

May 26, 2022

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Thursday, May 26, 2022

5:00 PM

Zoning

Commission Chambers

A. CALL TO ORDER 5:04 PM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 4
Curt Smith, and Commissioner District 5 Kristine Zonka
Absent: Commissioner District 3 John Tobia

ZONING STATEMENT

The Board of County Commissioners acts as a Quasi Judicial body when it hears requests for rezoning and Conditional Use Permits. Applicants must provide competent substantial evidence establishing facts, or expert witness opinion testimony showing that the request meets the Zoning Code and Comprehensive Plan criteria. Opponents must also testify as to facts, or provide expert testimony; whether they like, or dislike, a request is not competent evidence. The Board must then decide whether the evidence demonstrates consistency and compatibility with the Comprehensive Plan and the existing rules in the Zoning Ordinance, property adjacent to the property to be rezoned, and the actual development of the surrounding area. The Board cannot consider speculation, non expert opinion testimony, or poll the audience by asking those in favor or opposed to stand up or raise their hands. If a Commissioner has had communications regarding a rezoning or Conditional Use Permit request before the Board, the Commissioner must disclose the subject of the communication and the identity of the person, group, or entity, with whom the communication took place before the Board takes action on the request. Likewise, if a Commissioner has made a site visit, inspection, or investigation, the Commissioner must disclose that fact before the Board takes action on the request. Each applicant is allowed a total of 15 minutes to present their request unless the time is extended by a majority vote of the Board. The applicant may reserve any portion of the 15 minutes for rebuttal. Other speakers are allowed five minutes to speak. Speakers may not pass their time to someone else in order to give that person more time to speak.

C. PLEDGE OF ALLEGIANCE

Commissioner Smith led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the March 8, 2022, Regular meeting minutes.

Result: Approved
Mover: Rita Pritchett
Second: Curt Smith
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

J.1. Waiver Request for Subdivision Sign, Re: Island Forest Preserve Developer: IFP Development, LLC

The Board tabled the waiver request for subdivision sign requirements to allow a subdivision sign of approximately 168 square feet maximum overall size for Island Forest Preserve – Developer: IFP Development, LLC, to the July 12, 2022, Board of County Commissioners meeting.

Result: Approved
Mover: Rita Pritchett
Second: Curt Smith
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.1. Approval of Resolution to Re-Purchase Property in County-Owned Commerce Park in Titusville

The Board of County Commissioners, in regular session on May 26, 2022, adopted Resolution 22-054, permitting the re-purchase of approximately five acres of industrial land in the County-owned Spaceport Commerce Park in Titusville for \$150,000 from Merritt Precision Technologies, Inc./Watershed Real Estate, LLC, using monies held by the NBEDZ; and authorized the Chair to execute all documents in connection thereof.

Result: Adopted
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.2. Committee Appointment RE: Public School Facility Planning and Concurrency Interlocal Agreement (ILA)

The Board appointed Brian Lock as the County's representative to the Impact Fee Committee, and Keith Neterer and Billy Prasad as alternates. The Board has previously appointed these individuals to the Capital Outlay Committee, however, the ILA requires the Board of County Commissioners appointment to the Impact Fee Committee as well.

Result: Approved
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.3. Preliminary Development Plan Amendments, Re: Tranquility Estates Planned Unit Development (PUD) Minor Amendment #1

The Board confirmed proposed amendments to the Preliminary Development Plan for the Tranquility Estates PUD that are within the administrative approval authority provided to the Zoning Official by Section 62-1448(c) Brevard County Code of Ordinances.

Result: Approved
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.4. Acceptance, Re: Binding Development Plan with Carter and Jessica Hayes

The Board executed Binding Development Plan with Carter and Jessica Hayes, for property located at a parcel of land in the NE ¼ of the SE ¼ of Section 34, and the NW ¼ of the SW ¼ of Section 35, Township 23S, Range 36E and a parcel of land being a part of Section 34, Township 23S, Range 36E in Brevard County.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.5. Acceptance, Re: Binding Development Plan with Surrey Homes, LLC (f.k.a. Jackson Family Trust); and C.B. Davis Family Trust

The Board executed Binding Development Plan with Surrey Homes, LLC (Jackson Family Trust and C.B. Davis Family Trust), for property located at a parcel of lands as described in OR Book 6066, Page 844 and OR Book 6133, Page 2745 of the public records of Brevard County.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.6. Acceptance, Re: Binding Development Plan with Sunil Rajan, Sudhir Rajan, and Suresh Rajan

The Board executed Binding Development Plan with Sunil Rajan, Sudhir Rajan and Suresh Rajan, for property located at the South 200 feet of the N ½ of SE ¼ of SW ½, East of State Road No. 3 Right-of-Way, in Brevard County.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.7. Acceptance, Re: Binding Development Plan with John Louis Freeman

The Board executed Binding Development Plan with John Louis Freeman, for property located at a parcel of land in Section 26, Township 25S, Range 37E, in Brevard County.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.8. Amendment 1 - Public Transportation Grant Agreement, Hangar Development Construction Phase Funding at Valkaria Airport

The Board executed and approved the Amendment 1 to the existing Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) for hangar development at Valkaria Airport; and authorized all necessary Budget Change Requests associated with this Agreement.

Result: Approved
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.9. Ratification of the advertisement and Invitation to Bid for the Construction of Taxiway E at Valkaria Airport

The Board ratified the May 20, 2022, Advertisement and Invitation to Bid for X59 Valkaria Taxiway E Construction; authorized staff to award the competitive solicitation, subject to final award of the grant; and approved any necessary Budget Change Requests associated with the grant and construction project.

Result: Approved
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.10. Approval, Re: Partial Defeasance of Two United States Department of Housing and Urban Development (HUD) Section 108 Loans

The Board authorized the Housing and Human Services Director to take all steps necessary (including endorsing documents) to complete a partial defeasance of two HUD Section 108 loans upon approval of Risk Management and the County Attorney's Office; and authorized the County Manager to approve any related Budget Change Requests.

Result: Approved
Mover: Curt Smith
Second: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.11. Approval, Re: Tourist Development Council (TDC) FY 2022-2023 Tourism + Lagoon Grant Program Funding, Guidelines, Application and Committee Scoresheet

The Board approved the Tourist Development Council FY 2022-2023 TDC Tourism + Lagoon Grant Program Guidelines, Application, and Committee Scoresheet; approved funding of the FY 2022-2023 Tourism + Lagoon Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences; granted the legislative findings: (1) the Indian River Lagoon is an estuary with multiple public access points for tourism purposes and a long history of use by tourists, (2) each project specifically improves, maintains, re-nourishes, restores, protects, or assists with erosion control in either the Indian River, the Banana River, or the Mosquito Lagoon (all part of the Indian River Lagoon), and (3) each project is authorized purpose for the expenditure of Tourist Development Tax revenue under Section 125.0104(5)(a)5, Florida Statutes and Section 102-119(4)(a) of the Brevard County Code of Ordinances; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney's Office, Risk Management, and Purchasing Services approval.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.12. Approval of the Tourist Development Council (TDC) FY 2022-2023 Cultural Support Grant Program Funding, Guidelines, Application and Committee Scoresheet

The Board approved the Tourist Development Council FY 2022-2023 TDC Cultural Support Grant Program Guidelines, Application, and Committee Scoresheet; approved funding of the FY 2022-2023 Cultural Support Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences; granted the legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, because each grant supports an activity or event which has, as one of its main purposes, the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney's Office, Risk Management, and Purchasing Services approval.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.13. Approval, Re: FY2022-2023 Tourist Development Council (TDC) Capital Facilities Grant Program Application, Funding, Guidelines, and Committee Score Sheet Approve One (1) Year Extension for the Cocoa Village Playhouse TDC Capital Facilities Grant Reimbursement Period

The Board approved the Tourist Development Council FY 2022-2023 TDC Capital Facilities Grant Program Guidelines, Application and Committee Score Sheet; approved funding of the FY 2022-2023 Capital Facilities Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences; approved a one-year extension to the reimbursement period for the \$250,000 Cocoa Village Playhouse TDC Capital Facilities grant at the end of the reimbursement period for this grant be extended from September 30, 2023 to September 30, 2024; granted legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, because each grant supports an activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney Office, Risk Management, and Purchasing Services approval.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.14. Approval, Re: Tourist Development Council (TDC) FY 2022-2023 Major Event Grant Program Funding, Guidelines, Application and Committee Scoresheet

The Board approved the Tourist Development Council FY 2022-2023 TDC Major Event Grant Program Guidelines, Application, and Committee Scoresheet; approved funding of the FY 2022-2023 Major Event Grant Program applications which shall come before the Board for final funding approval as the grant application cycle commences; granted legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3., Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances, because each grant supports an activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside Brevard County; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney's Office, Risk Management, and Purchasing Services approval.

Result: Approved

Mover: Curt Smith

Seconders: Rita Pritchett

Ayes: Pritchett, Smith, and Zonka

Absent: Tobia

F.15. Approval, Re: Tourist Development Council (TDC) FY 2021-2022 Tourism + Lagoon Grant Program, Additional Funding for the City of Satellite Beach Samsons Island Submerged Lands Restoration Project - Phase 2 Project

The Board approved the Tourist Development Council FY 2021-2022 TDC Tourism + Lagoon Grant Program Guidelines request for additional funding for project – City of Satellite Beach Samsons Island Submerged Lands Restoration - Phase 2; approved additional funding of the FY 2021-2022 City of Satellite Beach Samsons Island Submerged Lands Restoration - Phase 2 project in the amount of \$16,262; granted legislative findings: (1) the Indian River Lagoon is an estuary with multiple public access points for tourism purposes and a long history of use by tourists, (2) each project specifically improves, maintains, re-nourishes, restores, protects, or assists with erosion control in either the Indian River, the Banana River, or the Mosquito Lagoon (all part of the Indian River Lagoon), and (3) each project is authorized purpose for the expenditure of Tourist Development Tax revenue under Section 125.0104(5)(a)5, Florida Statutes and Section 102-119(4)(a) of the Brevard County Code of Ordinances; and authorized the Tourism Development Office Director to negotiate and sign all necessary grant agreements and related documents upon County Attorney Office, Risk Management, and Purchasing Services approval.

Result: Approved

Mover: Curt Smith

Seconders: Rita Pritchett

Ayes: Pritchett, Smith, and Zonka

Absent: Tobia

F.16. Proposed Resolution, Re: School Board of Brevard County Referendum Election for a 4 Year Ad Valorem Tax Millage Increase for School Operations

The Board adopted Resolution No. 22-055, calling a referendum election on November 8, 2022, for the purpose of determining whether or not the electors of the School District authorize an Ad Valorem tax millage increase by one mill for a period of four years, to be used for school operations.

Result: Adopted
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.17. Pay Plan Adjustment to Address Positions that have High Vacancy Rates and/or High Turnover

The Board reviewed and approved the proposed Pay Plan Adjustments; directed staff to address internal alignment and internal equity issues, as needed, on a case-by-case basis; and directed staff to implement the Pay Plan Adjustments with an effective date of July 23, 2022.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.18. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

F.19. Brevard County Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2021 and Brevard County Annual Financial Audits Report for the Fiscal Year Ended September 30, 2021

The Board acknowledged receipt of the Brevard County Annual Comprehensive Financial Report for the Fiscal Year ending September 30, 2021, and the Brevard County Annual Financial Audits for the Fiscal Year ending September 30, 2021.

Result: Approved
Mover: Curt Smith
Seconders: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

H.1. Charles K. Donaldson Requests a Small Scale Comprehensive Plan Amendment (22S.04) to Change the Future Land Use Designation from RES 1 to RES 4 (22SS00001) (Tax Account 2416959)

Chair Zonka called for public hearing on a request by Charles K. Donaldson for a Small Scale Comprehensive Plan Amendment (22S.04) to change the future land use designation from RES 1 to RES 4.

Jeffrey Ball, Planning and Zoning Manager, stated this is Charles K. Donaldson requests a Small Scale Comprehensive Plan Amendment 22S.04, to change the future land use

designation from RES 1 to RES 4; the application number is 22SS00001, tax account 2416959; and it is located in District 2.

Kim Rezanka stated she has a presentation; if the Board read the minutes it would be the same as that; if there are any questions she would be happy to answer that; she is in attendance with the owner Charles Donaldson and his wife; they have owned this property for a very long time, since the 70s; they are just trying to split the property; they are going to meet the EU zoning which they have had forever; and the change to RES 1 was done in 2009 and it was not of their request. She mentioned she can answer any questions or she can respond to comments.

Commissioner Pritchett mentioned she was able to speak to County staff afterwards and their assessment was this could have been done differently with a BDP; they are only going to put a house on both lots; and she asked if that was correct.

Ms. Rezanka responded affirmatively.

Commissioner Pritchett inquired how the Board is to make sure that is what it stays with; she stated she knows that is what they are trying to do; but if they just do this somehow with the RES 4, there is nothing on it that would keep it with that criteria.

Ms. Rezanka commented she provided a Binding Development Plan (BDP) as she did with Dunkin Donuts, so it was presented; because of the requirements of the lot size, the width, it is going to be difficult for them to place more than two, so it was determined by Planning and Zoning (P&Z) that they were not going to be able to place more than two; they are happy to issue the BDP which she provided; and she reiterated it was kind of like they did with Dunkin Donuts, unusual, but workable. She noted if that is what the Board prefers the BDP is in the Packet.

Commissioner Pritchett inquired with Planning and Development Director, Tad Calkins, if that is okay.

Mr. Calkins responded he does not know if staff has the BDP in the package; he believes Ms. Rezanka was going to submit one.

Ms. Rezanka advised she submitted it with the P&Z packet and it is in the record as what she submitted for P&Z; and it was on Legistar.

Commissioner Pritchett stated if it is not, would Ms. Rezanka agree to a BDP of limiting to one house on both parcels.

Ms. Rezanka responded affirmatively.

Commissioner Pritchett replied, okay.

Ms. Rezanka noted that is exactly what the BDP states.

There being no further comments or objections, the Board adopted Ordinance No. 22-16, amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled, "The 1988 Comprehensive Plan," setting forth the ninth Small Scale Plan Amendment of 2022, 22S.04, to the future land use map of the Comprehensive Plan; amending Section 62-501 entitled, Contents of the Plan; specifically amending Section 62-501, Part XVI(E), entitled, The Future Land Use Map Appendix; and provisions which require amendment to maintain internal

consistency with these amendments; providing legal status; providing a severability clause; and providing an effective date; and approved with a BDP.

Result: Adopted

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Smith, and Zonka

Absent: Tobia

H.7. Health First, Inc.; and Health First Shared Services, Inc. (Kim Rezanka) Requests a Change of Zoning Classification from BU-1 and BU-2 to PUD, with Waivers (22PUD00001)

Chair Zonka called for public hearing on a request by Health First, Inc. and Health First Shared Services, Inc. for a change of zoning classification from Bu-1 and BU-2 to PUD, with waivers.

Tad Calkins, Planning and Development Director, stated this is Health First, Inc. for a request to change the zoning classification from BU-1 and BU-2 to PUD; this matter is going to be moved to the July 12, meeting; if there is anybody here that wishes to speak on it because it was advertised, they can speak; otherwise, the Board cannot take action on this matter.

Chair Zonka advised she does not have any cards.

Mr. Calkins advised the Board this will be moved to the July 12 Meeting.

Chair Zonka responded affirmatively.

H.2. OBC Realty, LLC Requests a Small Scale Comprehensive Plan Amendment (22S.05), to Change the Future Land Use Designation from RES 15 to CC (22SS00002) (Tax Accounts 2521003 and 2521005)

Chair Zonka called for public hearing on a request by OBC Realty, LLC for a Small Scale Comprehensive Plan Amendment (22S.05), to change the future land use designation from RES 15 to CC.

Jeffrey Ball, Planning and Zoning Manager, stated OBC Realty, LLC, request a Small Scale Comprehensive Plan Amendment, 22S.05 to change the future land use designation from RES 15 to CC; the application number is 22SS00002, tax account 2521003 and 2521005; and it is located in District 2.

Jack Kirshenbaum stated he represents the applicant; it is a pleasure to appear before the Board this evening; this is a request to really fix something that needs to be fixed; it has been a problem for kind of a long time; he is sure the Board is real familiar with the north end of Patrick Air Force Base; it is a real skinny, and strange part of the neighborhood; this building predates zoning; and it has been a bad restaurant and a bad club for years and years. He added it has no stormwater treatment and really no parking; it has been abandoned for a while; they are seeking to obtain this land use change so it can be redeveloped; Rochelle Lawandales has put a very good report in evidence; and the planning board recommends approval. He mentioned he has learned that the City of Cocoa Beach will provide sewer; there is a sewer main that runs down the west side of State Road A1A so there are no problems with septic or water; he has Allen Engineering in attendance to tell everyone how horrible the stormwater situation is there now and how it will be fixed and how there will be open space around the proposed project; and

it is a real small space so the uses are going to be minimal in the final analysis. He noted he will answer any other questions anyone might have.

There being no further comments or objections, the Board adopted Ordinance No. 22-17, amending Article III, Chapter 62, of the Code of Ordinances of Brevard County, entitled, "The 1988 Comprehensive Plan," setting forth the ninth Small Scale Plan Amendment of 2022, 22S.05, to the Future Land Use Map of the Comprehensive Plan; amending Section 62-501 entitled, Contents of the Plan; specifically amending Section 62-501, Part XVI(E), entitled, The Future Land Use Map Appendix; and provisions which require amendment to maintain internal consistency with these amendments; providing legal status; providing a severability clause; and providing an effective date.

Result: Adopted

Mover: Curt Smith

Seconded: Rita Pritchett

Ayes: Pritchett, Smith, and Zonka

Absent: Tobia

H.3. Clifton Thomas (Clayton Bennett) Requests a Change of Zoning Classification from BU-1-A to RU-1-13, with a BDP Limited to 1 unit (22Z00012) (Tax Account 2954089) This Application has been Withdrawn by the Applicant. Letter Received 05/16/22

Chair Zonka called for public hearing on a request by Clifton Thomas (Clayton Bennett) for a change of zoning classification from BU-1-A to RU-1-13, with a Binding Development Plan (BDP) limited to one unit.

Jeffrey Ball, Planning and Zoning Manager, stated this is Clifton Thomas request for a change of zoning classification from BU-1-A to RU-1-13 with a BDP limited to one unit; the application number is 22Z00012, tax account 2954089; it is located in District 3; this application has been withdrawn by the applicant; and the letter was received on May 16, 2022.

Chair Zonka commented it looks like this was withdrawn by the applicant.

Tad Calkins, Planning and Development Director, advised there is no action needed and the Board can move on.

H.4. William L. (Jr.) and Sharon R. Feagan Request a Change of Zoning Classification from AU to RR-1. (22Z00010) (Tax Account 3022409)

Chair Zonka called for public hearing on a request by William L. (Jr.) and Sharon R. Feagan for a change of zoning classification from AU to RR-1.

Jeffrey Ball, Planning and Zoning Manager, stated this is William L. and Sharon R. Feagan request a change of zoning classification from AU to RR-1; the application number is 22Z00010, tax account 3022409; and it is located in District 1.

There being no further comments or objections, the Board approved the change of zoning classification from AU to RR-1 requested by William L. and Sharon R. Feagan.

Result: Approved
Mover: Rita Pritchett
Seconders: Curt Smith
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

H.5. Heath and Shannon Morgan Request a Change of Zoning Classification from RU-1-9 to SR; the Property is 0.69 Acres, Located on the North Side of Miami Ave., Approx. 200 ft. East of City Acres Rd (22Z00011) (Tax Account 2863495)

Chair Zonka called for public hearing on a request by Heath and Shannon Morgan for a change in zoning classification from RU-1-9 to SR on 0.69 acres, located on the north side of Miami Avenue, approximately 200 feet east of City Acres Road.

Jeffrey Ball, Planning and Zoning Manager, stated Heath and Shannon are requesting a change of zoning classification from RU-1-9 to SR; the property is 0.69 acres located on the north side of Miami Avenue, approximately 200 feet east of City Acres Road; the application number is 22Z00011, tax account number 2863495; and it is located in District 5.

Chair Zonka commented she has no issues with this.

There being no further comments or objections, the Board approved the request by Heath and Shannon Morgan for a change of zoning classification from RU-1-9 to SR on 0.69 acres located on the north side of Miami Avenue, approximately 200 feet east of City Acres Road.

Result: Approved
Mover: Rita Pritchett
Seconders: Curt Smith
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

H.6. PR Corporate Holdings, LLC; and AkBlue Holdings, LLC (Kim Fischer) Requests a Change of Zoning Classification from AU to RU-1-11 (22Z00013) (Tax Account 2105549)

Chair Zonka called for public hearing on a request by PR Corporate Holdings, LLC, and AkBlue Holdings, LLC, for a change of zoning classification from AU to RU-1-11.

Jeffrey Ball, Planning and Zoning Manager, stated PR Corporate Holdings, LLC and AkBlue Holdings, LLC, requests a change of zoning classification from AU to RU-1-11; the application number is 22Z00013, tax account number is 2105549; and it is located in District 1.

Kim Fischer stated she is the engineer of record representing the owners of the property; this is a rezone request; the current property is agricultural; there is a dilapidated house on there that will be coming down soon; this is just a rezone from agricultural to get it out of agricultural place, holding zoning as she calls it; they are surrounded on the north and west by similar size lots on the east; they have, what she believes was a closed down school and is now a closed down assisted living facility and larger parcels to the south; and the future land use is four dwelling units per acre and they are not trying to increase the density. She continued by saying she has checked with environmental services and this is not in the septic overlay so the environmental services have given them the green light as well; and she can answer any questions should the Board have any.

Norman Schott stated he lives at 3110 Diamond Road; he is against this; this is going to

forever change his way of life; he has lived there for almost 25 years; this street has an L shape, two-thirds of a mile long; it has 21 current houses on it; average lots go from a half-acre to five acres; this particular lot is 4.38 acres, so with that new zoning it would allow four per acre so they could put 17 houses in the corner; if that is done, it is going to double the number of houses on this street in one little corner; and right now there are no sidewalks, three street lights, and it is safe to walk down the street at night. He went on say if they put in new houses and that kind of thing, then they are going to have so much traffic on that street that it will not be safe to walk down it anymore at night; they had to have a petition to get some speed bumps put in some years back because the high school students from Astronaut thought that was a short cut around the traffic light; that fixed traffic a whole lot so it became safe to walk down the street again; and to put this kind of development in there it changes the neighborhood totally and it will not be like it has been for the past 25 years he has been there. He added it is not consistent with what they have had and what they are living with; he does not even know how they would dump 17 houses out on that street in the corner; that road is just little, it is not going to hold that, they will have to change the road; he would guess they would get that done; and he also does not know how they will get 17 septic systems on a lot that used to hold one septic system for one house; and basically his problem with this is that what he has been living on for 25 years where he can walk down his street, he will not be able to do that any longer. He reiterated there are no sidewalks and no street lights, not nothing; if they dump that many people, two cars per house, 17 houses, 34 additional cars on that street; most of the people who live on the street are retired, like he is, and do not drive to and from work, so there is very little traffic on the street; it is safe to walk your dog down the street at night time, no problem; but they will not be able to do that with all these people in there and that is why he is against it.

Ms. Fischer noted they are sensitive to the surrounding areas and this is a compatible zoning with the surrounding areas; there are actually 27 properties with driveways onto Diamond Road currently; only six of those driveways that have over an acre in size and the bulk of them are actually less than a half-acre; they are not going to be putting 17 houses on this property in order to meet septic, they are probably closer to 13 or 14 and with a new subdivision, peak hour trip per house is approximately one, so peak hour it would be approximately 13 or 14 peak trips onto Diamond Road; and Diamond Road is not a rural road, there is a fire hydrant directly in front of the property, so it is in a little more urbanized area. She went on to say it is consistent and harmonious with the surrounding area.

Commissioner Pritchett stated looking at the petition it matches the surrounding property; she understands the change of the nature of things going on out there; from what she sees after someone gets on Diamond they are either going one way towards Dairy Road or one way towards Old Dixie so it is going to split it up a little; she sees it has listed up to 16 lots; looking at it, just so Ms. Fischer knows, she is probably going to vote to make an approval tonight but she will have to work on doing a traffic statement and stormwater; she does not think they will get 16 on there, but she will have that work that out with staff and see what she can do; and she thanked her for being cognitive of the neighbors. She added she does see it being able to split off in both directions; based on this it really does fit; and she does not have a reason that she could deny it.

There being no further comments or objections, the Board approved a request by PR Corporate Holdings, LLC, and AkBlue Holdings, LLC, for a change of zoning classification from AU to RU-1-11.

Result: Approved
Mover: Rita Pritchett
Seconders: Curt Smith
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

J.2. Allocation of American Rescue Plan Act (ARPA), Second Tranche Funding to Partially Fund Construction of the New Brevard County Emergency Operations Center (EOC)

Frank Abbate, County Manager, stated this is a request for an allocation, not to exceed \$12.2 million from the second tranche of American Rescue Plan Act (ARPA) money to partially fund anticipated construction cost of the Brevard County Emergency Operation Center that the County is in the middle of the Consultants' Competitive Negotiations Act (CCNA) process to award that agreement; he believes the Agenda is rather detailed in terms of the background and the amount of funding that has been utilized so far, what is currently available, and what the anticipated costs are in the attachments; and he is looking for the Board, if it is the Board's pleasure, on the options provided, if it would be interested in authorizing options one, two, and three that would allow the County to continue negotiations with the top ranked Construction Management firm with the \$12.2 million additional allocation of the ARPA second tranche funding. He added if they are not successful, if negotiations fail with them, then to move to the second-ranked Construction Management to attempt to reach a satisfactory agreement within the budgeted amount that the Board authorizes; and if not, then option three would allow them to go to the third Construction Management firm that was selected through the process; and staff is there to answer any questions that the Board may have on that Item.

Commissioner Smith advised he has no objection to one, two, or three.

Chair Zonka clarified if staff is asking for one, two, and three.

Mr. Abbate responded affirmatively.

Commissioner Smith noted that was what he was saying, he has no objection to any of them; he is good with it; and he made the motion to approve the Item.

Chair Zonka stated she appreciates all the hard work everybody has done on that; sadly construction costs are going up, but the Board wants to make sure it is getting the best deal it can get; and she is sure Mr. Abbate has discussed this with staff, but she is sure he feels he can get accomplished what he needs to get accomplished with the Emergency Operations center with one, two, and three.

The Board authorized the use of ARPA, second tranche resources to fund unexpected construction costs of the new Brevard County EOC; approved funding the difference between initial estimates and final agreed upon costs; authorized the County Manager to approve any necessary Budget Change Requests; approved Board Option 1, assuming satisfactory negotiations with the top-ranked Construction Management (CM) firm, authorizing allocation of not to exceed \$12.2 million of ARPA second tranche funding, the difference between available funds and new contracted costs; approved Board Option 2, if final negotiations with the top-ranked CM fail to reach a satisfactory conclusion, authorized the County Manager to reject the top-ranked firm and enter negotiations with the second-ranked CM firm during the selection process; and approved Board Option 3, if the second selected CM also fails to successfully negotiate to an acceptable cost, authorized the County Manager to reject the second selected CM and negotiate with the third selected CM.

Result: Approved
Mover: Curt Smith
Seconded: Rita Pritchett
Ayes: Pritchett, Smith, and Zonka
Absent: Tobia

J.3. DAD 1300 N. Atlantic Cocoa, LP Tourist Development Grant

Commissioner Pritchett stated she has put this on the Agenda tonight; she was able to hear the first presentation last night on the Tourist Development Commission (TDC) Board; the group is here from Driftwood to provide a presentation; and this is the first time really getting to hear the details.

Chair Zonka asked Commissioner Pritchett how much time is required for this.

Commissioner Pritchett noted probably 10 minutes.

Glenn Wasserman stated he is the Chief Financial Officer of Driftwood Capital, who is the sponsor of a proposed new hotel development; he thanked the Board for allocating time to present at this meeting; he stated the New Westin Cocoa Beach Resort and Convention Center will replace the current International Palms Resort and create an iconic state-of-the-art resort and meeting facility designed by the world renowned architect Gensler; this transformative mixed-use hospitality development project embraces the Space Coast revival as a center of technology innovation and leisure; the project is located on a 15.7 acre site boasting 500 linear feet of beachfront featuring the area's only upper upscale hotel with 502 guest rooms and suites, along with a wide variety of food and beverage venues, a full service spa, multiple pools, and expansive resort amenities; and the resort will also offer over 120,000 square feet of flexible indoor and outdoor meeting space making it the largest conference and event venue in the County. He went on to say the project is shovel ready featuring all necessary entitlements, height variance approvals and zoning requirements; he is in attendance today to provide the County Commissioners an overview of the Westin Cocoa Beach Resort and Convention Center development and address any concerns or questions it may have; and specifically their ask is to place an Agenda Item on the July meeting to vote on a proposed grant request associated with the development. He explained Driftwood is a long standing member of the Brevard business community; they currently own three hotels in the County and anticipate breaking ground in the next couple of months on the fourth hotel; they have been working with County officials on this Westin project for several years now; in terms of a timeline and how they got to this point, they began this process when Driftwood acquired the International Palms Resort in 2016; over the subsequent three years, they worked to design a development that would incorporate a four and one-half star resort and convention center; and they obtained the proper zoning variances and approvals during this time. He continued by saying they anticipate breaking ground on the construction towards the end of the first quarter of 2022, the first quarter of 2023, with completion in the fourth quarter of 2025; additional information about the property is, as he mentioned earlier, it will contain 502 guest rooms and suites and be situated on 15.7 acres of land, including 500 linear feet of beach access; there will be 11 food and beverage venues and multiple amenities including three resort pools, entertainment venues, indoor and outdoor recreation areas, and a spa and fitness facility; the development will include 800,000 square feet of building square footage and 120,000 square feet of meeting space; and it is anticipated to cost over \$380 million. He went on to say he would like to invite Kyle Gagne, Vice President of Development for Marriott, who has joined him today, just to come up and comment briefly on the proposed Westin Development.

Kyle Gagne thanked the Board for allowing him to speak; he stated he is the Vice President of Development for the full service brands for Marriott International; he has a couple quick

statements in support of this project; as they learned last night it is transformative for the region; he has had the State of Florida for his territory for 18 years and can't recall a development like this in those 18 years; it is certainly transformative for the region and a flagship for the Westin brand; to have a conference center resort on the beach on the east coast in Florida is a flagship for the Westin brand; and lastly, large scale projects like this for his premier brands are not commonplace, they only sign a few of these per year and they almost always have some form of public financial support. He announced he is fully supportive of the project and very happy to be partnered with Driftwood on this.

Mr. Wasserman stated he has some additional information on the conference and meeting space: as he mentioned earlier, it will contain over 120,000 square feet, 50,000 square feet of that is indoors and it is comprised of a grand ballroom of over 16,000 square feet as well as other smaller ballrooms and meeting spaces, and pre-function and breakout areas; due to its size the grand ballroom can be set up in multiple configurations to facilitate hosting cocktail parties, banquet style, theater or auditorium style, classroom style, and conference style; and the outdoor event space of 70,000 square feet is very flexible and we can structure it in a way to host food and wine festivals, weddings, boating and car shows, other large exhibits, concerts, and can even be tented for formal outdoor events. He mentioned this project has gone through a number of structure changes; there was one approach initially that contemplated a public-private partnership; based on the feedback they received they decided to revise that approach to better respond to the community's concerns; they are aware that other businesses in other industries have asked for and been awarded grants to attract the relocation of their business or the development of facilities and other real estate; as such they have structured their request in the form of a grant; and their revised ask to the County Commissioners is approval of a marketing grant only, specifically the grant request is for up to \$1 million per year for 30 years to be used solely for the promotion and advertising of the Space Coast and the Westin Resort and Convention Center. He added the source of the grant is anticipated to be 50 percent of the tourism development taxes that the new resort and conference center generates; the payment of the grant is anticipated to be quarterly in arrears and only made after Driftwood submits documentation of our spend of the promotion in advertising dollars to the County Manager's office; and to be clear, this grant would be specific and only apply to Driftwood. He noted if they were to sell the resort to a third party at some point in the future, the grant will cease and not be eligible to be transferred to that new owner; nothing about the project has changed; as he previously detailed they want to develop a luxury ocean front 502 room, four and one-half star resort and conference center and it will be built entirely with private capital; the development is already fully entitled; and they are simply asking for the County's help in marketing. He stated the County and Tourism Development Council (TDC) have done a tremendous job attracting new business to the area; he has seen tremendous growth of economic activity due to this; what he is trying to do is something that has not been done yet, put the Space Coast on the map as a destination for large scale convention business; the promotion and advertising dollars that he is asking for support on, will target this new business; and with the renaissance of the space industry and the growth of tourism and business in the area, there is currently no facility in this market that is modern enough and large enough to meet the expectations or standards of what today's high-end business traveler and conference guest expects in 2022. He noted this is a market wide issue, it is not a swipe at any one particular hotel; they see the issue first hand at their own Hilton property in Cocoa Beach; simply put, this is a paradigm shift; the Westin is a transformative project that will allow Brevard County to be competitive with markets like Orlando and Miami in attracting large group and conference business; that warrants a dedicated marketing effort; and this is a win for everyone, the residents of Brevard who will benefit from the property and sales tax the property generates, the businesses in Brevard who will benefit from indirect spending of guests and access to a world class facility, and even other hoteliers who will capitalize on spillover business. He went on to say they will be funding this development privately, however, the County support means a tremendous amount to his financial partners and lenders; it

signals to them that the County is behind them and committed to the project's success; to be clear, they do not have the financing for the project in place; they have spoken with many of their existing banking relationships and financing brokers, who indicated that the total cost of the project is significant and specifically the cost per key is high; and without the economic support of the County, it will be challenging to obtain the financing required to build the development with its current scope, specifically they may need to cut the cost of the development which could impact the convention center and other amenities. He remarked they have heard feedback from other hoteliers, many of which might be considered competitors, that a grant for this development would set a precedence; as he conveyed to the TDC yesterday, Driftwood believes that if there are other businesses or developers who plan to invest a significant amount of money to sponsor a transformational project, Driftwood believes those businesses or developers should be eligible for support from the County; as he mentioned earlier, they are breaking ground on a \$50 million hotel development in Melbourne in the next couple of months, and it will be known as the Melbourne Element; they will also be investing a significant amount of money into the renovation of their existing Hilton Hotel in Cocoa Beach; they are not asking for County support for these investments, nor does he believe other developers should approach the County if they are developing or building a mini golf or a water park or another venue that is not transformative in nature for the region; however, they contemplate investing \$380 million into a development to transform the County and the Space Coast into a convention destination with a four and one-half star upper upscale resort, and they believe this project warrants economic support from the County. He advised they have commissioned an economic impact study to calculate the benefit to the County; the results are summarized on the slide; upon stabilization of the resort and convention center's operations, Johnson Consulting, who performed the study and compiled the findings, is estimating that the Westin Resort and Convention Center will generate over \$159 million of economic benefit to the County on an annual basis; from a fiscal impact, this project will generate just shy of \$11 million of additional taxes including an increase in the tourism development taxes from the current \$270,000 that is generated by the existing International Palms Resort, to over \$3 million per year; and these figures do not contemplate additional property tax revenue and other unquantifiable benefits. He noted the economic and fiscal benefits the Westin Resort and Convention Center will generate, as well as the new product offering, is what will transform the area into a premier destination for conventions; he thanked the Board for the opportunity to present the Westin Cocoa Beach Resort and Convention Center and the details behind the grant application; and he reiterated this ask is for the County Commissioners to place an Agenda Item on the July meeting to vote on the grant request.

Commissioner Pritchett commented Mr. Wasserman keeps saying that the cost per key is high, and she inquired what that is.

Mr. Wasserman stated it is \$388 million now divided by the 502 keys, which is approximately \$800,000 per key.

Janice Scott stated she has observed this project when former Commissioner Lober was here wrangling around; it is at eight months now and at one scheme or another to get the County to do something special for the Westin development; it is more like Westin versus the TDC now; she has probably watched these back and forth, and there is probably at least 12 hours of public time spent on this; there's a cost to that to the taxpayers and she knows that sounds small; the Westin got several variances from the City of Cocoa Beach to build their hotel; everybody has been waiting with great expectation to see what they are going to do and when they are going to do it; and now, by the time they build it, it will be nine years. She mentioned the TDC has been doing a great job for the County over the years, of allocating money to market tourism in Cocoa Beach and also around the County; as a matter of fact, they were instrumental in having the B-Line renamed Beach-Line so people would know what beach to go to on the coast of Florida; she thinks that their responsibility is to spread the money around;

they are experienced at doing it; and she really thinks the Board should take their advice, as it is not the Board's business to pick winners and losers or single out one entity over another. She continued by saying it is almost transformative now, it may be, but it is beginning to sound like whining; when someone lets their oldest kid drive the car to the 7-11 before their 16th birthday, they never get over that, the next one comes along a day or week before his or her 16th birthday and wants to do the same, and on and on it goes; she would suggest the Board take the TDC's advice, as they are not in favor of doing this; she thinks the Board is going to embroil the TDC into a bag of worms of lawsuits on preferential treatment, who is treated fairly, who is treated unfairly, and issues that they do not now have; and last but not least, District 2 does not have a representative now and she really does not think anything of this magnitude should be undertaken until District 2 has a representative again. She mentioned it is unfortunate whatever has transpired that there is not one and it does not look like the Governor is going to appoint someone to represent the District, but that is kind of her sentiment and the sentiment of a lot of people in Brevard County.

Bob Baugher stated he has talked to most of the Board members already, but he is opposed to this, not as a development, he is all for them, he hopes they build it, he cannot see how they cannot build it if their numbers are correct, in other words they are saying they put \$37 million in it and people do not walk away from \$37 million for getting \$1 million per year; he has personally built a lot in the area; they just completed two units, hotels that are 310 rooms; he knows the cost of a hotel business and he knows the market pretty well; he has three hotels planned, maybe four, and there are two more in the Cape Canaveral area so there is five more coming into this market; and nobody is asking for assistance. He added he heard this is going to be compared to Orlando, well Orlando is compared to Las Vegas; so comparing this County to Orlando is not a reality; he is not against helping them, in fact, what he has heard at the TDC, a limited time period to help them get out of the box, he is not against that; however when one does something for 30 years at \$1 million per year, it allows them to sell that and there is nothing in the proposal that qualifies what marketing is and there is no oversight. He mentioned, basically, if the County gives them this they could market it and reap about a \$25 million benefit immediately; the Board would be handing them \$25 million marketable asset, that is what it would be doing for free; he is asking if the Board really wants to help market it, a marketing program is usually one or two years, and the TDC was very generous at five and seven; it would be a giant step forward to do something like that because the County has a whole bunch of other projects coming right out of the ground; it has the Buffet project in Melbourne coming out of the ground, and they could claim the thing, its regional; and the TDC marketing budget depends on the growth of the TDC funds, when the marketing funds are raided for one, they are raided for all. He mentioned if the board is going to do this it should keep it in the TDC and under the TDC's oversight, so there is oversight; and he thinks it should also be limited to a reasonable marketing program not a sellable \$25 million asset at the taxpayers' expense.

Commissioner Pritchett commented she got warmed up last evening so it's a little easier for her to come and shoot with it; one thing he said different tonight for Mr. Baugher, is they said if they sell it, it goes away so this is not transferable.

Mr. Wasserman noted although he did say that tonight and did not say it last night, it is written in the grant application.

Commissioner Pritchett advised Mr. Baugher she will catch up with him later since they are not under sunshine. She mentioned that was something she had concern with, but obviously it is not because if they sold it, it is gone; she noted she looks at numbers; she has like six pages of notes because she is in the study phase here, and she is trying to get all the data she can so she can make a good decision; this is a brand new market which she thinks is interesting

because the County does not currently have this market; the County has the other hotels and they are wonderful, but if anyone wants people to come to a higher end Westin, she was telling people last night when she and her husband travel, they live small so they can vacation big, and she wants to stay in the higher-end hotels when they head over to Clearwater; this is a brand new market that the County is not grabbing right now, and she thinks it will start a whole new base line of sales tax revenue; and she advised there are some things in there that she liked, but their first proposal she probably would not have voted through a few years ago. She stated she thought this was pretty creative that they are doing 50 percent with the marketing and that there is a cap on it; she thought that was a great idea; she also likes that at the end of 30 years if they still haven't collected those funds, it is still gone anyway; this has a lot of parameters on it plus the money going to marketing is specifically for the Space Coast for this other market share; and she mentioned last night at the TDC, if other people come in with projects that can do a new market or even in a market to where the County gets more dollars, she would not be against doing that as well. She went on to say, Florida is a sales tax driven State; any time the County can get more tourist dollars it saves on ad valorem taxes; she is always looking for those opportunities; she remembers years ago the Board took a few risks on Blue Origin and they had a building there were building, and it is three times the size and it ended up being a pretty good investment for the County; this does not hurt the County and that was her main thing; all the revenue they will have coming in for tax dollars now, that does not even go into the pot, they have to start a threshold on top of that, so this is all new dollars; and say they do get \$10 million, they still only get that one cap on it, all the rest of it goes to the County, so they are really capped in on how much money they can have. She noted she heard a few concerns yesterday and she is listening and trying to get through those; she knows there is not a District 2 Commissioner at this time, but she was really impressed to hear from the Mayor of Cocoa Beach and his reasoning for it, because it directly impacts him; she likes that they are building a parking garage, but there is a lot to work through; one thing she thought was interesting was she had a TDC board all ready to just vote and shoot this down, and she was like, people need to learn and listen, the Commission is hearing about it but not voting on it yet, it wants to learn about this and have the public understand it and the Board to understand it; and finally the Mayor of Palm Bay decided not to do the second and they backed off of it. She commented if the Board wanted to it could vote it through tonight, but it is not going to do that; the Board wants people to have input, and it wants to make good decisions; she trusts this Commission, and commented they are really smart; as the Board is collecting all the data, she knows it will come forward with a good decision; and she does not know where it will end up, but she would love to hear from each Commissioner. And she advised after everyone has had a turn she would like to make a motion to place it on the second Agenda in July so the Board has time to study it and come back and hear it.

Commissioner Smith commented he harkens back to about 2015 when the Board was asked to approve, thumbs up or down, on Blue Origin and the Board heard that statement made back then that it was picking winners and losers, capital cronyism was another that was thrown around, and other statements thrown around, and he was the deciding vote on that; he was really kind of just listening to what people had to say; he had not made up his mind one way or the other; he is kind of in the same situation here; he has had conversations with some of the other hoteliers and they had raised some good points; however, at this point, he thinks the Board is taking the right step if it advances this Item to the July Agenda. He noted the Board could have some more time to talk about it and think about it; the Board members can do some more research and make a decision then; hopefully by then there will be two more Commissioners in attendance so it would be five people making that decision; right now he can say he is very impressed with the whole operation; the very first time he heard it, he thought it was a game changer; and he noted this can do for Cocoa Beach what the Fountain Blue did to Miami Beach. He noted it will raise all the ships, a rising tide raises all ships, and that is what this thing can do; this thing can benefit everybody in that community; it will transform the community and he would think that it would encourage more upscale units to be brought to

Cocoa Beach at the same time and that benefits everybody; it benefits the TDC; when he took place on this Board back in 2014, he thinks TDC monies were probably in the \$8 million to \$10 million range, and now it is pushing \$20 million; he thinks with new development he could see \$25 to \$28 million, maybe \$30 million on the horizon; and he does not see anything but good coming from this, but he is willing to listen to any negatives, downsides to this, although he currently does not see any. He stated one of the comments made tonight was the \$1 million would go away, and he knows that was one of the sticking points to some folks; people had said to him that Driftwood was guaranteed this million dollars but it is only guaranteed if it brings in \$2 or \$3 million; currently the International Palms generates \$270,000 so this is talking about a big win for the community if they can bring in \$3 million and want \$1 million back; he would make that deal all day long if there is 20 more hotels that want to come to Brevard County; he thinks it is something the Board should definitely consider and move forward with; and hopefully there will be more Commissioners on the dais in six to eight weeks and the Board can make a decision to get these people on their way, if they need to get some kind of concessions, and if the other Board members would vote for it on those concession; if there is no need for concessions then to move forward with it; and he thinks it needs to be moved forward one way or the other.

Chair Zonka commented she thinks she has asked many of the questions and spent some time with some of the folks that are involved with this project; she is sort of where Commissioner Smith is; she obviously wants to take input from everybody, however, if someone can produce a project that is a \$300 million project and investment, she is all ears on hearing about what the Board can do to help them out; one never knows what the best investments are for those funds; she knows for many, many years, the County has invested a lot of money in Cocoa Beach marketing, so no one can ever say that it did not; to call that corporate welfare is sort of disgusting to her considering that for many, many years it was the hoteliers of Cocoa Beach that ran that TDC; and she is not criticizing the individuals that are members of that board now, she is just saying that was how it was before this current Board on the Commission. She added she does not think this is a picking winners and losers as was stated, she thinks this is more looking at can this project justify a public benefit; she will have some more questions, but that does not mean she is 100 percent on board right now; so far she likes what she has seen; and she likes the idea of bringing something like this to Brevard County. She advised if someone is going to take the existing \$270,00 that they are getting now and triple that just by just opening their doors, and they are going to guarantee that marketing is going to guarantee marketing for the space coast marketing for their operation, she does not know how that is a bad thing; they are not spending it on themselves, they are not spending it on their employees they are not using it for capital, they are spending it directly to benefit the marketing of the Space Coast; maybe those are some of the terms that they work out; if she were to support this, and she is not committing to that now, but if this is going to continue to move forward and likely see the support of her as a Commissioner, she wants to see a marketing plan; and she thinks he has already agreed that it would be subject to audit at least on some degree or have to bring something to the TDC, maybe a committee that's part of the TDC that approves the marketing plan. She commented if they are investing that money, that is essentially from the tax that they are collecting, back into the Space Coast marketing and back into marketing the Westin, she does not know how to argue that; basically, all that is being done is holding them to using \$1 million to marketing, it is not really seen as a financial benefit; others may see it differently, however if that money is being reinvested in the County she does not see how that is a negative; she looks forward to hearing what more they have to offer and she hopes Mr. Wasserman is available to ask questions; and she is sure the Board members' phones are going to blow up from the time they walk out this door, for the next month. She mentioned that is okay, the Board was not elected to make easy decisions and sometimes it is hard to make tough decisions too.

Commissioner Smith added recently maybe in the last three or four weeks, he was speaking

with these people and they were showing him their layout and something came to mind with the outdoor space; he attended the space symposium in Colorado Springs three or four years ago and Jeff Bezos showed up and had one of his rockets, a used rocket on display and it had the burn marks and was just sitting there, and he immediately thought when Mr. Wasserman was showing him that outdoor space, gosh, the County could have a Space Symposium here or maybe a mini Space Symposium, and wow, what that would do to the community; and what that would do for the room nights for all these other places. He stated if that brought in and he does not know how many people they bring in, six, eight, or ten thousand rooms, something like that, at the Space Symposium, that would fill up every hotel room in the County; he just thinks this is a game changer; it has so many possibilities and if the Board can give them some incentive to that and if this added \$3 million to the TDC and they want \$1 million back, he would not object to doing that with any of the other future or present people, if they could say or show him that they can come up with another \$2 million above, then the Board could talk about giving them some incentives too; and as Chair Zonka said, this is not going in their pockets, it is going to be directed toward promoting Cocoa Beach and everybody benefits from that promotion. He noted he thinks the Board should move this forward and he would certainly make the motion or second whoever wants to go in that direction.

Commissioner Pritchett commented since they are getting to the fun stuff, this is almost like working for commission; if they do not raise those extra funds, they do not get any; it is really not much of a risk for the County; she was checking to see what this means and what they have now; right now there would be a place that can seat 650 people and after this they could sit 1,983; she got that online comparing the two; this is a significant building; and when they were talking before about doing the analysis for the convention center, actually it was brought up last night, that one place built a convention center and then gave it to the Westin and then still gave an incentive for five to seven years. She went on to say she would not vote to build them a convention center, but she realized then that they were looking at doing an analysis of that before and she would not want to saddle the constituents with the convention center; she thinks eventually if this takes off, then they will have to come up with an idea to do that one; she just looked at all of the numbers that were given last night and she started running down some ideas; they said a few things that she thought actually kind of sold the project a little more by the time they got done talking; she looked at this and these are very nice rooms; she thinks they plan to hire like 2,000 construction workers; and this is really going to be good for the economy. She mentioned what she really likes about it the most is this really is not a risk for the County. She continued by saying she charged these other guys to come up with ideas and to come back with some things as well; Chair Zonka brought this up and she has been trying not to say it, but she is right on that corporate welfare; the Board just gave the zoo \$10 million; and if people are saying the Board is doing that, it already has been doing that with a lot of projects.

Chair Zonka commented she was told it was seed money, and obviously it is; and she is a huge supporter of the aquarium.

Commissioner Pritchett acknowledged she is too.

Chair Zonka noted she does not know how to look at anybody with a straight face and say they support one project because it is new and transformative, and she knows it is clearly very different, and a public benefit, et cetera; and in reality it is still supporting that growth.

Commissioner Pritchett responded it is filling up all the hotels which is good, but this is like building a destination too.

Chair Zonka mentioned she has worked with these people and said, what about going out to Request for Proposal (RFP), but in reality she thinks it would have just wasted time because who else is going to say they will invest \$300 million-plus into an RFP for this; and it could have

been done just to give everybody comfort that the Board could say it went out to RFP, but in reality, her door is open and her phone is open, if anyone has a project that is different, then she is all ears.

Commissioner Pritchett responded in agreement; she stated it benefits the County; this is not taking care of District 1, they tried, but they do not have the beach; she reiterated this is good for the County and she feels good about it; she mentioned she likes it right now and she will keep studying it and working it out; she thanked Mr. Wasserman for picking Brevard County to do this; and she just hopes this makes Cocoa Beach a really big place on the map for people wanting to come here and visit, as it is a really beautiful beach and there are wonderful people here.

Chair Zonka noted she may not be all the way there yet, but she is not saying no either; and she really wants to hear what Mr. Wasserman has to say; hopefully something can be worked out and this can happen; and she exclaimed she is excited.

The Board authorized the County Manager and the County Attorney's Office to review Economic Impact Statement, proposed grant agreement and any other documents provided by DAD 1300 N. Atlantic Cocoa, LP, for presentation to the Board at the July

Result: Approved

Mover: Rita Pritchett

Second: Curt Smith

Ayes: Pritchett, Smith, and Zonka

Absent: Tobia

L.3. Rita Pritchett, Commissioner District 1, Re: Board Report

Commissioner Pritchett stated she just wanted to say one thing with the auditing; and she would like to put the auditing of the marketing on the County Manager, when this is being discussed next time, so that he would be watching over those funds. She stated she wants to mention the shooting that happened in Texas; she knows the other Board Members were going to bring it up too, but it breaks her heart; she hates evil and she just has no words; and she just wants to say her heart really goes out to them. She noted it is a good day to go home and hug your children and remember what is important.

L.6. Curt Smith, Commissioner District 4, Vice Chair, Re: Board Report

Commissioner Smith stated he was the representative in D.C. last week with the Economic Development Commission (EDC); they visited NASA and he should have a picture coming to the screen; this is a mock-up of the super-sonic X59 Quest, which is a super-sonic transport; NASA is developing this plane; it is an experimental plane, obviously, and it is designed to go very fast; it could travel from New York to Los Angeles in about two hours; they are in the process of getting approval, if they can get approval; currently one cannot fly a supersonic plane over land because the sonic boom is disturbing to people, which is understandable; and this will actually create a mild thump. He went on to say if they can get that approval, people may be able to jump on an airplane in Orlando and land in Alaska in a couple or three hours, which would be pretty amazing in itself; and he thought he would bring that back because it really created an awful lot of interest in him. He mentioned that NASA is interested in establishing with Brevard County, a partnership to solve some of its common environmental problems with regard to wastewater out at the Cape, so that is good news. He visited with several folks from the Air Force, Admirals and Generals, and they also expressed an interest in working with Brevard County on environmental efforts with regard to Patrick and Cape Canaveral.

May 26, 2022

Upon consensus of the Board, the meeting adjourned at 6:08 P.M.

ATTEST:




RACHEL M. SADOFF, CLERK


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

As approved by Board July 12, 2022.