

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

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on July 7, 2015 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Chairman/Commissioner District 1	Present	
Jim Barfield	Vice Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

The invocation was provided by Chaplain Roger Alexander, Brevard County Sheriff's Office.

PLEDGE OF ALLEGIANCE

Commissioner Infantini led the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Board approved the March 31, 2015 and May 12, 2015 Regular Meeting Minutes, April 9, 2015 Special Meeting Minutes, and the May 28, 2015 Zoning Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.A., RESOLUTION, RE: PROCLAIMING THE MONTH OF JULY 2015 AS PARKS AND RECREATION MONTH

Commissioner Smith read aloud, and the Board adopted Resolution No. 15-088, proclaiming the Month of July 2015 as Parks and Recreation Month.

Jack Masson, Parks and Recreation Director, expressed his appreciation for the Board's continued support; he stated they are honored to be celebrating the 30th Anniversary of the July Parks and Recreation Month by the professional organization, the National Recreation Parks Association; and they have over 20 recreation camps throughout the County, serving almost 3,200 children this year. He advised the Board the summer camp children have letters of appreciation to provide to the Board.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Curt Smith, Commissioner District 4
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.B., PRESENTATION, RE: VOLUNTEER RECOGNITION INITIATIVE: VOLUNTEER STARS LIGHT UP BREVARD

The Board acknowledged presentation by Anita Hazard, Lead Technician, Brevard County Medical Examiner's Office, who recognized Jenna Mousseau, a volunteer with the Brevard County Medical Examiner's Office.

ITEM I.C., RESOLUTION, RE: RECOGNIZING OFFICER ZACK NATIONS

Chairman Fisher read aloud, and the Board adopted Resolution No. 15-089, recognizing and congratulating Officer Zack Nations acknowledging his bravery and quick action on the night of November 20, 2014, and proudly honoring him as one of Brevard County's own.

Officer Zack Nations expressed his appreciation to the Board on behalf of his department at Florida State University and Chief David Perry who wanted to be present but was unable to make it; and he stated it is an honor.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.D., RESOLUTION, RE: PROCLAIMING THE WEEK OF JULY 12-18, 2015, AS PRETRIAL PROBATION, AND PAROLE SUPERVISION WEEK

Commissioner Anderson read aloud, and the Board adopted Resolution No. 15-090, proclaiming the week of July 12-18, 2015, as Pretrial, Probation, and Parole Supervision Week; and he encouraged all citizens to honor these community corrections professionals and recognize their achievements.

Samantha Eastman, representing the Department of Corrections, stated currently there are 67 officers working in Brevard County; safety is their number one goal; and most importantly, the Brevard County citizens. She noted one of the most important things they do is reentry, which is an important public safety goal; they offer many reentry programs through the Department of Corrections; and this all occurs based on the great work and effort of the correction officers.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Curt Smith, Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM I.E., RESOLUTION, RE: RECOGNIZING MELANIE TIBBALS FOR HER 40 YEARS OF DEDICATED PUBLIC SERVICE TO BREVARD COUNTY

Commissioner Anderson read aloud, and the Board adopted Resolution No. 15-091, recognizing Melanie Tibbals for her 40 years of dedicated public service to Brevard County.

Melanie Tibbals expressed her appreciation to the Board for the Resolution; she stated it has been a pleasure to work for the County; as a disabled person she was able to prove herself; and she enjoyed every moment she has worked with the County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.F., RESOLUTION, RE: COMMENDING WILLIAM LUNDELL FOR DONATING OVER 100 GALLONS OF BLOOD

Commissioner Infantini read aloud, and the Board adopted Resolution No. 15-092, recognizing and commending William Lundell for being a dedicated blood donor and reaching his 100-gallon donation milestone.

William Lundell stated only one-third of the eligible population donates blood; there is always a need for blood; and blood is the only thing that can be given that cannot be duplicated.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.1., APPROVAL, RE: MOSQUITO CONTROL TENTATIVE DETAILED WORK PLAN BUDGET FOR FY 2015-2016

The Board approved the Florida Department of Agriculture and Consumer Services, Division of Agriculture Environmental Services, Detailed Work Plan Budget-Arthropod Control, for the Fiscal Year beginning October 1, 2015, and ending September 30, 2016, to qualify the Brevard County Mosquito Control District as a State Certified Program.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.2., AMENDMENT 1 TO PARTICIPATION AGREEMENT WITH CITY OF ROCKLEDGE, RE: RESERVE CERTAIN AREAS OF THE PROPERTY TO EACH ENTITY FOR DRAINAGE STORMWATER TREATMENT, AND MITIGATION PURPOSES

The Board execute Amendment 1 to the Participation Agreement with the City of Rockledge to reserve certain areas of the property to each entity for drainage, stormwater treatment, and mitigation purposes; and authorized the Chairman to sign future Joint Conservation Easements required for mitigation, subject to approval of the County Manager and the County Attorney's Office.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.3., FINAL PLAT APPROVAL, RE: HALEY SUBDIVISION - JOHN D. HALEY

The Board granted final plat approval for Haley Subdivision, subject to minor changes, if necessary, and developer responsible for obtaining all other necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.4., RESOLUTION AND EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY, RE: RELAYING POWER TO A PROPOSED SCALE HOUSE AT THE CENTRAL BREVARD DISPOSAL FACILITY IN CONJUNCTION WITH BREVARD COUNTY SITE PLAN #15ER00006

The Board adopted Resolution No. 15-093, and executed an Easement in favor of Florida Power and Light Company for a proposed Scale House at the Central Brevard Disposal Facility in conjunction with Brevard County

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.5., ACCEPTANCE, RE: EXECUTED AND RECORDED UTILITY EASEMENT FROM SCHOOL BOARD OF BREVARD COUNTY FOR THE INSTALLATION AND MAINTENANCE OF A SANITARY SEWER SYSTEM ALONG GROVE BOULEVARD

The Board accepted the executed and recorded Utility Easement from the School Board of Brevard County for the installation and maintenance of a sanitary sewer system.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.6., ACCEPTANCE, RE: SANITARY SEWER EASEMENT FROM BREVARD MEDICAL CITY OWNERS ASSOCIATION, INC. AND BREVARD MEDICAL CITY, LLC FOR PROPERTY LOCATED ON WICKHAM ROAD IN CONJUNCTION WITH SITE PLAN 13-SP-00362

The Board accepted a Sanitary Sewer Easement from Brevard Medical City Owners Association, and Brevard Medical City, LLC to serve the professional medical offices on Wickham Road.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.7., EXCHANGE AGREEMENT, COUNTY DEED, AND EASEMENT WITH LAMPLIGHTER MHP ASSOCIATES, LC, RE: PROPERTY LOCATED IN SECTIONS 26 AND 27, TOWNSHIP 27 SOUTH, RANGE 36 EAST

The Board adopted Resolution No. 15-094, and executed Exchange Agreement, County Deed, and Easement with Lamplighter MHP Associates, LC, for property located in Sections 26 and 27, Township 27 South, Range 36 East.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.8., CONTRACT FOR SALE AND PURCHASE WITH MICHAEL B. AND REBECCA B. CREWS, RE: ACQUISITION OF PARCELS 106 A, B, AND C AS PART OF THE ST. JOHNS HERITAGE PARKWAY PROJECT

The Board executed the Contract for Sale and Purchase with Michael B. And Rebecca B. Crews for the acquisition of Parcels 106 A, B, and C as part of the St. Johns Heritage Parkway Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.9., EASEMENT FROM THE DEVEREUX FOUNDATION, RE: EXISTING GRAVITY SEWER, FORCE MAIN, AND LIFT STATION

The Board accepted the Easement from Devereux Foundation for an existing gravity sewer, force main, and lift station.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.10., SOVEREIGNTY SUBMERGED LANDS FEE WAIVED LEASE RENEWAL BOT FILE NO. 050017474 WITH BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, RE: PROPERTY LOCATED NORTH/WEST OF MATHERS BRIDGE

The Board executed the Sovereignty Submerged Lands Fee Waived Lease Renewal BOT File No. 050017474 between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Brevard County relating to the County property located north/west of Mathers Bridge.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.11., CONTRACT FOR SALE AND PURCHASE FOR THE ACQUISITION OF PROPERTY LOCATED AT 1689 SE WYOMING DRIVE, PALM BAY, RE: PART OF BABCOCK STREET, SE WYOMING DRIVE AND VALKARIA ROAD INTERSECTION IMPROVEMENT PROJECT

The Board executed Contract for Sale and Purchase with the Bank of New York Mellon, FKA Bank of New York, Trustee for Certificate Holders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-2, for the acquisition of property located at 1689 SE Wyoming Drive, Palm Bay, as part of the Babcock Street, Wyoming Drive, and Valkaria Road Intersection Improvement Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.12., TASK ORDER NO. 12-05 WITH CDM SMITH INC., RE: CENTRAL DISPOSAL FACILITY (CDF) NEW SCALE HOUSE CONSTRUCTION SERVICES

The Board approved CDM Smith, Inc. (CDM) Task Order 12-05, in the amount of \$184,840, to provide professional engineering assistance during construction of Phase 3 of the CDF Scale House and Entrance Road Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.1., AGREEMENT WITH CROSSWINDS YOUTH SERVICES, INC., RE: HOUSING IMPROVEMENTS TO CHILDREN'S EMERGENCY SHELTER

The Board executed Agreement with Crosswinds Youth Services, Inc., for housing improvements to their Children's Emergency Shelter; and authorized the County Manager, or his designee, to execute modifications and amendments to the Agreement, upon approval by the County Attorney and Risk Management.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.2., RESOLUTION AND AGREEMENT WITH FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED, RE: TRIP AND EQUIPMENT GRANT AGREEMENT

The Board adopted Resolution No. 15-095, for submittal to the Florida Commission for the Transportation Disadvantaged (CTD) for \$1,458,814 in CTD funds; executed Trip and Equipment Grant Application Form; executed Grant Agreement; and authorized the Chairman to sign any amendment or addendums, contingent upon County Attorney and Risk Management approval.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.3., EXTENSION OF INTERLOCAL AGREEMENT WITH CITY OF PALM BAY, RE: BUS/TRANSIT SHELTERS AND BENCHES

The Board executed Agreement to Extend Existing Agreement with City of Palm Bay for the purpose of providing bus/transit shelters and benches within the City of Palm Bay City limits.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.1., AUTHORIZATION TO ISSUE PURCHASE ORDER TO ENVIRO-CARE COMPANY, RE: PURCHASE OF ENVIRO-CARE FLO-DM 1400 SEPTAGE STATION SCREENING SYSTEM FOR THE SOUTH CENTRAL WASTEWATER TREATMENT FACILITY SEPTAGE AND GREASE TREATMENT SYSTEM

The Board authorized a purchase order to Enviro-Care Company of Rockford, Illinois, in the amount of \$299,950, for the FLO-DM 1400 Septage Station Screening System for the Septage and Grease Treatment System Project, along with any associated budget changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.3., APPROVAL, RE: SALE OF SURPLUS REAL PROPERTY BY PRIVATE SALE TO ADJACENT PROPERTY OWNER

The Board executed Contract for Sale and Purchase with D. TR. Horton, Inc. for sale and purchase of two surplus parcels of property, pursuant to Florida Statute 125.35(2); and accepted the negotiated sale of price of \$5,870 and \$690, for parcels identified by Tax ID 2802877 and 2802896.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.5., PERMISSION TO ADVERTISE, RE: INCLUSION OF ASSISTANT COUNTY MANAGER (PCN #02624) POSITION IN FLORIDA RETIREMENT SYSTEM SENIOR MANAGEMENT SERVICE CLASS (SMSC)

The Board granted permission to publish Notice of Intent, once a week for two consecutive weeks, to designate the Assistant County Manager position to be included in the Senior Management Service Class (SMSC) of the Florida Retirement System.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.D.1., APPROVAL, RE: BUDGET CHANGEL REQUESTS

The Board approved the Budget Change Requests, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.2., ACKNOWLEDGE RECEIPT, RE: FY 2013-2014 AUDITED ANNUAL FINANCIAL STATEMENTS, ENDING SEPTEMBER 30, 2014, FROM THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT

The Board acknowledged receipt of the FY 2013-2014 Audited Annual Financial Statements, ending September 30, 2014, from the Melbourne-Tillman Water Control District.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.3., ACKNOWLEDGE RECEIPT, RE: FY 2016 PROPOSED BUDGET FOR VIERA EAST COMMUNITY DEVELOPMENT DISTRICT

The Board acknowledged receipt of the FY 2016 Proposed Budget for Viera East Community Development District.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.4., ACKNOWLEDGE RECEIPT, RE: FY 2016 PROPOSED BUDGET FOR BAYTREE COMMUNITY DEVELOPMENT DISTRICT

The Board acknowledged receipt of the FY 2016 Proposed Budget for Baytree Community Development District.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.D.5., ACKNOWLEDGE RECEIPT, RE: FY 2016 PROPOSED BUDGET FOR HERITAGE ISLE AT VIERA COMMUNITY DEVELOPMENT DISTRICT

The Board acknowledged receipt of the FY 2016 Proposed Budget for Heritage Isle at Viera Community Development District.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.6., CERTIFICATION, RE: LOCAL OPTION GAS TAX (LOGT) PERCENTAGES ALLOCATIONS

The Board certified the revenue percentage allocations; and authorized Clerk's Finance Department to submit the allocations to the Florida Department of Revenue.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.7., STIPULATED FINAL JUDGMENT IN THE AMOUNT OF \$70,000, RE: BREVARD COUNTY V. WALTER E. PLATT, ET AL, CASE NO. 05-2013-CA-72132, PARCEL 102.2 (HAMMER, RICHARD AND RHONDA

The Board approved the Stipulated Final Judgment in the amount of \$70,000, less the amount previously deposited, for Brevard County v. Walter E. Platt, et al, Case No. 05-2013-CA-72132, Parcel 102.2 (Hammer, Richard and Rhonda).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.8., RESOLUTION, RE: AD VALOREM TAX ABATEMENT FOR ERCHONIA CORPORATION

The Board adopted Resolution No. 15-096, for Ad Valorem Tax Exemption for the Economic Development Commission qualifying Erchonja Corporation as an eligible business under the County's Tax Abatement Program; and authorized a public hearing to consider adopting an exemption ordinance.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.9., RESOLUTION, RE: QUALIFYING ERCHONIA CORPORATION AS A QUALIFIED TARGETED INDUSTRY

The Board adopted Resolution No. 15-097, qualifying Erchonia Corporation as a Qualified Targeted Industry.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.10., RESOLUTION, RE: AD VALOREN TAX ABATEMENT FOR OAKRIDGE GLOBAL ENERGY SOLUTIONS - PROJECT CHARGE2

The Board adopted Resolution No. 15-098, for Ad Valorem Tax Exemption for the Economic Development Commission qualifying Oakridge Global Energy Solutions as an eligible business under the County's Tax Abatement Program.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.11., QUALIFYING OAKRIDGE FLOBAL ENERFY SOLUTIONS AS A QUALIFIED TARGETED INDUSTRY - PROJECT CHARGE2

The Board adopted Resolution No. 15-099, qualifying Oakridge Global Energy Solutions as a Qualified Targeted Industry.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.D.12., AGREEMENT TO EXTEND EXISTING CONTRACT WITH PFM ASSET MANAGEMENT, LLC, RE: INVESTMENT ADVISOR SERVICES

The Board executed Amendment to the Investment Management Services Agreement with PFM Asset Management LLC, renewing the existing Agreement for one year.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.13., APPOINTMENTS/REAPPOINTMENTS, RE: BREVARD WORKFORCE DEVELOPMENT BOARD

The Board appointed/reappointed Michael Bean, Teresa Compton, and Amar Patel to the **Brevard Workforce Development Board**, with terms expiring June 30, 2016; and Venetta Valdengo, Debra Greco, Mike Menyhart, and Wayne Olson to the **Brevard Workforce Development Board**, with terms expiring June 30, 2018.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.14., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVOSORY BOARDS

The Board appointed/reappointed Dawn Johnson and Donna Watkins to the **Onsite Disposal Variance Board**, with terms expiring December 31, 2015; and Nancy Mitts to the **Art in Public Places Advisory Committee**, with term expiring December 31, 2015.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Commissioner District 5
SECONDER: Jim Barfield, Vice Chairman/Commissioner District 2
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM III., PUBLIC COMMENTS

Susan Young provided the Board with some pictures; she stated she is present today to get some better understanding of when her issues will be addressed; the last Board meeting, May 12, 2015, it was not fully addressed; and it was confusing and left with the County Attorney regarding what needs to be addressed. She went on to say the landscaping buffer was included in a 45-day time frame; her property has no way for the stormwater runoff to drain anywhere except back into the ground; the drainage grates are above ground level, and even the sidewalks retain water before they can get to the level to drain into the grates; and the pictures show how her property retains water. She inquired how long they have to wait to get these issues resolved. She advised the Board the fence that was installed fell down on June

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19, 2015, in a couple of different sections; in her opinion, the fence needs to be reinforced with concrete to make it stable; and the fence runs 286 feet long and is 160 foot wide, so it needs some kind of stability.

Chairman Fisher stated Stockton Whitten, County Manager, will get with staff and try to get the answers to Ms. Young's questions.

Randy Foster introduced himself to the Board as a Commissioner Candidate for the District 3 District; and he stated he would like to meet with each Commissioner before Labor Day.

Charles Tovey asked the Board to dismiss his fines and fees against him; and as soon as he gets the mosquitoes taken care of, he will invite everyone to his house to see the arson damage. He advised the Board he wanted to go to the Town of Palm Shores to get the environmental mitigation for the springs they submitted and the lakes that are filled; and everything is being ignored. He stated he took care of the bullies at Sea Park Elementary the first day of school when he first moved to the County. He pointed out the Board is the voice of the people.

ITEM IV.A., PUBLIC HEARING, RE: FY 2015-2016 BREVARD HOME CONSORTIUM ONE YEAR ANNUAL ACTION PLAN

Chairman Fisher called for a public hearing to consider the U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on the goals and priorities set forth in the HOME Investments Partnership (HOME) Program and Community Development Block Grant (CDBG) Program.

Ian Golden, Housing and Human Services Director, stated this is the first of two public hearings; there is a five-year consolidated plan that staff put together; this is the final year of the plan; for every year of that five years there has to be an annual action plan, which outlines the accomplishments and what will be done for the coming year; and it covers not only the County but also four major cities within the County who receive dollars from the plan. He noted the major change from last year's plan is the addition of two Section 108 applications that were submitted in support of West Canaveral Groves Waterline and the construction of the Health Department in Melbourne.

There being no further comments or objections, the Board conducted the first public hearing, as required by the U.S. Department of Housing and Urban Development (HUD), for the purpose of receiving public comments on the goals and priorities set forth in the HOME Investments Partnership (HOME) Program and Community Development Block Grant (CDBG) Program, with the final approval of the funding allocations for the 2015-2016 Annual Action Plan to be presented to the board on August 4, 2015.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim Barfield, Vice Chairman/Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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ITEM IV.B., ORDINANCE, RE: ECONOMIC DEVELOPMENT AD VALOREM EXEMPTION FOR PROJECT LANDMARK

Chairman Fisher called for a public hearing to consider adopting an Economic Development Ad Valorem Exemption Ordinance for Project Landmark (Lockheed Martin).

Stockton Whitten, County Manager, stated this Item is the final adoption of the Tax Exemption ordinance for Project Landmark; Project Landmark is proposing to locate in the Spaceport Commerce Park; and they will be adding 300 new jobs with an average wage of \$89,000 and an investment of \$80 million in capital expenditures.

Commissioner Infantini stated she is not in favor of this tax abatement; the reason is because while the company will not be responsible to pay taxes to the County in the sum of approximately \$387,000, the County will be responsible for coming up with \$387,000 to put into the North Brevard Economic Development Zone (NBEDZ), which is like a Community Redevelopment Agency (CRA); and it takes money out of a pool the County has to spend on roads and the Sheriff.

There being no further comments, the Board adopted Ordinance No. 15-17, granting an Economic Development Ad Valorem Exemption to Project Landmark (Lockheed Martin); specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(8) F.S.; providing for proof of eligibility for exemption; Project Landmark (Lockheed Martin); and providing an effective date.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Curt Smith, Commissioner District 4
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM IV.C., ORDINANCE, RE: ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION FOR SATCOM DIRECT, INC.

Chairman Fisher called for a public hearing to consider an ordinance amending Economic Development Tax Exemption Ordinance No. 13-31, to reflect an address correction for Satcom Direct, Inc.

Stockton Whitten, County Manager, stated this is a correction of a previously issued tax exemption for Satcom Direct, Inc.; the original Ordinance had the wrong address; and this is merely correcting that address error.

Commissioner Infantini stated for the very same reason she is not in favor of approving the tax abatement; and she thinks the funds are better needed to replace roads and to fix the Indian River Lagoon.

There being no further comments, the Board adopted Ordinance No. 15-18, correcting the third recital in Brevard County Ordinance No. 13-31, by substituting the correct address upon which an Economic Development Ad Valorem Exemption was granted to Satcom Direct, Inc.; providing for ratification; and providing for an effective date and retroactive application of correction.

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RESULT:	ADOPTED [4 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM V.A., BOARD DIRECTION, RE: LOCAL PREFERENCE APPLICATION OF BOND COUNSEL SERVICES

Leslie Rothering, Central Services Department, stated this Item is requesting Board direction regarding local preference applications for Bond Counsel services; on May 17, 2015, the Board directed staff to solicit Request for Proposals (RFP) for Bond Counsel services; five responses were received; on May 22, 2015, a Selection Committee consisting of the Stockton Whitten, County Manager, Deputy County Attorney, Shannon Wilson, and Finance Director, Steve Burdett met and scored the responses; and due to two firms mistakenly omitting the Special Preference Affidavit, they could not receive the additional points for final scoring. She went on to say the Committee asked that the Item be brought back to the Board regarding local preference, direction, and scoring the Bond Counsel services; on May 28, 2015, the Item was brought back to the Board with three options; the Board considered direction to the Selection Committee at that meeting; and the Board tabled the Item for today's meeting. She noted all firms have been notified of both meetings; and all firms are scheduled to come back on July 13 and 14, 2015.

Chairman Fisher stated a person must be licensed in the State of Florida to even do this work; and every firm that applied, are licensed in the State of Florida. He stated those two firms did not respond because they just assumed it was known they were local companies.

Commissioner Infantini stated she is not in favor of reconsidering this Item; when the County goes out for bids, all applicants have an opportunity to fill out their bid application; a company has a responsibility if they are going to fill out a bid application to read it and fill it out thoroughly; if they make a mistake, hopefully they will learn from their mistake when they apply for another bid; and in this case County staff noticed that two firms made a mistake and neglected to put they were from Florida so they did not receive their preference points. She stated if the Board follows through with the action it looks like will be taken, it will be selectively be choosing bids that will need to be fixed; it should be done for everyone; and either it is done for everyone or not at all.

Commissioner Smith reiterated what Commissioner Infantini said; it was talked about before; it is a simple bond process; if a person has ever been in business, he or she knows each step needs to be followed; and it is just part of the process. He stated it is ironic that an attorney's office would fail to do that; attorney's make a living picking apart people who make simple mistakes; and he does not think these folks should get an exemption.

Scott Knox, County Attorney, stated he is not clear if the mistake was made by the firms as much as it may have been someone misinformed them. Ms. Rothering replied the misinformation would have come from the firms, it did not come from County staff.

Commissioner Barfield stated he has been involved in government contracts and proposals for over 25 years; mistakes do happen; there is a quick time frame to turn that around; in the federal process, they come back and ask questions if something is not submitted; and he

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inquired what is the best value for the County. He stated he would like to see the Board go with Option 3.

Commissioner Infantini stated this is local government not federal government; there are different sets of rules; rules are put in place so everyone follows the same rules; and if exceptions are going to be made, they should be made for all.

The Board approved Option 3, to allow Bryant Miller-Olive and Nabors Giblin & Nickerson to receive local preference points regarding local preference application of Bond Counsel Services.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Jim Barfield, Vice Chairman/Commissioner District 2
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Andy Anderson
NAYS:	Trudie Infantini, Curt Smith

ITEM V.B., BOARD DISCUSSION, RE: SALE OF SURPLUS REAL PROPERTY BY BIDDING PROCESS

Stockton Whitten, County Manager, stated this Item is the Board's consideration of the sale of 114 acres of surplus property; as the Board recalls, in July 2014 the Board authorized a transfer of that property from the Utility Services Department as that property was no longer needed or being used for reuse water disposal; in fact, the permit was modified to remove that property from reuse water disposal; and by a motion by 5:0, the Board at that time approved the transfer to the General Fund. He went on to say January 6, 2015, this Board, by unanimous approval, granted permission for staff to advertise for the sale of the property and also acquire the appraisal; and this is the culmination of the January 6, 2015 action in which an appraisal was undertaken, two bids were received, and the consideration is to accept one of those bids. He noted staff is available to answer questions regarding the historical use of the property; and the Utility Services Director, Public Works Director, and Natural Resources Director are available.

Anita Unrath stated the Constitution guarantees the freedom of speech; it does not guarantee that anyone will listen; they are here today; and they ask the Board to listen. She explained to the Board that a lot has happened since a few months ago when she spoke about not selling the 114 acres of land in Suntree; there were two bids received on the property; she visited many people and Commissioners; and she appreciated the kindness of the good people who work in the County offices. She urged the Board not to accept the two bids on the property; she stated the 114 acres of property is not vacant land, it is inhabited by 400 threatened Gopher Tortoises, which have a life expectancy of humans; when she met with Susan Goselin, Environmentalist in the County, she said the last time there was an actual tortoise count, it was 10 years ago in 2005; at that time there were 630 flagged burrows or 320 tortoises; and the most Gopher Tortoises ever relocated from one location in the County was 200 in an area above the Pineda Causeway in that new area. She went on to say according to the Florida Fish and Wildlife website, it would cost \$420,678 to relocate 400 tortoises; with so many Gopher Tortoises there are quite possibly Indigo Snakes, which are endangered, Sandhill Cranes, Egrets, Ibises, Hawks, and others to name a few; they have seen Bobcats in their backyard, which is on the northeast side of the 114 acres; and sadly, this past March, a baby Bobcat died on Holiday Springs Road. She stated when they moved here in 2002, they were told the land behind their house would never be developed; since the County stopped mowing the land earlier this year, it is beautiful with grass and wild flowers; the land is restoring its native plants; now there are

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Prickly Pear Cactuses, small Sable Palm Trees, butterflies, and birds; and she inquired why the land cannot be continued to be used as habitat for animals. She suggested offering the land to another government organization like Environmental Endangered Lands (EEL) Program or the biology department at University of Central Florida (UCF). She noted in 1943 aerial view of the property shows it was originally scrub habitat; and she inquired why the land cannot be used as mitigation for building in other areas of the County. She pointed out the highest and best use for this property is for the wildlife that lives there; the voters approved Amendment 1 for land conservation; the original plat from 1981 had Holiday Springs Road going straight to the 114 acres; the reason there is no good access now is because the County Commissioners in 1997 approved a re-plat design with tiny Blue Springs Road between two houses under construction; and if someone had really planned ahead, either way her cul-de-sac could have gone straight to the 114 acres. She stated she does not think this property was ever to be built upon; the little community is all cul-de-sacs; they know their neighbors and watch out for each other; having 200 more homes there and 400 more cars on the tiny streets is not the way the community was planned; and safety is a huge issue for them. She went on to add several County employees told her access to the 114 acres is the problem; according to the minutes of the January 6th meeting, Commissioners Fisher and Infantini recognized the access problem; Commissioner Smith had developers in his office who wanted to bid on the property but realized that access was impossible; on Blue Springs Road there is permission to build, but not enough space; on Ashbury and Devin's Glenn, there is space to build without permission; and if money is the only objective to selling the land, the County should not promise \$13.7 million in tax incentives to companies that were already coming to the County. She stated with \$2,000 annually in taxes from 200 homes, it will take at least 32 and one-half years to recoup that \$13.7 million. She stated if the Board votes to sell the property, to put pressure on The Viera Company to widen Viera Boulevard now; put the \$2 million into roads, especially the intersection of Viera Boulevard and Holiday Springs, which needs to have four lanes and a traffic light; when she spoke John Denninghoff, Public Works Director, he said he would love to have more money for roads in the County because so much is unfunded; and Commissioner Anderson's sister-in-law lives on Wachovia Road, and she and all of them will have a negative effect of the sale of the property.

Commissioner Anderson inquired who told the people that property would never be developed, and was it the realtor or a County official. Ms. Unrath responded it was a realtor in her case. Commissioner Anderson advised the realtor is liable for any misinformation he or she spreads; and if the Board happens to pass this, people have claims against the realtors.

Carl Roskamp stated the Coral Springs community at the Springs of Suntree is adjacent to the Suntree Master Association; between the Springs of Suntree and Suntree is a drainage ditch; the ditch is approximately 2 and one-half feet deep, and 15 feet wide; all of the water that would drain from this 114 acres would have to come down that existing drainage ditch; and during some of the storms, that ditch was filled with water. He went on to say the land is currently enclosed within a 12-foot high berm, all the stormwater that is contained within the berm area that goes into the 114 acres. He noted the developers of the land must remove the berm for fill, and if they cannot build homes surrounded by a berm it will flood. He stated he does not know where the water is going to go; it will be divided between the communities of Suntree as well as the Springs of Suntree; there is only one drainage ditch; and eventually that ditch will go 100 percent into Suntree then into the Indian River.

Nancy Johnson stated she has been a resident of Devin's Glenn for over a year, and moved to Suntree from Orlando to live in a community that was less congested; and now it appears her past is following her in the form of two Orlando developers with offers to ravage land that the Board has innocently put up for bid, and to introduce to their corner of Central Florida the same chaos and congestion she came to Suntree to escape. She inquired if the Board Members have been to Orlando lately; and if this is what the Board wants for the people.

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Sarah Hirji stated she lives on Rock Springs Drive, which is one house removed from where Blue Springs Drive is proposed to be built; Blue Springs Drive is currently a field where their children play, where they meet walking their dogs to let them play; and to get to Blue Springs Drive, a person would have to drive down Rock Springs Drive about a mile. She went on to say a construction vehicle will not fit through the one lane; it is a neighborhood with families and children; it cannot support the influx of construction and traffic that developing the 114 acres would cause; and she asked the Board not to condemn Rock Springs Drive to being essentially a highway to get to another community.

Rick Howes stated Commissioner Smith came through their community when he was running for Commissioner; he hopes the Board listens to the man who provided the invocation; and the Board should direct its hearts to the will of the people who elected it.

Peter Sacco, President of Springs of Suntime, stated they have 624 homes as of now; he has been on the Board for 11 years; and he was elected because he goes around to people and tries to do what they want. He noted in the Board's position, it should do what the people want, that is why he or she is in office. He pointed out the roads and school will not support this.

Tom Unrath stated he noticed in the appraisal and bid documents, there is a regular phase used, 'highest and best use'. He went on to say until the water plant was built the highest and best use was scrub habitat; if the Board has so much money it can give it away, it does not need to sell this property; and it brings companies that are already in Brevard County in. He suggested giving the land to one of the universities; and the right thing is not to sell the 114 acres.

John Mooney stated he is against selling of the property; in 2009 Devin's Glenn flooded; the County pumped it out and saved all of those homes; and he would like the ponds to be kept.

Dorothy Mooney stated she lives off of Spyglass, which is south of the property; her backyard gets flooded; the County told her the retention ponds have reached their capacity; and it comes up in her pool drain. She stated she was told to fill the pool in with cement; and the Board should do some homework on the property and how it is flooding.

Russell Libonati stated he is not going to try to stop the Board from doing this; and he inquired what the facts are. He noted he does not understand why the ponds were necessary and now they are not; he does not know if a traffic study was done; and he inquired if there is a website or a document that tells him when the sale is going to happen, when the construction will begin, and how many cars can be expected. He inquired how long he has to sell his house and still make a profit. Chairman Fisher explained that typically the developer would perform traffic studies and prove their drainage. He pointed out it will have to go along with the County's specification.

Mr. Libonati inquired if the number of houses can be limited. Chairman Fisher replied it is done in the zoning process. He explained typically the property is purchased, he or she would have to come before the Board for the zoning, and at that point in time, the density would be approved at that point. Mr. Libonati inquired if the Board relies on the study the developer pays for to determine that. Mr. Libonati inquired where this information could be gotten. Chairman Fisher advised there are several public hearing processes on everything; and Planning and Development Director Robin Sobrino could give Mr. Libonati that information.

Commissioner Infantini stated Mr. Libonati raised a good point; she inquired what the traffic study shows; the Board is offering something for sale because the highest and best use of the property would be residential; and she inquired if the County is offering something for sale under the pretense it could be zoned residential, and what kind of traffic study has been done so far. She pointed out perhaps it is premature to offer something for sale without a traffic study.

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John Denninghoff, Public Works Director, replied County staff has not performed a traffic study.

Commissioner Infantini stated the Board does not know if it can meet the highest and best use.

Commissioner Barfield asked Ms. Sobrino to explain the process to the audience.

Ms. Sobrino stated there is an extensive public hearing process that would take place should the Board decide to sell the property, and the developer chooses to come in and utilize the property for some private development; that includes at least six public hearing moments; members of the community, the immediate neighbors, and the owners would receive notice the developer is asking for a change in the Comprehensive Plan and also to re-zone the property; first the Comprehensive Plan process must be considered; and because it was 114 acres it would be considered a large scale Comprehensive Plan amendment, which is processed two times a year. She went on to say if they went forward and made an application before December 31, 2015, they would be included in the first cycle of the 2016 Comprehensive Plan amendment process; that is a two-step process; the Board considers transmittal where the developer asks for a particular type of land use; the Board conducts a public hearing as does the Local Planning Agency; and the public has a chance to weigh in as to their concerns regarding the actual development proposal. She noted no one knows what would be potentially out there until a developer makes a specific application for it; and staff would evaluate that application against the land development requirements and present it to the Board. She advised the Board at that point, a transmittal of the Comprehensive Plan would go to the State of Florida for State review; after all of the State agencies have an opportunity to review it for their requirements, it come back down to the Board for a second round of public hearings; and that is known as the adoption process. She pointed out at that particular time that is when a rezoning request would couple up with the adoption of the Comprehensive Plan; and the Board would also be considering a rezoning of the property that would be connected to the new use of the property. She stated she does not see there would be an outcome to any development request until the spring depending on when the Comprehensive Plan amendment process is completed.

Commissioner Infantini inquired if this many people show up to oppose any type of development, what the point is of any future public hearing; and if their voices are not heard today, how it will change the opinion of the Board.

Philip Franklin stated his street comes off of the street where the proposed development would be. He stated recently there has been plenty of development in the area; and to have another 100 to 200 homes in the small residential community, on a narrow street, would be too much. He advised the Board he received a copy of the bids; and he is very much against the sale of the property.

Karla Amos expressed her appreciation to Commissioner Infantini for going against the sale of the property. She stated the Board wants to build residential and bring more homes, cars, and people into a small community, which is not fit to have it. She pointed out no emergency vehicles can get through at times. She stated they have requested a light at Holiday Springs which is in the process for 2017 when the expansion of Viera Boulevard comes up; they have blamed all of the accidents on the drivers; and stupidity cannot be forecasted. She noted she has four children who have grown up in the area and she does not want to move. She asked the Board to reconsider the sale of the property.

Carolyn Mitri stated she lives on Rock Springs Drive; she lives eight houses down from the entrance to the new subdivision; and her car takes up half of the space of the entrance to the subdivision. She went on to say she is a retired Illinois teacher; and she will not have a

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peaceful retirement with all of the cars coming into this area. She noted Rock Springs Drive is not that wide; and she really does not want this subdivision.

Terri Couls stated she supports everything said up to now; she does not know if a fire truck or ambulance could get in there if the traffic increases; and there is one way out. She stated the road construction will break down the streets and the residents will be responsible for that.

Stephanie Dumstorf stated each developer who has come into the area has rearranged things a little bit; she has been in the area since 1991; and she commended the Board in the way it runs its meetings. She it is a diverse neighborhood and it is a shame for it to go away.

Melanie Cundiff introduced her daughter Madison to the Board. She stated her family is opposed to it because of the extra traffic; her daughter rides the bus to and from school; and she worries about her walking to the bus in the morning because of the construction workers and traffic.

Jaclyn Langan stated she and her friends walk around in the woods to see wildlife; and she would hate to see all of that land developed.

Patti Langan stated they have seen so much growth and development; she loves seeing new people moving in; but she treasures the wildlife. She is opposed to the sale and development of possibly 80 plus home sites on the land known as Blue Springs; the entrance would be in a land locked area; and this neighborhood was completed 15 plus years ago. She suggested donating the land as a nature preserve or trail park.

Donald Couls stated he is wondering if the additional tax income the County will receive, if the residents house values go down to offset the additional homes that go in; the residents had a meeting with the contractor, and he told them of all the problems he sees happening; and he is opposed to this item.

Emilee Dunn stated it is a beautiful community; the school buses cannot come up the roads because the roads are too small; and she inquired how big trucks will get down the roads. She asked the Board not to destroy the community.

Leslie Straessley stated she hopes it does not come to that point; and she asked the Board not to do this. She went on to say she does not think it is beneficial to the community. She stated she did not even know the neighborhood was there; her family went to Suntree United Methodist Church for preschool, she was trying to avoid the traffic from Wickham Road, got lost, and ended up in the neighborhood; she loved the neighborhood; when they started to look for a home to buy, they decided this is where they wanted to stay; and they would like to stay there without the additional homes.

Nicole Kelly stated this community has a Facebook page, and she could go on and meet everyone before even moving there; everyone welcomed her; and she loves the community. She stated they have three dogs, one who is an escape artist. She stated if houses go back there, it is a lot more traffic, and possibly they will have to move. She asked the Board to oppose this request.

Chris Gardner, Condev, stated they are one of the groups making a proposal; he met with some of the residents a couple of weeks ago; the residents had a lot of issues; and they will be a willing participant to sit down with residents if they are afforded the opportunity.

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Chairman Fisher inquired if Mr. Gardner has looked at access other than Rock Springs Road. Mr. Gardner responded they did until someone told him it was not access; and it is clear that access is an issue.

Susan Wynter stated Magnolia Springs has a total of 233 homes; Palm Springs has 91 homes; and they all share the only access, which is the same access this common community would have. She pointed out there is no community in Suntree with a single access point with anywhere near the same number of houses and resulting traffic like that being proposed here; most communities have multiple access points with under 150 homes; and what is being proposed would triple that number. She asked the Board to vote no.

Commissioner Infantini stated a few people mentioned that he or she searched to find this community; she and her husband did the same thing to find a great place to raise their family; and the very reasons they chose to live here would be the reasons not to sell this property.

Thomas Lavelle stated he is opposed to the sale at this particular time because there are things that are unknown about it; and he inquired what is going to be done with the property. He pointed out it is a place where kids play, people walk, and neighbors meet; they built the communities around their streets; and this could cause five times the traffic in the area. He inquired what it will do to the quality of life in that area. He encouraged the Board to vote no.

Eric Enrique stated they are one of the original owners in the Springs of Suntree; it is a place where they can raise a family; and this is where they skateboard with the children. He went on to say the sale of the property will turn their lives upside down. He asked the Board to stand for the little guy instead of big business; and he asked the Board to deny this Item.

Emilie Enrique stated she is 13 years old and she lives on Rock Springs Drive; and she is against the idea of building 200 homes in the neighborhood. She went on to say her sister is 16 and has begun driving; there is much habitat; and there will be people trying to escape because of an emergency. She encouraged the Board to vote against building the new road.

Robert Hoyman stated he understands many decisions that come before the Board are not easy ones; and he hopes it will consider the unique circumstances regarding this property. He advised the Board he is a retired school teacher; he lives on the corner of the turn that goes to Rock Springs; when a person purchases a home, a great deal of thought is given to it and the impact to the quality of life; and if the development comes forward, it multiplies the number of cars that will be seen. He pointed out the quality of life in the neighborhood is amazing; there are many people who use the pool and the playground at the clubhouse; and being on the corner he gets the opportunity to see the children walking to the school bus.

Terri Johnson stated she lives in the Springs of Suntree; and she agrees 100 percent with everything that has been said by the residents.

Bill Hobson stated his house abuts to Pine Hurst Road, which is one of the main roads to Springs of Suntree; before the I-95 overpass went in, Pine Hurst Road was a quiet street; and with the I-95 overpass, the traffic has increased tenfold. He noted the Board should listen to Commissioner Infantini; and he does not know how any developer could take that gamble and not be able to develop the property.

Commissioner Infantini stated this group has been articulate and polite.

Byron Stark stated he came from Los Angeles, California; they had a short amount of time to decide on a home in Florida; and with such a short amount of time to make a decision of where to live, they had to take the realtors word that the property would not be developed. He requested that the Board not approve to sell this property.

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Commissioner Barfield expressed his appreciation to everyone for being present; he stated he wishes other people would come to the meetings to give their opinion; and it means a lot to the Board. He went on to say he has looked at the property numerous times; and it looks like another community is trying to be force fitted there. He stated he would like to know what can be done with that property; and his decision would be not to sell the property. He noted he thinks what needs to be done is what will enhance the neighborhoods. He advised the Board it is Commissioner Smith's District; and he would like to see him work with staff and the community to come up with a good solution of what can be done with the property.

Commissioner Smith stated he has spoken to a bunch of the residents; and there is a lot of emotion involved. He stated the development is kind of backwards; there is a piece of property that is landlocked; and there is not much it can be used for. He stated the community voted by 71 percent for the community leaders to bring growth to the area, and part of that are tax abatements; the County is not giving money away; and this is vacant property that is not yielding anything. He stated initially Turtle Mound Road was supposed to come all the way through that area. He advised he will vote no regarding the selling of the property. He pointed out the County is about \$9 million behind in repairing roads; and the County is very frugal.

Commissioner Anderson stated development is not very feasible in there; if something is done in the future, the Board needs to keep in mind if it is a nature trail or whatever, it is public access for all taxpayers of Brevard County; someone had mentioned to his sister-in-law that maybe the Homeowners Association can purge this and take the liability from the County, and they do not have to grant public access. He stated it could possibly be sold as a mitigation bank to preserve it for the neighborhood.

Chairman Fisher stated it is great that the residents turned out today for this Item; he initially thought he would be supportive of the sale of the property because the Board has been told it needs to run the County like a business; and if the Board really runs it like a business, it should not have property on the books that it receives no revenue for. He noted what today showed him was that some things are bigger than a business; it is about quality of life. He noted County staff is not at fault; the Board voted to buy and sell the property; and then someone came along with an interest in buying the property. He stated the residents are bigger than the \$2 million.

The Board denied consideration of sale of surplus parcels of property, pursuant to Florida Statute 125.35(1)(a).

RESULT:	DENIED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Curt Smith, Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

The Board recessed at 11:45 a.m. and reconvened at 12:00 p.m.

ITEM VI.A.1., CONTRACT FOR SALE AND PURCHASE WITH WELCHWOOD ENTERPRISES, INC., RE: ACQUISITION OF PARCELS 107 A, B, C, AND D (WELCHWOOD PARCELS) AS PART OF THE ST. JOHNS HERITAGE PARKWAY PROJECT

John Denninghoff, Public Works Director, stated this is a contract for sale and purchase of a parcel of land associated with the St. Johns Heritage Parkway Project; the location of the property is north of U.S. 192; and it is a significant size parcel. He went on to explain part of the process needed is by Florida Statute relative to acquiring the property by immanent domain if

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necessary; the Board has previously approved a Resolution of Necessity for this parcel associated with the Project; it is needed in order to acquire land necessary to have floodplain compensation for impacts to the floodplain the Project would have, for retention areas, and for the roadway; and the contract is based on an appraisal reviewed and approved by the Florida Department of Transportation Right-of-Way Acquisitions Section. He noted the actual source of revenue associated with the contract would be the federal funds being utilized to obtain most of the right-of-way associated with this Project; staff has followed all of the federal process requirements that are necessary; it is part of the Florida Department of Revenue (FDOT) itself; and this contract, should it be approved, would be a bonafide offer to purchase the property to the property owners who will have 30 days to respond to the offer once extended.

Commissioner Infantini stated she is familiar with this piece of property; when she worked as an auditor for the Clerk of Courts she did an audit on this piece of property; in 2007, the County proposed paying \$6.5 million for the land; and at that time the Clerk and her objected to that price saying many of the comparables listed in the appraisal did not seem valid. She added in 2013, the property was reappraised; no longer was it worth \$6.5 million, it was worth \$1.5 million, which was a substantial drop; and this lot is being compared to lots in Volusia and Indian River Counties. She noted if there are not enough land sales in Brevard County to do a comparable, they need to look harder. She stated now the land is worth \$2.6 million; she would like to save the County \$1 million; the Board should offer the property owner the \$1.5 it was worth in 2013; and it is assessed at \$300,000.

Commissioner Anderson stated this is not saving the County anything; this is a FDOT grant; their appraisers have reviewed it and are probably tougher on appraisals than a general appraisal going through this process; and this is not General Fund money.

Mr. Denninghoff advised the Board this is not General Fund money, it is federal transportation funds, which are highly regulated in how they are utilized; and the whole right-of-way process is very different than the County would normally use with its funds. He pointed out the appraisals that were done in accordance with the federal requirements, where the State requirements exceed the federal requirements, there are some of those; the comparables are suggested because there is no piece of property 100 percent comparable to another parcel of land; and if this appraisal is not used, the County would violate the federal requirements and would have to refund all of the money that has already been utilized from the federal source for the prior right-of-way acquisition.

Commissioner Infantini stated for the record, all of the money is tax money; she does not care where it comes from; she will be going to the FDOT to let them know; if they want to pay it, then that is fine; and the next project to buy land for the Parkway would make it \$1 million less for that purchase.

Commissioner Anderson stated he used to feel that way until he spent six years on the process; and he has more education on the federal process. He noted Commissioner Infantini will not get anywhere by arguing with the federal government's procedures; and if Brevard County does not use this, someone else will take the money.

The Board executed Contract for Sale and Purchase with Welchwood Enterprises, Inc. for acquisition of Parcels 107 A, B, C, and D (Welchwood Parcels) as part of the St. Johns Heritage Parkway Project.

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RESULT:	ADOPTED [4 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM VI.C.1., APPROVAL, RE: SALE OF SURPLUS REAL PROPERTY BY PRIVATE SALE AND BY BIDDING PROCESS

Stockton Whitten, County Manager, stated at the Board's request, it has a listing of a surplus property approximately 161 parcels of property; there are two ways to actually dispose of the surplus property, private sale to the adjacent property owners or through a bidding process for those properties that do not have adjacent property owners or are easily able to be developed; as staff briefed with the various Commissioners, an issue of whether or not beach and riverfront property should be on this listing came up; and that is a Policy decision of the Board. He went on to say beach and riverfront properties were acquired via a voted bond referendum in 1984; and there are some of the properties on the listing. He noted there are no Environmentally Endangered Lands (EEL) properties on the listing; in terms of surplus property, the County is far in excess of what staff actually put before the Board today; but they have tried to give it to the Board in manageable chunks. He stated if the Board were to consider beach and riverfront properties, one of the alternatives that were suggested is that perhaps those proceeds from those properties be re-dedicated to managing and taking care of beach and riverfront properties; and that way the Board will still be honoring the will of the voters. He pointed out every property would have to come back to the Board for final approval.

Commissioner Infantini stated she would like to remove at least one parcel of property; and it has a boat ramp on it, the Crab Shack. Mr. Whitten advised the Board that staff is actually requesting that parcel be removed from the listing. Mr. Whitten stated it is Tax ID 2609389.

Chairman Fisher stated if there is riverfront or beach property that was purchased with Referendum dollars, it is fine to put those dollars back into the managing of the beach front and recreational property versus putting it in another big pot.

Commissioner Anderson inquired if the properties to be removed, the beach and waterfront properties, all taxpayers able to use them.

Commissioner Barfield inquired if there are other properties bought with referendum dollars other than beach and riverfront. Mr. Whitten replied the other Item is the North Brevard County property entrance to Chain of Lakes; legally the Board could not use those as a Countywide resource; if they came from the North Brevard Referendum District, those proceeds would have to go back into that District; and the Board will see those as they come up. He pointed out that is the only one that is a Referendum property.

Jack Masson, Parks and Recreation Director, stated there are two properties adjacent to the Chain of Lakes that were parks Referendum acquired.

Commissioner Barfield stated he does not feel comfortable with the beach and riverfront being put out for sale; the Board needs to get a firm policy on what needs to be done with that; he knows they are putting it towards the beach and riverfront; and he would like to know more about it. He stated he would like to approve everything that is non-referendum based. He stated he asked staff to break it down to all of the ones that are referendum-based.

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Mr. Whitten stated the Policy decision is whether or not to remove from the listing those projects that were acquired through some sort of bond referendum.

Commissioner Infantini inquired if this can be tabled so the Board can look at each of the properties. She thanked Teresa Camara, Central Services Director, and staff for the map and showing all her staff all of the parcels.

Douglas Worth inquired if a boat ramp County Park is a beach and riverfront park. Commissioner Infantini responded the Board pulled that one off of the Agenda. Mr. Worth stated he moved to Lake Sheppard 41 years ago; he looked at that park and realized it was the only common area that this whole Waterway Estate Development has that is not an entranceway traffic median; and they have picnics and functions there. He went on to say the Park is less than one-half an acre; a boat ramp was put in there eight years ago by the Parks and Recreation Department; and he would hate to see the park removed from the residents.

Chairman Fisher stated staff came up with 161 properties staff wants the Board to consider, which will be considered on an individual basis as the Board goes through the process; and staff is looking for direction.

The Board tabled consideration of sale of surplus real property by private sale and by bidding process, pursuant to Florida Statute 125.35(1)(a), and the Code of Ordinances, to a future Board meeting in two weeks.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.C.2., APPROVAL, RE: POLICY BCC-54 - SOLICITATION, PICKETING, AND PETITIONING ON COUNTY PROPERTY

Stockton Whitten, County Manager, advised the Board he would like this Item to be tabled; he stated the Supervisor of Elections advised him that there were some legislative changes in 2013 that may affect the way this Policy is implemented; and staff will look at those and bring it back to the Board at a future meeting.

The Board tabled consideration of Policy BCC-54, Solicitation, Picketing, and Petitioning on County Property, to a future Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Curt Smith, Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.E.1., RESOLUTION, RE: AMENDING TAX ABATEMENT PROGRAM GUIDELINES

Stockton Whitten, County Manager, stated this Item is a request for the Board to amend the Tax Abatement Program Guidelines; as the Board is aware, there are three categories which it uses to consider Tax Abatements; the number of employees, the payroll, and the capital investments;

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the Program has been using the 2013 average annual wage of \$41,375; and the Statewide average has been updated to \$42,904.

The Board adopted Resolution No. 15-100, amending Tax Abatement Program Guidelines, as recommended by the Economic Development Commission of Florida's Space Coast.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Jim Barfield, Vice Chairman/Commissioner District 2
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.F.1., RESOLUTION, RE: AMENDING RESOLUTION NO. 05-332, PRE-MEETING INVOCATION POLICY

George Lebovitz stated he is wondering why there needs to be an invocation at all; and it seems business should just be conducted.

Lisa Warren stated her religious and philosophical beliefs are no one's business, her sexual orientation is not anyone's business, her ethnicity is no one's business, her voting history is no one's business, and she is a citizen of the County, which is the Board's business; the Board's business is to effect the local government in a manner compliant with the Constitution of the United States and subordinate State legislation in serve to all citizens of the County; and the Board has not been doing that. She noted promoting one religious belief system over all others is not appropriate while conducting the business of government. She added the Board works for the populous as a whole; the government is prohibited from prioritizing one belief system over another; and she proposed that all invocations, prayers, and blessings simply be eliminated from the Agenda.

Scott Knox, County Attorney, clarified by saying the motion should include all of the recommended actions and recommendations. Commissioner Smith responded affirmatively.

The Board approved Option 1, to adopt Resolution No. 15-101, formalizing the Board's Pre-Meeting Invocation Policy; and authorized the County Attorney to seek a Declaratory Judgment.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VIII.A., REPORT, RE: STOCKTON WHITTEN, COUNTY MANAGER

Stockton Whitten, County Manager, stated next Thursday the Board have a workshop that includes the delivery of the budget but also a discussion on School Impact Fees; the School Board has asked to consolidate from five impact fee districts to two districts; he is attempting to contact the School Board to see if they want to hold off on that discussion until after the new Superintendent comes on Board; and that may be removed from the Agenda making it a very short workshop.

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ITEM VIII.D., REPORT, RE: COMMISSIONER CURT SMITH, DISTRICT 4

Commissioner Smith inquired if there is anything the Board can do for the Young's regarding the fence coming down.

Stockton Whitten, County Manager, replied Morris Richardson, Assistant County Attorney, gave an update; but Amanda Elmore, Natural Resources Management Office, is present to give the Board an update; Robin Sobrino, Planning and Development Director, spoke with Ms. Young during the meeting; and to give the official update as to where the Cocoa Expo is, Ms. Elmore will do that for the Board.

Ms. Elmore stated staff has done a couple of inspections over the last couple of months, specifically for the buffer issues around the Young's property and the northern property line; around the Young's property there is supposed to be in an along the northern property line buffers in place by June 26, 2015, under the Agreement; the Young's have had issues with storm damages on the fence; Cocoa Expo is looking at how to resolve those issues; but about half of the fence on the north property line, north of the Young's, is not in place. She went on to say it does not look like the fence was cemented into place so it blew over with the storm; all of the trees on that side are dead; a lot of the trees along the northern property line were removed; that debris pile has been removed; and the fence is now in place but the plantings are not there. She pointed out there are numerous issues with the residential buffers.

Chairman Fisher inquired what the request of the Board was regarding the buffer. Ms. Elmore replied Scott Knox, County Attorney, could speak better to the Agreement; but it is her understanding the buffers were to be in place as of June 26, 2015.

Commissioner Infantini stated most of them were in place; she has been in conversations with Jeff Unnerstall, Cocoa Expo, and he explained to her because they are so tall it is not the regular eight-foot fence a person puts up; and it made it more difficult to stabilize the fence.

Mr. Whitten stated Natural Resources Management staff has done two inspections and plan on going back whenever Cocoa Expo calls for re-inspection; but the Agreement with the Cocoa Expo was for them to have the landscape buffer in place by June 26. He noted in an attempt to be as cooperative as possible, staff has worked with the Cocoa Expo; and Cocoa Expo is not in full compliance, but are making progress.

Commissioner Smith stated he is disturbed at these minor things going forward; the Cocoa Expo has known for a long time it is what the Board wants done; and the excuse that the fence is bigger than normal is kind of lame.

Commissioner Anderson stated he concurs with Commissioner Smith regarding the fence issues; and he has put up many fences. He noted this needs to be moved along.

Attorney Knox stated the Board can try to enforce the injunction or see if the Cocoa Expo will move along the process a little faster.

Chairman Fisher asked the County Attorney to ask the Cocoa Expo to move it along, and to bring it back to the Board at its next meeting.

Commissioner Smith stated the Young's have been cooperative through the entire process; and this problem needs to be fixed.

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Mr. Whitten stated he is going to consider the next Board meeting as the workshop next Thursday.

Chairman Fisher advised the Board that July 16, 2015, there will be a report on that.

ITEM VIII.F., REPORT, RE: COMMISSIONER JIM BARFIELD, DISTRICT 2

Commissioner Barfield stated he and Commissioner Smith went to Washington, DC, three weeks ago speaking to a lot of the stakeholders and the local military installations; it turned out very well; and every one of them told him to let the community know how much they love the community. He noted they met with Senator Bill Nelson relating to the Space Coast; and it was a productive weekend.

Commissioner Smith stated they spoke with a lot of people who are actively involved with the Space Coast; and they think strategically this is a terrific place.

ITEM VIII.G., REPORT, RE: COMMISSIONER ROBIN FISHER, DISTRICT 1

Chairman Fisher expressed his appreciation to Eddy Pauley, Brevard County Lobbyist; the National Wildlife Refuge has a million visitors a year; their headquarters and visitor center use is an Orlando post office box; people were having a hard time finding it; and he was able to get it changed to a Titusville address. He went on to add the State Legislature was successful, with the Governor's approval, to get an additional \$1 million for the Field of Dreams; and it gives the County the opportunity to try to finish that project.

Commissioner Barfield stated the Veterans Memorial Center in Merritt Island has received a \$1.5 million grant; and that helps with the expansion and the Veterans.

Commissioner Smith stated he gave the Governor a thumbs down because he vetoed the \$10 million to be used for the quiet zones for All Aboard Florida.

Upon consensus of the Board, the meeting adjourned at 12:49 p.m.

ATTEST:



Scott Ellis
SCOTT ELLIS, CLERK

Rj

ROBIN FISHER, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

APPROVED BY THE BOARD: 09/01/15

**CHANGES TO THE ADVANCED AGENDA FOR:
July 7, 2015 - Regular**

DATE & TIME RECD.	ORIGINATOR OF CHANGE	TYPE OF CHG.	ITEM #	BRIEF DESCRIPTION	JUSTIFICATION
6/27/15	District 3	Add On	I.F	Resolution re: Commending William Lundell for Donating over 100 Gallons of Blood	Commissioner request
6/27/15 7/2/15	District 2	Add On and Delete	I.G	Resolution re: Recognizing June 1-7, 2015 as Management Week in Brevard County	Commissioner Request D2 Requested it be deleted
6/29/15	District 3	Move	II C 2 to New Business VI C 2	Approval re: Sale of Surplus Real Property by Private Sale to Adjacent Property Owner	Commissioner Request
6/29/15	Staff	Move	II C 4 to New Business VI C 1	Approval re: Sale of Surplus Real Property by Private sale and by Bidding Process	Staff Request