

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, April 6, 2021**

**5:00 PM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 5:03 PM**

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

**C. PLEDGE OF ALLEGIANCE**

Commissioner Lober led the assembly in the pledge of allegiance.

**D. MINUTES FOR APPROVAL: December 8, 2020 Regular**

The Board approved the meeting minutes from December 8, 2020.

**Result:** Approved

**Mover:** John Tobia

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**E. RESOLUTIONS, AWARDS AND PRESENTATIONS**

**E.1. Proclaim April 2021 as Child Abuse Prevention Month**

Chair Pritchett read aloud, and the Board adopted Resolution 21-037, proclaiming April 2021 as Child Abuse Prevention Month.

A representative of the Child Abuse Prevention Taskforce stated she wanted to thank all of the Commissioners, as they have been partners for 25 years; the Child Abuse Prevention Taskforce is made up of all the local agencies in Brevard County, fighting to keep the children safe and happy; and she thanked them for their partnership.

**Result:** Adopted

**Mover:** Bryan Lober

**Second:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F. CONSENT AGENDA**

Chair Pritchett asked if the Commissioners had any items to pull from Consent.

Commissioner Tobia stated he would like to vote no without comment on Item F.9

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.1. Final Plat and Contract Approval, Re: Bridgewater South at Viera Section 2 (21FM00005)**

**Developer:** WCI Communities, LLC.

The Board executed and granted Final Plat approval for Bridgewater South at Viera, Section 2 (21FM00005) – WCI Communities, LLC; and executed and approved the Contract, subject to

minor engineering changes as applicable and developer is responsible for obtaining all other necessary jurisdictional permits.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.2. Approval, Re: Donation of Sidewalk Easement from ECA Care Inc. for the US 1 Sidewalk Replacement Project at Melaleuca Road in Cocoa**

The Board approved and accepted the Sidewalk Easement from ECA Care Inc. for the US 1 Sidewalk Replacement Project at Melaleuca Road in Cocoa.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.3. Approval, Re: Contract for Sale and Purchase from Robin Follmer (Owner) for Basin 2169 Drainage Improvement Project**

The Board approved and authorized the Chair to execute the Contract for Sale and Purchase from Robin Follmer, owner, for Basin 2169 Drainage Improvement Project.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.4. Approval, Re: Revisions to Board Policy BCC-48, Facilities Construction Fees**

The Board granted approval for minor revisions to Board Policy BCC-48, Facilities Construction Fees.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.5. Approval, Re: Sanitary Sewer Easement and Drainage Easement for the Walk-on's Bistreaux and Bar**

The Board approved and accepted the Sanitary Sewer Easement and Drainage Easement for the Walk-on's Bistreaux and Bar.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.6. Mutual Termination of Commercial Lease Agreement, Re: District 1 Commission Office**

The Board approved the Mutual Termination of Commercial Lease Agreement for the District 1 office space located at 2000 S. Washington Avenue, Titusville. The Commercial Lease Agreement shall terminate on May 31, 2021.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.7. Approval, Re: Interlocal Agreement with the City of Satellite Beach, Re: Bus Shelters and Benches**

The Board approved and authorized the Chair to sign an Interlocal Agreement with the City of Satellite Beach for the purpose of providing, installing, and maintaining bus shelters and benches.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.8. Approval of Resolution, Re: Transfer of Vehicles from Federal Transit Administration Section 5307 Program to Florida Department of Transportation Section 5310 Program**

The Board adopted and executed Resolution No. 21-038, transferring vehicles from Federal Transit Administration Section 5307 Program to FDOT Section 5310 Program; and authorized Terry Jordan, Interim Transit Services Director to execute any follow-up documentation necessary to complete the transfer.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**F.9. Request Permission to Advertise the Public Hearing to Consider Adoption of an Economic Development Ad Valorem Tax Exemption Ordinance for the Relocation of Dark Storm Industries, LLC to Brevard County from April 6, 2021 to April 20, 2021**

The Board approved advertisement of a public hearing for April 20, 2021, for the Board's consideration of an Economic Development Ad Valorem Tax Exemption Ordinance for Dark Storm Industries, LLC.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Smith, and Zonka

**Nay:** Tobia

#### **F.10. Appointment(s) / Reappointment(s)**

The Board appointed Matt Nye, Billy Prasad, and Mike Haridopolos to the Charter Review Commission, with said term of appointment to expire July 1, 2022.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

#### **F.11 Proclaiming April 2021 as Water Conservation Month**

The Board adopted Resolution 21-039, proclaiming April 2021 as Water Conservation Month.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

#### **G. PUBLIC COMMENTS**

Elizabeth Baker stated she wanted to thank Commissioner Lober for the supplies that he provided for the clean-up, as they did great and got over 100 bags of trash off of State Road 520, including various items such as shopping carts, metal, plywood, and even a toilet; she is very concerned with this being water conservation month, as she, along with probably everybody else, is very concerned about the condition of the Lagoon; there are lots of deaths with the Manatees and she knows that is a touchy subject for a lot of people but the Manatees are just a symptom; they are just a scratch of the surface if this does not get cleaned up; in 2018, it was reported that the Indian River Lagoon was home to the highest number of micro-plastics in the water in the entire world; and that is huge. She continued to say people think of where we are at as a pretty clean community and do not realize that it is far beyond where even some major third world countries are when it comes to micro-plastics; and that is literally saying that, on average, there are 16 to 18 visible pieces of plastic inside of every oyster that is pulled out of that water; these things are happening, clearly, as a result of plastic getting into the waterways; some of these things are not all that preventable, but some of them are; and one of the things that she has noticed in her years of picking up litter, is people mowing over the trash on the sides of the roads. She added that with the hundreds of miles of roadways directly on the water, the County has got to end this practice; this has been going on since it started mowing these roadways; with the influx of so many more people in the community, more tourists, so much more going on, and so much more use of plastics over the last 50 years, it is getting worse and worse; when it is mowed, it is cut up and thrown into the water, and the UV rays break down the plastic even more; and looking at Polyfluoroalkyl Substances (PFAS) chemicals that are known to cause cancer, and known that they create health problems, and that the micro-plastics kill everything that eats them, and the chemicals kill when they leach out into the water. She feels that it is really, really important for the County to start addressing the contracts, the way they are written, how the companies doing the mowing are being held accountable for having these bad practices; and she thinks the County should be working with these companies to do everything it can to correct that.

Sandra Sullivan stated she understood F.7. for the bus shelters was already approved and this is pertaining to Satellite Beach, zip code 32937; it is interesting that the County is paying for these bus shelters at a little more than \$10,000 each, with five of them in Satellite Beach, but none going into South Patrick Shores at the same zip code; it is County-funded and it seems inequitable that the County would be doing something in a municipality that it is not doing in the County, given it is the same zip code; she stated in South Patrick Shores, they feel like the

stepchild, as they do not have the hurricane-proof boom lights and other things that could be seen if driving down there; and she also wanted to comment on the Lagoon. She agreed with the previous speaker in that the County needs to look and figure out what is going on with not just the manatees, but the sea turtle mortality event; the Green Sea Turtles live in the Lagoon, and also the seabirds; she would ask the County Commissioners, especially Districts 4 and 2, is working with the Federal level, pertaining that in Florida, none of the military bases are required to do surface water testing; and that is just wrong, especially since Patrick Air Force base has the third highest level of PFAS. She continued to say she has done a lot of research on the Hightower issue, which is definitely a Federal issue; she said to put it into perspective, both the Loggerhead and the Green Sea Turtles were part of a Federal Recovery Plan in 1991; Brevard represents half of the sea turtle nesting for those two species; in 1992, following the year of the Recovery Plan, the Archie Carr National Refuge was created and then Hightower was created; and those are prioritized because of that Federal Recovery Plan and Patrick Air Force Base was in that Plan as having to have restrictions on lights not allowed to be seen from the beach in perpetuity. She stated there is a requirement for the sale of any Federal property for a Section 7 United States Fish and Wildlife Service (USFWS) consult, and in 2005 they released the covenants that had been written by the USFWS; this is a Federal issue and she would encourage the Board to reach out to Congressman Posey to see what he is doing on this; and this is a Federal issue that needs the County support.

Commissioner Lober stated he had asked staff about one of the Items mentioned during the briefing for the meeting with respect to how they picked the location for the bus shelters; his understanding, and he believes it is in the text of the Agenda Item as well, is that the money that is used to pay for them comes from a Federal Grant, but the municipalities have agreed to assume all of the maintenance and upkeep; if there was a similar arrangement, whether it is with an organization or with a group that is able to assume an obligation like that, he thinks there would be more opportunities for some of the unincorporated areas; and he knows it has been done in Merritt Island with Merritt Island Redevelopment Agency (MIRA) helping, with respect to offsetting some of the expenses, so if there is another area that is covered by a Community Redevelopment Agency (CRA), perhaps the CRA could look at assuming some of the expenses, that might be a way to get some of the unincorporated areas a little bit more by way of some of these grant funds that are available.

## **H. PUBLIC HEARINGS**

### **H.1. Public Hearing, Re: Amending Brevard County Code Chapter 62, Article VI Zoning Regulations, Section 62-2118, Regarding Measurement Point for Dock Projection and Clear Navigable Zone between Docks at Residential Properties**

Chair Pritchett called for a public hearing to amend Brevard County Code Chapter 62, Article VI Zoning Regulations, Section 62-2118, regarding measurement point for dock projection and clear navigable zone between docks at residential properties.

There being no further comments or objections, the Board conducted the public hearing to consider the draft ordinance amending Brevard County Code Chapter 62, Article VI Zoning Regulations, Section 62-2118, to establish measurement point for dock projection and clear navigable zones between docks at residential properties.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

## **H.2. Approval of Third Quarter Supplemental Budget for Fiscal Year 2020-2021**

Chair Pritchett called for the public hearing to approve the third quarter supplemental Budget for Fiscal Year 2020-2021.

There being no comments heard, the Board executed and adopted Resolution No. 21-040, approving the Supplemental Budget for the Third Quarter of Fiscal Year 2020-2021; and approved the Budget Change Requests to implement the necessary adopted changes.

**Result:** Adopted

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

## **I. UNFINISHED BUSINESS**

### **I.1. Board Ratification of Letter to City of Melbourne, Re: Olde Eau Gallie Riverfront CRA**

Commissioner Tobia stated he wanted to thank Chair Pritchett and the rest of the Board when it was very clear with its intentions for the Eau Gallie Community Redevelopment Agency (CRA); he thinks the elected officials definitely heard that, but unfortunately, he does not think the City Manager did, in fact, he is quite certain she did not; he watched the meeting after and found a great quote "I think the real issue, and I'm just going to throw this out there so I have some clarity, is whether the County Commission is willing to consider support of the hotel"; and he thinks the Board was extremely clear that it was willing to help fund the parking structure, and not the hotel. He stated just to let everyone know, the elected officials from both parties were spot on; Mayor Alfrey did a wonderful job, unfortunately, the same cannot be said about staff, which just goes back to show what a great staff is had here that helps lead instead of pulling the Board along like other municipalities; the attached letter is only a couple of lines, but it makes the expectations very clear and answers that question that the Board has no intention of supporting that hotel past the parking structure; he thought the Board was pretty clear but he wanted to put down a date for a response by May 4 so it gets something back; he added it here so it would get Board action, thinking it would carry more weight with the Chair's signature; and nothing has changed since it was last brought up, this is just in black and white.

The Board approved the Board Ratification Letter to the City of Melbourne for Old Eau Gallie Riverfront CRA.

**Result:** Approved

**Mover:** John Tobia

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

## **J. NEW BUSINESS**

### **J.1. Appointments, Re: Community Development Block Grant Citizens Advisory Committee**

Ian Golden, Housing and Human Services Director, stated this Item is requesting appointments to the Community Development Block Grant Advisory Committee (CDBG); when that Resolution was revised, it more than doubled the size of the board, adding eight positions, seven of them to represent the cities that signed an Interlocal Agreement with the County that allows use of their populations in the Federal calculation that provides for CDBG funds that come into Brevard County, and one at-large member; he has reached out to the seven

municipalities requested recommendations; and three of them have replied back and are the three individuals that are on the Agenda Item.

Commissioner Lober stated seeing how it is a Citizens Advisory position, for the Cocoa Beach or District 2 spot, he does not want to have an elected official or a government employee on it; he has checked with Tony Sasso and he would be willing to serve; he is happy to make a motion to accept it as is if the Board is confident with the remainder of the folks, or alternatively, if someone else wants to make the motion, he will second it, but he asked for the District 2 position to swap-in Tony Sasso; and he moved to approve with the exception as to the Cocoa Beach position to appoint Tony Sasso.

The Board approved appointing Trina Gilliam, Rockledge, Tony Sasso, Cocoa Beach, and Elizabeth Alward, Satellite Beach, to the CDBG Citizens Advisory Committee.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Kristine Zonka

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**J.2. Approval, Re: Final Ranking and Appointment of EEL Selection and Management Committee (SMC) Members**

Mary Ellen Donner, Parks and Recreation Director, stated Item J.2. is requesting Commissioners to rank the three open positions for the selection and management committee members and one alternate position.

Mike Knight, EEL Program Manager, stated he is providing each Commissioner a ranking sheet; there are some grey boxes along the side to assign a score of one, two, or three on each one of the candidates with a score of three as the highest preferred candidate; he will collect them after they are done and tally the scores; and the highest scores will get appointed and an alternate with the next highest score.

Commissioner Tobia stated it is his understanding the candidate Dr. Paul Schmalzer would require a supermajority as he has been on there past the term limit; and even though it is outlined here, please remember that when making the selections.

Commissioner Lober stated with respect to the same individual, his understanding is that he is a NASA employee and due to the nature of his position, he is not entitled to attend in-person meetings; he would probably give him either the highest rank or the next highest rank; but it is just a concern to bring to light.

Commissioner Zonka stated to maybe get an idea if there is going to be a supermajority, otherwise do not rank him because then he will not...; and she asked if that makes sense.

Chair Pritchett replied yes, and she is guessing the Board knew that.

Commissioner Zonka stated she ranked with that consideration, because he has been on the board for well beyond term limit; and she did not rank him.

Chair Pritchett remarked she did as well.

Commissioner Zonka stated the rest of the Board may be wasting a score if they ranked him.

**J.3. Approval, Re: FY 2021-2022 Sport Events Grant Program Funding, Guidelines, Application, and Committee Score Sheet and Approve Two Event Date Postponements from the FY20-21 Grant Cycle**

Peter Cranis, Tourism Development Director, requested approval of some revisions to the sports grant guidelines by the sports committee of the Tourist Development Council (TDC); it also approves two events that were delayed due to COVID-19; the only other two items that the guidelines have a little more teeth in them this time; and there is an allocation for the committee and the sports commissioner to go after some new events.

The Board approved the Tourist Development Council Fiscal Year 2021-2022 Sport Events Grant Program Guidelines, Application, and Committee Scoresheet; approved the funding for the grant cycles for the Fiscal Year 2021-2022 Sports and Events Grant Program, with applications coming before the Board for final funding approval as the grant application cycle commences, as well as making the necessary Legislative findings (Section 125.0104(5)(a)3, §, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances); authorized Peter Cranis, Tourism Development Director, to negotiate and sign all necessary grant agreements and related documents to support the grants for applications that receive future approval as the grant cycle commences for Fiscal Year 2021-2022; and authorized Mr. Cranis to negotiate and sign all necessary grant agreements and related documents for two events from the Fiscal Year 2020-2021 grant cycle which were previously approved, but postponed the event dates due to COVID-19 for Phoenix Cup Soccer Tournament and the Gateway2Space 5K Footrace.

**Result:** Approved

**Mover:** Curt Smith

**Second:** Kristine Zonka

**Ayes:** Pritchett, Smith, and Zonka

**Nay:** Tobia

**Absent:** Lober

**J.4. MedFast Urgent Care Centers Proposal for COVID-19 Vaccine Administration in Brevard County**

Steve Darling, Central Services Director, stated Item J.4. is a proposal that was received from Medfast to participate in the COVID-19 vaccine administration based on vaccines received by the Florida Department of Health in Brevard County (FDOH); it is requested that the proposal be reviewed and accepted; and authorize the Chair to execute any resulting contracts upon review and approval by the County Attorney's Office, Risk Management, and Purchasing.

Commissioner Zonka stated she would just comment that this is kind of why she did not want to get in the business of picking and choosing these private entities to administer the COVID-19 vaccine because this is another agency that is going to be billing people's insurance; and there is more than enough capacity within the hospital systems, the County, and municipalities to where there will not be a need for private entities to administer the vaccine at a cost to the residents; as much as she does not want to support this, there is already another contract in place with another entity, and it would not be fair if she did not support it; and she is going to vote in favor of it, but she does not agree with it.

Commissioner Lober stated he echoes Commissioner Zonka's sentiments as far as fairness dictating that this has to be supported since it supported Omni; a comment was made by an Omni representative that they may never end up having a difference on account of the vote, but in short order, not from FDOH Brevard but from Tallahassee, they were able to receive an allocation; whether that is due to the County entering into a contract with them, the bottom line

is there are now more vaccines in Brevard; he has no idea if Medfast is going to be able to get an allocation over and above what is coming into Brevard, but he did not have any idea with Omni either; and if Medfast wants to try lobbying in Tallahassee to get more vaccines then God bless them.

Commissioner Smith stated he changed his mind.

Commissioner Tobia stated he agrees with the sentiment of everyone being on a level playing field; Omni and Medfast would not be on the same level playing field; and he is voting no as his previous vote for Omni was also no.

The Board reviewed and accepted the proposal from MedFast for vaccine administration within Brevard County; accepted the proposal as submitted by MedFast; directed staff to draft a contract based on the proposal; and authorized the Chair to execute any resulting contract and contract related documents upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Service.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Curt Smith

**Ayes:** Pritchett, Lober, Smith, and Zonka

**Nay:** Tobia

Commissioner Zonka asked that the Board, now that it has these contracts in place, consider this additional motion that, prior to implementing any contract including Omni, Medfast, Caliburn, or any private entity the County makes agreements with in the future, vaccine distribution may be made equitably to local participating municipality's local hospital systems since they have all agreed to provide the vaccine administration from scheduling to administering the vaccine at zero charge to the County, the recipient, or the insurance company.

Commissioner Lober stated he did not mind the sentiment, but he does not know that he agrees with the wording of it; his concern is by saying before the contract is put into place, that may preclude additional vaccines from coming to Brevard; he would encourage FDOH to try to distribute them in such a way that those folks who were charging the least would have preferential access; he does not think the County should do something where it says it will not contract with the party given that it has now agreed to do so with two different parties; he does not want to have an issue where the County is worrying about cents and not paying attention to dollars and potentially putting an impediment in place that may be an issue for folks in Tallahassee; and he does not want to do anything to alter the status quo as far as placing an additional condition. He stated if Dr. Williams from Medfast lobbies Tallahassee to get a vaccine, and there is a question as to whether he has a contract from the County and he cannot check yes, he would not want to put something like that there.

Commissioner Zonka stated the motion was prior to implementation of any contract, the County would use all of its resources in place; it does not say that it would not go into a contract with these private entities; what it says it that the County would reach out to the municipalities, health care systems, and any resources already in place, who can distribute the vaccine for free, first; and they would get the opportunity first before it gives it to the private entities that are charging people's health insurance.

Commissioner Lober stated he has a concern that there may be a degree of ambiguity when saying before it is implemented; he does not know if execution is implementation in this case; and he suggested the word endeavor is used and he would support it.

Commissioner Zonka stated she would like to leave it with prior to implementation.

Commissioner Smith stated he agrees with the sentiment but in the case of Omni, they got 10,000 doses.

Commissioner Zonka replied Omni got it directly from the State, and it has nothing to do with the County.

Commissioner Smith remarked that the motion would have no effect on that.

Commissioner Zonka replied absolutely not; it has to do with what the County's allocation would be; and in other words, FDOH would give priority to the municipalities and health systems that are doing it for free.

Commissioner Smith stated he would second it.

Shannon Wilson, Assistant County Attorney, pointed out the County does not actually get the vaccine, it goes to FDOH.

Commissioner Zonka stated before the County implements any of those contracts, she wants to make sure that it expends all of the available free resources to the residents; and what Omni does with the State is their own business.

Commissioner Smith remarked that Ms. Wilson's point is that it is really not the County, it is the County DOH.

Ms. Wilson stated the County just coordinates with FDOH, if they have an excess of what their capability is to administer in a given week; and the cities and hospitals are contacted.

Commissioner Lober stated he understands that directly, there is an argument to be made that the County has nothing to do with the allocation that was received by Omni by Tallahassee; prior to the meeting when he spoke with Omni's lobbyist, the comment was made that the existence of the contract would help them in lobbying to get an allocation from the State; that is where his concern is; it did not come from anything that the County has direct influence over and it did not make the decision, but the mere fact that the County contracted with them; Omni had anticipated and the result was that it may well have helped them to get that allocation; and that is why he is extremely cautious that the Board not do anything that causes an impediment to getting more vaccines. He stated he agrees with the sentiment, so if there is another way to word it so that it is not going to potentially appear as a threshold issue or condition precedent when it goes to Tallahassee, he might support it, but not the way it is worded.

Commissioner Zonka stated as happy as she is that a private company got 10,000 vaccines, she does not know that those vaccines would have been allocated anywhere in Brevard County to include the FDOH; she does not believe that just because they got a contract with County, they are still charging for the services; they even offered to charge for services for administering the vaccine to County employees for a cost; she does not trust agencies that change their mind based on what the County is going to do next; and she does not like the position that the County is in with Omni or any agency.

Chair Pritchett stated what is wanted is to get as many vaccines out as possible at no charge to the citizens; and she asked Ms. Wilson if this is in place would it have hurt any agencies like Omni and Medfast being able to get vaccines and distributing them.

Ms. Wilson replied no, as far as she knows; she stated the County does not have any way of knowing whether a coordination agreement with it has any impact; the County has simply assisted FDOH in trying to coordinate dissemination of vaccines that they receive which is more than they may be capable of administering in a given week; the Emergency Management Department stepped in to assist FDOH at the beginning and this has developed; the County now has Memorandums of Understanding (MOU) with some of the cities and three hospitals that are without charge, and Caliburn which is a compensated agreement along with Omni and Medfast; the way that the agreement is drafted, is that it would initially go to the ones that would be without cost before it went to them; and that would be an awful lot of vaccines that FDOH would have to receive before the County ever reached Omni, Medfast, and Caliburn, because they are even more.

Chair Pritchett asked if another company like Omni or Medfast would like to do this, the Board needs to hear about it just in case there are any unforeseen consequences to getting vaccines out.

The Board authorized that prior to implementing any contract or future agreements with OMNI Healthcare, MedFast, Caliburn, or any other private entity for vaccine distribution, that the vaccine be made equitable to local participating municipalities and local hospital systems, since they have all agreed to provide the vaccine administration, from scheduling, to giving the vaccine at zero charge to the County, the recipient, or any insurance company.

**Result:** Approved

**Mover:** Kristine Zonka

**Seconder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Zonka

**Nay:** Lober

**J.2. Approval, Re: Final Ranking and Appointment of EEL Selection and Management Committee (SMC) Members - Continued**

Mary Ellen Donner, Parks and Recreation Director, stated she has tallied the ballots and to fill the open positions for the EEL Selection and Management Committee (SMC) are Dr. Mark Bush, Jennifer Thompson, and James Burney and the alternate position would be filled by Rio Throm Bonds; and she presents this for the Board's ratification.

Commissioner Lober moved to approve and to communicate to Dr. Schmalzer that if he applies after sitting out for one term, he would certainly get his consideration.

The Board reviewed and ranked the applicants; appointed Dr. Mark Bush, Jennifer Thompson, and James Burney as the highest ranked applicants for the EEL SMC; and appointed Rio Throm Bonds as the alternate EEL SMC Member.

**Result:** Approved

**Mover:** Bryan Lober

**Seconder:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**J.5. Legislative Intent and Permission to Advertise Revisions of Chapter 22 of Brevard County Code of Ordinances, Re: Deregulation of Certain Specialty Trades**

Commissioner Tobia stated this should actually be Commissioner Smith's because he went down this path many years ago to increase freedom in the marketplace; this conservative

solution to a problem he identified which would have lowered barriers for entrepreneurs to enter these markets and reduce costs for consumers; this would do away with some licensing for some trades that he feels are not needed; this proposal would eliminate licensing requirements for the following trades: floor covering, floor covering with tile, framing contractor, masonry contractor, and painting contractor; and the current licensing requirement for these specialty trades represents nothing more than a County money grab. He stated the County receives about \$90,000 in revenue from these licenses; the State does not require the County to license these individuals, as they do not license them; it consists of a test which is open-booked, untimed, and everyone passes; and some municipalities, like Palm Bay, do not even require licensing for these trades, and upon asking, replied they had not gotten any complaints.

Commissioner Lober stated he will support it today just for purposes of advertising; he would not support it absent a little bit more, when it comes back; he thinks there are some items in here that he is less comfortable eliminating the licensing requirement with than others; he wants to make sure framing is done correctly and there is a lot that they are required to understand with respect to lien law, with respect to putting it through permit applications correctly, and to being insured; and he does not believe the contractor licensing board has had a chance to comment on this. He stated he would ask that the individual members, if not the board itself, if it is meeting before the next Commission meeting, give the Board its thoughts as to why it is appropriate to continue the licensing requirements; he does not see a public safety issue with a painting contractor; and he would like to know if what Commissioner Tobia stated about open book, untimed, and no one fails is true, which may push him in his direction.

Chair Pritchett stated she thinks she is in the same place, as she thinks when they get licensed, they also must have insurance, and a skill set; she is ignorant when she hires people, so she could get taken every time; she thinks when Commissioner Smith brought this up the first time, he did floor covering, tile, and painting; if someone did something wrong, they were fined, and the fine went towards the license which worked out; and she would not mind doing that but she is uncomfortable with the other two unless it can figure out how people can be protected.

Commissioner Smith stated he was pretty much in support of all these trades except for masonry contractors; he will need to look into that some, as he wants to make sure the walls do not fall down; the real fact of the matter is he thinks most of these trades work for a general contractor, who is ultimately responsible, so his/her insurance would cover them; when he introduced this back in 2016, the issue was an Orlando contractor was over here, Brevard workers were on the jobsite, and when the inspector asked the sub-contractors for their license, they did not have one because in Orlando they are not licensed; that is why the compromise, to allow the fines to go towards the education and license; but he wants to hear what the trades have to say as he is sure they will come to the meeting.

Commissioner Tobia stated if some of the licensed contractors respond, they are strongly in favor of licensing because it is a barrier to entry into the marketplace, and they can raise their rates higher; think of the person who cleans the pool with the various level of acids that can be used that are not licensed by the State or the County, and are not required to have insurance; the folks that will be heard about are strongly in favor of licensing, but as Commissioner Smith stated, they are under a general contractor who's license is regulated by the State and inspections are held by the City; he encouraged people to contact their local municipality and ask what issues have been had by not licensing these trades; and they would hear zero.

The Board approved Legislative Intent and Permission to Advertise Revisions to Chapter 22 of the Brevard County Code of Ordinances to remove local licensing requirements for the following trades: Floor Covering, Floor Covering with Tile, Framing Contractor, Masonry Contractor, and Painting Contractor.

**Result:** Approved  
**Mover:** John Tobia  
**Second:** Curt Smith  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**J.7. Approval, Re: Donation of Permanent Drainage Easement from S&S FLP#2 "B", LLC, Barnes Boulevard**

Marc Bernath, Public Works Director, stated this Item is for a donation of a permanent drainage easement for Barnes Boulevard in District 4; he is requesting the Board approve and accept the permanent drainage and adopt the resolution rescinding Resolution No. 21-031 which is no longer needed as a result of this easement; and it may recall at the last Board meeting that was for a maintenance map and it is no longer needed.

The Board approved and accepted the donated Permanent Drainage Easement from S&S FLP#2 "B", LLC, for Barnes Boulevard; and adopted Resolution No. 21-041, rescinding Resolution No. 21-031 as to Barnes Boulevard Maintenance Map, which is no longer needed as a result of accepting the Easement.

**Result:** Approved  
**Mover:** Curt Smith  
**Second:** Bryan Lober  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

**J.6. Discussion, Re: Use of Upcoming Federal Stimulus Funds**

Commissioner Lober stated he put a few different things he suggested and if someone would like take a different direction, to feel free; he sent out a memo and provided copies to Clerk to the Board and it was made a part of today's meeting minutes; the County is expected to get about \$118 million, 50 percent in the near future, and 50 percent a little further out; his thought with respect to the unincorporated areas of Brevard County, in which the proposed fire assessment is going to likely cause a substantial percentage increase in what folks are paying for Brevard County Fire and Rescue (BCFR) service, he was looking at earmarking a percentage or dollar value from each of the \$59 million stimulus funds; and the number that he identified in the memo is \$8.7 million out of each allocation. He added he thinks that should roughly cancel-out what the increase is for the first year for the first \$8.7 million, and when the second allocation is received, if \$8.7 million is taken from that, it would potentially cancel-out what the second year increase would be; he thinks the County can do this and still have ample funds to do small business relief, vaccinations, and other things to help the County; this is a double-digit percentage of what it is anticipating getting, but to hit folks with a potentially 35 percent increase in the middle of a pandemic, when it is still not known how long it will last and certain industries have yet to recover, he does not feel that it is right to do that when there is an opportunity to offset that increase long enough for folks to recover; and he does not know where folks are with respect to their willingness to look at this. He stated the guidance that is going to come from the Treasury will direct specific allocations but his thought is if it is earmarked for purposes of making sure not to make a separate allocation of \$8.7 million from the first \$59 million, staff can evaluate how to make this happen, as there will be ample time to put together data to support those findings; and he just wanted to see what the willingness or inclination is to support this direction.

Commissioner Smith stated he is always interested to hear what Commissioner Lober's ideas are because often times he thinks outside the box; but he is not in a hurry to do any of this because it has two or three years to get this done; and he asked Frank Abbate, County Manager if that was correct.

Mr. Abbate replied the first \$59 million is supposed to be received by May 11, and it will have until December 2024 to spend it.

Commissioner Smith remarked there is plenty of time to do this and it should be incumbent upon the Board to think about how to do it, no matter how long it takes, it needs to do that; one of the reasons he thinks it is imperative to do that is because he thinks that the County is looking at rapid inflation due to the irresponsible spending that is being done in Washington D.C.; he cannot imagine what inflation will look like in two or three years; he mentioned he was at Pinch a Penny the other day and was stunned that a 40 pound bucket of chlorine tablets that was \$89 a couple months ago, is now \$109, which is about a 40 percent jump; and the beginning of what is coming down from Washington D.C. has not even been seen yet. He stated that is another reason to wait but he is even more wary of the bust that will surely follow the housing boom that is being witnessed; every time there is a housing boom and prices soar, it is always followed by a bust; a bust in addition with rapid inflation really concerns him about where the County is headed; and he is not anxious to make any decisions on this money yet.

Chair Pritchett stated the fire assessment is coming up and it will be hard on the constituents; and she thinks Commissioner Lober is trying to think of a creative way to not be so hard on the constituents and still get the money to the Fire Department.

Commissioner Smith remarked he is not sure the Board can do that; and he does not think the money is available for that.

Chair Pritchett stated she does not think it can but she was talking to the Mr. Abbate earlier and he had an idea; and she asked him to explain that.

Mr. Abbate stated that one of the categories that is specifically provided for in the American Rescue Plan is now there will be revenue replacement; there are no guidelines from Treasury yet but the Budget Office did look at everything from the prior Fiscal Year in terms of revenue losses; from the General Fund there was a local half-cent sales tax loss, state revenue shared, and fire/rescue/ems billing; the revenue losses that were had last year that are believed to be related to COVID-19 were between \$8 and \$9 million; as a revenue replacement, since that is one of the permissible categories to use funds from the America Rescue Plan; and the Board will have access to that to spend it as though it is general fund dollars when it is received. He added it could allocate that \$8 or \$9 million to fire assessment, and if that is done and the plan is looked at that the Board will be considering on the April 20, it will be in a position to reduce what it would otherwise approve by that \$8 or \$9 million, and staff would calculate that out as to what that would be; he stated that equated to about a four percent difference; whatever the Board would agree to at the public hearing on April 20; and if the fire assessment is increased, it could choose to reduce that by four percent and still have the same amount of revenue generated during that seven year period that the fire assessment was meant to cover.

Chair Pritchett stated that was a creative thing that Commissioner Lober provoked; her staff made some bullet points of what the money is going to be able to be used for; she asked Mr. Abbate if there were good parameters yet for the second half of the money; and she asked if it had to wait until they define that.

Mr. Abbate replied there are no guidelines or parameters relative to any of the categories including revenue replacement; staff has been listening to webinars, but it is extremely broad; there is so much involved that the Treasury has not been able to provide any guidance beyond what the legislation says right now; and he is anxiously waiting for that to have some kind of parameters for the Board's choices.

Chair Pritchett stated to Commissioner Lober that right there might be the \$8.7 million to help ease the burden off the constituents; the Board might not have to do as high of a fire assessment and be able to still get it done with the revenue replacement from the General Fund; and she thinks it is a good idea to kick around for a while, as she thinks it will be easier on the community and the Board could still do that with those funds.

Commissioner Zonka stated if the Board is still able to achieve the goals it wanted to achieve and collect the monies needed to collect for the fire assessment, any way that it can reduce that amount is a good way; she appreciates Commissioner Lober trying to do it this way, she just gets nervous trying to send out a hundred thousand checks to the Tax Collector; people would have to claim as income if it tried to reimburse the fire assessment, so she likes the idea of revenue replacement better; at least the Board knows it is probably going to be within the guidelines; but it does not have the guidelines so to try to divvy up the funds now would be irresponsible. She stated even though the Board is anxious to get it back out there to people, she wants to make sure that it is doing it right; she is open to hear proposals in the future when the guidelines are available, so it can be done responsibly; and it is good that there is not a deadline to get it spent like last time.

Commissioner Lober stated this sounds great and he wants to do a little more due diligence as to whether he would support it; as long as it does not negatively impact the fire rescue employees or the constituents, he would be happy to support it, as long as there is not some detriment of which he is unaware of at present; he thinks if it is addressed in a week or a month, it would not be a problem, but he does not want to wait a year because by then it may be in a situation where the fire assessment will have already kicked in and that is the deadline for addressing this in sufficient time to offset the burden that folks are likely to face; he will get with Mr. Abbate to discuss it; and he has no problem if there is a better way to accomplish the same goal. He added the Emergency Operations Center (EOC) item is in the summary explanation and background on the Agenda Item; he thinks if the Board is aware of it to think about, he does need action on it tonight; the other Item, which he feels needs action sooner rather than later, involves opening up another round of Countywide small business grants; if the Board were to say that it intends to set aside \$10 million out of what comes with the understanding that it will accept applications from January 1 to April 30, and collect the data but not do any analysis unless staff has some downtime; and he thinks if they can start getting documents together, if something else is needed later, it could be supplemented. He advised he would like to get it done within the next few weeks to publicize the intent to allocate the \$10 million and open up a process by which people can start collecting their documents; and he thinks if it is publicized and people know what to expect, it cannot hurt.

Chair Pritchett stated that some of this money could be used for the growth of water, sewer, and broadband and she knows many of the districts are having trouble trying to get capacity with water and sewer; she thought to take a portion of this and equitably distribute it between the five districts; she suggested \$10 million for each district to determine how to better the water, sewer, and broadband within the compliance of this Plan; she knows Districts 1 and 5 need some work, so part of this could fix a problem that has not been able to be fixed in the past; and she asked the Board to think about that, as each district has different needs, and bring it back to discuss at a meeting so the Clerk does not have any heartache over it. She thinks it would be a good idea to do some infrastructure because she thinks that is part of what this money is for as well.

Commissioner Smith agreed; and he stated it is destined for infrastructure and it is a great opportunity for the Board to do exactly that.

Commissioner Tobia stated as to the fire rescue, he has a number of concerns as it moves forward; maybe some of these can be addressed in the proposal, should it go in that direction;

the Board has the ability to not increase the fees and go in a different direction, in fact, Commissioner Lober addresses this as point 22, he read "the fire assessment could not come at a worse time for a number of residents that they have severely impacted by the ongoing COVID-19 pandemic"; he stated it could be ended there; should the Board vote for that, it would be plugging a reoccurring expense with a non-reoccurring revenue source, which would be a temporary fix, and if people face inflation, that could be long-term; and another issue is that this money would be going to the County, and not all of the County receives fire rescue from the County, as many municipalities have their own fire rescue. He added this would be County money that would help certain folks but not others; he asked staff how that would fall within each County commission district and he should have an answer by the end of the week; if the Board could address some of those issues with fire, it could move forward; he thinks it needs to be addressed that when the Board did small business grants, it was the only one allocating funds, which is not the case this time; but Cape Canaveral will get \$4.4 million, Cocoa will get \$4.3 million, Cocoa Beach will get \$4.9 million, Grant-Valkaria will get \$1.8 million, Indian River will get \$1.2, Indian Harbor Beach will get \$3.6 million, Malabar will get \$1.34, Melbourne will get \$13.88 million, Melbourne Beach will get \$1.39, Melbourne Village will get \$290,000, Palm Bay will get \$19.41 million, Palm Shores will get \$490,000, Rockledge will get \$11.86, Satellite Beach will get \$4.68 million, Titusville will get \$7.85 million, and West Melbourne will get \$10.9 million. He mentioned there are additional business incentives in the American Rescue Act, which is a concern for double-dipping; if a cities offer grants, he thinks it will be a nightmare for staff to figure out; the National Republican Congressional Committee has deemed it to be a socialist's wish list; at some point it needs to be determined if businesses can stand on their own or not; and employment is up in Brevard County as well as nationwide. He stated some small businesses in Brevard County have received in excess of \$69,000 from CARES Act funds; he would like to see \$50 million of the \$59 million to go to utilities, unfortunately he does not know that it would be the best use of the money; there are \$11.5 million in shovel-ready projects, none of which are in District 3; there are five large projects in District 1, several in District 2, and some in District 4; and the County would potentially need water treatment facilities which are quite a bit more than \$10 million. He stated he would love to see the money used in the districts with shovel-ready projects; the Board previously awarded hazard pay to certain employees, but left out about 1,800 of them, due to lack of funding to compensate them all; it now has the ability to extend this program and provide hazard pay to all County employees; there are many County employees that dealt with the public and were not included due to lack of funds; and he would like to see that \$1,500 provided to all County employees which would cost approximately \$2.7 million. He stated he is not going to put that motion out there but would like the Board to think about that; and he appreciates Commissioner Smith's approach to take a step back, as the Board is not under the gun to make any motions tonight.

Chair Pritchett stated she likes all the ideas and would like to come together soon to talk about it at a meeting or workshop; she asked the Board to send out ideas as Commissioner Lober did, without talking about them, so they could have some meaningful discussions to negotiate these funds; she agrees the cost of living is going to go sky-high soon so she does not want to send the money back; and she thinks the first place may be to address the fire assessment.

Commissioner Zonka stated the most important thing to remember about revenue replacement, is that ultimately residents will save; if revenue is replaced that was lost due to COVID-19, it is less that the County has to charge its residents, less fees will be increased, and the same with utilities; she cannot imagine what it will do for Barefoot Bay if their treatment plant was done; it would save their residents hundreds each year, and some of those residents are really vulnerable, so she likes the idea; it is similar to road allocations, in that it goes to the places that need it most; and as much as she would love to have free reign on \$10 million, she thinks it needs to be priority projects and would like to see a list of what the Board deems as a priority. She mentioned knowing of the shovel-ready projects mentioned but she would like to see what

is most important and most vital to get done first; she does not care if it is in her district although she wants to take care of her district as well, she wants to be fair, as the Board represents the entire County; and she asked Mr. Abbate to get a list together.

Mr. Abbate stated he would have Utilities prepare a list of priorities.

Commissioner Zonka asked to include roads and bridges as well.

Mr. Abbate replied it would not include Road and Bridge because it is limited right now under the stimulus.

Commissioner Zonka remarked she would like it for the future.

Mr. Abbate replied he would have Public Works put something together.

Commissioner Lober stated he had some thoughts as to some of the items that Commissioner Tobia said, but since they were not made into a motion, he will refrain from commenting or rebutting them; and he does not want his silence as to some of the points to be seen as him somehow ratifying or adopting those ideas, especially to the ones that pertain to fire rescue.

Commissioner Pritchett stated the Board needs time to look at the ideas; and she would love to see the shovel-ready items as well, and probably would want to apply that to it; she mentioned not everyone is going to need all that, as Commissioner Tobia's district has zero projects, but his constituents may need it in another area; she thinks it needs to be thought through because the \$5 million really benefited District 1 when she decided where to use it; and she thinks it really benefited the other districts as well. She added that with the \$10 million, there is time to think about it, as it might be good for the constituents; the rest of it could be used for Countywide activities as well; and she hopes more of this money is freed-up on the second round to allow it to go for salaries, which would be great for fire rescue.

The Board discussed the use of upcoming Federal stimulus funds, but took no action.

**Result:** Tabled

## **E.2 Resolution recognizing Terrence A. Cronin, Jr., M.D.**

Commissioner Lober stated he has known Terry Cronin Jr. as long as he can remember, as their dads have been friends for longer than he has been alive; Dr. Cronin Jr., he received a call from his dad yesterday, who has been a dermatologic surgeon for longer than he has been alive; dermatology, along with ophthalmology is one of the two hardest specialties to get into for medical school; his dad let him know that Dr. Cronin Jr. got elected as president-elect of the American Academy of Dermatology, which is a tremendous honor; and he put this resolution together for him hastily so he wanted to thank Clerk to the Board and Asset Management for getting it printed and framed in quick order. Commissioner Lober read aloud and the Board adopted Resolution No. 2021-042, recognizing Terrence A. Cronin, Jr., M.D.

Dr. Cronin Jr. stated that was a wonderful introduction; he wanted to thank everyone for taking a breath from their important time to recognize him for something like this; it is a true honor and he is proud to live in this County; his dad moved the family here in the early 70's and started a dermatology practice; he stated this year with COVID-19 has been significantly difficult for everyone, and healthcare workers in particular; having to do the job in fear of catching or giving the disease to his patients made his job very, very difficult; and he cannot say how proud he is to live in this County and this State and to understand all the challenges that we dealt with, with courage, while many of his peers in other places are dealing with abject fear. He stated he

also wanted to thank the County Commission for all their courage in dealing with this and for just taking a moment to recognize him and his family at this time; and it is a real blessing.

**Result:** Adopted

**Mover:** Bryan Lober

**Seconded:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

## **K. PUBLIC COMMENTS**

Richard Heffelfinger stated he has been here before and is sad to say that he is back and he really does not want to be back; as to fire assessment, it is being talked about trying to offset the fire assessment with rescue dollars and there has not even been a public hearing about the fire assessment; he asked if it was a forgone conclusion that the Board is going to vote for that and that they could stop wasting his time if that is what is being done; he mentioned Commissioner Tobia saying that it has not even been talked about, and he thinks that was his point; and he would hate to think that it is already moving on, planning, and trying to figure out how it is going to throw money for rescue at a problem that has been going on for 12 years. He stated he got the memo from Commissioner Lober and there was good stuff in there, kicking it down the road; now the Board wants to throw some money at it for two years to kick it down the road more; he does not blame him as he is coming up for an election; nobody wants a huge tax increase right before an election so offsetting the cost is a good idea for him; and Commissioner Lober has only been here for two years, and the others have been here four and six, so to say it is a 12 year old problem, then it is on them. He stated it has to address the problem with the fire; they have been borrowing incredibly, \$15 million; the budget was borrowed from their fund to operate, he believes; the Board has been letting them do that for he does not know how long; they only had a \$12 million dollar fund but now, all of a sudden, it is gone; and he does not know how it has not run out earlier. He stated \$15 million out of like \$40 million is a huge percentage of their budget and they have been borrowing it, and the Board has been letting them do it; they have not gotten away with it 100 percent, as there has been 10.3 percent increase over the last three or four years, but now it wants to drop a 35 percent increase on them, wonderful; he asked what about talking about and diverting efforts to what can be done to hold those guys in check; he appreciates they want salary increases, as he always bitched about his salary, but a person gets what they get; and he does not know what was promised in the union negotiations, but he thinks they are pretty well paid. He added right now, their budget for this year looks like a majority of it is for salaries and the rest of it is being borrowed against this fund to pay for the real job; it is out of control and he hates to think the Board is going to say "well, too bad, it is kind of like the garbage contract, we just have to pay them what they ask for", which is a crap answer that he finds offensive; and he suggested looking at the budget and make them go through it and tell the Board exactly why they are spending all that; this increase is not just for salaries; he does not want anybody misled; and Commissioner Lober put it in his comment on his page about buying equipment and building buildings.

Janice Crisp expressed her thanks for the work the Board has done so far with the money received from the CARES Act, as they have done a considerably great job helping people; she spend a lot of time last year helping people who were in need of food and help to get the assistance that was provided by the County; she cannot say how many times she was out in the sun at the Harris parking lot in Palm Bay, absolutely full of people waiting for food boxes; she knows Representative Randy Fine gave over 10,000 families food boxes from last year into this year; and there was a program that came down from the State that allowed people to go to the farmer's markets throughout Brevard County to get \$50 in tokens to buy food and that helped so many people. She continued to say probably thousands of people waited hours for food at these farmer's markets; she suggested that this money be used to help this problem of food safety; there are homeless and under-sheltered people in Brevard County living in

campers, tents, couch-surfing, and people that do not know how to get help; these people are being helped to get food on a daily or weekly basis and they do not need a refrigerator, a stove, or a home to eat it, as it can be cooked at a campsite if needed; it also helps the local farmers and cottage industries to sell their food; and she asked for staff to look into these things and use this money to help the Brevard County citizens who are just lost. She added the school system does not know where many of the children are when they are home and having to be fed; it is unknown if they are being fed properly; this is something that has to be looked into, as they are Brevard County citizens and they are in need; she has talked with thousands and thousands of people from last year into this year and they need help; she has sat with people at the library to help them fill out applications on the Brevard County website for rent and utility assistance; and she asked that this please be considered.

## **L. BOARD REPORTS**

### **L.2. Eden Bentley, County Attorney**

Attorney Bentley stated she wanted to discuss the Charter Cap case very briefly; last week the Board received an email with a notice of extension of time to file the answer brief at the appellate level; the notice has now been signed and the Board should now have a copy and the

Clerk has a copy; the notice will be filed tomorrow with the Fifth District Court of Appeals (DCA); and no action is needed, she is simply required to inform the Board in order to certify that she has told the Board to the court.

### **L.4. Bryan Lober, Commissioner District 2**

Commissioner Lober stated he had a couple comments for the gentleman that came up during public comments, as he agrees with some of his sentiments; it was not \$12 million, it was actually over \$14 million over 12 years, so it is even worse than represented; whether it is politically convenient to try to offset for two years for purposes of an election is irrelevant; the fact is, the most politically convenient thing that could be done for him is not to support the fire assessment, then he would not have to look at offsetting anything for two years; he knows he will irritate a lot more people than he will make happy that are taxpayers, with respect to supporting a fire assessment; but he believes it is the appropriate thing to do. He added he never ran to be politically correct or to mince words; he ran on a platform of public safety that includes fire rescue and the Brevard County Sheriff's Office, so he is going to do what he thinks is appropriate even if it upsets, offends, or otherwise irritates his constituents, and vocal constituents that vote; he is not suggesting one or two years as a means of helping himself politically, as if he wanted to do that, he would simply shoot down the fire assessment altogether; he just wanted to say with respect to the funds that are coming from the American Rescue Act, he thinks there are a lot of good ideas that came up today; he would ask if something is proposed to please bear with him, as there is so much that the Board has gone through with respect to different ideas, if it is circulated as a memo with enough advanced notice that he can review it before a meeting, he may well be able to support an idea that comes up; but if it is something that comes up on the spot, whether it is at the next meeting or a subsequent meeting, he does not know, unless it is clearly the way to go with no potential downsides, that he is going to be inclined to support any particular proposal. He stated this is too much money for the Board to do anything impulsive with; he sees the good and the bad in some of the things that were proposed, but in order to weigh-in, it will take some time; and otherwise, he appreciates the opportunity.

### **L.5. John Tobia, Commissioner District 3**

Commissioner Tobia stated he passed out a quick letter that he would like to get the Board's support on; the Board dealt with the Palm Bay Bayfront Community Redevelopment Agency

(CRA) that happened to be exclusively in his district; the Board was a huge help in limiting that to just an apartment complex and their intent was to have not only residential, but commercial as well; because of COVID-19, they had tenants that had to back-out; there was an agreement between the CRA and the developer; and to be clear, the Board is not involved at all in this. He added he got a question from the Mayor, as the Board is a partner with this; he said that he would not care if they extended the time for the developer; what was most important to him is this would require no additional tax dollars from either County or City, and would not extend the CRA; this is just a letter to say that the Board would not mind; they do not need the Board's permission on this, they were just asking if the Board has any problems and because it does not cost any extra money, they fulfilled the apartments in short order, and need a little more time with the commercial; and that is the intent of this letter, to hopefully get its support and let the folks at Palm Bay know that the Board is with them on this one.

Commissioner Zonka stated she did not have an issue with it as long as it does not extend it and it does not impact the County.

Commissioner Tobia replied both of those are absolutely accurate.

Chair Pritchett asked if a motion was needed.

Commissioner Tobia replied yes; and he explained they were just a little worried that he was on the other side of this and he wanted to let them know that not only was he on their side, but the entire Board was very supportive.

The Board approved and executed the Letter to the City of Palm Bay Mayor Rob Medina, not opposing amendments to the Redevelopment Incentive Agreement between the Bayfront CRA and Northshore Development, LLC, and to separate incentives relating to commercial and residential development and shifting redevelopment deadlines to reflect the expiration of the CRA.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Zonka

#### **L.6. Curt Smith, Commissioner District 4**

Commissioner Smith stated he wanted to thank his fellow Commissioners for the vote at the last meeting for the Friends of Army Aviation and thank staff for working so hard to see that it got done; he is happy to invite everyone to the Vietnam Veteran's Memorial Weekend and see a real, active Vietnam-era helicopter and rides are available; and he does not know how much the rides are but they will be available.

#### **L.3. Rita Pritchett, Commissioner District 1, Chair**

Chair Pritchett stated she wanted to mention she thinks they are getting ready to sign a \$2 trillion infrastructure thing at the Federal level, which sounds like a lot of fun, but inflation is going to go pretty rampant soon; she does not know how to insulate the County with that; she thinks the Board will do the best it can and figure it out; the Board will definitely need to take it, otherwise there will not be funds to do all that stuff; and she wanted to give kudos to the Governor, as she thinks he totally rocks and has done a great job. She stated she got interested when 60 Minutes did a news report and they clipped pieces together and made him sound like a bad guy, which really disappointed her; it is not good what people are doing out there; and she stated she is really glad Governor Desantis is the Governor.

Upon consensus of the Board, the meeting adjourned at 6:37 p.m.

ATTEST:



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RACHEL M. SADOFF, CLERK



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