner does; and she mentioned not that Commissioner Barfield would, but he could potentially come before this Board in two years according to the rules and regulations.

Commissioner Lober stated he is flexible, he prefers four, but if she will not support it, he will amend it to two.

Chair Isnardi stated he is one person; she had one or two people express concerns over her appointment and that is how she knows there probably needs to be some changes on that board; the person she appointed is fantastic and brings a lot of ideas; the person he is replacing she has not heard from in two years except when his appointment was up; and to her that is disturbing. She went on to say she tried to work with this gentleman but unfortunately it did not work out; she has to look out for everything south of 192; and she believes this is a fair and equitable way and a good compromise. She noted she believes it is important, because she has seen those midnight appointments happen and she understands, but she also thinks that needs to be changed so people are not appointing people on the way out the door; there was an issue with her appointment because her appointment wanted to start at the last meeting in December because they are doing a reorganization meeting before the next appointments come in; she does not think that is proper; she does not know if that is a management problem or what, but she does not believe there should be an organizational meeting before the new members come in; and she noted they are all in a panic because her new appointment is going to come in and have a vote. She stated she does not like that, it is politics that does not need to be on these boards; the Commission needs to keep them straight; and this board needs to instill confidence in what it is doing.

Commissioner Smith stated maybe the appointments should be made in January or made effective in January.

Chair Isnardi stated they should not be having organizational meetings the day a person is leaving; they are going to appoint a new chair of the TDC at the last meeting of her existing appointment; to her that seems planned; maybe it is not, but she has a feeling about it; and her office received a lot of phone calls. She believes this Board needs to instill trust and transparency; and there needs to be good representation that rotates.

Commissioner Lober stated what will change from what is on the face of this, any TDC Director who has served two consecutive terms shall be ineligible to serve for a period of one term following their service and triggering the application of the two term limit; a Director must remain off the TDC Board of Directors for one term prior to being eligible for reappointment to the TDC Board of Directors where upon he or she will once again be subject to a two term limit; and additionally, the Tourist Development Office Executive Director and/or any individual who holds a similar position will be ineligible to serve on the TDC Board of Directors for a period of two years following the last date of employment.

Chair Isnardi stated that sounds fair.

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Commissioner Pritchett stated she feels this is going to go through, but she has a lot of heartburn over it; Laurilee is the poster child for who the Board should want on that board as a voting member; she is really blessed to have her; she is a business women and she gives her time for this; and she wants the Board to know this is really breaking her heart.

Chair Isnardi stated luckily for her she is involved in so much.

The Board approved legislative intent and granted permission to advertise for an ordinance retroactively imposing term limits on the Tourism Development Council Board of Directors, as follows:

- Any TDC director who has served two consecutive terms shall be ineligible to serve for a period of one term following the service triggering the application of the two term limit
- A director must remain off the TDC Board of Directors for a minimum of one term prior to being eligible for reappointment to the TDC Board of Directors whereupon he or she will, once again, be subject to a two term limit
- Additionally, a Tourism Office Executive Director and/or any individual holding a similar position shall be ineligible to serve on the TDC Board of Directors for a period of two years following the last date of employment

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

#### **ITEM J.7., CODE ENFORCEMENT LIENS, RE: OBLOY**

Jack Ratterman, representing the North Merritt Island HOA, stated he has had no positive phone calls about the Obloy family ranch, petting zoo, wedding chapel, zipline, alligator wrestling, and whatever else they have on that farm; he would characterize the Obloys as being a bad neighbor; they had a rock concert on a Saturday afternoon where he was 1.8 miles away and could still hear it; he called the Sheriff and they came out for him to make a report, but they said if he had the right permits there was nothing he could do; and he explained neither he nor the rest of his neighbors moved to Merritt Island to hear a rock concert behind their residential neighborhood. He noted the kids in this neighborhood cannot go in the street anymore because of all the traffic, 200 - 250 cars that go through that neighborhood to get to these events; properties have been damaged; Mr. Obloy has not been a good neighbor to the rest of them; and he would appreciate it if the Board would support Commissioner Lober's request.

Charles Carter stated he is representing Heron Village which is a land condominium that has 440 individual homes and own about 50 acres of land; that land is mostly dedicated to St. John's River Water Management District (SJRWMD) and they protect it; the only problem with it is it abuts the Obloy's farm; they have had to spend thousands of dollars surveying their property and calling law enforcement because Mr. Obloy has literally taken heavy equipment and demolished their property; and he still does it today. He continued to say Mr. Obloy sells his organization as the ability to take people on swamp tours; he has a big vehicle which he has managed to knock down trees with and cover up ditches; Heron Village touches the Sanchez brother's property because he migrated two miles to the Barge Canal doing this destruction; he

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explained going down Courtney looking towards the wetlands, they call it Sykes Creek, that is all wooded and environmentally protected; Heron Village is an ideal development to not be able to disturb the Indian River Lagoon; the land is set up to re-percolate the soil, all the runoff goes into retention ponds, and they have special fertilizer rules, etc.; and they have to deal with Mr. Obloy who will do anything he wants to. He added then they have to call the Sheriff and give warnings for trespassing and to let him know that survey stakes are a felony to move, which he moves; he tells the crew who is putting in barbed wired fencing and tells them it is his property; and they have to call the Sheriff again to explain to him that it has been surveyed and fenced and if he wants to dispute the land he would have to do the same. He noted this guy violates every single thing he can; he stated it appears the County really does not care what he does because no one is able to enforce the laws that he is violating; and to look at the liens on that property, there is not anything that he has not violated.

Phil Bennardo stated he recommends the requested action be accepted; he agrees with everything the first two speakers said; he understands the Obloy property is zoned agricultural; it is being used as a business; a concert venue, it border a residential neighborhood, and he believes it is injurious to the properties surrounding it and it has the potential to negatively affect the property owners; his home is between one and one-half mile away from there; and he hears noise at times coming from that property. He noted they had a country music concert on September 16; they heard someone from the band saying curse words that he heard clearly; and he reiterated he recommends the requested action be approved.

John Siddal stated he is in favor of enforcing the liens against the Obloys.

Carol Stevens stated her house is right next to the Obloy property; the noise is horrible; he had this concert and she held a recorder up to the microphone so everyone could hear what was happening that day; she explained this was at her front door and the windows were rattling; this is from 2:00 in the afternoon until 8:00 at night; they cannot even go out and enjoy their own yard; and it appears he is having events every Saturday now with bands, food, and alcohol. She added she just moved there in 2014 and she would not have moved there had she known this could come into her residential neighborhood.

Commissioner Lober explained to Ms. Stevens she was running out of time and that she may want to let the Board know where her property is in relation to the Obloy property.

Ms. Stevens explained she is on the west side of Dundee Drive; there is a lot between Pattie's house and another house; then there is a pond and a stand of trees; and Mr. Obloy built the entertainment barn on the other side of that; it all abuts up to their properties; and they hear this constantly. She mentioned in May of this year, she had to take two years off, her son got sick with Cancer; she is back now; her son had to move in with her; they just got finished with Chemo and while her son was on the couch, and the Obloys were having some kind of graduation party to where the music was so loud, her son could sing along with the music; and that is how loud the music is. She noted at one point they had a boat in their driveway and they had to get rid of it because people were knocking on their door because they thought her house was the swim with dolphins tours; and they have been putting up with this since 2015. She went on to say this Board is new and if it can help them to please do so.

Pattie Laissle stated she lives on the east side of the road and her property abuts the Obloy property dead on; she wants to address the off-site impact of the Obloy ranch on this neighborhood; the properties most affected are Gator and Dundee Drive; and apparently the only thing the neighborhood can object to is the off-site impact and the quiet enjoyment of their homes. She continued their objectives are impact on services such as roads, as all roads leading to the Obloy ranch are residential; besides the petting zoo and the other various activities advertised with that property, the Obloys have also constructed a 3,000 square foot

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wedding barn and wine bar; their advertising indicates this wedding barn has a 200 person capacity; Mr. Obloy has previously claimed that his daily visitor numbers are 100-200; there are semi-tractor trailer trucks on a regular basis making deliveries to his property; there are flatbed tractor trailers making hay deliveries on a regular basis, who for some reason even though the Obloys have 25 acres of property, off load their deliveries for the Obloys on the residential streets; and they are frequently riding on the neighbor's lawn and blocking traffic. She went on to say septic pumping trucks also make regular appearances; flatbed tractor trailers carrying heavy equipment also converse on their street on a regular basis; the amount of commercial or industrial delivery vehicles needed to provide goods and services to his property are most assuredly detrimental to this neighborhood street; and they are not designed for the accumulative impact of sustained commercial or heavy traffic. She stated three of the four boundaries of the Obloy property are residential; the majority of the Obloy's activities conducted on their property have no compatibility with residential properties; specifically their ability to serve and sell alcohol from their 200 person capacity wedding barn; the potential is high that on a continual basis, 200 cars can be entering this residential street and exiting sometime later only then the exiting guests will have consumed alcohol; and this is definitely not compatible to a residential neighborhood nor are the visitors on Saturday who for four plus hours come for the live music, barbecue and alcohol. She continued there are two issues concerning the character of the area; one being there continues to be an illegal sign on the portion of the Obloy property that is classified residential, as advertising in that nature and size is not permitted on residential property, but that sign is still there; issue two, while there are times in the course of neighborhood living that people celebrate, along with their neighbors, some milestone or family event with a lively party and music, it is an occasional thing but in this neighborhood it is a weekly thing every Saturday for four plus hours with live, loud music, and crowds of people; going outside to sit and enjoy their property is now a memory for most in the neighborhood; and if there is a wedding or music festival scheduled, forget about going outside at all.

Keith Braun stated approximately 18 years ago he purchased a residential lot in this neighborhood; every lot of frontage on this road is residential; he had no intent to have a tourist venue in his neighborhood; he has a nine year old daughter who cannot ride her bike in the street; he cannot put her to sleep because of her ADD medicine and there is music until 10:00 p.m. many nights; and it has had an impact on their lifestyle for three years.

Betsi Siddall stated since the Obloy's arrival into her neighborhood, in April 2015, they have inflicted themselves on the neighborhood in a myriad of ways; their property has been damaged by an invitee of the Obloys who was checking in for the eco-tour; there is excessive traffic and excessive noise; they are open for business six days a week from 9:00 a.m. to 6:00 p.m.; on any given day they may be subject to the sound of car horns blasting repeatedly as they drive their tractor drawn train around the property or the truck used for their swamp buggy amusement ride; they have live music every Saturday afternoon from noon until 4:00 p.m.; and the amps are turned up and they are approximately 300 feet from her home. She added one of the newest ventures is the Obloy Saloon which is advertised on their website as a full beer and wine bar; therefore, this residential neighborhood has a bar in its backyard with potential drives under the influence driving through this residential neighborhood where small children play. She noted semi-trucks park in the streets while off-loading merchandise to a pickup truck that carries it back to the Obloy property blocking half the road; unsightly and unpermitted signs in violation of County Code blight the community; the Obloys have numerous Brevard County Code liens resulting in fines and to the best of her knowledge have not been paid; the Florida Department of Health issued the Obloys a Notice of Noncompliance which listed seven violations; these to the best of her knowledge have not been put into compliance; two businesses have filed lawsuits against the Obloys alleging nonpayment for services or products; and Eric Obloy is currently on felony probation for numerous Fish and Wildlife Commission (FWC) violations, violations which to the best of her knowledge have resulted in the revocation of his alligator farming license. She noted he also has new charges pending from FWC and has alleged to

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have violated his probation. She went on to advise that last but not least Eric Obloy has filed a lawsuit against her, the complaint stating in part that she has made dozens of complaints to law enforcement, Code Enforcement, and County officials regarding him and asserting that those complaints are wholly baseless and defamatory; this despite public record to the contrary, this list is not an attempt at a character assassination but rather to speak to a pattern of behavior, disregard for laws, rules, and regulations, and regardless of the agency, in complete disregard for their neighbors. She noted past behavior being predictive of future behavior is a pattern which the Obloys will likely continue unless they are given sufficient consequences; to that she would respectfully ask the Board to support Commissioner Lober's proposed motion to foreclose on the Obloy's code enforcement liens.

Ms. Steven stated she knows the County has a file somewhere with everything the people have come to the Board for; some of the Board does not know what she is talking about, but if the Board would take the time and go through it and help them think of something.

Chair Isnardi stated the entire Board is well aware of it.

Ms. Siddall stated they desperately need help with this.

Commissioner Lober noted he has gone up there on several occasions and it meshes with what these people have stated; he spoke with the County Attorney, Eden Bentley, about what the Board's options are and this appears to be the best option to hopefully get some resolution for these neighbors; they have put up with a lot more than what a lot of individuals would have put up with; they have also exhausted all the avenues that have been made available to them; and this is something he sees as one of few options that the Board can do to help out. He urged his colleagues to support him.

Commissioner Smith stated he really feels for these people; they came to the Board back in 2015; this guy is utterly belligerent; he stood at this podium countless times and was beyond rude; therefore, whatever this Board can do to slow this guy down or stop him to give these people some relief, he is in total agreement with. He commented he applauds Commissioner Lober for doing this because it has gone on for way too long.

The Board directed the County Attorney to file a timely foreclosure proceeding to any and all unsatisfied liens the County may have against Eric Obloy, Amanda Obloy, and/or any subsequent transferee(s) with respect to non-homesteaded real property.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>SECONDER:</b>	Rita Pritchett, Commissioner District 1
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM J.8., CITIZEN REQUEST, RE: TERM LIMITS FOR CITIZEN ADVISORY BOARDS BY PAM LASALLE**

Pam LaSalle stated a lot of people do not know about the citizen advisory boards; she spoke with someone today who is fairly involved with government and she looked to see about a position; she stated she had found someone whose appointment was ending; she had to explain that the appointee would probably be reappointed; she thinks the term is polarization, when there is a long term board where all of the members know each other; and Environmentally Endangered Lands (EELs) is probably a classic example and what spurred her

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to do this. She noted she was at an EELs meeting a few months back and some of those people have been on there since it began; Ms. Laurilee Thompson is on that board and has been on it a very long time; she believes she said at that meeting that she had been on the Tourist Development Council (TDC) for 15 years; and when she looked into this she found it is not an uncommon problem with communities to have this infringement. She commented the polarization can turn into a group thing where they really do not have to discuss issues, and they can sometimes rush things through without carefully vetting them because they have become so familiar with one another; she hears Commissioner Pritchett about the one percent; she mentioned she is also in a lot of volunteer organizations that are constantly struggling to get people involved; and she inquired in all honesty if people cannot be found to be on the boards, then why have that board. She went on to say she thinks there is influence in these boards, the boards that the Commissioners have people clamoring for; she did not even know about how to get on a board; she thinks there needs to be something more transparent; she wants the community involved not just the same select group of people; there are 54 boards in this County with about 400 people; and she pointed out, tonight there are 90 positions for reappointment/appointment and of those 90 only seven are new appointees. She stated she did not really expect the Board to make a decision and get something done because she likes to do everything in sunshine; she does not go around to each Board Member individually and lobby because she likes things done where everyone can see it happening; she thinks the Board could work on going through the County Manager to get some type of criteria set up and organization to post appointments to these boards; and the only one she could find was Chair Isnardi who had a post to try to get people to come to a board that she had an opening on. She continued she thinks there needs to be something more conducive because the whole point of these citizen committees is to get citizens involved, it is not just for the Board's benefit to have a relationship with the community; and she asked what good is it if it is with the same 400 people year in and year out, with marginal changes. She noted the boards that are being clamored for, because there is not independent oversight in this County, the people cannot know what kind of influence there is; the Chairman of the Planning and Zoning Board does a superior job, but he has been there for a very long time; to pull up past Agendas, the same names are on it year after year; and she commented she does not think it is good for the community to have the same handful of people and not try to embrace something wider. She mentioned she was shocked when she went to that EELs meeting; the members were amused that they had been on it for so long; she commented she lives in a retiree community and there is a huge resource of professionals; however, she does not think these people know they can work in their community.

Commissioner Lober thanked Ms. LaSalle for bringing this; he thinks it is an excellent idea; his only concern is what impact this would have with respect to ordinances; and he noted he sees in the summary explanation background where it states something about three year term limits with no more than two terms.

Ms. LaSalle stated she did some research and that is what another community had done so she randomly selected that; she fully expected the Board to have a discussion; she pointed out the County has to pay for every one of these meetings to have staff there for support; and it is not inconsequential to add the 54 together and then add the staff and all the different meetings per year, so there is a fiscal impact to it.

Commissioner Lober stated he absolutely supports term limits on all of the advisory boards, but he thinks it may be something the Board needs to hammer out a little more thoroughly in terms of making sure anything that is proposed is in compliance with Statute and does not have any legal flaws because it just seems like it could potentially be problematic the way it is written. He advised if she is willing, he would be happy to sit down with her and the County Attorney at some point over the next several weeks to maybe figure out some options.

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Ms. LaSalle stated she is not a lawyer, she is not a lobbyist with a staff, and the County Attorney works for the Board so she would never have approached her.

Commissioner Lober stated he understands, and he is just making an offer to her; he pointed out had she been a lobbyist he may not have been as nice to her as he is being right now; and if they are amenable to it he would be happy to sit with them both.

Commissioner Tobia commented he appreciates Ms. LaSalle being involved with government; she is proof that people do not have to be on a board to have a great impact on what the Commission does; he pointed out he had brought up term limits on an innocuous board and it failed 2:3, however, the Board has now changed and the new Commissioner decided to go after one of the marquee boards and was successful in that with a 3:2 vote; and he noted Ms. LaSalle has made a very important first step, unfortunately with all these boards, some were created willy-nilly and others were created per Statute. He added he is looking some of them up because the Transportation Planning Organization (TPO) board has a four year term and is designated by Florida Statute 339.175, others have a one year term by Statute 186.504, and the Board cannot do anything if they fall within Statute; however, this Board is extremely fortunate to have a diligent County Manager. He noted he went to the County Manager a couple of months ago and asked him how many boards the County has, if this Board has the ability to sunset them, how long have they been in existence, what requirements they meet, and if they were created by ordinance; there is a living breathing document that staff has spent countless hours on; and when he spoke with the County Manager today, he committed to having it finished in March. He advised he has seen the work product, staff is well into it, and they are taking into account all the questions he just mentioned; he thinks this Board is going to have to tackle each of these boards individually; and they cannot start to tackle them until the entire Board has a unified document. He went on to say the work product is pages and pages; to go over every Statute it will take some time; and he mentioned it may need a workshop.

Ms. LaSalle stated that is what she had anticipated because once the boards all hear about it they may want to participate.

Commissioner Tobia stated he does not want to say this will be handled in the future; there is a date of March 2019; when Ms. LaSalle sees this document she will be very happy that staff got this turned around in such a very short period of time because it is an immense amount of work that has been done on it; and he knows that it will comply with the statutory requirements. He mentioned it might need six or seven ordinances but he thinks sitting down and discussing placing term limits or sunsetting some of these boards will happen; that information will be in the document and whether the Board agrees or disagrees they will all have the information of what is allowed; and he thinks that is the first and foremost step with all of the options laid out. He stated he hopes the Board can have a Workshop soon after March 2019.

Commissioner Pritchett reiterated she does not have people knocking down her door to serve on these boards; if this Commission does that, there are going to be a lot of boards that no longer have people on them, which is fine, but some of those boards are important with some highly educated people serving on them; if this Board wants term limits to coincide with the elections, she is totally on board with that, or to make it so the Commissioners can remove those who are not serving; she advertises all the time and every time she gets someone who comes to her office for an appointment she tries to talk them into taking an application to serve on a board; and she is trying to get other people on the boards and she even makes cold calls to people to ask if they are interested in serving on any of the boards. She reiterated she cannot get anybody to do it; the few that she has gotten to serve, no longer talk to her; these are boards that just provide opinions to the Commission and the Commission does not always go with them anyways; and she mentioned she does read the minutes from these boards because they do some of the weeding before it comes up to the Board level. She noted she thinks there

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needs to be term limits so the Commissioners can remove and add people; she is not slow to do that if people are not showing up or not serving and there are others willing to do it; she does not mind the conversation but to impose them on all these boards she thinks the Commission will be hurting for citizen input because there will not be any, it will be just this Board deciding what to do without any citizen input; and she thinks a lot of these boards will just end up going away.

Commissioner Smith commented he agrees with the entire Board on this; he thinks there are a lot of boards that can go away because they either do not meet, do not meet very often, or they do not do anything; he does not really care about term limits because he does not think they make a difference; the term limit should be if a Commissioner appoints someone they can un-appoint them and that is the term limit; he does not know if the Board needs to rely on a piece of paper to say that a person can only serve so long; however, he thinks the amount of boards should be limited. He added Commissioner Pritchett lives in a community where there are a lot of professional people, and inquired how the Commissioner could reach out to them; and he stated there are communities all over the County but he wants to know how the Board is to let those people know there are positions open and that their help is needed to fill these positions.

Ms. LaSalle stated she would work with the County Manager and Don Walker, SCGTV Director, to see what they can do; honestly people do not know; she started to come to these meetings and she still did not get what was going on with these boards for a couple of years; then she saw how the game works; and she knows she has seen on Chair Isnardi's Facebook that there was an opening. She noted there is not much information on what these committees do; and people do not understand what the position is about.

Chair Isnardi pointed out that is what the spread sheet is about, it talks about what they do, how often they meet, and how many members.

Ms. LaSalle stated if the Commission does not eliminate a board and it is not going to term limit, it should at least put how many years someone had been on the Board beside their name so the public can see that.

Commissioner Smith advised he does not pay much attention to the boards, his aide does that; when she tells him there is an opening then he goes out and tries to find someone to fill it; if he knew someone was on a board for 10 years he would just remove them because he agrees with Ms. LaSalle; there are some very good people who have been there for a long time and they are very dedicated; however, at the same time he believes in term limits.

Ms. LaSalle stated surprisingly a few people are on many boards; she remembers years ago when there was a CRC board and one of those people on that board was on five other boards; it makes people wonder; and like she stated early this County does not have independent oversight so that plays into her concerns as well.

Commissioner Smith stated there are some people who are that civic minded that they want to be on five boards, however, that is something this Board needs to address.

Chair Isnardi stated she thinks as much as she does not want to add a bunch of extra meetings, that a Workshop is where the Commissioners can look at these boards individually with that document and determine which boards have which members, what they are required to have, and eliminate the ones that are not used; she has a thick binder in her office that has a bunch of weird boards that no one wants to be on, it is not the cool ones or the important ones that manage tax dollars and make important decisions; and hopefully through this process those boards will be eliminated.

Ms. LaSalle pointed out that staff has to be provided for those too.

Chair Isnardi commented she is all for getting rid of those boards; she has a hard time getting someone on a board when she does not know what the board does and it has not done anything for six months or a year, but when the board is in place she has to keep people on it.

The Board acknowledged citizen request by Pam LaSalle regarding term limits for citizen advisory boards; and directed the County Manager to include in the review of citizen advisory boards the basis for terms, whether term limits can be imposed, a column for sunset date, as well as a column for the costs of each advisory board, to be completed by March 2019.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Tobia, Commissioner District 3
<b>SECONDER:</b>	Bryan Lober, Vice Chair Commissioner District 2
<b>AYES:</b>	Pritchett, Lober, Tobia, Smith, Isnardi

**ITEM J.9., CITIZEN REQUEST, RE: LOBBYISTS REPORTING REQUIREMENTS BY PAM LASALLE**

Pam LaSalle stated this is a request for lobbyist regulation to be expanded; this was under discussion about a year ago by Commissioner Tobia; basically all there is now is a registry, there is not much ability to track where lobbyists go, who they see, what they are talking about, and that kind of arrangement; what spurred her to push for this to come back, along with the change in the Board, was that recently this Board decided to not give local preference points, so there is no local competitive edge on contracts; she has no problem with that; however, it could provide for more lobbying. She added the public cannot see who the Board Members are visiting with or what they are talking about; the list the County does have has 15 lobbyist registered; it appears Waste Management is influential; as far as issues here are concerned, the public does not know what, where, when, or why just that there are lobbyists; and she thinks the only way people can track this is to request the calendars of all the Commissioners to see if anyone is meeting with them, and that still does not tell people what they are talking about. She advised other counties have it so people can key in to see who is doing what and that gives a little more transparency. She continued the other thing that spurred her to do this is the Lagoon funding; there is a lot of money behind that and while there is a Citizen Oversight Committee, they really do not have any authority to override the Board; they are just another committee without any independent ability to enforce anything; this Board could spend all that money and ignore everything the Committee said; the State is talking about bringing in even more money; and she mentioned she was just at another meeting where there was talk about trying to get another \$50 million for the IRL counties, and not just for Brevard County. She went on to say this County is expanding who it is offering contracts to; there is a lot of money and the people cannot follow it; Commissioner Tobia had an excellent idea back then; and she urged the Board to consider that.

Commissioner Tobia stated the Board took the first step by letting the lobbyist know if they are going to lobby the Board wants to know who they are, what the principle is, and who they are lobbying for; it does not tell how often they meet or anything of that nature; if he remembers correctly, it was County Manager, Frank Abbate, who found out a platform where another city had already done its due diligence; he explained it was an app which the onus is placed on the lobbyist; and he stated if the lobbyist were to meet with a Board member, he or she is already registered, they go into their phone and make a statement with the date, information of what it is regarding, and then it goes on a County website where people could receive immediate

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feedback of when and where a lobbyist has met with someone and what it is was concerning. He went on to say Fort Lauderdale was willing to sell that to Brevard County for about \$10,000; he asked Ms. LaSalle if she thinks this is worthy of \$10,000 in order for this level of transparency or if the Board should charge a fee for the lobbying in Brevard County to pay the \$10,000 fee; and he asked if she thought that would be fair.

Ms. LaSalle responded she believes that is fair because it is the lobbyists cost of business, as they are earning a livelihood with the taxpayer's pockets.

Commissioner Tobia made note that this is only for paid lobbyists. He stated if a concerned citizen came in they would not have to disclose anything, although it is public record, so anyone could get that information; he does not think there needs to be a Workshop on this one; his office would be more than willing to reach out to Fort Lauderdale again to see if they are willing to share that or give Brevard County the opportunity; he would be willing to bring that up in January in the same form that it was previously to discuss it in front of the Board; and he inquired, since Ms. LaSalle brought this up, if that would meet her needs.

Ms. LaSalle agreed to that.

Commissioner Tobia stated he was going to deal with this in months down the road, so he is happy that she brought it up; and he let Ms. LaSalle know he will work with her to get this brought back in January.

Ms. LaSalle commented she thinks this is very important and she does not think the public knows or realizes that transparency is everything; citizen participation and transparency are the two things that will fix the problems in government; and she expressed her appreciation to the Board.

Commissioner Pritchett advised out of all the lobbyists registered, she had met with them zero times; she would be willing to get the list and if a Commissioner meets with one of them, they find a way to maybe announce it at a meeting because she does not have lobbyists knocking down her door.

Commissioner Tobia advised the reality of that is some of these lobbyists meet with Board Members in very close proximity to the meetings.

Commissioner Pritchett commented they would not get it in time for that anyway; she could say she met with them in a quasi-judicial, maybe that could be done to see how it goes; if they start building up then maybe the Board could expend the funds to this; and maybe the Board could make that a commitment. She noted if she still has zero lobbyists that is a lot of money to spend for two more years.

Commissioner Smith inquired if there were 15 lobbyists.

Commissioner Tobia stated the County also has a \$1.3 billion budget; and it is certainly not a level the State is dealing with.

Chair Isnardi stated she does not have anything to hide; everything is available through public record requests; she even lets people request her calendar without a fee; she just wants to be careful that the Board is not spending more money and creating more bureaucracy in an effort to say it is being transparent when it is already doing everything to be transparent; and she commented she is all about transparency, she just wants to make sure the Board is not spending an exorbitant amount of money and time to nail down what. She added if someone is not disclosing information then shame on that person for holding the seat; and if it is not on

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someone's calendar then shame on them. She went on to say she does not know what the answer is but she wants to make sure the Board is not targeting one or two people because someone is worried about the undue influence.

Commissioner Tobia stated that is what it was two years ago and the value of this app may have decreased.

Chair Isnardi stated as long as it is not a bureaucratic nightmare to manage.

Commissioner Tobia stated it is an app and they are created to manage themselves.

Chair Isnardi pointed out that is assuming they are reporting in the app; she does not know where the double check is; and she inquired what if a lobbyist meets with someone and fails to report.

Commissioner Tobia stated people then have the ability to public record request any Board Members calendar to verify and there are penalties set up if there is a lack of reporting.

Chair Isnardi advised she is not opposed to it she just wants to make sure it is very clean, very cheap, and very easy.

Commissioner Pritchett asked if the Board would be willing to make a commitment now, that if there is any lobbying the Board would just report it during the meeting to see how many it is looking at.

Commissioner Tobia explained that he unfortunately just made a commitment to Ms. LaSalle; he is going to follow through on that commitment; for all he knows Fort Lauderdale may be willing to provide it to Brevard County for \$1,000, but at least he will know and he will provide it as an option; if the Board has other options then he will certainly be open to them; and he noted he appreciates the time Ms. LaSalle put in to bringing that up and he would like to get it figured out.

The Board acknowledged citizen request by Pam LaSalle to expand the Code of Ethics to include details of Lobbyists activities, but took no formal action.

**ITEM J.10., CITIZEN REQUEST, RE: PETITION FOR COUNTY HOMELESS SHELTER BY REVEREND J.B. DENNIS**

Reverend Johnnie B. Dennis stated he is attendance with a proposed resolution for a County homeless shelter; there are over 850 people homeless in Brevard County; homelessness is a crisis in this County where there are significant strings on law enforcement, the courts, private businesses, and other places and public resources; there are only a few organizations with volunteers with a capacity to provide services to the homeless; the large crisis is a lack of housing; and this County government should pledge today to be committed to building homeless shelters so men, women, and children can have a safe place to sleep every night. He continued housing stability affords people a foundation for life improvements and opportunities to address the issues that causes their homelessness; when basic needs are met people can engage in programs to improve their lives; the National Action Network offers a petition for a Workshop to plan a solution to end the homelessness in Brevard County; and after reviewing all the homeless shelters in Brevard County all of them including the VA has the same policy, hurry up and wait, which means it takes weeks to get into a shelter. He went on to say the National Action Network is petitioning for a County emergency shelter that is open seven days a week, 24 hours a day, with intake hours from 7:00 a.m. to 7:00 p.m. seven days a week; the shelter

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will provide beds, meals, spiritual counseling, and showers; after the person is admitted they will have 180 days to transition into an ongoing shelter for drug treatment, mental health treatment, alcohol treatment, job counseling, and/or permanent housing; once the person moves out they cannot return for another 120 days to start over; and he believes a Workshop to plan for funding and staffing should be set up immediately. He stated his proposed site is 555 Range Road where there are 20 acres; six acres could be set aside to build a shelter; and on the remaining 14 acres there could be a 100 stall flea market, with each stall rented for \$200 a month for a total of \$20,000 per month, making the County homeless shelter self-supported.

Commissioner Lober inquired if Reverend Dennis has any idea what the overall cost would be; and if he has any other financial commitments from any other group.

Reverend Dennis stated as a minister, his church is at homeless camps every Thursday with lunches, the church can only do so much; this is an issue that is bigger than any city; in Jacksonville there is a homeless shelter that stays open seven day a week, 24 hours a day and the Jacksonville Jaguars help fund it; and he thinks the County should step up and help do something here because these cold night shelters are a joke. He went on to say he has called five shelters a month ago and never received a response back; the cold night shelters are just a Band-Aid on a crisis and they only help a homeless person 10 to 15 days per year; and he is talking about helping people 24 hours a day, seven days a week by helping put them back into society as productive citizens.

The Board acknowledged citizen request by Reverend J. B. Dennis asking to build a homeless shelter in the County, but took no formal action.

#### **ITEM F.19., APPROVAL, RE: APPOINTMENTS/REAPPOINTMENTS (CONTINUED)**

The Board appointed/reappointed, will all terms beginning January 1, 2019, **Bridget Geiger** and **Lisa Mosier** to the Art in Public Places Advisory Committee with said terms to expire December 31, 2019; **R.J. Durham** and **Michael H. Williams, Sr.** to the Building and Construction Advisory Committee with said terms to expire December 31, 2019; **Peter Fusscas** to the Citizens Budget Review Committee with said term to expire December 31, 2020; **Dawn Causey Davis** to the Community Action Board with said term to expire December 31, 2020; **Ed Witt** to the Community Action Board with said term to expire December 31, 2019; **Leonard Beckett, Leartis H. Brothers,** and **Art Edwards** to the Community Development Block Grant Advisory Board with said terms to expire December 31, 2019; **Izeal Battle, Leartis H. Brothers, Larry Carter, Pastor Jessie Guest,** and **Betty Wells** to the West Cocoa Community Center Advisory Committee with said terms to expire December 31, 2019; **Robert J. Abend, R.J. Durham, David Foley** (contractor), **Kerry Gardner** (non-Construction), **Gerald Hirt, Luke Morelli,** and **Patrick Ripton** to the Contractors' Licensing Board with said terms to expire December 31, 2019; **Holly Carver** and **Susan Hodgers** to the Economic Development Commission of the Space Coast with said terms to expire December 31, 2019; **Bob Champaigne, Steve Henderson, Karen Macarthur,** and **Suzanne Valencia** to the EEL Program Recreation and Education Advisory Committee with said terms to expire December 31, 2019; **Kathleen Lawson** to the Emergency Medical Services Review Committee with said term to expire December 31, 2019; **Amy Craddock** and **Molly Tice** to the Employee Benefits Advisory Committee with said terms to expire December 31, 2019; **Linda Behret, Bo Platt, Diane Stees,** and **Kim Zarillo** to the Environmentally Endangered Lands Procedures Committee with said terms expiring December 31, 2019; **Jennifer Hill** and **Billy Kempfer** to the Extension Advisory Council with said terms to expire December 31, 2019; **Ned Kellar** to the Health Facilities Authority with said term to expire December 31, 2022; **Paula J. Beckner, Benjamin Brotemarkle, Roz Foster, Margaret Goude-lock, George Kistner, III, Martha Loss,** and **Dan Reiter** to the Historical Commission with said terms to expire December 31, 2019; **Bob DiBella**

and **Peter Fuscas** to the Investment Committee with said terms to expire December 31, 2019; **Shelby Love** to the Library Board with said term to expire December 31, 2019; **Chris Navarro**, **John Reisert**, and **John Stone** to the Marine Advisory Council with said terms to expire December 31, 2019; **Karin Mansfield**, **Brian McEachran**, **Janis Shellabarger**, and **Maxine Ziemann** to the Mims/Scottsmoor Public Library Advisory Board with said term to expire December 31, 2019; **Arnold Benson** and **Randy Rodriguez** to the North Brevard Commission on Parks and Recreation with said terms to expire December 31, 2020; **Rodney Honeycutt** to the North Brevard Economic Development Zone Special District Board with said term to expire December 31, 2022; **Gail Ratliff** to the North Brevard Library District Board with said term to expire December 31, 2020; **John Stone** to the Onsite Sewage Disposal Variance Board with said term to expire December 31, 2019; **Kimberly Scalise** to the Parks and Recreation South Service Sector Advisory Board with said term to expire December 31, 2019; **Marcia Booth**, **Roger Gangitano**, **Charles Roger Hardin**, and **Roland Van Arsdale** to the Parks and Recreation South Service Sector Advisory Board with said terms to expire December 31, 2020; **Sue Price** and **Bonnie Venable** to the Personnel Council with said terms to expire December 31, 2019; **Ron Bartcher**, **Ben Glover**, **Ronnie McClellan**, **Henry Minneboo**, and **Jimmy Mutter** (alternate) to the Planning and Zoning Board with said terms to expire December 31, 2019; **Jabez Coggan, IV**, **Constantine Daniel**, **Christine Jenkins**, and **Edwin Poole** to the Port St. John Public Library Advisory Board with said term to expire December 31, 2019; **Jennifer Allgood**, **Leann Chaney**, **George Grachis**, **Lois Katzin**, and **Dr. Rochell Kenyon** to the Suntree/Viera Public Library Advisory Board with said terms to expire December 31, 2019; **Giles Malone** to the Tourist Development Council with said term to expire December 31, 2022; **George Bovell**, **Rodney Honeycutt**, **Eric Hoppenbrouwer**, **Woody Rice**, and **Robert Salonen** to the Transportation Planning Organization Citizens Advisory Committee with said terms to expire December 31, 2019; **Hal Rose** to the West Melbourne Public Library Board with said term to expire December 31, 2019; and **George Bovell**, **Francis Clifford**, **John (Jack) Higgins**, and **Robert Dale Rhodes** to the Zoning Board of Adjustment with said terms to expire December 31, 2019.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Rita Pritchett, Commissioner District 1
<b>SECONDER:</b>	Curt Smith, Commissioner District 4
<b>AYES:</b>	Rita Pritchett, Bryan Lober, Curt Smith, Kristine Isnardi
<b>NAYS:</b>	John Tobia

**ITEM L.1., FRANK ABBATE, COUNTY MANAGER, RE: BOARD REPORT**

Frank Abbate, County Manager, stated from what he has heard tonight, in addition to the two Workshops that are already scheduled in February and March for the Budget, in April there will be a Lagoon Workshop as the Board has indicated; in May, the Board will look at doing something for term limits from the report it receives from staff in March; and he noted he will bring a date back after checking the Board's calendars. He noted last Thursday he had the privilege of joining members of Hands on Brevard, which is an employee community volunteer program that was started by the Executive Leadership Institute Alumni several years ago; Hands on Brevard had its most recent event at the Children's Hunger Project in Cocoa last Thursday evening; in less than two hours, 30 members of this group packed 1,000 lunches that will benefit Brevard Public School students, who were provided back packs filled with food items that will sustain them for over a weekend; it was a very good turnout and he noted he really appreciates those who took part as it is an important community service; and he commented what these employees did really exemplifies the best of what the County employees have to offer.

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**ITEM L.4., BRYAN LOBER, VICE CHAIR/COMMISSIONER DISTRICT 2, RE: BOARD REPORT**

Commissioner Lober expressed his appreciation to staff for spending the time to bring him up to speed.

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

Commissioner Tobia stated a lot has happened in the last couple of weeks on the municipal level; in District 3 both Melbourne and Palm Bay have decided to fire their City Managers; his guess is that is just the tip of the iceberg with the changes in these organizations; having gone to both of those meetings he is confident in saying this Board is in many cases more divided than theirs, however, this Board has a unifying captain; during this holiday season it was terrible watching the tragedy that was going down but it made him thankful for the County Manager and leader, Frank Abbate, Assistant County Managers, John Denninghoff and Jim Liesenfelt, and Eden Bentley, County Attorney. He noted this Board is extremely diverse and apparently with Commissioner Lober it is getting more diverse. He thanked them for the way they manage the Board's different ideologies and personalities.

**ITEM L.6., CURT SMITH, COMMISSIONER DISTRICT 4, RE: BOARD REPORT**

Commissioner Smith passed on condolences to the family and friends of Barbara Davis; he stated she was a real patriot who served many years as the leader of the Brevard Republican Executive Committee; he noted she will be greatly missed by the community; and he welcomed Commissioner Lober to the Board.

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

Chair Isnardi stated she appreciates everyone's encouragement and patience with her; she advised this is her first meeting as Chair and for this length of time; and she thanked everyone who endured this very long meeting.

Upon consensus of the Board, the meeting was adjourned at 10:57 p.m.

ATTEST:



SCOTT ELLIS, CLERK



KRISTINE ISNARDI, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

As approved by Board 1/22/19

## Kimberly Powell

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**From:** Kimberly Powell  
**Sent:** Monday, January 07, 2019 7:36 AM  
**To:** Commissioner District 1; Commissioner District 2; Commissioner District 3; Commissioner District 4; Commissioner District 5; Eden Bentley; Sally Lewis  
**Subject:** Minutes 12-04-2018 Regular Draft  
**Attachments:** 12-04-2018 Regular.doc

All,

Attached is the 12-04-2018 Regular Meeting minutes to be considered by the Board on January 22, 2019.

Have a wonderful day.

Kimberly Powell  
Recording Secretary  
Clerk to the Board  
(321) 637-2001  
[Kimberly.powell@brevardclerk.us](mailto:Kimberly.powell@brevardclerk.us)

