

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

6:00 PM

The Board of County Commissioners of Brevard County, Florida, met in regular session on March 7, 2017 at 6:01 PM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

**CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Rita Pritchett	Vice Chairwoman/Commissioner District 1	Present	
Jim Barfield	Commissioner District 2	Present	
John Tobia	Commissioner District 3	Present	
Curt Smith	Chairman/Commissioner District 4	Present	
Kristine Isnardi	Commissioner District 5	Present	

**INVOCATION**

Pastor Tim Finlayson, Brevard Worship Center, Malabar, provided the invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Kristine Isnardi led the assembly in the Pledge of Allegiance.

**MINUTES FOR APPROVAL**

The Board approved the February 2, 2017, Zoning Meeting Minutes.

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

**ITEM I.A., RESOLUTION, RE: RECOGNIZING MARCH 2017 AS WOMEN'S HISTORY MONTH**

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 17-029, proclaiming March 2017 as Women's History Month in Brevard County.

Rosemary McGill expressed her appreciation to the Board for the Resolution.

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

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**ITEM I.B., RESOLUTION, RE: DECLARING MARCH 16, 2017, AS ST. BALDRICK'S FOUNDATION DAY**

Chairman Smith read aloud, and the Board adopted Resolution No. 17-030, proclaiming March 16, 2017, as St. Baldrick's Foundation Day.

Garret Lamp, Representative for St. Baldrick's Foundation, expressed his appreciation to the Board for its support and for the Resolution.

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

**ITEM I.C., RESOLUTION, RE: RECOGNIZING WEST SHORE JR./SR. HIGH SCHOOL BOYS' SOCCER TEAM AS THE 2017 CLASS 2A STATE CHAMPIONSHIPS**

Commissioner Isnardi read aloud, and the Board adopted Resolution No. 17-031, recognizing the West Shore Jr./Sr. High School Boys' Soccer Team as the Class 2A Florida State Soccer Champions.

Coach Rob Robidoux of West Shore Jr./Sr. High School, expressed his thanks to the Board for recognizing the Boys' Soccer Team and for the Resolution.

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

**ITEM I.D., RESOLUTION, RE: RECOGNIZING EASTERN FLORIDA STATE COLLEGE (EFSC) STUDENTS SELECTED TO THE 2017 ALL-FLORIDA ACADEMIC TEAM**

Commissioner Isnardi read aloud, and the Board adopted Resolution No. 17-032, recognizing the EFSC students selected to the All-Florida Academic Team.

Dr. Phil Simpson, Titusville Campus Provost of EFSC, congratulated the All-Florida Academic Team; he expressed his thanks to the Board for recognizing the students; and he recognized Dr. Wayne Stein, Palm Bay Campus Provost of EFSC, and Michael Cadore, Palm Bay Campus Associate Provost of EFSC.

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

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**ITEM I.E., RESOLUTION, RE: RECOGNIZING THE 31ST ANNIVERSARY OF THE INDIAN RIVER COLONY CLUB (IRCC), AND PROCLAIMING FEBRUARY 4, 2017, AS IRCC DAY**

Chairman Smith read aloud, and the Board adopted Resolution No. 17-033, to celebrate the 31st Anniversary of the IRCC.

Colonel Bill Corbett, United States Air Force, expressed his appreciation to the Board for the Resolution.

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

**CONSENT ITEM PULLED**

Chairman Smith stated he would like to pulled Item II.A.4., Resolution and Joint Participation Agreement Supplemental No. 3 with Florida Department of Transportation (FDOT), Re: Pineda Causeway Grade Separation Overpass over the Florida East Coast Railway, from the Agenda for discussion.

**ITEM II.A.1., RESOLUTION AND RELEASE OF PERFORMANCE BOND, RE: LAKE ANDREW DRIVE EXTENSION NO. 1, PHASE 2 - THE VIERA COMPANY**

The Board adopted Resolution No. 17-034, releasing the Contract and Surety Performance Bond dated May 26, 2016, for the Lake Andrew Drive Extension No. 1, Phase 2 - The Viera Company.

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

**ITEM II.A.2., RESOLUTION AND RELEASE OF PERFORMANCE BOND, RE: HERITAGE ISLE, PHASE 8A - LENNAR HOMES, LLC**

The Board adopted Resolution No. 17-035, releasing the Contract and Surety Performance Bond dated May 26, 2015, for Heritage Isle, Phase 8A - Lennar Homes, LLC.

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

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**ITEM II.A.3., RESOLUTION AND RELEASE OF PERFORMANCE BOND, RE: HERITAGE ISLE, PHASE 8B - LENNAR HOMES, LLC**

The Board adopted Resolution No. 17-036, releasing the Contract and Surety Performance Bond dated May 26, 2015, for Heritage Isle, Phase 8B - Lennar Homes, LLC.

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

**ITEM II.A.5., RESOLUTION AND COUNTY DEED, RE: PORTION OF VIERA BOULEVARD INVOLVED IN THE CONSTRUCTION AREA OF THE VIERA BOULEVARD AND I-95 INTERCHANGE**

The Board adopted Resolution No. 17-037, and executed County Deed with FDOT for that portion of Viera Boulevard required for public purposes related to the I-95 and Viera Boulevard Interchange.

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

**ITEM II.A.6., RESOLUTIONS AND SUBORDINATIONS OF FORCE MAIN EASEMENTS IN FAVOR OF BREVARD COUNTY, RE: FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) INTERCHANGE AT VIERA BOULEVARD FOR EMERGENCY ACCESS AND MAINTENANCE EASEMENTS AS PART OF THE PLAT OF STAR RUSH DRIVE EXTENSION**

The Board adopted Resolution Nos. 17-038, 17-039, 17-040, and 17-041, and executed County Subordination Agreements for Parcels 101.5, 102.2, 103.2, and 800.3, Section 70220 F.P. No. 428238 1 FDOT plans for the interchange of I-95 at Viera Boulevard.

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

**ITEM II.B.1., AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS (RFP), RE: OPERATION OF THE GYMNASIUM AT GIBSON COMPLEX**

The Board granted permission to advertise RFP for operation of the Gymnasium at the Gibson Complex; approved establishing a Selection and Negotiating Committee consisting of the Interim Parks and Recreation Director, or his designee, Venetta Valdengo, Assistant County Manager, or designee, and Reverend Clay, or designee; approved awarding contract to the most qualified proposal according to the Selection Committee ranking; and authorized the Chairman to execute resulting negotiated agreement upon County Attorney and Risk Management approval.

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

**ITEM II.D.1., APPROVAL OF BUDGET CHANGE REQUEST(S)**

The Board approved the Budget Change Requests, as submitted.

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

**ITEM II.D.2., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS**

The Board appointed/reappointed **Bo Platt** to the Environmentally Endangered Lands Procedures Committee, with term expiring December 31, 2017; and **David Pasley** to the Citizens Budget Review Committee, with term expiring December 31, 2017.

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

**ITEM II.A.4., RESOLUTION AND JOINT PARTICIPATION AGREEMENT SUPPLEMENTAL NO. 3 WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), RE: PINEDA CAUSEWAY GRADE SEPARATION OVERPASS OVER THE FLORIDA EAST COAST RAILWAY (FEC)**

Chairman Smith asked John Denninghoff, Public Works Director, to explain the Item.

Mr. Denninghoff replied this Item is a request to approve a modification to the agreement between FDOT and Brevard County regarding the Pineda overpass; he stated the agreement provides State funding for the entirety of the project to construct the overpass over the railroad just west of U.S. 1; the agreement previously had established \$3.1 million limit on the amount of money that could be spent for right-of-way or property rights acquisitions associated with the projects; in the early stages of the project, there was coordination with FEC regarding what would have to be done to get over the railroad; the fact that it had entered into an agreement with the County to build that; and FDOT provided the funds to get it built. He went on to say it was a request from FEC for the County to build the Pineda Causeway over the tracks; the right-of-way that was to be acquired was estimated, based on the known needs for the project, and was set at \$3.1 million based on appraisals; comments have been received from FEC on multiple occasions; and at no time did they mention the County would have to acquire any rights across the tracks. He advised in late January FEC sent an email telling the County it needed to have an aerial easement across its tracks to build the overpass that they appointed the County to build; FEC said it was expecting a \$300,000 payment to compensate them for that easement; he is in the process of acquiring an appraisal for the easement, complying with Statues regarding how the County acquires property rights, as well as a County Policy; the County does

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not have that yet; but FDOT agreed to increase the amount for the right-of-way acquisition by that \$300,000, in anticipation of an agreement met with FEC for that aerial easement. He advised without the modification of the FDOT agreement, there would not be any funds to reimburse the County for that acquisition of that easement which is what brings this Item to the Board today; at a future date he will be bringing a contract or exchange agreement to be ratified by the Board to support the acquisition of the easement; he does not know how much it will cost or what the appraisals are; and he was quite surprised when the email came it.

Commissioner Tobia stated it looks like there is \$26 million and the easement portion went up \$300,000, but \$300,000 came off of the construction portion of that; he understands the County is responsible for any overages; and he inquired if Mr. Denninghoff is concerned that reappropriating these funds for the easement will put the County in jeopardy for being on the hook for overages, at a greater likelihood than what there was prior to this agreement or potential agreement. Mr. Denninghoff replied Commissioner Tobia's premise is correct; and that is a concern that he, his staff, and the consultant has evaluated. He stated currently the cost estimate for the construction is well below the remaining balance; the risk of the County being on the hook for more funds is relatively low; he advised there has been quite an escalation in construction costs across-the-board lately, in some cases almost double; but for projects of this size double is not being seen, but are seeing escalations. He went on to say he thinks the County is safe in this case; at the bottom of the Agenda Report, it is believed that there are sufficient funds remaining to take care of the remainder of the cost associated with the project; he will know a lot more when he sees the bids; the County was ready to go to bid and acquiring the what he thought was the final permit from FDOT; but FDOT drew a direct linkage between the Pineda overpass and the Pine Street overpass with All Aboard Florida (AAF).

Chairman Smith inquired how many other overpasses or flyovers are there in Brevard County. Mr. Denninghoff responded five; he stated they are located at U.S. 1 going north and south over the railroad tracks in Titusville, S.R. 405 going over U.S. 1 and NASA Causeway, Beachline Expressway over U.S. 1 and the tracks in north Cocoa, Pineda Causeway overpass, and Melbourne Avenue in Melbourne, that most people do not really think of as a separated crossing of the railroad, but it is, goes under the railroad at that location, and Common Boulevard in south Melbourne. Chairman Smith inquired if the County was required to pay any aerial easements for any of those. Mr. Denninghoff replied not that he is aware of. Chairman Smith stated it does raise the question as to why the County is being singled out for an aerial overpass in this situation. Mr. Denninghoff explained to the Board he has questioned and asked and has been unable to find independent evidence collaboration about aerial easements, such as this at other locations; and FDOT is unaware of a similar situation and the consultant who has done multiple overpasses over railroads at other locations is the first time they have seen something like this. He pointed out the AAF situation over Pine Street was one that AAF wanted an aerial easement, it was not the County insisting that they get one, as this situation is a little bit different.

Chairman Smith remarked he takes it as this is not the last time the Board is going to hear about this aerial easement.

Mr. Denninghoff stated there will be at least two occasions where the Board will hear about it again; he is in the process of negotiating a modification to the AAF easement; he is hopeful to bring that to the Board on March 21; and whenever the work is complete with FEC and FDOT for the Pineda, but he will not be ready on the 21st for Pineda.

Commissioner Barfield stated it does seem kind of interesting, even though they are two separate companies but he reminded the Board AAF asked for the Pine Street bridge; but they needed a lot more there for them to be successful. He stated it is not needed at Pineda and AAF and FEC; and he would like to make sure they understand that.

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Mr. Denninghoff advised he has reminded both of its staff about that situation already; and he will keep reminding them.

Chairman Smith expressed he will as well.

The Board adopted Resolution No. 17-042, and executed Joint Participation Agreement No. 3 with FDOT for the Pineda Causeway Grade Separation Overpass Over the FEC; and approved any necessary Budget Change Request associate with this request.

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

### ITEM III., PUBLIC COMMENTS

Charles Tovey expressed his thanks to Board and its staff for listening to him about his grievances; and he thinks it would be beneficial if he could ventilate in Chairman Smith's office instead of displaying it in public.

Chairman Smith informed Mr. Tovey that his door is always open.

Mr. Tovey went on to express his thanks to the Board for all of its services available in the County. He inquired if Stockton Whitten, County Manager, could help him find a supply of the constant changing study bibles. He advised he has more seeds available and has the Valentine's chocolate still for the Board, but they might be a little bit melted; he has his family history of how they serviced Brevard in 1837; the homeless Veteran who has been suffering with him on the streets has finally received his Lottery numbers and is in his apartment, and is doing well; and he expressed his thanks to Chief Mims of the Melbourne Police Department for doing a better job in his community, and he would not mind for him being the Sheriff of Brevard County. He stated his Great-granddad was Sheriff Hayes of Brevard County; he is back to work for the Lagoon, doing his stuff, getting his video, as asserting himself diligently of his legal situations since no one is going to help him, he has to learn. He remarked why do anything. He stated he cannot do anything he wants to do because he has all of these people wanting to tell him what to do and how to do it; why should he fix his house or do anything if he has people destroying it; and no matter what law enforcement, they turn it around on him because he is acting irrational why people destroy his property. He added it has been a continual thing; he appreciates the Board's patience; he is getting better all the way around; and it is all just a balance of things.

Melissa Martin provided the Board with a handout; she stated her concerns are regarding Liquid Natural Gas (LNG) operations are only the Fire Rescue Units in Titusville were trained for incidents of massive gas leaks or explosions, the LNG plant explosion in Washington a few years ago caused injuries and evacuation of a two-mile radius, but for the LNG site in Port St. John has residents been notified or consented to activity, and daily freight of LNG would substantially increase rail traffic, noise pollution, and risk throughout the County; and if a person lives anywhere near the railroad, now would be a good time to sell. She advised she is not aware of any movement for official inquiry beyond her own efforts, which is why she thought maybe she needed a Citizen's Request to ask the Board to direct staff to find out; in addition to what was laid out in the provided handout, she is looking for unbiased sources and studies that shows experimental form of transporting LNG by train, is sufficiently safe; and she understands

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the only other time it was done was in Alaska, under different circumstances. She stated Martin County's fire rescue estimated a zone of impact for 10,000 gallon LNG tank leaking, to be about one-half of a mile; while the residences and businesses within the one-half mile of the tracks be notified and informed of what to do should a leak occur near them; should they close windows, evacuate, or not light up a cigarette; and in the unlikely event of a collision at intersections, will LNG trains be going at a slow enough speeds in populated areas for impacts causing LNG tanks to leak or explode. She inquired if the cruise ships are at a safe distance from the LNG export terminals at the Port; since methane is colorless and odorless, will there be sufficient monitoring and modifications throughout LNG operations from the pipelines coming in from Orlando, and all transport export operations every day; she stated living in the lightning capital of the Nation, indirect lightning strikes already cause natural gas leaks in pipes been considered or properly accounted for; and she inquired if the Board could ensure that no LNG operations will occur unless and until all local crisis response units throughout the County are properly budgeted, trained, and equip to deal with this threat. She stated she trusts that such costs will not be borne on the taxpayers or Florida Power & Light customers; how the Board acts on this situation sends a message; if staff is directed to find out and make ready, it shows that the Board cares for the people to spite what political constraints the Board may or may not be under; and if the Board chooses to let it ride, it will send a message, too. She advised she is not trying to stir any pots or create controversy, it is just a compelled action based on information that came to her that she needs answers to; and she is hopeful that with her meeting scheduled with the County Manager, that her questions will be answered.

**ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY AND DRAINAGE EASEMENTS AND A PUBLIC MAINTENANCE UTILITY EASEMENT ON POI COURT, CATALINA ISLE ESTATES UNIT SIX, MERRITT ISLAND - CHARLES AND SUSAN FRAZIER**

Chairman Smith called for a public hearing to consider a resolution vacating one, 15.0 ft. wide public maintenance and utility easement and three, 5.0 ft. wide public utility and drainage easements in Catalina Isle Estates Unit Six, Merritt Island, as petitioned by Charles and Susan Frazier.

John Denninghoff, Public Works Director, advised no objections have been heard.

There being no objections, the Board adopted Resolution No. 17-043, vacating one, 15.0 ft. wide public maintenance and utility easement and three, 5.0 ft. side public utility and drainage easements in Catalina Isle Estates Unit Six, Merritt Island, as petitioned by Charles and Susan Frazier.

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

**ITEM IV.B., RESOLUTION AND TERFRA PUBLIC HEARING, RE: ISSUANCE OF BREVARD COUNTY, FLORIDA TAX-EXEMPT REFUNDING REVENUE BONDS (DT LEASING PROJECT), SERIES 2017**

Chairman Smith called for holding a TERFRA public hearing to consider a resolution for issuance of Brevard County, Florida tax-exempt refunding revenue bonds (DT Leasing Project), Series 2017.

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Scott Knox, County Attorney, stated this Item is for a TEFRA public hearing which is required by the Internal Revenue Service (IRS) Code to qualify revenue bonds for tax-free status; these are related to the Winchester Electronics DI Revenue Bond Refunding; the Chairman needs to ask if there are any comments from the public; and he thinks there is someone from the company present should the Board need them.

Chairman Smith inquired if there are any comments from the public; and he stated he has no speaker cards for the Item.

Attorney Knox advised the Board is good to go.

There being no further comments, the Board approved holding a TEFRA public hearing, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended; and adopted Resolution No. 17-044, titled "Approving for the Purposes of Section 147(f) of the Internal Revenue Code of 1986, as Amended, the Issuance of Not to Exceed \$2,500,000 of Refunding Revenue Bonds by Brevard County, Florida, to Finance and/or Refinance the Acquisition and Renovation of a Manufacturing Facility on Behalf of DT Leasing, LLC, and Other Affiliates, Subsidiaries or Related Entities Thereof Within Brevard County and Related Costs."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Kristine Isnardi, Commissioner District 5
<b>AYES:</b>	Pritchett, Barfield, Tobia, Smith, Isnardi

**ITEM V.A., SELECTION COMMITTEE RECOMMENDATION FOR AWARD, RE: RFP 3-17-05/CONSULTANT TO PERFORM EXECUTIVE RECRUITING FOR COUNTY MANAGER**

Leslie Rothering, Purchasing Services, stated this Item is in regards to the Selection Committee recommendation for the recruiting firm for the County Manager; the Board had requested that the Committee score and rank the firms that responded and to bring back those rankings to the Board for its decision; and there were six firms that provided responses which are listed on the Agenda Report along with the Committee scores ranking sheets. She inquired if the Board has any questions regarding the process; and she stated at this point she is requesting Board direction.

Commissioner Pritchett expressed her appreciation for all of the work vetting the firms; she stated she likes the recommendations; and she requested having the top two proposals come in and present to the Board to help make a choice.

Commissioner Isnardi stated she thought that was why the Board selected a group to review because they are going to come before the Board with the candidates; she does not want to drag this out any longer than it has to; she, herself would not have chosen to go with the firm; but since the majority of the Board is going that way, she does not want to delay it any longer since Stockton Whitten, County Manager, is leaving at the end of April. She went on to say she does not want there to be any other delays by hurrying; and she stated she wants to focus on getting those eligible candidates in.

Richard Charbonneau inquired if the Human Resources Office is capable of doing this; and has the question been asked about interviewing for the County Manager position. Chairman Smith responded as part of the process the Human Resources Office was asked of its opinions and thoughts; it was discussed at the last Board meeting; and Commissioner Barfield and he are the only two people on the dias who have ever hired or fired anybody. He added he has not hired in

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this magnitude of his salary; he felt it would be a disservice to the community if he did not get all the help that he could; since he was on the Selection Committee, he thought it was extremely important for the Board to do the best job possible; and that is the reason he pushed for this type of decision. Mr. Charbonneau agreed with Chairman Smith; and he reiterated his inquiry if anybody asked Human Resources if they could do this or not. Chairman Smith advised Human Resources was asked and were a part of the conversation. Mr. Charbonneau asked if they remained silent, or did they say no. Chairman Smith replied they gave the Board reasons why they could; and gave why they thought it was a good idea to go out for bid.

Commissioner Pritchett advised she wants to make a motion that at the next meeting the Board could have the top two come in for interview; she stated waiting one week or two would be go for the Board to do; there are differences in opinions; but she would like to interview S. Renee Narloch & Associates and The Mercer Group, Inc. She went on to say she asked The Mercer Group, Inc. a question and had only shopped for three positions like this in the past; they could be a great group; but as the Board is making its decision, to go ahead and talk to both firms.

Commissioner Isnardi stated in a perfect world, she would agree with that; however, there were two ranking members of the Selection Committee being the County Attorney and Human Resources Office ranked the other group that was ultimately ranked first, first; while she does appreciate the idea to wait, several weeks have already passed waiting for the Board to even come to the opportunity to select a headhunter; she would have liked to have used Human Resources because she believes the County does have a lot of qualified candidates and the resources to save the money from having to use a headhunter/lobbyist to find a County Manager; and the process has already been delayed so long, that whatever group is selected, is going to bring a boatload of candidates. She went on to say it is at the Board's direction on what type of candidates and how many wanted to be seen by the Board; now the Board is transitioning with the current County Manager leaving at the same time somebody is coming in; she knows Frank Abbate, Assistant County Manager, is more than capable of holding the fort until the Board can get someone in the County Manager's position; and she would like to have Mr. Whitten present as the transition occurs. She stated this was not her first choice of the route to go; and she wants to move forward and get the candidates in front of the Board, because she wants to get moving on this.

Chairman Smith stated he will give some of the things he wrote down about the top two candidates; The Mercer Group, Inc. is very hands on by offering bi-weekly reports on the search, meeting with each Commissioner individually and together at Workshops, presenting eight to 10 candidates, having an extensive list of Florida cities and counties with positions that they have filled, having an office located in Volusia County, and anticipating an 11-week process; it gives 24 months warranty and he explained how the warranty works if they produce someone that the Board hires; and for some reason during the first 24 months if that person were to leave, they would go back to work at no extra charge, and find the County another candidate or other candidates to interview. He stated S. Renee Narloch & Associates is a Florida woman-owned company with 25 years of experience with extensive county placements in Florida; it thinks that the best candidate often is the one not looking, which he thought is an interesting concept; he would like to ask them, if this passes how do they go about finding someone that is not actively looking; they will develop an interview process for objectivity; they will respond to inquiries within 24-hours, rather than waiting for bi-weekly updates; and offering a one-year warranty as opposed to a two-year warranty.

Commissioner Isnardi advised she would not be opposed to this, but had this been the desire from the Commission at the get-go the Board should have done this before getting to this point; the ranking sheets could have been looked at and meet with them individually than to delay this; if it is the goal to just use the second group, the Board should make its motion now to move the process along; the second ranked was ranked third by the other two people which is something

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to consider as well; she is not going to argue about this because it is clear that the votes are not there; but she does want to say that the Board could have saved some time by being better organized if that was the intention early on. She advised all could have met with the top two and saved time with the Board's recommendation at this meeting to move forward.

Chairman Smith remarked that is assuming those six firms would have been available; he stated this is actually the fastest way to do the process; the Board received all of this information last Monday and it is moving quickly after meeting on Friday, giving four days to view and review; and now four days later presenting the options to staff.

Commissioner Isnardi reiterated if the intention is because it is not the person that somebody else may want then the Board should just hire the person versus dragging this on further; she is worried about doing a disservice ultimately because the Board is arguing who the firm is that it is going to recommend a hire; and to her, it is just a waste of time because time is money.

Chairman Smith advised Commissioner Isnardi can vote no on the motion and move forward with number one.

Commissioner Isnardi remarked she will; but she stated she just wanted to express what her concerns were.

Commissioner Tobia expressed his appreciation to staff for all the extra work put into this; he inquired if both firms have availability to come to the next meeting to present to the Board, because if they both are not available that could push the process back even more. Ms. Rothering responded all firms have been notified of what is taking place tonight; she stated typically these firms are aware that the Board is ready to proceed and they are ready; and one firm was ready to present tonight.

Chairman Smith stated three Board members agreed that every one of these six firms were very qualified, whichever picked is going to produce a quality candidate; for him it became what did the firms have to offer and how much they were going to charge; and The Mercer Group, Inc. was the cheapest and quite competent as well, but he liked the S. Renee Narloch & Associates, too.

The Board accepted the Selection Committee's determination of firms responding to RFP for a consultant to perform the executive search for a County Manager; and directed staff to coordinate with the top two ranked firms, The Mercer Group, Inc. and S. Renee Narloch & Associates, to provide a presentation to the Board at the March 21, 2017, Board meeting.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith
<b>NAYS:</b>	John Tobia, Kristine Isnardi

**ITEM V.A., APPROVAL OF PAY OUT, RE: ADDITIONAL SICK LEAVE FOR COUNTY MANAGER**

Chairman Smith stated there are two matters that he believes need to be addressed regarding the transition to the next County Manager; the County Manager has advised that he will lose the payout of 539 hours of sick leave as he currently has over 1,770 hours of built-up sick leave; he could try to exhaust as much sick leave between now and April 30; however, he has indicated

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that he has a tremendous amount of transition that must occur between now and April 30; Stockton Whitten, County Manager, has been a dedicated employee who obviously only has utilized sick leave when absolutely necessary; he recalls that Mr. Whitten provided the Board with 90 days' notice instead of the 60-days' notice that are required in his contract; in consideration of the 90-days' notice and his commitment to bring to a closure the various transitional matters, he believes it is in the best interest of the County to authorize the payout of an additional 160 hours of sick leave; and he would like one of the Commissioners to make a motion or he can pass the gavel, and make the motion.

The Board authorized the payment of an additional 160 hours, in addition to the 346 hours of sick leave to the County Manager.

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

**ITEM V.A., APPOINTMENT, RE: FRANK ABBATE AS INTERIM COUNTY MANAGER**

Chairman Smith stated the Board needs to formally appoint Frank Abbate, Assistant County Manager, as the Interim County Manager, effective May 1, 2017.

The Board approved appointing Frank Abbate, Assistant County Manager, as the Interim County Manager, effective May 1, 2017.

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

**ITEM V.B., LEGISLATIVE INTENT AND PERMISSION TO ADVERTISE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION ORDINANCE AMENDMENT FOR ERCHONIA CORPORATION**

Scott Knox, County Attorney, stated this is legislative intent and permission to advertise an economic development tax exemption Ordinance amendment regarding Erchonia Corporation to reflect a change of address and abandonment of a vacant piece of property in favor of the property that has a building, which changes their circumstances; and the Ordinance needs to be changed.

Commissioner Tobia stated he had staff pull the old Ordinance No. 2015-20, where the tax abatement is granted; the word and is used, it says expanded facility and tangible personal property; they were to receive an 80 percent Ad Valorem tax abatement; and this is for substantially less. He went on to say it is his understanding that the word and means, they have to follow both of those qualifications; Erchonia made a decision to voluntarily move about two and one-half miles away; they have put forth \$2 million in equipment and \$1.4 million in purchasing the existing building; this is a company that is \$3.4 million invested in Brevard County with the understanding that by moving, the Ordinance would not go into effect; according to staff this is about a \$9,000 abatement; and he thinks the Board should not have to worry about a company that has invested \$3.4 million in Brevard County from leaving. He

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added the \$72,000 in abatement could be used in wiser ways; he thinks they voluntarily decided to go against the wishes of the Ordinance; he is concerned about the timeline; the Board needs to understand that the Ordinance was passed July 22, 2015; in May of 2016 is when they purchased the property; nine months later is when the Economic Development Commission of Florida's Space Coast (EDC) apparently notified the County; and he is concerned that there is a business and it takes nine months to hear it, instead of building a piece of property they are moving. He advised he would be against the advertisement and he would like to hear other comments from the Board before making a motion; he thinks it was very important to mention the and in the Ordinance; and he has a copy should anyone need it.

Chairman Smith asked Attorney Knox to weigh in on this; and he inquired if this fits the parameters of what the voters voted on. Attorney Knox responded Commissioner Tobia met with him earlier today and he does not agree with him; he can provide that in writing to the Board, explaining why he does not agree; but he thinks the Ad Valorem tax exemption can apply to either real property and tangible personal property, or to both depending upon what the corporation is actually doing. He went on to say in this case they originally wanted to build a building on a vacant piece of property; they decided not to do that and bought an existing building; they put their tangible personal property which is new equipment into that building; the Ordinance that was passed covers both, so in the absence of having new construction they do not get a tax exemption; and in State law it implements it is an either or, or both situation. He advised that he will provide the Board with a written viewpoint on that; all that is being asked for tonight is legislative intent and permission to advertise, to go forward; if the Board does not agree after seeing what he writes, the Ordinance will need to be repealed anyway and might as well go forward and adopt it at the next meeting, or repeal it; and something with it has to be done one way or the other.

Stockton Whitten, County Manager, clarified for the Board that this ordinance actually does take away the exemption on the real property and only applies it to the tangible property; it is a correction of the previous Ordinance; they originally had planned to either build or expand a building, they went away from that plan, and went into an existing building; and in moving forward, they no longer would be eligible for the real property exemption, and they would have only the tangible property exemption.

Commissioner Isnardi advised she had some of those same questions before; it makes more sense to repeal it and bring back something else; and she is okay with advertising.

Attorney Knox advised he can do it by the way it is being done right now by repealing the Ordinance in its entirety and not granting the exemption, or it goes back and starts all over again with getting a new application on just the tangible personal property.

Commissioner Isnardi stated where she took issue with this is not because of circumstances that happened to this company; she does not believe that they did anything sideways, wrong, or shady, it is because the terms have changes so much that it should be its own offering; and it should not be a modification of the Ordinance because the terms have changes so significantly.

Attorney Knox stated in substance, it really has not because tangible personal property was approved the first time, that is moveable to anywhere in the County; but the real estate goes away.

Commissioner Isnardi inquired would the Board have approved just the tangible personal property is a bigger question. Attorney Knox replied that is something the Board could bring up if there is a public hearing on it; if the Board chooses not to grant it, it certainly can do that.

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The Board approved legislative intent and granted permission to advertise an amendment to Ordinance No. 2015-20, for Erchonja Corporation, to reflect a change in address and reduction in scope of Ad Valorem Tax Exemption.

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

**ITEM VI.A.1., APPROVAL, RE: SAVE OUR INDIAN RIVER LAGOON (IRL) PROJECT PLAN UPDATE AND THE 2017 SUPPLEMENT TO THE SAVE OUR INDIAN RIVER LAGOON PROJECT PLAN**

Virginia Barker, Natural Resources Management Director, stated this is a large Agenda package and she would like to spend a few minutes introducing it to the Board; there are four requested actions needed for this Item; in the last year this was kicked off with an intensive and extensive algal bloom in January through March 2016, that resulted in the largest fish kill recorded in Brevard County; and it resulted in the Board sending a letter to the Governor requesting assistance. She went on to say the County was advised by the Governor's staff to develop a project plan with a comprehensive list of projects; the Board directed staff to develop such a plan and to explore mechanisms for a dedicated funding source implementing that plan; in April 2016 it was thought to develop a special taxing district to collect some sort of property tax that would start effective the next fiscal year; and on August 9, 2016, the Board adopted the Save Our IRL Project Plan, and two weeks later the Referendum language was adopted to place on the November 8 ballot for a Half Cent Infrastructure Sales Tax. She advised the Half Cent Infrastructure Sales Tax was approved by the voters and began collecting in January, allowing for opportunity to look at the Plan and look for projects implemented sooner than the way the Plan was drafted with an October 2017 start; in the Board's action on August 23, 2016, the Board established an Ordinance with a volunteer Citizen Oversight Committee; and the role of the committee is to recommend updates for the Save Our IRL Project Plan to the Board annually and to provide public oversight, and a transparent process that not only allows, but fosters, development and implementation of better, less costly and/or more timely tools and techniques for restoring the Lagoon. She mentioned a typo needing to be corrected on the second page of the Agenda Report for where it has 'when an infrastructure sale tax was approved, collections began January 1, 1017', and it should be 2017. She continued to state in order to accelerate recovery of the IRL health and associated economic benefits, County staff reached out to the municipalities and other community partners to find shovel-ready projects that could proceed during the current Fiscal Year; in total 42 projects were recommended by the Citizen Oversight Committee (COC) for consideration by the Board tonight; these substitute projects recommended in the 2017 supplement to the Save Our IRL Project Plan replace the least cost effective of the previously planned projects of the same type in the same sub-lagoon area, thereby delivering comparable pollution reduction benefits, sooner, and at a reduced total cost. She added the 42 recommended projects show and demonstrates great community participation; they are distributed from Mims to Micco; they represent all project types considered in the IRL Plan; and they will remove nearly 100,000 pounds of nitrogen, and over 10,000 pounds of phosphorous. She stated the COC recommended that Board consider guidance criteria for how they should consider and staff should vet substitution projects going forward; there is also a financial statement for the Board to review; the four actions are to review and approve the Save Our IRL Project Plan Update to change the source of funding from millage-based to the Half Cent Infrastructure Sales Tax and a clause recognizing the potential to leverage additional funds from other sources, clarifying what areas of the IRL are included

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because there were some less than clear language about the Sebastian area of the Central IRL; the COC was named something slightly different, but the intent was the same, so that was changed to COC to match the adopted Ordinance; two decimal places were found out of place which have been corrected; and there was one map that was missing, an Appendix A, the text was in the text but the corresponding map was missing, and the map has been slotted in. She advised those are the changes to Attachment A of the Plan update; there is the guidance for ensuring compliance with the intent of the Referendum in Attachment B; there is review of 2017 Supplement to the Save Our IRL Project Plan, including the 42 projects recommended by the COC, and takes the project's that were in the original Plan that will be unfunded in order to free up dollars to fund the 42 new projects, putting them in a separate table to see what projects are getting funded versus what projects are becoming unfunded, so if additional revenues come in they are ready to go back into the funded category to proceed, and to review the recommended expenditures listed on the proposed 2017 Financial Statement, and authorized necessary budget change requests to set up in the County's budget.

Suzanne Valencia stated she has worked hard and is supportive of the sales tax; she trusts Ms. Barker and she is unsure of what the issue is tonight; and she asked the Board to enlighten her. Ms. Barker summarized in order to get started on the Plan right away, the Plan needs to be amended, add new projects, and adopt a budget for this Fiscal Year. Ms. Valencia expressed her thanks; and she stated she supports that.

Jeff Chandler stated he grew up on the IRL and he support the sales tax; he is supportive of projects in the IRL area; the one project he has not heard detail on is a proposed project to go from Barefoot Bay to Micco; he inquired how far is the project going to go into the Micco area; and he stated if it is going to stop at a certain point, he feels that those monies should be allocated to go all the way to the bridge just like Indian River County did with its sewer system. He advised a lot of the impact in that area is along the water in the Hollywood area of houses and businesses. He stated if a particular project is to be approved, he thinks it should be thought hard about where it stops; even if that means instead of tying into Barefoot Bay that is only big enough to handle Barefoot Bay, putting a heavy volume on southern Brevard County into that is not enough volume for the plant to handle it; and maybe the money should be allocated to building a plant instead of band-aiding 20 to 30 houses or businesses.

MJ Waters stated she currently is on the Steering Committee of Brevard IRL Coalition; they are a collation of approximately 30 organizations through the County that were involved in passing the Referendum; they have been attending the COC meetings; and the Steering Committee was a huge advocate for having that committee formed as part of the Referendum. She went on to say some input was given to the COC and the Steering Committee appreciates the COC taking things seriously; great discussion and guidance adopted was in part of the input; the Steering Committee is pleased to see projects approved and are excited to see them started in the near future; and they are asking the Board to approve the project Plan update, and all of the projects in it. She advised the Steering Committee will continue attending the COC meetings.

George Rosenfield stated he is a retired environmental scientist; for the enlightenment for the three new Commissioners, he presents a short history of the IRL situation; and he expressed his apologies to Commissioner Barfield and Chairman Smith because they heard this last August before voting for the one-half cent sales tax. He went on to say efforts to save the IRL go back in time to before July 1986 when he returned to Brevard County; Diane Barile, Florida Technical Institute Professor of Oceanography, realized the IRL was in danger, and she organized an American assembly of accredited persons of establishing the Marine Recourses Council; they developed a plan of action that had already taken effect; baffle boxes were installed on the barrier islands of other places to catch stormwater runoff from roads; they were to be cleaned every couple of months, but they needed cleaning every couple of weeks; major roads and developments were retrofitted with Cashman funds to retainer filters for stormwater

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runoff; and volunteers were recruited to measure oxygen content of IRL water at a merit of locations along the IRL at time intervals. He advised keeping track of the animals and the first Hands Across the Bridges was done at five bridges along the 157-mile length of the IRL; photos were sent to the Governor, who designated the IRL as a lagoon of national significance, which resulted in a grant of \$3 million from Federal Department of Environmental Protection to establish the National Estuary Program of the IRL; many point sources of pollution were given just a few years, by the State to stop sewer treatment plants from dumping raw sewage effluent into the creeks that run into IRL, which are the Titusville and the Viera wetlands; and some cities opted for deep wells with bottoms to contain effluents. He stated the first Comprehensive Conservation Management Plan (CCMP) for the IRL was compiled from all counties, the length of the Lagoon, and published in 1996; it was revised in years 2000 and 2010; along the way, the first invasive plant Pepperbush to eradicate Brazilian Pepper Trees was started and is still continuing; muck removal and selected areas throughout the Lagoon are also conducted; and a fertilizer Ordinance was recently passed. He stated he does not know what other actions he may have forgotten; the Save Our Lagoon was passed for over the next ten years costing \$302.9 million to save the IRL just in Brevard County, which was from the Board and the voters saying yes in the August election; muck removal, stormwater projects, upgrade of sewer treatment plants, removal and upgrade of septic systems, managed fertilizer use, oyster redevelopment, and educating the public will be done; he looks forward to seeing the white sandy bottom of the Lagoon, all the way across; and to eat the delicious clams he used to dig and eat the mullet that used to be served all over the County. He added in ten years he will be 100 years old; Ms. Barile is who started all of the IRL restoration, more than 30 years ago; and he does not want her to be forgotten.

Courtney Barker, City of Satellite Beach City Manager, stated she is a member of COC and she is supportive of the submitted Plan amendment and budget; she does want to make sure that Ms. Barker does get the administrative expenses covered that she has asked for, she had a lot of night time conversations on Saturday's and Sunday's with Ms. Barker, and she knows she is overworked right now; and she needs the extra help in the office to get things done. She stated she wants to make sure of Ms. Waters' describing the input of COC from the residents, that if the expenses were covered of a project that was already budgeted for that any money that was freed up would go to another IRL project; she is wanting to make sure the County is following that same standard; and she expressed her thanks to the Board for the support of the sales tax, and to the staff of the Natural Resources Management Department.

Tony Dutton stated he voted for and supports strongly the IRL sales tax, and the procedures for its use that were adopted by the Board last year; the Natural Resources Management Department and volunteers of COC have all the skills and information needed to select the best projects for and uses of the sales tax proceeds; he encouraged the Board, over the coming 10 years of the sales tax to follow staffs advice and recommendations; and unless some special circumstance exists, to resist any temptation to substitute the judgment of another for that of the Department and the Committee in approving any projects or allocating any sales tax proceeds. He added this is a wonderful and unique opportunity for the County and its citizens.

Mary Hillberg stated as member of North Merritt Island Homeowners Association which represents over 5,000 residents on North Merritt Island, as well as having greater than 500 of whom are current members of the Association, is in support of the IRL Plan; the Association urges the Board to approve the update and to make sure all of the funds for the Lagoon stay in the Lagoon; and she expressed her thanks to Ms. Barker and to her staff for doing a spectacular job.

Linda Behret stated Ms. Barker and her staff did a wonderful job coming up with the Plan; she expressed her thanks to the Board for approving the Plan initially; if Ms. Barker is requesting an

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update, she asked the Board to support the request; and the money voted for the Lagoon should stay in the Lagoon.

Mary Sphar stated she is speaking for the Turtle Coast Sierra Club (TCSC); TCSC is a big supporter of the Referendum for the Save Our IRL Project Plan; the members worked hard to see this pass and their hearts are really in it; they are glad to see the implementation of the Plan moving forward; they want to see a critical mass of nutrient reduction achieved as soon as possible, to greatly increase the chances that the Lagoon will be healthy; and the faster the Plan is implemented, the faster the critical mass of nutrient reduction can be achieved. She advised it is so important to do everything possible to accelerate the pace of the implementation of the Plan; one thing that will help accelerate the Plan is the hiring of the people for the six staff positions that is in the Agenda Item tonight; and she noticed the adapted management section of the Plan as revised for now receiving updates by COC at least annually instead of before it was just annually, so this may allow for acceleration of the Plan in case circumstances change or monitoring shows a need for a tweak in one of the projects, or the path taken. She expressed thanks to the Board for its support of the IRL; and the TCSC is happy seeing the Board doing this.

Commissioner Tobia inquired which will the Board vote, accumulatively or handle four parts each. Chairman Smith responded it could be done accumulatively, unless someone has some objections to any of the four.

Commissioner Tobia stated he was a little skeptical but had discussions with Ms. Barker; he stayed away from the COC because he wanted to be as objective as possible; when Ms. Barker explained the way the process went and how empirical it was, he was very impressed with the way that they handled this from a very objective standpoint; he looked over all the projects; and he expressed his thanks to all of the volunteers who took the time to care so much. He inquired about the full-time employees and the COC did not deal directly with the staff; the Referendum talks about the way the funding will be spent; in the last sentence of the Referendum it says with COC; he thinks a lot of the speakers indicated that they were very adamant that the Board stuck with the advisement of the COC; and since this funding did not go through the COC, he inquired if there is concern of appropriating the funds of up to \$300,000 per year that would be a violation to the Referendum. Ms. Barker responded the financial statement that is Attachment D of the Agenda packet is the same financial statement that the COC received at its last meeting and was comfortable with; the Ordinance adopted last year states the role of the COC and the uses of the trust fund and a section that includes the administrative operations and maintenance costs; and she stated that does not fall under the role of the COC, it falls to the Board. She went on to say while technically according to the Ordinance the COC does not have to approve those positions, they are aware of the positions; the COC was comfortable with the financial statement as presented to them and is included in the Board's packet; and she stated no she is not concerned.

Commissioner Tobia advised the only reason he has these questions is due to Ms. Barker meeting with him and helping him out with information. He stated he looked at year zero which looks like 16 of the 18 projects are pass-throughs to the cities, meaning that the cities will complete the work, once the work is done if the Board goes ahead with the contract will write a check to reimburse the city for its expenses put forth; it looks like year zero runs through September 30 has two County projects accumulatively add up to \$501,000 and administrative expenses; and this is only for six months so he cannot infuse the entire \$300,000. He inquired if Ms. Barker is comfortable with spending \$150,000 or 30 percent of the oversight for six employees at this juncture, or does she think it would be wise to wait until hiring folks and getting to year one when the County has a larger percentage of the projects, and having more money to manage. Ms. Barker responded the timing has been looked at for filling the positions, part of this is there needs to be development of contracts with scopes of work with all of the

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cities, and those terms need to be correct; she stated they need to find the right people and getting them in positions, trained, and up and running because there is over \$51 million worth of projects planned starting October 1; and the people need to be in place now so that they may hit the ground running.

Stockton Whitten, County Manager, advised the \$300,000 is an annual amount; by the time the positions come onboard as staff, it will be on half of the other side of the Fiscal Year; and they will not spend \$300,000 this year and will be closer to spending \$150,000.

Commissioner Tobia stated he feels more comfortable addressing and voting on them separately instead of accumulatively.

Chairman Smith stated the first is to review and to approve the Save Our Indian River Lagoon Project Plan Update, Attachment A.

The Board approved to review and approved the Save Our Indian River Lagoon Project Plan Update, Attachment A.

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

Chairman Smith stated the second is to review and to approve the guidance for ensuring compliance with the intent of the Referendum, Attachment B.

Commissioner Tobia stated his understanding on this one is the contract is still being drafted by staff; he is wondering if it is premature to vote on the intent, or should the Board wait until the contract is drafted to review before voting on it; and he inquired what would be best. Scott Knox, County Attorney, responded what the Board is acting on is the expression of the intent of the COC liking to see the Board adopt the actual language that was proposed; it will probably be tweaked before getting into a contract; and the Board will see the item again.

Chairman Smith remarked the answer is the Board can pass this and still has control of the language for approval.

The Board approved to review and approve the guidance for ensuring compliance with intent of the Referendum, Attachment B.

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

Chairman Smith stated the third is to review and to approve the 2017 supplement to the Save Our Indian River Lagoon Project Plan, Attachment C.

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The Board approved to review and to approve the 2017 Supplement to the Save Our Indian River Lagoon Project Plan, Attachment C.

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

Chairman Smith stated the fourth is to review the recommended expenditures listed on the proposed February 2017 financial statement, Attachment D, and authorize necessary budget change requests for the current Fiscal Year.

Commissioner Isnardi stated it is difficult for her because she looks at the Natural Resources Management Department with having a lot of people; six additional people and 45 projects may seem like a lot, but she is no scientist; she thinks a better job could be done using some of that labor in-house because consultants and project managers will be paid anyway when having to have those expenses; and she would be happier with less employees. She stated she knows this is important but there is also the Department of Natural Resources Management that could pick up some of this.

Commissioner Pritchett stated she asked Ms. Barker for an analysis and they have been up to this point running \$20 to \$26 million in a budget with 44 staff; it is increasing by \$4 million-plus; and six people seemed reasonable. She inquired if four were hired and got the job of excellence done to manage the fund, two more employees would not need to be hired. Ms. Barker responded excellence and timeliness is key; she stated there needs to expertise in each of the kinds of projects that are moving forward; if the County's departments are looked at that do these kinds of State or Federal projects, they do not all exist in one department; and she reiterated the expertise that is needed for all these different kinds of projects are not going to be in one or two people, each person is needed to specialize in a specific thing to deliver the best projects for the Lagoon. Commissioner Pritchett advised that makes her feel comfortable so they are not all overworked and throwing money out to expend it; and she is comfortable and thinks Ms. Barker will do a great job with this.

Commissioner Barfield stated whenever these projects worth of \$30 million gets going there is a lot more that goes on that than just managing a project; this is environmental which requires a lot of permitting and reporting; from a business perspective, with six people it will end up at .7 percent of what the total budget is; most businesses look for a higher percentage than that; he may be concerned down-the-road, especially with muck removal, if six is truly enough people to support; and it makes complete sense to him.

Commissioner Isnardi stated she would agree if the scope of work was not just for the IRL, because that is their expertise being worked on; she would be a little more hesitant if they were going to be pulled in eight different directions, handling other business for the County; they are IRL committed employees; and her comments still stand.

Chairman Smith stated he worked very closely with Ms. Barker over the past couple years; he has never met a smarter or harder working person than she; Ms. Barker works weekends; he has full-confidence in Ms. Barker if she feels the need for six people or 26 people, that is what she needs; Ms. Barker is very diligent and is not going to waste one penny; he would trust her with his last dime; and he reiterated if she needs six people, he thinks the Board should do everything it can to get the six people.

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The Board approved reviewing the recommended expenditures listed on the proposed February 2017 financial statement, Attachment D; and authorized the necessary budget change requests for the current Fiscal Year.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith
<b>NAYS:</b>	John Tobia, Kristine Isnardi

**ITEM VI.D.1., APPROVAL, RE: STIPULATED FINAL JUDGMENT FOR ENGINEERING FEES AND CONSTRUCTION ESTIMATION FEES IN THE CASE OF BREVARD COUNTY VS. B WEST TOWNHOUSES (TRADEWINDS PLAZA, LLC AND MEADOWBROOK, LLC)**

Scott Knox, County Attorney, stated this is a request to approve stipulated final judgement in the B West case which the Board discussed in an Executive Session; and he is coming back to the Board with the amount it approved.

The Board approved Stipulated Partial Final Judgment regarding engineering fees and construction estimation fees for the Barnes Boulevard Widening Project, specifically addressing engineering fees incurred by Tradewinds Plaza, LLC and Meadowbrook, LLC.

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

**ITEM VI.D.2., APPROVAL OF AMENDMENTS, RE: USSSA STADIUM COMPLEX LEASE**

Scott Knox, County Attorney, stated this is a request to amend the USSSA Stadium Complex lease; a few scrivener's errors have been found and need to be corrected; there are some other matters the Board needs to go into; the USSSA came to the County asking if it could change the format for the acquisition of lighting and artificial turf for the fields, by going from a reimbursement arrangement which is currently had on the lease, to a pay direct for the equipment and the turf; it will save USSSA an estimated amount of \$600,000 in sales tax; that money would come out of the \$10 million that the County has assigned in a Contract to whoever gets reimbursement; it would be just a different way of paying; and not adding any new obligation to the County. He advised of the other thing needing changed is the effective date of the Lease, which January 1, 2017, was the date requested because that was when they took possession after the Nationals left; and he recommended having a clawback provision in the event the lights and turf were not installed by USSSA, they would have to have the County back.

Commissioner Tobia stated it is too bad the Lagoon folks left, but this will have a direct impact on Lagoon funding; the one-half penny will not be borne by these expenses here; he is assuming it is \$10 million that would be tens of thousands of dollars that will not be collected for the Lagoon restoration if the Board were to do this type of funding; and that is one issue he has with this new arrangement.

Commissioner Isnardi stated while reading through this, she was blown away; the answers are right here; she was going to call Stockton Whitten, County Manager, before the meeting to

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Speak with him this afternoon, and perhaps he can clarify; from her understanding they were going to bond out and borrow \$10 million on their own; and she inquired if the County is paying directly for those expenses of improvements at the Stadium Complex. Mr. Whitten responded the agreement has always been that the County's Tourist Development Tax (TDT) was reimbursable; he stated this is similar to when the Nationals came to town with seating and lighting changes; the Nationals had vendors that they worked with and got discount buying; and the County paid directly for Hussey Seating Company to Mosco Lighting Company vendors for those purchases. He went on to say they were going to be reimbursed \$10 million for improvements to the Stadium; they are asking that the County make a direct pay to the artificial turf vendor, to the lighting vendor, and associated construction personnel to get those improvements; but the County was always on-the-hook for reimbursement payment of those expenditures. Commissioner Isnardi agreed that the County was on-the-hook for those expenditures, but that was once USSSA went ahead and did those improvements; she is concerned the County is paying for improvements for this company and she is wondering why it could not secure the funding on its own; she knows they will save in Sales Tax; but the idea of paying private contractors for improvements to the Stadium gives her heartburn, and benefiting them. She added in going back and looking at some of the issues in the original agreement, the County granted the agreement with this organization, and without going out for RFP or bid; an agreement was created and delayed for some time; now they are talking about not doing anything until the fall; her concerns are the County paying contractors directly, and one of the amendments to the agreement is waving the bidding process with the County, which she takes issue with because the County does not do that, they can basically hire whatever contractor they want to, and the County is on-the hook paying them directly. She stated there is a lot of hair on this agreement and she is not comfortable with it; she would be perfectly fine with holding them true to their original agreement; she does not like the adjustments made to the new agreement; and it is not being good stewards with Tourist Development Commission monies.

Mr. Whitten stated he has a 22-year history with the Stadium Complex; Commissioner Isnardi is correct that it goes from a reimbursable to a direct pay of the improvements; the improvements are the property of the County; once the improvements are made, they are assets of the County; originally the Marlins occupied the Stadium and then it was Major League Baseball (MLB), and then it was the Nationals; and the difference is there is a guarantee associated with this contract of 75,000 room nights a year and going up to 100,000 room nights a year. He went on to say the County had built the Stadium for \$7 million and over the last 20 years, it has made \$10 million in improvements without one guaranteed room night from the Nationals; this is a contract that allows a Return On Investment (ROI), different than MLB ever being able to provide over the 20 something years of occupancy of the Stadium; this allows the County to maintain the TDT, all five pennies because the issue has been if losing an agreement with a professional sports organization or an amateur sports organization, not only is the fourth cent is lost but all five pennies of the tax are lost; and when the comparative ROI is looked at this contract versus the last three tenants of the Stadium is the best ROI of the TDT.

Commissioner Isnardi advised that she does not disagree with the initial agreement; she was okay with them fronting the money and the County reimbursing, because they are improvements to the Stadium; they are putting in artificial turf; the Nationals were mentioned and how the County directly paid them; she was not on the Board then to make those type of decisions; if that was a good decision then, then the bad decision was the fact the County does not get room reimbursement or guaranteed room stays; it is not that she thinks anybody has ill intent; however, she does not like there are too many changes to this agreement; she does not like the fact of the of the work that they are doing does not have to go out for bid; and these are tax dollars and does not think that this is the way the County should go. She reiterated she had no problem with the original agreement; if this was such a successful and wonderful thing that

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was going to work then why does the County have to pay directly to contractors that have not even bid for the jobs that they will be doing; and she does not feel comfortable with that.

Attorney Knox pointed out the County has 75 days it gets to use the Stadium, so the improvements directly benefit the County for that period of time; at the end of 20 years this lease terminates and the County has the right to use that Stadium forever, as well as the property to the north which is under a 30-year lease; and having another 10 years on The Viera property; and that benefit remains for that 10 years. He went on to say the \$600,000 in savings that is coming out of the \$10 million goes back into the crown and not going back to Tallahassee government; he thinks the real issue is whether or not the Board wants to use the \$600,000 to improve the Stadium or send it up to Tallahassee.

Chairman Smith stated games will not be started until August or September; he inquired what the Tourism Development Director's confidence level is for USSSA to come up with 75,000 room nights in four months. Eric Garvey, Tourism Development Director, responded the 75,000 room nights was always contemplated to be an annual amount; he stated the County would not expect them to generate 75,000 room nights within this calendar year, not knowing when they will actually begin playing at the Stadium Complex; and he is hopeful that they can produce some events in September, but right now the County is not really looking at a full schedule of events until the beginning of 2018. Chairman Smith inquired when room nights accelerate to 100,000; and he asked Mr. Garvey to address the artificial turf. Mr. Garvey responded after year four. He replied the artificial turf is a strategy to fully utilize the Complex and accommodate out of town teams; he stated one issue that plagues many sport complex's is weather related delays; by having the artificial turf that has superior drainage, they are able to keep playing, and gives more assurance for the use of the field; and it allows for maximization use of the facility.

Commissioner Isnardi reiterated she is not against this organization coming in and doing a wonderful thing; she stated her problem is she thinks that if this was such a successful and a wonderful thing, with people enthusiastic about coming; the terms would not have changed to the degree that they are; they would be investing in that money themselves; the competitive bid thing is a whole other issue that she thinks is way wrong, especially with TDC money reimbursing that; but she thinks that if it was such a winning and wonderful thing, why do they not have the funding or investing in this organization to bring the project forward; and she does not understand because it seems like it is getting delayed.

Mr. Whitten stated this is an accelerated construction schedule because the Nationals had the option to play this spring, so they are there in advance of what the County originally anticipated; and the Attorney can tell the Board that the County is putting in its \$10 million and they are required to put in \$250,000 for 10 years for the capital improvements fund, but also investing an excess of \$22 million.

Commissioner Isnardi asked then why change the terms of the agreement; she inquired why pay the contractor that has not gone out to bid directly; she stated she understands they want to save a few dollars, but to her it seems like there is more risk because in a perfect world there would no snafu's and no hang-ups; but in the other side of reality, there is lawsuits and issues that could potentially be phased if they do not live up to the bargain, and putting the County in a greater risk.

Wendy Anderson, Attorney for USSSA, clarified USSSA is very excited and committed to this project; she advised of the reason for this request is to take that \$600,000 and put it into the project, rather than into Tallahassee's Certificate of Financial Responsibility (COFR); it is really form over substance, the County is committed to pay that \$10 million; and all that USSSA is asking is that the County pays it directly rather than reimbursing USSSA. She went on to say it is not that USSSA would not do that; it just seems if they were to save \$600,000, it would be a

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better use of the money to put it back into the project; and USSSA is going to spend whatever it takes to make the Stadium Complex a state-of-the-art facility.

Commissioner Isnardi inquired why a waiver is being requested to have to go out for bid for projects. Ms. Anderson replied she does not think that they were ever required to.

Mr. Whitten advised they are required because the County is required, because it is purchasing directly from a Vendor of Record (VOR) with them; he stated he does not know of all of USSSA's sites and the holdings, but they are able to take advantage of volume buying; because of the amount of turf that they are buying and that they buy from a particular vendor, they get a significant discount; for the County to go directly to that vendor, it requires the Board to waive its bid requirements, very similar to the Hussey Seating Company that the Nationals required; and that was a waiver of the bid requirements because it was going directly to their vendor, to obviously match the seats that they had in the Stadium. He added to go to their vendor because they had a history of buying from that vendor and could actually, because of the stadium in Washington, D.C., and here, that they actually were able to gain some volume discount on purchases; USSSA has the leverage of being the largest amateur sports organization in the world; and vendors are going to give them some volume discount to get its business.

The Board approved amendments to USSSA Stadium Complex Lease, Exhibit D, to correct two scrivener's errors, and to allow for direct purchases of lighting and turf for installation in the amount not to exceed \$10 million for installation on the County-owned Stadium Complex property and abutting property under the County's long-term ground lease with Viera Development Corporation. The approval of the direct purchase must also: A) Include the County's affirmation that if the Department determines that tangible personal property sold by a vendor tax-exempt pursuant to a Certificate of Entitlement does not qualify for the exemption under Section 212.08(6), F.S., and Rule 12A-1.094, F.A.C., the governmental entity will be liable for any tax, penalty, and interest determined to be due. B) A waiver of County Purchasing Policies requiring quotes or bids. C) Authorize the Chairman to sign a written lease amendment consistent with this action as approved by the County Attorney. D) The transfer of \$2 million to Tourism Development funds from the Stadium Reserve Fund to the Stadium Fund for operating expenditures pertaining to Capital Renovations and Stadium Improvements; and approved any and all budget change requests necessary to complete the transfer of funds from the Stadium Reserve Fund Capital Outlay Reserves to the Stadium Fund Operation Expenditures Accounts to insure timely payment of invoices received for the County's portion of the necessary Capital Renovations and Stadium Improvements for USSSA's move to the Space Coast Stadium per the County's agreement with USSSA.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Rita Pritchett, Vice Chairwoman/Commissioner District 1
<b>SECONDER:</b>	Jim Barfield, Commissioner District 2
<b>AYES:</b>	Rita Pritchett, Jim Barfield, Curt Smith
<b>NAYS:</b>	John Tobia, Kristine Isnardi

**ITEM VI.F.1., CITIZEN REQUEST BY REVEREND JOHNNIE B. DENNIS, RE: POLICE REVIEW BOARD**

Reverend Johnnie B. Dennis stated all 130 chapters of the National Active Network (NAN) has been informed that President Donald Trump has told Attorney General Jeff Sessions, to back off of holding law enforcement's accountable for his or her actions on violations of Civil Rights; in all 50 states, time-after-time the people who are sworn to serve and protect crossed the line of

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oversight commission are needed in every city, county, and state; many times the person in charge looks the other way and refuses to remove bad apples; and he has two cases to give testimony on. He went on to say WFTV Channel 9, Reporter Justin Gray, had reported he was a victim of excessive force by Brevard County Sheriff Office (BCSO); a white male in 2013 was falsely arrested for trespassing on private property; he was falsely arrested for resisting arrest for refusing to talk to the police; a Sargent's recording equipment was knocked out of his hand and it was being destroyed; and he took legal action. He mentioned the day after Father's Day in June 2016 a mother called NAN crying and she stated that her son was shot, and killed by an off-duty Deputy in Palm Bay; he stated he asked her if she has talked with the Internal Affairs; she had not, but she did make a few statements on television that there is an element of self-defense when an unarmed person was shot and killed, and another person was attempted to killed; he would not want to live anywhere where there is not any police; tax dollars should be spent on raises, promotions for the brazen law enforcers; and he does not want to live in a county where law enforcement is out of control. He added this is the people's request for a proposed resolution for a citizen police review board; the mission of the citizen police review board is to be an independent, citizen ran oversight committee of BCSO, and Internal Affairs to determine whether or not Internal Affairs had properly investigated cases brought to its attention; and the board fulfills its mission by reviewing policies, procedures, rules, regulations, and special orders pertaining to the use of force, and police conduct for all citizens of Brevard County. He stated now therefore, be it resolved, that the Board of County Commissioners of Brevard County, Florida, does hereby pass a resolution and has a workshop, setting it up, and moving it forward.

Gail Meredith stated when she heard about this topic being spoken about tonight, she thought she would speak about it because it is very important; she has had no personal problems with police and she lives on Merritt Island, and she thinks the police are very good there; she thinks all are looking at what is happening nationally and a lot of people in the community are very afraid; everywhere she goes people speak to hear about being afraid of the business with the immigrants, police, where Brevard is going as a community, and it would be a very good thing to put a citizen police review board in practice; and she is hopeful for the Board to approve it.

Melissa Martin stated she thought it was important to have this discussion; if it needs to be talked about in a workshop or other forums, she believes that there is definite community equity in thoroughly analyzing the need for this type of process; for her when creating new things, what process is really done; and her opinion regarding these issues is that the news shows there is a visceral problem in the country and a societal issue. She went on to say if there is an opposing view on this, she is happy to bring the Board articles and stat's, and issues forward to show that there really are issues in Brevard County that all need to recon with; as a community every one supports professional law enforcement services and sacrifices given; and she thinks public servants in uniform just having a citizen police review board is reasonable and necessary to provide assurance to the public, that there is still public oversight on things that are occurring within police departments. She stated she means no disrespect or any suspicion towards Sheriff Wayne Ivy; she is not aware of any case pending; she does have stories told to her regarding various police departments and cases that are troubling, which a lot are city matters; but in the case of the County, she thinks it would be a great opportunity for the County to standup in leadership roles. She advised the citizens and their needs, all constituents welfare, is more important than egos, that might say no one needs to look at them; she does not think that the Sheriff would say that; she is hopeful that the Sheriff would agree with her that this is in the best interest of the public; she does agree and support a resolution that Reverend Dennis mentioned; and she believes there should be more discussion about this.

Sanjay Patel stated he is present tonight to support the proposal for a citizen police review board for Brevard County; he recently read a study from the *Sarasota Herald-Tribune* called Bias on the Bench; while he realizes law enforcement officers are not directly involved in

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sentencing, it troubled him deeply that in Brevard County black folks who do the same crime on average do vastly more time when convicted of felony drug possession; and as an example, black offenders spend over twice the time in jail according to 2016 data presented in the *Sarasota Herald-Tribune*, their sentences are 114 percent longer than their white counterparts in Brevard County. He went on to say while this proposed board may not directly address that issue, it seems fair and correct for the community to pay close attention to law enforcement in the community if those are the outcomes; all should be done to create a justice system from policing to public defense, to sentencing, and detention that is in fact, just; and one way to foster justice is to ensure institutions are directly accountable to the citizens they serve. He advised he agrees with a movement for black lives which holds that most impacted in the community should control the laws, institutions, and policies that are met to serve from the schools, to local budgets, economies, police departments, and land; this is the very definition of democracy; he supports the idea of a citizen police review board to ensure communities are most harmed by destructive policing; and having a say on police policies, budgeting, hiring and firing of officers, determining disciplinary action, and having the power to subpoena relevant agency information. He advised that he is supportive of the men and the women in law enforcement, and the difficult job they do every day policing the communities; he is sure that he stands with the vast majority of amazing law enforcement officers who supports the communities in wanting the justice system to do the very best possible job for the citizens that they are serving; and for that reason he is hopeful the Board approves a citizen police review board proposed tonight by Reverend Johnnie B. Dennis.

The Board considered citizen request by Reverend Johnnie B. Dennis requesting the Board set up a public workshop and organize a citizen police review board, but took no formal action.

**ITEM VI.F.2., RESOLUTION, RE: MODIFYING DELEGATION OF COMMUNITY REDEVELOPMENT AGENCY (CRA) POWERS TO MUNICIPALITIES IN BREVARD COUNTY TO PLACE A MORATORIUM ON NEW DEBT**

Mike Walker stated he is against the resolution and he is a retired United States Postal Service employee, which was a good job that served him well; in Rockledge there was an original Planet Fitness that was having some problems; no one in the franchise organization wanted to invest in them; they had accumulated over \$350,000 in equipment loans and were losing about \$20,000 a month keeping it open; besides taking over the \$350,000 in debt, he purchased the Planet Fitness, and invested \$20,000 a month to keep it alive; and he invested another \$250,000 in gym upgrades. He went on to say he went to the City of Rockledge and explained to them what he was up against with the dilapidated shopping center; they gave guidance of how to maintain a \$10,000 grant for the property; he went to the landlord asking his or her position to use the \$10,000 for signage at the front of the building; and it directed more traffic into the property than any other business in the area. He mentioned having \$700,000 in loans and cash invested into the business; the grant given has increased exposure and the business income helped for it grow; after approximately five years there are 10 employees and each employee has an option of 401(k) and give them five percent for contributing; last year the State and feds were given over \$174,000 in employee payroll taxes, sales taxes, property taxes, and tangible taxes, and does not include the employees portion of payroll taxes and his corporate taxes; and in five years he has invested over \$870,000 in taxes. He stated the City helped him with the \$10,000 to improve an area that was being invested in; while he invested in the inside the City helped him invest in the outside of his business to get a good look; most people had not heard of Planet Fitness and he took a risk investing a lot of money into it; the City promoted growth of a business and they do have a lot of areas needing a venire look and facet in front of it to help out the City; and since he worked well with the City, he decided to open up a coffee franchise in the City that is out of Omaha, Nebraska. He added he went back to the City asking about signage; he received \$10,000 through a grant helping with his digital sign that helps him to sell new products brought into Florida, not having been there before; the sign cost is \$20,000; his

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exposure to the new business was an investment of \$620,000 in cash and loans; the location is sort of at a risk because it is located at the north end of Rockledge; and it was a bank drive thru that was leveled and rebuilt. He felt that the \$10,000 that is given out to new business startups to help put frontage presentation into a business really helps out when a person is investing on the inside of the business, to get it to; and he is hopeful the Board considers keeping the funding for new businesses in the area.

Commissioner Isnardi stated this is a resolution and she is under no false idea that this Board will pass it, but she wanted to get it on the record given what had occurred with Melbourne occurring more debt; it would not likely have effected Mr. Walker because he has a \$10,000 grant from his CRA and they probably did not borrow those monies to give the grant for the sign; this is to put a temporary moratorium on the CRA itself, accumulating more debt because often that is where troubles come from with the CRAs having a lifespan of 20, 30, to 40 years; and due to the Workshop being scheduled so far out into the future, this was to sort of put a halt on things until getting to Workshop. She went on to say assuming that the Board meets April 13, Scott Knox, County Attorney, works on resolutions to bring back to the Board; if more tweaks are made and pushes it another month out, with no meetings in June this could potentially not even come back to the Board to make any decisions or changes to anything regarding the CRAs until July; and this would just put a hold until decision can made on where the Board wants to head with some of the CRAs. She advised this is not because she is anti-CRA in any sence, but it does put a hold on these CRAs going out and accumulating large amounts of debt because, unfortunately that is what happens; the Board may not have been able to do a lot with downtown Melbourne given the exuberant amount of money that they just borrowed for the next 20 years for an apartment; and she thinks this, at least protects the Board because given the large amount of time the Board could potentially see something come back puts a pause on it and protects the County. She stated it is guesstimate CRAs will cost the County out of its General Fund, which are the funds people ask for to build roads and fund the police and fire departments; roughly over \$81 million over the next 10 years, that is only based on two and one-half percent growth; and that to her is why she thinks the Board is addressing the CRA issue because CRAs are designed for improving areas, and riding areas of blight. She mentioned that it was nice that Mr. Walker's CRA helped him with the signage, but she tends to think that probably the work he did within his business had helped the business grow too; she stated a sign is wonderful but at the same time she does not think that CRA borrowed the money for the \$10,000 for his sign; she thinks they granted him that \$10,000 which is good; she is glad that they were able to help him; but that is not the issue that she has, she has issue with millions of dollars in debt that some CRAs borrow money for improvements; while the Board has no say over those monies and it commits those future tax dollars from the County for 10, 20, or 30 more years, until that debt is paid off and they do not accumulate more; that is usually a problem ran into; but is why she put this resolution on the Agenda, to not stop CRAs, shut CRAs down, say CRAs are bad, and not as a CRA measure; but it is to get some financial controls over some of these CRAs to make sure that the County is not committing tax dollars against its will, because it needs all the money it can get to fix the roads.

Courtney Barker, City of Satellite Beach City Manager, stated she is also present representing the League of Cities for William Capote, Mayor of Palm Bay; she wants to clear up some misconceptions and assumptions of when a CRA takes out debt service, that does not extend the life of the CRA; the life of a CRA is given through a Statute, and there is three CRAs in the County that existed prior to the Charter and those CRA's the Board has no control over, such as Titusville, Cocoa Village, and Downtown Melbourne; and when Satellite Beach took out its debt service, it was done based on the amount of years that the Statute gave to CRA life of 25 years. She went on to say the bank is not going to loan money past 25 years because the debt service payment is based on a pledge of the Tax Increment Financing (TIF) revenues, no bank is going to give money that goes beyond what is afforded to pay; she reiterated debt service does not extend the life of a CRA, and only the Board can do that.

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Commissioner Isnardi stated a CRA would not close-down with an exorbitant amount of debt because it could not and a city is not going to pick up the expenditure or the debt service on that CRA; that CRA will ask to extend its life because of the debt, or because they want more improvements; but it usually does end up extending the life of the CRA. She added semantics could be argued, but they also many other things could be argued as well; and she expressed her apology for interrupting Ms. Barker.

Ms. Barker remarked that she totally disagrees with Commissioner Isnardi.

Commissioner Isnardi advised that is okay that Ms. Barker disagrees with her.

Ms. Barker stated right now the Statute gives the time frame that a CRA is allowed to exist; it could be made smaller like the Board did with Cocoa Beach for 25 if it would like; if a bank in Cocoa Beach comes out and says they want debt service based on pledge revenues for its CRA, a bank is not going to lend that past 25 years.

Commissioner Isnardi remarked a bank does not and she never suggested that about the life of a CRA; she did not talk about the extent of the bank; she is not trying to interrupt and Ms. Barker can disagree; but she is not incorrect.

Ms. Barker went on to say debt service cannot be taken out past the life of the CRA that was given to the CRA by the Statute or by the Commission when delegating the authority; the City of Melbourne would not fall under the proposed resolution; one would not be able to control them; tonight there is a resolution applied to a city that is not regulated by this resolution anyway; the City of Melbourne went out for debt service for a project they have been working on for three years; and they actually did not go out for debt service, they pledged that they would go out for debt service upon Certificate of Occupancy (CO) in about two years. She reiterated this is a resolution dealing with an issue that is not applicable here; the part that is unfortunate is it does affect the City of Cocoa Beach, that did want to after debt service for a parking garage; is actually the only CRA that was voted in by the voters; and the City of Cocoa Beach relied on a resolution delegating authority that specifically says to go out for debt service. She added they are working and spending their own time and efforts to do their projects based on authority that the Board gave them as a resolution, and now the Board is halting that; she thinks that the Board needs to cognizant to that; and all of the cities that she has spoken to are not opposed to working with the County, in fact they want to, and she likes the idea of having an interlocal agreement to help solve a lot of issues. She stated it is hard to keep going down a path of cooperation, particularly at the last meeting when some of the language is coming out about the CRA and about the cities; they just want to make sure that they all understand and should all work together; and it is hard doing so when there is such a negative outlook right now on CRAs, and change the conversation to be a little bit more cooperative.

Commissioner Tobia stated according to his records, Ms. Barker mentioned the lifetime of her CRA is 25 years; he has down 30 years for her CRA; he inquired if the information given from the County is incorrect. Ms. Barker responded the City of Cocoa Beach is 25 years; and City of Satellite Beach is ending in 2026. Commissioner Tobia advised he has written down 2031 and was created for 30 years in 2001, and is that correct. Ms. Barker responded no; and she reiterated 2026. Commissioner Tobia suggested getting all on the same page so everyone is working with the same numbers.

Matt Barringer, City of Titusville Council Member and Vice Mayor, stated he is present on his own behalf and not for the City, although his experiences might lend some ideas to the impact of this; he is hopeful to work with Commissioner Isnardi over the next few years for the betterment of all in the community; there are a couple things that are concerning to him; but most importantly, this is almost like a bank with money going out, and needing to recoup some

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of that money. He went on to say the ability to work together is critical to helping make this happen; all are being faced with the same issues; the City may get one of those room night stays but if there is not a paved road for folks to get to his or her destination, it is not going to look good for the City; he fully acknowledges the folks living in Mims that have been waiting for a paved road for a long time, and the concern of when that may happen is valid as well; but it is kind of like that bank, but its confidence for economic principles. He mentioned going through strategic planning at a Titusville Council meeting by having Strength, Weakness, Opportunity, and Threat (SWOT) Analysis for the community; over 70 percent of the issues that were raised as a threat were State and County, that is scary created climate, and is the development of a splintered relationship between the municipality and a County; and he fully agreed with Commissioner Tobia about needing time to work on this until all can sit down and get the number right. He advised there are two ways to go about it; the brakes can be put on everything, but if the Board could name four people in the City's South Street target area that this decision is going to impact relative to the generational poverty, segregation, and the issues of redevelopment, that are currently being worked on, and building a carunculous he would be happy to pump-the-brakes on it and work on a moratorium; but relative to Home Rule in municipality, he believes the prostitute that he walked up to yesterday who was servicing a John, in a car, and stopped them said, "You cannot do that here"; and he needs more help than that. He stated the CRA is a tool that can be used for economic development, which he thinks will help end some of the largest scope-issues; he welcomes the opportunity to take a ride with any Commissioner through District 1; Commissioner Pritchett is doing a great job and represents the community well; but the impact that this moratorium will have is unknown to the Board. He added he does not think that the Board knows that it will it pause to reflect, but does it give the opportunities for the municipalities, and the people impacted to pause and reflect with the Board; he inquired if the Board can say that it truly understands the development plans for each city and each municipality where they at strategically, what part of the process they are on, and how this is going to impact; and he inquired if the Board can say that for its CRAs. He advised if the Board can truly say yes to all of those questions than he would tell the Board to go forth, but he thinks it would be a horrible decision; consciously he believes the Board would be justified; if the Board cannot answer those questions with the clarity of yes and fix the generational systemic issues with a clear conscious then go ahead; but until then he asked the Board to respect others working on efforts and allow continuation for a few months while the Board reflects and discovers, specifically with the municipalities and the CRAs, and the people that it would impact.

Carol McCormack, Mayor of Town of Palm Shores and President of Florida League of Mayors, stated for the new Commissioners, they have not had opportunity to see the dog and pony show done many times over the past few years; she was surprised to see this come up tonight because at the last meeting, it was agreed to wait until the CRA Workshop to go over issues; she does not think every CRA could be painted with a broad brush; and particularly cannot paint the Town of Palm Shores with that brush because it does not have Ad Valorem tax, and the County does get its Ad Valorem tax. She provided the Board with a handout packet of in depth information regarding her CRA; it was for 25 years and the first check was for \$33,000; she believes the Chairman has had an opportunity to see the positive impact that the CRA has had on her Town, because it had a lot of blight and crime; a facade improvement grant was done; it was a matching grant with the small business having to match that amount of money; and she is continuing to do that program for facade improvements, but they have to invest in the program so it is not just the money going out. She stated the Town does not spend money that it does not have, it never has; her Town is working hard and it is a win-win for the County, the more successful her Town is, the more money the County gets; her Town is not depleting the County's General Fund by any stretch of the imagination; the more successful the Town is and the more businesses that goes in that are outside of that small corridor that was blighted; and the County is making money off of Wawa Inc. and a 15,000 square foot building that is going in on Pineda and Wickham, and none of that money comes to her Town. She advised the County

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cannot look at everybody and say they are in debt, but does need to be able to operate, and continue doing the projects had; she understands where the Board is coming from; all cannot be looked at and then told to stop everything because of what one area did; and she thinks that is unfair to the rest. She mentioned she is happy to answer any questions; and she stated she has hand delivered packets to each Commissioner, explaining her CRA, and how they are different; but they do need to continue operating with its programs.

Commissioner Tobia inquired if taxes are allowed to be raised. Mayor McCormack responded she does not have any taxes and has no Ad Valorem, the County gets them all. Commissioner Tobia advised as the CRAs grow in size, the funds are going to come out of General Fund; and the County is working in a cap that cannot be increased.

Mayor McCormack stated the County is getting the money from the improvements that her Town makes because the Town is improved and that is what brought in the Wawa Inc.; and her Town does not get that money.

Commissioner Tobia reiterated the County is working in a cap and its revenue is not increasing. Mayor McCormack remarked she is only getting TIF money from the original area when the Town did its blight study; she does not get any from the subdivisions and all paid property taxes goes to the County, not to her Town; she reiterated the Town has no property taxes or Ad Valorem fees; and the money that her Town gets from the County gives the Town opportunity to do those improvements and tear down a blighted building that became 62 new homes.

Commissioner Tobia explained to Mayor McCormack that the County is working under a cap so it cannot spend that money; and there is a General Fund that if she is taking a larger portion from it, the County has less to spend.

Mayor McCormack advised the County gets the more success and the Town buys new buildings and new businesses, the more money the County gets because it does not come to her Town; they are not all in the CRA; the Wawa is not in the CRA and the County gets all of that money, but they came to the Town of Palm Shores; and she understands what Commissioner Tobia is saying.

Commissioner Tobia continued explaining to Mayor McCormack that the County is working under a cap; and he thinks she does not understand the millage.

Mayor McCormack advised that she understands what Commissioner Tobia is saying; but she reiterated all of the money that comes into the Town of Palm Shores for Ad Valorem fees goes to Brevard County, except that small portion of TIF money in that one small zone; and the Board would not be getting all that extra money if the Town had not been able to do and tear down the mobile home park where the prostitution and the crack was is now a \$7 million building. She went on to say that is the thing that is so frustrating for her because her Town does not have Ad Valorem taxes; and that money is not coming to her Town, but is going to the County. She expressed her thanks to Stockton Whitten, County Manager, for all that he has done for Brevard County during his tenure; he has been an outstanding Manager; and she publicly wanted to thank him for everything that he has done.

Commissioner Isnardi inquired how much debt the CRA has today. Mayor McCormack replied she does not have any debt; she stated she does not spend money that she does not have; and there are projects being done through facade improvement grants.

Commissioner Isnardi inquired further if her CRA is going to borrow or bond money. Mayor McCormack responded no; and she stated she cannot bond money because she does not have Ad Valorem. Commissioner Isnardi stated than there is nothing to worry about with this

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resolution; and she pointed out the resolution probably would not apply to her. Mayor McCormack stated it probably would not; but she has been requested as the Florida League of Mayors to come and address this issue because Mayors feel like they are constantly under attack with the CRAs. Commissioner Isnardi advised they are not; she stated she is not anti-CRA; and it frustrated her when she was a Palm Bay City Council Member, but it did not do much with its for 20 years. Mayor McCormack stated she thinks her Town is the poster child for what works; she does not have debt; and she understands the resolution does not apply to her.

Commissioner Barfield stated Commissioner Tobia was talking about the cap that does not include new construction; and he inquired if that is correct. Scott Knox, County Attorney, responded affirmatively.

Commissioner Pritchett stated Town of Palm Shores CRA is going to be around until 2029; she will continue to see funds through the agreement with the County until that time; and regardless if funds are bonded or not, the County will still be paying those funds until 2029.

Mayor McCormack remarked her Town will be working hard to bring new business in, that the County will get the tax money from.

Commissioner Pritchett stated if some funds were bonded it would not go past 2029 and would be the same amount of funds coming in. Mayor McCormack mentioned her Town cannot bond, because it does not have Ad Valorem. Commissioner Pritchett inquired with the guarantee of funds coming in from the County. Mayor McCormack responded no; she reiterated her Town cannot bond; she stated it never has; she is in her 15th year as Mayor; and she will only do what is afforded to be done.

Commissioner Isnardi mentioned there is no collateral of funds coming in.

Commissioner Pritchett inquired even if there was a guarantee of these funds coming in; she stated like other CRAs have done, they took out a bond loan for an amount of time knowing that these funds were coming in over a period of time to pay them; and because Mayor McCormack is representing other cities it is still the same amount of funds the County is going to pay to the CRA, regardless.

Mayor McCormack replied she understands; she stated there is 178 CRAs in Florida; there is House Bill 13 that is going to do a lot of things that the County is looking at doing as far as auditing, reporting, accountability, transparency, and additional requirements; it does not have Senate sponsor yet; the League of Cities supports the Bill; and the Bill will do a lot of what the Board is interested in doing.

Commissioner Tobia inquired if Mayor McCormack would repeat that one more time for the record. Mayor McCormack responded affirmatively; and she reiterated the League of Cities supports Legislation to improve municipality's use of CRA to affectively carry out redevelopment and community revitalization in accordance with Home Rule; and she was just given that information this afternoon.

Commissioner Tobia advised he supports House Bill 13.

Mayor McCormack revealed through an apology that the League of Cities is opposed to the Bill.

Commissioner Tobia remarked that is a really big difference.

Mayor McCormack reiterated the Bill does not have a Senate companion; she stated she is hopeful they will kill that bill in session; and they will be there the week after next week. She

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stated she hopes she answered all the questions; her Town does not borrow money, but it does have a major project coming up; it is a road project; and she is going to have to use the money counted on through the CRA to be able to do that project.

Ben Malik, Mayor of Cocoa Beach, stated he is present today on behalf of the City of Cocoa Beach; they serve at the pleasure of its residents; this is a very complex issue; he provided the Board with some white papers of economic data; and his day job consists of him being a banker, and emphatically there is not a bank in the world that will lend money beyond the lifespan of the term of the CRA. He stated in January 2008 the Cocoa Beach voters approved a Referendum to establish a CRA; on May 29, 2008, the Board adopted Resolution No. 08-128, Delegating Authority to the City of Cocoa Beach to Establish a CRA, included in that Resolution was the ability to borrow money under Section 1(U) Defined a 25-year term from date of creation of CRA; Section 3(C) defines the CRA effectively terminates on May 29, 2033; and the City has no problem with the maturity date. He went on to say in July 2009 the City of Cocoa Beach prepares a Finding of Necessity Report, defined by Florida Statute 163.355, which is a requirement for the creations of a CRA; it identified more than six instances of blight; on November 19, 2009, the City of Cocoa Beach passed resolution 2009-28, establishing the downtown CRA and establishing an approximate .37 square mile downtown redevelopment area; that is that is the extend of the CRA; and a CRA takes time to achieve its revenue. He advised those areas are blighted for a reason and it took decades to get to that case; there is a poor layout of the City built out of the Space-age, without a master plan; there is 100 percent depreciation of 60 year old buildings that lack adequate parking for desired end-users; there are users that wish to have retail and restaurant inversion from office and warehouse, that if the City applied a parking metrics that are normally required, and for every seat they have to have two parking spaces; a .17 acre building that encompasses the entire footprint of their property is not going to achieve that and cannot create parking that does not exist; but have been working on a parking plan since 2008. He advised the CRA tax-base from 2014 to 2016 increased \$30 million; he provided the Board empirical data the last time he was before the Board; outside the CRA the taxable values had gone up \$200 million, which is the benefit of the County; people that are interested in coming to the downtown are investments all will benefit from; the only way to build a parking garage is to borrow money; and if money is taken away from a small business, it will never be able to grow. He added the City is happy to talk with the Board in good faith and go over all these things in April; he is hopeful the Board does not consider this resolution; and for the Board to wait for an earnest discussion in April.

Mike Miller, Commissioner of Cocoa Beach, encouraged the Board to take up the CRA issues collectively at the Workshop in April versus a piecemeal fashion.

Charles Tovey stated he noticed no one else has to say his or her addresses and things, and now it all comes to light why they attacked him in 2005; that is when he started getting it from the Town of Palm Shores; it was not the CRA that built up the Town, it was because they dried it up; they cemented in a spring, filled it all in, there is no more wetlands, and no more springs; and its all roads, and its ruined now. He inquired why he was not eligible for CRA. He stated he bought his house because it was blighted, across the street from the murdering and the crack, and all kinds of things; he never had a problem; but when that \$7 million building was put in across the street and all the surrounding neighbors got CRA benefits of economic development, they all profited; and he inquired about what he got. He stated the CRA tried to burn down his house, shoot at him, beat him, and threatened him with all kinds of arrests since 2005; and no one wants to do anything about it and want to just forget the whole thing; the reason he came before the Board is because he has another found flag on U.S.1 that could have hurt someone; and welcome to the Town of Palm Shores, the little Town that cares about them, and wants to drive him off of his property, just like the Indians did, and with the CRA money that everyone is getting, to build up and us in their lives, and all the while they are attacking him. He stated they are threatening his life every day; he has to deal with his dictators that have received these

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benefits; now that there is public record from the economic development beneficiaries, it is all coming to light now; he inquired why he went through all this, because the Town of Palm Shores is a little Town way up by Post Road and in 2005 they got the CRA money, with all of its people collaborating and conspiring to build these big entities, and increasing the tax at his expense and at the expense of the Constitution; it is his right to live for a lifetime with CRAs; and he asked to be made the mayor so CRA money is not used. He inquired if this is what the government has come up with, to have to beg money to make something; he inquired what kind of people are running towns if they cannot make anything out of its city, they should not be elected if they have to depend on it like the churches do; he stated the capability of people, not for what can be borrowed or benefited from, which is not appreciated by him; it is not going way and he will be up here until he is murdered; and that was already tried by cutting his brake lines and his steering wheel, tried burning him out of his house and running him over so many times, threatening to shoot him, and did shoot at him; but this CRA thing is all about running him off of his property and no one knows anything, or seen and done anything. He stated he wishes no harm on anyone who has to go through any kind of problem because they want CRA money or economic development money; he has all the records and evidence, plus witnesses; and the Town of Palm Shores is ruined.

Motion by Commissioner Isnardi, seconded by Commissioner Tobia, to approve resolution modifying delegation of CRA powers to municipalities in Brevard County to place a moratorium on new debt.

Chairman Smith inquired when the CRA Workshop is scheduled. Mr. Whitten responded April 13.

Chairman Smith stated most CRAs came into being when the County was flush with cash; he thinks everyone understands the County is not flush with cash anymore and it has a roads problem; as Commissioner Tobia mentioned, Brevard is the only County having a cap in the State; the cap is based on the Consumer Price Index (CPI) which this past year increased 0.12 percent; and the County is being ran on one-tenth of a percent increase and it is very difficult for the County to get where it needs to be. He went on to say an ambulance ride costs almost twice of what it did six year ago and a bus costs almost twice of what it did eight years ago; it is difficult and he think everybody gets it, he has talked to a number of people from the cities over the past few months; he understands Cocoa Beach has been working on a parking garage for two years; the CRA Workshop is about four weeks out and he wants the Workshop because if there can be workshop to talk to each other, instead of talking at each other and talking past each other, maybe it could be put to rest, and he is hopeful the Board can; and since his time on the Board for two and one-half years, and every other week there is subject matter pertaining to CRAs. He advised knowing that everybody is getting tired of CRAs; he is hopeful for the Workshop getting all information out and putting it to rest, and giving the County measurable control to understand better what the CRAs are doing; and he inquired if debtedness extends the length of time for a CRA. Attorney Knox responded indebtedness extends the time that the County has to pay the tax increment; he stated if a CRA is created that did not have debt and a loan was made be it by a bank or the city that created the CRA, it will extend the County's obligation to pay a debt into that trust fund to cover that debt, for the period of the loan; most banks will not lend beyond the 25 years delegated to CRAs, but the way the Statute reads it can go up to 30 years which is the extend required to pay the increment; and the increment will keep going into the CRA Certificate of Financial Responsibility (COFR) as long as they have debt. Chairman Smith inquired if it could go beyond the 30 years. Attorney Knox replied it cannot go beyond the 30 years. Chairman Smith stated if a city with a CRA has an end date of June 1, 2017, and they take on more debt, that would extend out 20 years; and he inquired if the CRA would continue paying that debt on its own. Attorney Knox responded the answer to that is not real clear; and he advised of the problem being the Statute saying if the CRA goes away one

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year from now and it incurs a debt that lasts 30 years, the County is required to pay into that CRA for 30 years. Chairman Smith stated this is why it is important for all to sit and talk with the CRA to see if some agreement can be made; he thinks the moratorium is not necessary; and there is a measure of trust with the cities.

Commissioner Tobia stated as learned with ethics, the Board asked staff to put together an ordinance; he has not seen the new ordinances for the ethics stuff; it could very well be a few months until a resolution is made to vote on; and the Board is looking at close to three months. He went on to say if the Board feels comfortable, it needs to take action within two months.

Commissioner Isnardi stated this is the only CRA item that she has brought to the Board; it was mentioned that people are tired of coming in and tired of hearing it; she is getting tired of listening to residents asking why the Board is committing much of its General Fund to CRAs; the Board is answerable to not just the cities leaders; the County makes a good partner, but is also answerable to all who live in Brevard County, drives on its roads system, and complains of drainage and roads that have never been done, or are in dire need of getting done; this is just a pause; and if it is not the will of the Board, that is okay, they can all go back and forth, and talk about it for another hour or so. He mentioned being sort of surprised about so many people against the pause; it is no threat to any ones existence other than not borrowing large sums of money between now and when the Workshop is held; and argued that Cocoa Beach is in the middle of its agreement, so the Board could agree to make them exempt, and they already have an interlocal agreement according to its Mayor.

Chairman Smith asked Jim McKnight, City Manager of Cocoa Beach, to come to the podium.

Mr. McKnight stated Cocoa Beach does not have an interlocal agreement; and it only has a Resolution just like everybody else.

Commissioner Isnardi advised the Mayor may have misspoke, but he said that there was.

Mr. McKnight reiterated Cocoa Beach does not; and he stated research had been done just to make sure.

Commissioner Isnardi stated if Cocoa Beach is in the middle of a deal, she thinks it is far easier for the Board to peek at it.

Mr. McKnight stated Chairman Smith called him last Friday, he told the Chairman that Cocoa Beach is ready to pull the trigger; going through a Workshop and seeing what could be worked out; he had seen some things that could be worked that would be for the benefits of the County and the city; he promised the Chairman that no triggers would be pulled until the Workshop; and it is no problem, but if it were six months out than it would be problematic for the blighted conditions in the business community, that are improving every day.

Commissioner Isnardi stated the six months is an arbitrary number and was looking at when something could be vote on, which is an indication that probably there will not be anything back before the Board, to vote on for six months.

Mr. McKnight mentioned the six months really concerned him.

Commissioner Isnardi advised that was sort of staff driven, only because it was looking at what was coming back and how long it would take to get to Workshop.

Mr. McKnight advised that he understands; it is difficult when other communities like the Town of Palm Shores that has no taxes, and no real skin in the game; the City of Cocoa Beach has

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skin in the game, because it is putting in more than the County is; he understands the need to make sure money is being appropriately spend; and he is looking forward to the Workshop because there are probably misconceptions on both sides of the issue. He agreed with Chairman Smith that it is time to actually sit face-to-face and talk about what the real issues are; he understands roads are a big priority; but in Cocoa Beach, there are no County roads.

Commissioner Isnardi expressed she wants to feel the balance.

Commissioner Pritchett stated she wants to bring up how all of this conversation started; a while ago the resolution came forward to get rid of the resolution had onboard, to not talk about CRAs without a majority vote by the Board because of what the past Commission endured; before talking about that her office had started studying CRAs due to getting near budget time and trying to find creative ways to make money; and it has been something all are thinking about. She went on to say that night it was brought up the Board talked about having a workshop just so the cities do not keep coming out continually every week; she thinks giving an appropriate amount of time because when calling beforehand, they said they were working on presentations for April to give good information; and she is waiting for Workshop to honor the cities coming with its information, and it gives the Board time to study these things out. She mentioned saying up Saturday night to watch the Melbourne CRA on television; she is guessing that all Commissioners are studying these CRAs and waiting for presentations at the Workshop, but she knows there are some things that will have to be tweaked. She advised that she has said it from the beginning, she is in favor of CRAs; she has seen all the good things that they have been done, the way they have benefited communities, and in most places if there were no projects coming in there would be zero tax revenues to be paying out anyways; she thinks the CRAs will need to show the Board that balance; she is looking forward to seeing the products; and she is not going to vote in favor of this because she believes setting that Workshop was the appropriate thing to do in working through CRAs.

Chairman Smith advised he is not going to vote for it either; the moratorium is something that he supports; he has the cities word for it that they are going to abide by that moratorium until the Workshop; and after having the Workshop if Commissioner Isnardi feels it is necessary to go forward with the moratorium, he will consider voting for it then.

Chairman Smith called for a vote on the Motion.

The Board denied the request for a resolution modifying delegation of CRA powers to municipalities in Brevard County, and placing a moratorium on new debt.

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

### **ITEM VI.F.3., APPOINTMENTS, RE: ANIMAL CONTROL COUNCIL**

Stockton Whitten, County Manager, stated this is a request of the Brevard County Sheriff's Office to appoint the alternates for Section 14-49(b) of the Code of Ordinances to the Animal Control Council.

The Board approved the appointment of alternate members to the Animal Control Council, as follows: DVM **Karla V. McCloud**, Veterinarian; DVM **James Michael DeSimone**, Veterinarian;

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DVM **Linda Crider**, Veterinarian; DVM **Angela Bockleman Lahrman**, Veterinarian; **Britten Remus Canida**, Dog Behavioral Trainer; **Tiffany Lovell**, Dog Behavioral Trainer; and **Tracy Frampton**, Kennel Worker.

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

Upon consensus of the Board, the meeting adjourned at 9:29 p.m.

ATTEST:



*Scott Ellis*  
SCOTT ELLIS, CLERK



CURT SMITH, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

As approved by Board 4/25/17