

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 October 21, 2014 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

Attendee Name	Title	Status	Arrived
Robin Fisher	Vice Chairman/Commissioner District 1	Present	
Chuck Nelson	Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Mary Bolin Lewis	Chairman/Commissioner District 4	Present	
Andy Anderson	Chairman/Commissioner District 5	Present	

INVOCATION

The invocation was given by Rabbi Joel Fox, Temple Beth Shalom of Melbourne.

APPROVAL OF MINUTES

The Board approved the September 9, 2014 Special Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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

The Board acknowledged presentation by Margie Collins, Brevard B.R.A.V.E. Volunteer Coordinator, who described *Volunteer Stars Light Up Brevard* initiative; and Susan Szymula, Library Area Director, recognized Esther Vulpius, who volunteers at the Mims Scottsmoor Public Library.

ITEM I.B. RESOLUTION, RE: DECLARING NOVEMBER 2014 AS PANCREATIC CANCER AWARENESS MONTH IN BREVARD COUNTY

Commissioner Infantini read aloud, and the Board adopted, Resolution No. 14-19, declaring the Month of November 2014 as Pancreatic Cancer Awareness Month in Brevard County.

Barbara Nehr stated on behalf of the Central Florida Affiliate of the Pancreatic Cancer Action Network, she would like to thank the Board for the opportunity to accept the Resolution. She stated in proclaiming November as Pancreatic Cancer Awareness Month the Board is assisting one in making the public aware of the disease and its truly lethal nature; and working together with the Board, she hopes to continue to raise awareness to support patients and their families, and to raise the funds to find the cure, through individual contributions, Federal funding, and Legislation.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.C. RESOLUTION, RE: PROCLAIMING THE WEEK OF NOVEMBER 2-8, 2014, AS WEEK OF THE FAMILY

Commissioner Infantini read aloud, and the Board adopted, Resolution No. 14-192, proclaiming November 2 - 8, 2014, as Week of the Family and urged all residents to spend quality time with family members to strengthen relationships between parents and children.

Marlees Dunn, Director of Public Affairs for The Church of Jesus Christ Of Latter-Day Saints, thanked the Commissioners for the numerous years that they have been able to do this; and she stated this year there will be another fun fest in Rockledge.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.D. RESOLUTION, RE: PROCLAIMING NOVEMBER 15, 2014, AS AMERICAN RECYCLES DAY

Commissioner Nelson read aloud, and the Board adopted, Resolution No. 14-193, proclaiming November 15, 2014, as America Recycles Day.

Keep Brevard Beautiful staff stated appreciation to the Board; announced Americans Recycles Day is going to be held at Kiwanis Island on November 15th from 3 p.m. to 7 p.m.; and they encourage everyone to come on out.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Robin Fisher, Vice Chairman/Commissioner District 1
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.C.1., ACCEPTANCE OF PROPOSALS, RE: STATE LEGISLATIVE LOBBYIST

Chairman Bolin Lewis stated since this is going to be ballot decision she is going to pass out the ranking sheets and then get a tally on that; and if there is a clear winner then the Board will be able to release everyone. She added, if there is a very close ranking then it will keep it on the agenda and have the presentations by the lobbyist firms; and to please note that ranking number one is the highest.

Commissioner Infantini asked how the Board is going to select the person that wins the highest number; and how is the Board going to determine if there is a runoff.

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Chairman Bolin Lewis stated if there is a tie then the Board will have the presentations of the people who are in the tie and then they will be re-ranked.

Leslie Rothering, Purchasing Manager, stated there were six firms that did submit proposals for the lobbyist services; and she will be giving the rankings one through six. She announced ranking number one is from Ronald L. Book/Guy Spearman Management, Inc.; number two is Pennington/Barney Bishop Consulting; number three is Bryant Miller Oliver/Dixie Sansom Consulting; number four ranking is Buchanan Ingersoll & Rooney/Fowler White Boggs; number five is The Advocacy Group at Cardenas Partners; and number six is from Capitol Alliance Group, Inc.

Chairman Bolin Lewis stated from the rankings the Board has a clear decision. Ms. Rothering stated the Board did have four number one rankings for the number one firm which is Ronald L. Book, P.A./Spearment Management, Inc.

Stockton Whitten, County Manager, asked for permission to negotiate the contract. Commissioner Nelson asked that in the negotiations the calendar be based on fiscal year, and not calendar year.

The Board ranked the written proposals received for State Lobbyist Services, and awarded the contract to Ronald L. Book, P.A./Spearman Management, Inc.; authorized the County Manager to negotiate a contract with the selected firm; authorized the Chairman to execute the contract, upon review and approval by the County Attorney's Office and Risk Management; and approved it be a fiscal year contract, effective October 1, 2014.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Robin Fisher, Vice Chairman/Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEMS PULLED FROM CONSENT AGENDA

Commissioner Infantini advised she would like to pull Item II.C.3., Approval of Tourist Development Council (TDC) FY 2014-2015 Advertising Media Plan and Purchase Orders, Re: Ad Placement, Production, and Promotion Costs Over \$100,000; Item II.C.4., Approval of Expenses in the Amount of \$8,992.15 to Ignite Sales & Marketing (ISM), Re: FY 2013-2014 Contracted Services, Termination of Contract with ISM and Commencement of New Contract with David McKee Associates Limited for European Sales & Marketing; and Item II.D.2., Amendment No. 4 to Lease Agreement with Brevard Cultural Alliance, Inc., Re: Property at Government Complex, Building C, Viera.

ITEM II.A.1., AGREEMENT RENEWAL BETWEEN THE ST. JOHNS WATER MANAGEMENT DISTRICT AND THE BREVARD MOSQUITO CONTROL DISTRICT, RE: ANNUAL REHABILITATION OF COASTAL WETLANDS

The Board authorized Ernie Brown, Natural Resources Management Director, to execute the Agreement Renewal between the St. Johns River Water Management District (SJRWMD) and the Brevard Mosquito Control District for the Annual Rehabilitation of Coastal Wetlands.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.2., APPROVAL OF TRANSPORTATION IMPACT FEE TECHNICAL ADVISORY COMMITTEE PROJECT FUNDING RECOMMENDATIONS, RE: MERRITT ISLAND/NORTH BEACHES BENEFIT DISTRICT

The Board approved the project funding recommendations as prepared by the Technical Advisory Committee for the Merritt Island/North Beaches Benefit District on October 7, 2014; and authorized the Budget Office to execute any budget changes required to implement Project appropriations.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.3., CONTRACT FOR PURCHASE OF EASEMENT RIGHTS WITH RIVERSIDE BAPTIST CHURCH OF INDIALANTIC, INC., RE: SANITARY SEWER/FORCE MAIN EASEMENT RELATED TO THE RIVERSIDE DRIVE IMPROVEMENTS PROJECT

The Board executed the Contract for Purchase of Easement Rights with Riverside Baptist Church of Indialantic, Inc., for purchase of easement rights in the amount of \$3,675.00, for the Riverside Drive Improvements Project; and accepted the Sanitary Sewer/Force Main Easement.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.4., PERMANENT SANITARY SEWER AND WATER-LINE EASEMENT FROM FLORIDA LAND & CATTLE CORPORATION, RE: WALKABOUT GOLF COURSE CLUBHOUSE

The Board accepted the Permanent Sanitary Sewer and Water-Line Easement from Florida Land & Cattle Corporation for the Walkabout Golf Course Clubhouse.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

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ITEM II.A.,5., AMENDMENT TO INTERLOCAL AGREEMENT WITH CITY OF INDIAN HARBOUR BEACH, RE: MAINTENANCE AND REPAIR OF EXISTING TRAFFIC SIGNALS LUMINARIES, OVERHEAD SIGNS, AND INTELLIGENT TRANSPORTATION SYSTEMS

The Board approved the Amendment to the existing Interlocal Agreement with the City of Indian Harbour Beach for maintenance and repair of its existing traffic signals, luminaries, overhead signs, and ITS.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.7., TASK ORDER NO. 00-84 WITH S2L, INC., RE: PREPARATION OF WETLAND MITIGATION, WETLAND ADAPTIVE MANAGEMENT, SITE GRADING, AND DRAINAGE PLANS FOR THE U.S. 192 SOLID WASTE MANAGEMENT FACILITY

The Board executed Task Order No. 00-84 with S21, Inc., in the amount of \$372,446, for preparing onsite wetland mitigation, wetland adaptive management, site grading and drainage plans, and Stormwater modeling for the U.S. 192 Solid Waste Management facility to meet requirement of the Florida Department of Environmental Protection (FDEP) environmental resource permit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.8., PERMISSION TO EXERCISE OPTION TO PURCHASE, RE: 59 ADDITIONAL DUAL CREDITS FOR THE SOLID WASTE SYSTEM AND 13.95 FEDERAL ARMY CORP OF ENGINEERS (ACOE) CREDITS FOR THE NORTH SECTION OF THE ST. JOHNS HERITAGE PARKWAY FROM THE MARY A. MITIGATION BANK

The Board granted permission to exercise an option to purchase mitigation credits from the Mary A. Mitigation Bank for the following projects: (1) 59 dual credits for the Solid Water Project on U.S. 192; and (2) 13.95 ACOE price per credit is \$45,000.00, for a fiscal impact of \$3,282,750.00 (72.95 credits).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.A.9., PERMISSION TO PURCHASE USING AN EXISTING STATE, SHERIFF'S ASSOCIATION, OR OTHER FLORIDA GOVERNMENTAL CONTRACT, RE: ANY HEAVY EQUIPMENT BUDGETED FOR PURCHASE IN FY 2014-2015 VALUED AT \$3,543,748

The Board granted permission to purchase using an existing State, Sheriff's Association, or other Florida governmental contract, any heavy equipment budgeted for purchase in FY 2014-2015, and the equipment in need of replacement consists of seven vehicles (two Chevrolet Blazers and five pick-up trucks that range from 13 to 10 years old); three tractor trucks at seven years old; one tire service truck at 11 years old; six transfer trailers at 11 years old; one compactor at three years old; one loader at six years old; and two off-road dump.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.C.1., APPROVAL, RE: BUDGET CHANGE REQUESTS

The Board approved the Budget Change Requests, as submitted.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.C.4., APPROVAL OF EXPENSES IN THE AMOUNT OF \$8,992.15 TO IGNITE SALES & MARKETING (ISM), RE: FY 2013-2014 CONTRACTED SERVICES, TERMINATION OF CONTRACT WITH ISM AND COMMENCEMENT OF NEW CONTRACT WITH DAVID MCKEE ASSOCIATIONS LIMITED FOR EUROPEAN SALES & MARKETING

The Board approved expenses in the amount of \$8,922.15 to ISM for expenses exceeding \$100,000 for current year services to represent the TDC in Europe; terminated the Contract with ISM; and executed Contract with David McKee Associates Limited, in the amount of \$86,000 per year, for one year, plus up to \$22,000 in marketing expenses.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.D.1., CONFIRMATION OF APPOINTMENT, RE: TOURISM DEVELOPMENT OFFICE DIRECTOR - ERIC J. GARVEY

The Board confirmed the appointment of Eric J. Gravey as the new Brevard County Tourism Development Office Executive Director.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.D.2., AMENDMENT NO. 4 TO LEASE AGREEMENT WITH BREVARD CULTURAL ALLIANCE, INC., RE: PROPERTY AT GOVERNMENT COMPLEX, BUILDING C, VIERA

The Board executed Amendment No. 4 to Lease Agreement with Brevard Cultural Alliance, Inc., for property located at the Government Complex, 2725 Judge Fran Jamieson Way, Building C, Room 307, Viera.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM II.D.3., PLACEMENT OF POLLUTION LIABILITY INSURANCE PROGRAM FOR FISCAL YEAR 2014-2015

The Board approved placement of the County's Pollution Liability Insurance coverage at the cost not to exceed \$103,907; and authorized you to bind coverage effective October 31, 2014.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.D.4., LABOR AGREEMENT WITH LABORER'S INTERNATIONAL UNION, LOCAL 678, RE: MODIFICATION TO THE COLLECTIVE BARGAINING AGREEMENT

The Board ratified and tentatively agreed upon modification to the collective bargaining agreement presented herewith; and authorized the County Manager to execute said Labor Agreement for a three-year period ending September 30, 2017, as provided for by Section 447.309, Florida Statutes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.D.6., APPROVAL, RE: BILLFOLDER

The Board approved the Billfolder, as submitted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM II.C.3., APPROVAL OF TOURIST DEVELOPMENT COUNCIL (TDC) FY 2014-2015 ADVERTISING MEDIA PLAN AND PURCHASE ORDERS, RE: AD PLACEMENT, PRODUCTION, AND PROMOTION COSTS OVER \$100,000

Commissioner Infantini stated this Item is where the advertising agency that represents the Tourist Development Council had a contract with Brevard County; the contract agreed to spend \$80,000 per year for a fixed amount broken into quarterly installments and then up to \$18,000 out-of-pocket expenses; and they exceed that by \$89,000. She added, there is also a requirement that they submit their invoices within about 30 days; some of the invoices that they are submitting go back six to nine months, and they are attributing the overage to currency exchange translation; and if one is in the tourism industry, she would think he or she would understand that there is a currency translation factor so it would budget that. She stated she is not in favor of approving the extra \$89,000.

Rob Valey, Tourism Development Director, stated it is not an advertising agency; the contract before the Board is for a sales representation in the UK and the European market; and they have been on contract for the last three years and have done a great job. He added, he worked for almost 10 years in the United Kingdom (UK) market trying to get in to all the major tour operator books in marketing the area; this company within the span of two years managed to get Brevard County into every one of the books, including Virgin Tours; and one can talk to a lot of the hotels on the beaches, they are generating a lot of business for them. He stated the value of this contract is enormous; he estimates the last time they did research the overseas international market, UK and Germany are the two biggest markets, and combined equal about \$70 million in economic input into this area; and he believes about 20 percent of that business is a direct result of these efforts and his staff's efforts. He noted, yes they did go over budget on this, so they did not anticipate the drastic changes in the fluctuation of the currency; he stated they have adjusted that in recommending the new contract; and he thinks it is a fair contract. He pointed out the contract is associated with Kennedy Space Center and they are very happy; Kennedy Space Center does almost 50 percent of their business is international; and it is a very important contract.

Commissioner Infantini stated if someone is not able to calculate the currency translation knowing that they are entitled to \$18,000 out of pocket expenses, she thinks they should better understand budgeting, and not come to the Board after the fact; and she thinks it is a little bit late. She added, continually her office has asked for some statistics specifically as to how many heads and beds Brevard County has received out of the European market; the Board never type of data back to quantify what the return is on investment, so how can she know how many people are actually staying her as a result of their efforts; and asked is there anyway the office is going to quantify the information so that we know Brevard County is receiving a return on investment.

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Mr. Valey stated the office does research on a regular basis; they actually track the room nights, and the office can provide Commissioner Infantini with the report after the next Tourism Development Council (TDC) meeting. He added, the last time he looked at the research almost 12 to 14 percent of the business is international, of which 6 percent is that of business side of the UK in Germany area; and if one takes the calculations, the percentage of the business and look at 2.5 million overnight rooms, one is looking at probably 170,000 room nights a year.

Commissioner Fisher stated he has talked about having some type of report to have a good understanding exactly of what the return is on the investment.

The Board approved FY 2014-2015 Advertising Media Plan; authorized the TDO Executive Director and the County Manager, or designee, to negotiate advertising rates and execute agreements with the vendors; and approved staff to execute purchase orders to vendors for ad placement, production, and promotion costs over \$100,000, as recommended by the County Manager.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM III.A., PUBLIC HEARING, RE: FOR PETITION TO VACATE PART OF A 15.00 FOOT PUBLIC MAINTENANCE AND UTILITY EASEMENT - LOT 72, BLOCK 16, CATALINA ISLE ESTATES UNIT SIX - TIMOTHY E. QUICKSELL

Chairman Bolin Lewis called for a public hearing to consider a resolution to vacate part of a 15.00 foot public maintenance and utility easement on Lot 72, Block 16, Catalina Isle Estates Unit Six, as petitioned by Timothy E. Quicksell.

Mel Scott, Assistant County Manager, stated this is a request to vacate a portion of the public maintenance and utility easement for the construction of a pool and a deck.

There being no further comments, the Board adopted Resolution No. 14-194, vacating a public maintenance and utility easement - Lot 72, Block 16, Catalina Isle Estates Unit Six, as petitioned by Timothy E. Quicksell.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.B., PUBLIC HEARING, RE: FOR PETITION TO VACATE PART OF A 15.00 FOOT WIDE MAINTENANCE EASEMENT - LOT 34, BLOCK E, RIVERS EDGE SUBDIVISION - JAMIE FORREST

Chairman Bolin Lewis called for a public hearing a resolution to petition to vacate part of a 15.00 foot wide maintenance easement on Lot 34, Block E, Rivers Edge Subdivision, as petitioned by Jamie Forrest.

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There being no comments, the Board adopted Resolution No. 14-195, vacating part of a 15.00 foot wide maintenance easement - Lot 34, Block E, Rivers Edge Subdivision, as petitioned by Jamie Forrest.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.C., PUBLIC HEARING, RE: FOR PETITION TO VACATE PART OF A PUBLIC SURFACE WATER IMPROVEMENT POND DRAINAGE EASEMENT - HUNTINGTON AVENUE - JACK CHEERS

Chairman Bolin Lewis called for a public hearing to consider a resolution to vacate part of a public surface water improvement pond drainage easement on Huntington Avenue, as petitioned by Jack Cheers.

John Denninghoff, Public Works Director, stated the item is a vacating request to correct a previous error which accepted the easement that occurred in the mid and late 90's; the petitioner donated the property for the easement that Brevard County needed for the retention pond that it now has, but it was not his intent to donate the remainder of the property; and the vacating would correct the error that took place previously.

There being no further comments, the Board adopted Resolution No. 14-196, vacating part of a public surface water improvement pond drainage easement on Huntington Avenue, as petitioned by Jack Cheers.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.D., PUBLIC HEARING, RE: RESOLUTION FOR PETITION TO VACATE PUBLIC RIGHT-OF-WAY - EAU GALLIE BOULEVARD (SARNO ROAD) EXTENSION AGREEMENT CONCERNING VACATION OF RIGHT-OF-WAY, STORMWATER DRAINAGE AND MAINTENANCE ROAD ACCESS EASEMENT, CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY, CONTRACT FOR SALE AND PURCHASE OF CONSERVATION EASEMENT - SECTIONS 20 & 21, TOWNSHIP 27 SOUTH, RANGE 36E - P.W. YOUNG TRUST, LLC

Chairman Bolin Lewis called for a public hearing to consider a resolution to vacate public right-of-way - Eau Gallie Boulevard (Sarno Road) Extension Agreement concerning vacation of right-of-way, stormwater drainage and maintenance road access easement, contract for sale and purchase of real property, contract for sale and purchase of conservation easement - Sections 20 & 21, Township 27 South, Range 36E - P.W. Young Trust, LLC.

The Board continued the public hearing to consider resolution for petition to vacate public right-of-way - Eau Gallie Boulevard (Sarno Road) Extension Agreement concerning vacation of right-of-way, stormwater drainage and maintenance road access easement, contract for sale and

purchase of real property, contract for sale and purchase of conservation easement - Sections 20 & 21, Township 27 South, Range 36E - P.W. Young Trust, LLC, to the November 6, 2014 Zoning meeting.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.E., PUBLIC HEARING, RE: SOLID WASTE CDF SCALE HOUSE, ADAMSON ROAD IMPROVEMENTS CONSTRUCTION PROJECT

Chairman Bolin Lewis called for a public hearing to consider finding it in the public interest for the Brevard County Public Works Department (Road and Bridge Program) to perform the services necessary for the construction of Adamson Road improvements needed by the Brevard County Solid Waste Management Department.

The Board conducted the public hearing finding it in the public interest for the Brevard County Public Works Department (Road and Bridge) to perform the services necessary for the construction of the CDF Scale House, Adamson Road improvements needed by the Brevard County Solid Waste Management Department.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM III.F., PUBLIC HEARING, RE: SOLID WASTE CDF SCALE HOUSE ENTRANCE ROAD CONSTRUCTION PROJECT

Chairman Bolin Lewis called for a public hearing to consider finding it in the public interest for the Brevard County Public Works Department (Road and Bridge Program) to perform the services necessary for the construction of the CDF Scale House Entrance Road needed by the Brevard County Solid Waste Management Department.

The Board conducted the public hearing finding it in the public interest for the Brevard County Public Works Department (Road and Bridge) to perform the services necessary for the construction of the CDF Scale House Entrance Road Project needed by the Brevard County Solid Waste Management Department.

RESULT: ADOPTED [4 TO 1]
MOVER: Chuck Nelson, Commissioner District 2
SECONDER: Robin Fisher, Vice Chairman/Commissioner District 1
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM III.G., PUBLIC HEARING, RE: ORDINANCE TO ELIMINATE CHAPTER 90, ARTICLE II - COUNTRY ACRES PARENTAL HOME

Chairman Bolin Lewis called for a public hearing to consider an ordinance eliminating Chapter 90, Article II of Country Acres Parental Home, in the Code of Ordinances of Brevard County.

Commissioner Infantini stated this Item is out of Housing and Human Services, and it is going to be deleting on Ordinance from Brevard County's books that deals with Country Acres Home; it is a home for children that have been abused, neglected, and it is going to save the County probably a million dollars a year; although she is known as the tightwad on the budget, this is one place that she believes in spending money; and for that reason, she is not in favor of the ordinance.

The Board adopted Ordinance No. 14-32, eliminating Chapter 90, Article II of Country Acres Parental Home in the Code of Ordinances of Brevard County.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

ITEM III.H., PUBLIC HEARING, RE: ORDINANCE TO AMEND CHAPTER 106 TRAFFIC AND VEHICLES, ARTICLE III - GOLF CARTS

Chairman Bolin Lewis called for a public hearing to consider a code amendment of the Code of Ordinances addressing golf carts within the boundaries of the Viera Development of Regional Impact.

Robin Sobrino, Planning and Development Director, stated the ordinance was brought forward by direction of the Board at the request of the Viera Company to allow for additional golf cart passage on some of the right-of-ways.

Jeff Barrett stated he is in favor of the change in ordinance and it is for the betterment of the Viera area.

Jeff Virsik stated he is also in favor ordinance change; he thinks it is great for the community and it promotes a place for families to grow up in.

Jay Decator stated he is in-house legal counsel for the Viera Company and is present on their behalf, and the residents of Viera who seek clarity on where and how golf carts may lawfully be used in Viera. He added, he appeared before the Board in August asking to consider amending the ordinance to provide that clarity; County staff has worked with input from the Viera Company to prepare the ordinance that is before the Board today; the Viera Company agrees the ordinance has clarified where and how he or she can use the golf cart in Viera; and that clarity has been sought by both owners and non-owners in Viera. He advised everyone is in support the revised ordinance and urges the Commission to approve its adoption.

Commissioner Fisher stated his concern is on who can drive the golf carts; it is based on Statute 316.212, which is 14 years old; and he suggested a timeline to come back and look at it in a year. Chairman Bolin Lewis stated she thinks this is going to be something to continually

looked at; this is the first step forward to bring some clarity to the ordinance; and she thinks it will continually be looked at.

The Board adopted Ordinance No. 14-33, amending Chapter 106, Traffic Vehicles, Article III - Golf Carts within the boundaries of the Viera Development of Regional Impact.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.I., PUBLIC HEARING, RE: WETLAND IMPACTS FOR INSTITUTIONAL DEVELOPMENT - SHELLBROOKE MEMORY CARE

Chairman Bolin Lewis called for a public hearing to consider wetland impacts for Shellbrooke Memory Care, an assisted living facility, to be in the Public Interest.

Ernie Brown, Natural Resources Director, stated what is before the Board is a public interest determination for a wetland impact for a commercial impact, it is known as Shellbrooke Memory Care; staff applied the new wetland policies to this particular development and it was determined that the wetlands that were being proposed to be impacted were not high functioning, however the wetlands themselves are greater than five acres; and that requires a Board evaluation of it.. He added, they are not considered high functioning wetlands and this meets all the criteria set forth by the Board in Policy for approval.

The Board authorized wetland impacts for the Institutional Development - Shellbrooke Memory Care, an assisted living facility, to be in the public's interest.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM III.J., PUBLIC HEARING, RE: ORDINANCE REVISING CHAPTER 62, LAND DEVELOPMENT CODE SECTIONS 62-2801, 62-2806, 62-2891-, AND CHAPTER 22, SECTION 22-48 OF THE BREVARD COUNTY CODE OF ORDINANCES

Chairman Bolin Lewis called for a public hearing to consider an ordinance revising Chapter 62, Land Development Code Sections 62-2801, 62-2806, 62-2891, and Chapter 22, Section 22-48, of the Brevard County Code of Ordinances.

Mel Scott, Assistant County Manager, stated the Local Planning Agency (LPA) voted to table this Item at their meeting yesterday to their January LPA meeting; as the Board is aware, per Florida Statutes, the LPA as its Advisory Board, has the ability to table an Item once before the Board of County Commissioners considering it from them; and this is within their authority to table this. He asked the Board to schedule this to a time certain of February 5, 2015, which would give the Board sometime between the LPA and their meeting to consider the conversation of proposed changes that the LPA may bring forth. He stated this Item sought to align the Florida Building Code with Brevard County's local building code as it relates to finish

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floor elevation, lot drainage technics, and the amount of fall and the degrees of fall that is in their swells in the lots of coming away from one's house pads to improve community performance; and the LPA was also interested in staff not just looking at the soils analysis that this ordinance suggests that the Code look at, but also some permeability of soil. He reiterated staff is going to bring this Item back in February with some attempts at also ensuring is soils are permeable the way it would like to ensure the lots perform the way staff would like them to.

The Board continued the public hearing to consider ordinance for revising Chapter 62, Land Development Code Sections 62-2801, 62-2806, 62-2891, and Chapter 22, Section 22-48, of the Brevard County Code of Ordinances, to the February 5, 2015 Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

The Board recessed at 9:54 a.m. and reconvened at 10:03 a.m.

ITEM V.F.2., RESOLUTION AND SECOND AMENDMENT TO INTERLOCAL AGREEMENT WITH FLORIDA DEVELOPMENT FINANCE CORPORATION (FDFC), RE: PERMITTING FDFC TO ISSUE REVENUE BONDS

Stockton Whitten, County Manager, stated this is a request of the Florida Development Finance Corporation; and Joe Stanton, the Legal Counsel for the Corporation, will overview the Item for the Board.

Jo Stanton, General Counsel for the Florida Development Finance Corporation, stated he will refer to the Corporation as FDFC to shorten it up a bit. He went on to say the FDFC was established by the Legislature in 1993, and its primary purpose is to provide conduit financing for capital projects that enhance economic activity and employment opportunities in the State; recently, AF Holdings, LLC, which he will call All Aboard Florida (AAF), has applied to the FDFC to provide conduit financing for a rail project, portions of which will be located in Brevard County; Brevard County and FDFC have had an Interlocal Agreement in place since 1998, pursuant to FDFC previously providing conduit financing for other projects located in Brevard County; and the current Interlocal Agreement limits the principle amount of bonds issued to not exceed \$7.5 million. He explained to the Board the FDFC is before the Board today to seek approval to amend the Interlocal Agreement to remit FDFC to issue bonds for the purpose of financing the portion of the AAF project located in Brevard County; FDFC has agreed to pay 100 percent of its fees attributable to the portion of the AAF project in the County as a waiver fee in connection with this amendment; the approval of the proposed amendment is limited solely to the financing of the project by FDFC; and it does not impact any other approval rights the County may have with respect to the project, the bond documents, and the financing will expressly state that the County has no responsibility financially or otherwise for the project. He advised the Board the proposed financing would be through the issuance of private activity bonds that are sold to private investors; it will have a minimum denomination of \$100,000 to ensure that it goes to sophisticated investors and there will be no State or local funds that would be pledged to repay the bonds; the FDFC board has provided its initial approval for this transaction; and they respectfully request Board approval of the proposed amendment.

John Walsh stated he represents the Canaveral Port Authority; his appeal is about alternative transportation; the Port is involved in the intermodal business; moving cargo has been a big part of its push; but they cannot forget that the cruise passenger business is integral to Brevard County. He went on to say this year the Port has had 4.2 million cruise passenger's movements; they are number two in the world for a cruise; and indeed it makes Brevard County a cruise destination. He pointed out flight power and air power is very limited and people would be amazed how many people they get coming to Port Canaveral from South Florida; he stated they are in support of All Aboard Florida; it is not perfect as it is proposed today; but they feel it cannot be expanded if it does not exist. He noted the Port sent Chairman Bolin Lewis and Stockton Whitten, County Manager, a letter; the Port will fund an initial study after All Aboard Florida gets moving in order to look at the ideal place for a station in Brevard County; the All Aboard Florida folks are open to future expansion; but right now they want to see the train exist. He stated he is going tomorrow to Miami for the fourth time this month for the business that they do at the Port; he would love to sit on a train and conduct business back and forth; the train does not exist today; and he will be pulling over whenever he receives a text or phone call. He reiterated Port Canaveral is very much in support of the project; he stated the Port pledges to work with Bob Kamm and the Transportation Planning Organization (TPO) to study where a stop makes sense in the County; and he requested that the Board seriously consider moving forward approving the resolution that is in place so the County can have an intermodal facility to connect itself to the rest of Florida.

Debbie Harvey, President of Ron Jon's Surf Shop, stated as a member of the community and a business that has been in Brevard County for over 50 years, she supports moving ahead and getting other modes of transportation for the State; the State, since she has been here, has grown dramatically; this year will welcome close to 100 million visits to the State of Florida; and the roads just cannot keep up. She noted it needs to start somewhere; it is not a perfect solution; but she is in support of All Aboard Florida; and she thinks it must get going. She went on to add both Miami and Orlando are the biggest international airports in the State; there needs to be alternatives to roads; they cannot make I-95 a 14-lane road for all of the people who move from Orlando and Miami; and she reiterated she supports All Aboard Florida and the resolution.

Tom Hermansen, Ocean Partners, stated they operate five hotels in Cocoa Beach, with about 250 employees; they are vested in tourism in Brevard County and its economic wellbeing and growth; he is here to opine that as a community, State, and nation, they need to embrace mass transit as part of the solution to the energy usage and future transportation requirements; and not doing so ignores some of the most important issues faced today and years ahead. He advised they should specially embrace opportunity for growth of mass transit when it is provided by private risk capital, which is not normally the case with minimal inputs from the public sector; from the perspective of tourism, he is looking forward to the day when they can welcome customers to the area from a Brevard train station; whether they come from Orlando Airport or from other parts of Florida, All Aboard Florida will eventually have a tremendous economic impact on Brevard; and Brevard County should be forward thinking in its approach to mass transit, as well as All Board Florida's proposal for a private endeavor to introduce the rail project to Central Florida. He went on to say while everyone's main objective today is likely to get a stop in Brevard County so that they will benefit from the installation of this, the build out of the project, he believes it is safe to expect, especially with the Port's help, and everyone working together, that one day in the future they will have a stop; by working together with All Aboard Florida, including negotiating costs for the quiet zones, which he believes will be the biggest concern for most constituents, they position themselves to get the benefit of this station sooner rather than later; and in his view, All Aboard Florida has a right to develop this project on their private property. He stated in addition, he encourages the privately funded mass transit as it is the right thing to do; he does not see that there is any risk to Brevard County moving forward with a motion today; and he suggested the Board support the project.

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Mayor Henry Parrish, City of Cocoa, stated he brings support from himself, and hopefully his City Council in a week; and on the 28th, the City of Cocoa will pass the same ordinance as the Port has passed. He expressed his appreciation to Commissioners Bolin Lewis and Nelson for their service to the County. He stated Henry Flagler, when he brought the train system through Florida when it was considered a swamp, was criticized; he basically raised the money to build the train system through Florida; and his dream was to have Key West as the port of the America's. He pointed out Mr. Flagler passed before it was completed, but the legacy and the company he left is still here after 124 years; the people behind him that represent it work for it; and his perspective is that all they are doing is returning back to their roots, which is passenger service. He noted his Great Uncle Jess Parrish and his grandfather Henry Parrish, contracted with the FEC in the early 30's to haul fruit from here to New York City because they thought they could make some money; it turned out it exploded and they actually hired a lot of people from the East Coast; and they expended a business 50 or 100 fold, and put them on the map. He advised there are details to be worked out; but he urged the Board to pass the ordinance. He stated down-the-road when they are all retired, this will be just another link in the chain of all things that are happening with Port Canaveral and the Space Center retooling; he has worked 24/7 to make Cocoa the best city in Florida; the Board knows the companies are going to move here because of the train system; the County is sitting in the sweet spot in history and time; and he urged the Board to pass this.

Robert Smith stated he worked from 1971 to 2009 as a locomotive engineer for BNS Railway in the Chicago area; he worked 26 years as a commuter engineer; and he also worked on Amtrak. He went on to say he was an officer of the Brotherhood of Locomotive Engineers; he has been at a lot of disciplinary hearings and accident investigations; he is a big fan of passenger trains, having been a railroader for his entire career; but he feels that All Aboard Florida is fundamentally flawed, and some of the reasons have already been expressed in the news media. He noted his primary objection to All Aboard Florida regards safety; the biggest issue he would take with it would be the fact there would not be a dedicated right-of-way for passenger trains; when trains are running at high speed, specifically passenger trains, they need their own set of tracks; and a primary example of this was the accident that happened in Chase, Maryland. He pointed out in 1987 there were four kind rail light locomotives that collided with a passenger train; there were 14 fatalities and multiple injuries; as a result of that, Amtrak decided to have separate tracks, separate corridors for passenger trains in the northeast corridor, which is a high speed operation; it is worth noting this accident occurred at the speed of 108 miles per hour; and All Aboard Florida trains are proposing to travel at 110 miles per hour. He provided the Board with a picture of the aftermath of the Chase, Maryland, accident. He pointed passenger and freight operations should not be co-mingled; it is definitely not the way to go; high speed operation is definitely viable for Florida; but this is not the best proposal as a true high speed operation with dedicated right-of-way is the only way to go. He stated he hopes they can get it right; the Board does not need to rush it through; and the proposal has flaws.

Mitch Ribak stated he is the 2014 President of Space Coast Realtors. He stated he thinks there has been a lot of misinformation in which when he first met with the All Aboard Florida people that there was no desire or chance they were going to build a station in Brevard County; when their realtor group got together and really started pushing back. He stated the train is going to Miami with no benefit to Brevard County. He pointed out he is looking at property values; it is estimated that property values of homes within 1,000 feet of these tracks could drop as much as 20 percent in valuations; it will hamper emergency services trying to cross the tracks; and it does not bring jobs to Brevard County. He stated the County has to maintain the crossings; there is no planned stop in Brevard County; and he is not sure where the hotels and the Port think they are going to get people coming from. He noted no one is going to go from Miami to Orlando, rent a car, and come over to Brevard County; and it is not going to happen.

Benjamin Hopfinger expressed his support for the project.

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Jinger Knox stated she is not present to say if the railroad is good or not; it is bad for her because she owns two properties that abut the railroad tracks; she would like to have quiet zones; and she would like to have the protections that All Aboard has promised. She noted her issue is the resolution and why it is being heard now; she is not sure why it would be heard before the impact study is completed; and she does not understand why the resolution does not include something about the quiet zones. She inquired why there is not something included in the resolution about the seven-year maintenance costs; stated the quiet zones are what the public really wants; everything she has heard in the meetings she has attended is about the quiet zones; and she further inquired why the Board would not include what the public wants most, the quiet zones.

Jerry Allender stated he is Vice Chairman of the Canaveral Port Authority, and Chairman of the Space Coast Area Transportation Organization (TPO). He went on to say the TPO has followed All Aboard Florida since it was first announced; they have had numerous presentations by representatives from All Aboard Florida; they have answered the questions and given them information; and he believes that the All Aboard Florida project is a tremendous opportunity for Brevard County, not only to Brevard, but also to the region and State of Florida. He pointed out the Project is at this stage coming through Brevard County; there have been previous consideration of high speed rail transportation between Orlando International Airport and Miami; those in the past have followed the Turnpike; and this is an opportunity that they will be coming through Brevard County, which will be a great opportunity. He stated as the infrastructure is improved the development will come; the future is important as Brevard County considers the growth of the area; from a transportation standpoint, All Aboard Florida coming provides a unique opportunity for Brevard County for the future as well as the economy of the area; in addition, All Aboard Florida will be 21st Century workmanship and technology and bring a higher level of safety for the railroad crossings in the County; and the quiet zone issues are presently being addressed by the various city councils in the County as well as the Transportation Planning Organization (TPO). He went on to say the Canaveral Port Authority several meetings ago passed a resolution supporting All Aboard Florida, because it does fall within their long-range plans and benefits of passenger service to Port Canaveral; John Walsh, CEO of the Canaveral Port Authority, and the other commissioners will be in full support of funding a planned study for the future location of a station in Brevard County: this is a clear opportunity for the County to look forward; and it is important to look into the future. He stated his appreciation to the Board; and he suggested and recommended the Board approve the resolution.

Martha Wichert stated she is from Plantation, Florida and she is representing herself today; she believes AAF will make a statement; at first she was not supportive because she didn't have enough information; she thinks correct and accurate information is key; and she is onboard with AAF.

Kate Cotner, Indian River County Assistant County Attorney, stated Indian River County (IRC) has a lot of concerns like Brevard County does about AAF and its proposed passenger rail project; one concern IRC has is the lack of information that is out there, as to whether this is a sustainable project, nevertheless the effect it is going to have on the citizens; and the upgrades done at each crossing are unknown. She went on to say AAF is expected to release its 90 percent plan on December 15, 2014, with information of what is contained in its 90 percent plan which is vital to making decisions about the crossing agreement and the implementation of quiet zones, without knowing what information is in the 90 percent plan; she stated local governments are at a disadvantage, speculating about what this project means to the average citizen; and the costs of the improvements are unknown, as well as the maintenance costs being unknown. She added, there are two types of maintenance costs, there is annual maintenance fee, and major project maintenance fee; AAF recently told IRC that it can expect to see a 20 percent increase in the annual maintenance fee; IRC has done some calculations that tells quite a different story; and as a point of comparison IRC has about 30 crossings, it pays approximately \$260,000 a

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year in annual fees, and IRC anticipates an additional \$280,000 annually. She stated the calculation is based on the equipment, but as it stands right now the cost of the sophisticated equipment is unknown; and one could predict it to be between eight and 10 years, that something is going to break down. She reiterated there are so many unknowns; she inquired if the U.S. Department of Transportation's project even qualifies for private equity bonds under their rules; IRC is not certain if it does; and she inquired what the benefit for Brevard County will be. She stated according to the economic study there are 1,400 jobs to be had; there is nothing in writing that says having to hire Brevard County citizens for this rail project; there seems to be an impression that there will be an additional stop in Brevard County; there is a contract between AAF and Central Florida Expressway Authority that specifically says there will not be an additional stop between Orlando and West Palm Beach, unless IRC says it's okay; and even if IRC says it is okay, bond council has the right to veto this decision unless it is in writing that Brevard County is going to get a stop, and there is an amendment made to the agreement; and has two conflicting promises. She concluded by saying she is appreciative of the open dialogues with the County Attorney's Office.

Terry Fulton stated she is furious that the Board would even consider the train; there is nothing good about this for the citizens; property values, noise, accidents, money, and emergency vehicles are going to have trouble; she read about draw bridges south of Brevard County that are old and will go up and down all of the time; and she is hearing the U.S. Coast Guard are against this. She inquired why the Board would run something like that through the County; why would the Board destroy the community; and why would it even consider this. She noted she is wondering if there is cargo that is coming; something is just not right; there is nothing but risk involved in this; and it is typical, people looking at stuff through rose colored glasses. She pointed out she remembered when they were going to build a soup kitchen in Brevard around three schools, a park where kids go, and an old folks home; everyone thought it was wonderful; thank goodness someone proved that they were selling drugs inside and outside; and then the rose colored glasses came off. She stated she understands this group will not release their ridership information; she finds that strange; and they are holding back for some reason. She stated this is like dumping a cargo of rattlesnakes in a kindergarten; and she inquired why the Board would do this to its citizens.

Jim Kovalsky stated he is in support of All Aboard Florida.

Lynn Whelpley stated it is hard where the Board sits; she hears the controversy; and she appreciates the people from other counties coming to Brevard and telling everyone what they should do. She went on to add it benefits those people; she knows the AAF did a great job making their train stations ADA for the disability act; but there is no train stopping in Brevard County. She stated they cannot make money by stopping anywhere; they make money by taking tourists from Orlando to Miami in three hours; that is their goal and mission; and if they stop along the way, they will lose money. She went on to say she understands it was Mr. Flagler's dream about the train going through, but it is the citizens pockets; she understands they do not have to pay the bond, but eventually they have to maintain all of the tracks or crossings; and she does not see any benefit to the County. She advised someone said Brevard County is a sweet spot; she totally agrees; it is all Florida needs to be but not being crowded; and the sweet spot will not be a stop on this railway. She stated the citizens will have to pay for it, but it will not help the County.

Richard Charbonneau stated there are probably only a few other people in the room who agrees with him. He stated he had a conversation with his friend Scott Ellis; both of them agree; and also Michael Ward from CSX and Warren Buffet agrees with the same thing. He went on to say imagine six high speed trains on the track at the same time, but having four or five freight trains on the track at the same time as well; that cannot happen; there is no place to pull over; and it is nonsense. He pointed out the man that was a railroad expert said if it was a dedicated rail for

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high speed, and another for freight, he could go along with it; he stated he wholeheartedly agrees with him; and a high speed and low speed track cannot be ran at the same time because there is no passing lane to pull out and pass the other train. He noted eventually when six trains are running at the same time they will run into each other. He quoted things Michael Ward, CEO of CSX, said regarding the high speed rail. He stated Commissioner Anderson made a comment about the 1,500 jobs that are not coming here; to install rail is a specialized group; and he reiterated that is nonsense.

Demetrius Villa expressed to the Board his support for All Aboard Florida.

Benita Jameson stated she supports All Aboard Florida for several reasons; she feels it is going to be good for Florida; it is going to be good for the County; and everyone needs to look towards the future. She went on to say people cannot look for their own self-interests but the interests of the future children; if they stay stagnant, they will die; and if they stay stagnant, they will never achieve what they should achieve.

Darius Villa expressed to the Board his support for All Aboard Florida.

Fred McMillian stated he was originally in the Tri Rail discussion and development in Broward County; he worked with the Broward County Commissioners during its study of the beginning of Tri Rail; he appreciates the lobbyists for All Aboard Florida having all these wonderful people here; and he know they spent quite a bit of money to lobby this Board to say no. He encouraged the Board to make sure it has a voice when this project gets started; because it is evident somebody spent some money to get some people brought up all over Florida to come here and say what they think the County should do. He went on to say this is still a democratic society, and they have the ability to differentiate between what they are being told to do and what is good for the County; they need to make sure they do the study that they promised before this project first started; they have not done that; he does not see it coming; and he does not see it coming soon. He pointed out a rail service is needed; transportation is needed for the public; the disadvantaged people who do not have a car and cannot drive has no other alternative but to spend \$150 for a taxi to get to the Orlando Airport; and the public needs some type of system produced in the County. He noted public transportation is needed period, and regardless of how many dollars are spent to put All Aboard Florida into place, they need to start somewhere else; Amtrak is not doing too good, but they are experienced and have a lot of trains already adapted to anyone that wants to get on there with a wheelchair; he rides it all of the time; and he inquired if All Aboard has all these fabulous facilities, where is the train station that is in existence today that has a disadvantaged accessibility for his walker to get onto the train. He advised the Board this is going to happen; he does not care how much everyone says no; and All Aboard is coming. He stated regardless of what is said today or how people feel, public transportation is needed; people need to look into the future; rail service is that possibility that they really need; and the County wants everything else that everyone is screaming for. He stated to put the train, but not going to Orlando; and they have already got Disney, Universal, and SeaWorld to support any effort they want.

Tolga Erhora expressed to the Board his support for the All Aboard Florida request.

Angel Martinez stated he is in support of All Aboard Florida.

Rozetta Mahboubi advised the Board she is in support of the request from All Aboard Florida.

Dorene Alberts stated she is in support of the project.

Monique Miller stated she is not present to discuss the merits or whether All Aboard Florida is good for the County or not, because she is not sure everyone has had time to digest the

information about the project to know whether it is good or not; she suggested to the Board the vote is premature; and she stated there are a number of reasons for that. She pointed out they are asking the County to add All Aboard Florida as a third party beneficiary to the Grade Crossing Agreements that the County has with Florida East Coast Railroad; this is a major bargaining chip that the County has in its future negotiations with all Aboard Florida in terms of who is going to incur costs that are going to be borne to this project; and the other bargaining chip is the issue of issuing these bonds. She added, as a private company, which they are so fond of saying, they can issue the bonds to raise money for their company any time they want to; the reason that they need Brevard County to approve this is because they want \$500 million of taxpayer money to do this, which is letting it be a tax-free bond instead of just a regular bond; and that is obviously a major advantage. She stated she is in favor of this form of funding their project over what they were originally going to do, which was to get a taxpayer subsidized loan that would have probably been about \$3 billion over the life of the loan in value to them as a subsidy. She advised the environmental impact study was just released; she has only had a few weeks to digest it; she noticed there is a major issue with vibration that came with the study; since they commissioned the study, that is probably best case scenario; there is no way to tell what the cost will be to Brevard County for having the massive vibrations going through because of high speed rail 32 times a day; and bridges are going to have to be completely reconstructed. She went on to say she loves the Lagoon; if drilling has to be done in the Lagoon, there is no way to tell what the impact is going to be to the community and what the costs are going to be; and before deciding to just give away seven years of the cost of maintenance, the Board should hold on to those bargaining chips a little bit longer until it can be understood the full impact to the County. She pointed out Commissioners Bolin and Nelson are on their way out; they have served the community for several years; they need to think of their legacy to Brevard County; and those Commissioners do not want to vote for something that there is not enough information about. She noted John Walsh talked about the need for this for Port Canaveral; if there is no station in the County, those comments are irrelevant; she would love to have tourism here; there is a lot of merit to having transportation from Orlando to the Port; but that is not what this project is. She stated there are two new Commissioners coming in and she would like to know their position on this; and she asked the Board to delay this vote.

Miles Tobin, General Counsel for All Aboard Florida, stated he would like to react to a couple of items that were mentioned with respect to the earlier speakers. He stated Mr. Stanton laid out the details of private activity bonds; private activity bonds are no risk to the County or to the public; they are private bonds that they will take to the investors market; the investor market will decide whether it wants to buy these bonds; and the risk is on All Aboard Florida. He pointed out it is on the investors, not the public. He stated there have been some naysayers in the paper talking about the RRIF loans and the taxpayer risk; this is an alternative financing, which has no taxpayer risk; it is totally private; and it is good for the taxpayers and the County. He noted All Aboard Florida has talked to the U.S. Department of Transportation; this vehicle is a U.S. Department of Transportation bond vehicle which they allow surface transportation infrastructure use; they qualify for those bonds; they would not have filed an application if they did not qualify for the bonds; and he reiterated as they read the IRS Statutes, they absolutely qualify for those bonds. He pointed out he and members of the All Aboard Florida team have worked in industry in Florida for many years; he has been in the rail industry for 30 years; safety is the first thing they think about; and there is not a day that goes by that they do not analyze what they can do better. He advised the Board the crossing improvements are as high tech as they can be; they are upgrading the crossings with the FRA, in conjunction, with FDOT, the County's own Public Works engineers, local cities, and other counties to make sure these crossings meet the needs of both the communities and the railroad, and are as improved as they can be from a safety perspective; they are dealing with a company that makes the best trains in the United States, full passenger rail; and these trains will be efficient, quiet, safe, and there will be no better train in the United States. He noted they are building a new dispatching center to make sure the freight and passenger trains can co-exist in the same corridor; they are

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focused on making this a reliable, customer friendly, customer service related railroad; the All Aboard Florida team have built some of the largest construction projects, customer projects, and customer service projects in the United States and Florida; and he urged the Board to assist All Aboard Florida in the process by allow them to utilize private activity bonds, which will finance this project.

K. C. Traylor stated his opposition to the All Aboard Florida request.

Barbara Finn advised the Board she supports the All Aboard Florida request.

Lois Lacoste stated passenger rail services almost always lose money and end up subsidized by government; Brevard County is a sweet spot; she moved here from Broward County; and she is familiar with many of the people in the audience today. She noted she is surprised those people would come to this meeting to tell everyone what is best for Brevard County. She went on to say most residents who moved to Brevard did so to get away from the big city life with the crime and daily increases of homicides. She stated whether a person is for or against the All Aboard project is irrelevant to the vote today; she is reminding the Board that its number one priority is to act in the best interest of the Brevard County residents; it will cost money to apply for these railroad crossings; the State of Florida had allocated \$10 million for some of the quiet zone costs; nine million of that has already been allocated to southern counties; and it is important that Brevard County knows exactly how much this will cost. She went on to say there is likely an increase of Brevard County ongoing insurance costs; if the County applies for quiet zones, it is her understanding that liability for incidents shift from AAF to the County; and they do not know how much this will cost, but it will be perpetual. She noted once the train horn sounds, a person has seven seconds to evacuate a care or a bus before impact if someone gets stuck on the tracks; she is concerned of multiple trains going through the community; and she does not want to wait on a train if she needs an ambulance. She pointed out ridership projections are ridiculous, including the predictions that four million people will ride the train after three years of operation; the convenience for a few will never outweigh the cost to everyone; and the Board represents its residents not the people all over the State.

Susan Olson stated she does not think most people in the audience will live long enough to see a stop in Brevard County. She went on to say this has been an important issue to Micco Homeowners Association for a long time; and they have been involved since the beginning of the discussion. She stated the FEC had a second track which they chose on their own to remove a little over 50 years ago for passenger service; now they are expecting excess of 20 freight trains a day, as predicted in the All Aboard Florida's draft environmental impacts statement; and they are also looking at 32 passenger trains a day. She expressed her apologies to the Board that her homeowner's president, Shelly Woods, was unable to be there today because of a previous appointment. She inquired why they are dealing with private bonds at the same time as crossing agreements, and negotiating terms on those agreements. She pointed out the Board is being asked to do this in one fatal swoop; and it is a bullying tactic she finds atrocious. She stated Commissioner Bolin Lewis and Nelson are leaving the dais; it is important to have an important legacy that needs to be cherished. She stated a whole new track is going to be coming into Little Hollywood in Micco from the bridge; it will be different than it existed 115 years ago; and it will touch homes in a different manor than ever.

Jarvis Wash stated he is encouraged about All Aboard Florida; he is a pastor in the City of Cocoa; he does not just pastor the church, but he pastors the community; and one of the challenges of the community is jobs. He went on to say All Aboard Florida is much needed transportation for the State; while they will not initially stop in Brevard in the first stage, he believes they can make a case for the second phase for a station; Brevard County is growing; and there are many reasons to have a stop in Brevard County. He stated All Aboard Florida must be operational before they can have a stop in the County; he supports the project; and

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Brevard County should stand behind it. He noted if this can bring jobs to the community, then he thinks it is a good thing.

Rhonda Henderson stated she has a business in Brevard County; she has been there through the tough economic times; she is raising two children; and she wants her children to have a future in the County. She noted this action does not affect the County's credit rating or bond capacity; it allows the important project to rely solely on private funding; the investors in these PAB's are private entities; and this financing mechanism possesses zero risk to the local County, State, or federal governments. She pointed out All Board Florida will invest more than \$350 million in infrastructure for the County; it equates to jobs for Brevard County citizens. She stated she is the future of the County; she lives and raises her children here; and she wants them to have a future as well. She asked the Board to pass the resolution.

Thomas Lodomirak expressed his opposition to the All Aboard Florida request.

Dale Davis stated he objected to All Aboard Florida's issuance of going through his backyard; his biggest objection is the safety; and he is talking about police, fire, EMS, and any kind of tragedy which after seven years the County may be responsible for. He expressed his appreciation to Commissioners Bolin Lewis and Nelson for their service to the community. He noted there are a bunch of promises being made; there are over 22 crossings just in Melbourne; and this is one of the poorest business models he has ever seen. He pointed out if the Board is going to allow FDFC to issue these bonds through the interlocal agreement, let them; let them go to that seven and a half million and it can be revised later; and he urged the Board to vote no on this resolution.

Bob Webster expressed his support in the All Aboard Florida resolution.

Kim Hutchinson stated she is supporting the All Aboard Florida issue.

Philip McAdam stated he is in opposition to All Aboard Florida's project.

Barbara Knick stated she brought this issue up to the County several months ago; at that time she was appalled at what she learned about the train that is going to rip up Brevard County; and she has not to date found anything positive with this. She went on to say they do not plan on putting a station in Brevard County; it is appalling what it will do to the County; the Attorney from Indian River County stated very well why they should not be voting on this today; and she is not sure if they ever should. She stated Brevard County is a quiet place and that is why people move here; if people wanted major transit, he or she could have lived up north; and she inquired what would happen if there was an accident with a train. She noted the citizens of Brevard County elected the Board to look after their best interest and not the interest of those from South Florida that want to ride a train from Orlando to Miami.

William Capote stated the County can continue to do the same ole thing; the generation he belongs to is the baby boomer generation; people are accustomed to a community that was built by their grandparents; there is a new trend to get ready for called the millennials and the gen x. He pointed out millennials like transportation. He noted the Board's legacy is being determined here, positive or negative; he always says he can live with his decision, put his head on a pillow, and go to sleep because he did research; and this is a good thing for the community. He stated there is going to be differences in opinions; that is why he lives in America; to render the vote is the Board's job; and it sometimes makes unpopular decisions, but he or she has to live with it.

Jan Black inquired if the resolution is passed today does it pass from the U.S. DOT; and what impact will the County receive being able to use some of those same funds for things in the County. Scott Knox, County Attorney, replied what are being discussed today are private

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activity bonds; the money is going to come from private sources; and the County is not going to be affected. Ms. Black inquired if there is a certain amount of money per year that counties can receive through this. Attorney Knox responded the County is not receiving it anyway, so that is not an issue. She stated she is looking at information from the TPO that showed her there are five crossings in Brevard County that have moderate impact as a result of the train; there are none that show severe impact; maybe Mr. Kamm can tell everyone if that has changed. She noted kids in the County would like to go to the University of Miami or University of Central Florida by climbing on a train; Brevard is being asked to be a donor county in her way of thinking; and the seven year moratorium is ludicrous.

Dale Davis stated the future is now; he has not been paid, he is just passionate; he is passionate about the jobs for persons in his congregation; and Titusville has been impacted seriously by job loss. He went on to say the Port is taking the right approach; this may have kinks in it, but a person does not throw out the baby with the bath water; and he asked the Board to pass this, fix it, and move it forward.

Husein Cumber, Florida East Coast Industries, stated they have been working with County Manager Stockton Whitten and County Attorney Scott Knox for weeks; they are very accessible and receptive; and they are here today based upon All Aboard Florida walking in and saying this is what they needed. He went on to say what is before the Board today is All Aboard Florida and County staff working to find middle ground that could be presented today; the Board has support from its community leaders; and there will not ever be a stop in Brevard County if All Aboard Florida is not constructed. He noted what is being asked if for Brevard County to be a partner and to allow them to issue the additional funds needed in order to move forward with the project; they feel it is important the County has a seat at the table; that is why the County has the benefits of the quiet zones and all that comes with the private activity bond issue; and the rif loan has not been withdrawn because the vote has not been cast today. He went on to say they have not issued the private activity bonds yet; if they get the private activity bond allocation, it would substantially reduce or replace the rif loan; they cannot be any more clear about that; and depending on the level of the private activity bonds they are approved for, it will directly affect the rif loan. He stated if the public has concerns about financial liability and ridership, this is exactly the process he or she would want to play out where they are giving private entities the ability to do their own due diligence and invest in this project; when people say the federal government should not spend money for these types of projects, the federal government agrees and says they are not going to charge the entity the project sponsor for it; and it is an independent party that developed that document that laid out the facts of the impacts of the project, and the conclusion of that document said the project had limited impacts if the mitigation measures laid out were implemented.

Mike Reininger, President of All Aboard Florida, stated the topic is something that generates an enormous amount of interest across the State; it generates passionate views on every wide; all of which are equally important and the discourse associated with it they consider it to be a central component in moving this forward in a very productive and meaningful way; but with the very few moments he has today, he would like to focus this back into the issues that are on the table before the Board today. He went on to say he would like to start with the distinction between the action the Board is being asked to take today and the ongoing actions associated with the remainder of approval for the project for its extension into the second phase into Orlando, which is the subject of an ongoing environmental impact study; these two actions are completely distinct and separate from one another, so what happens here today with regard to the Board's particular vote and action is related only to the financing of the project, it has nothing whatsoever to do with the approval process associated with the environmental impact statement; that process will remain exactly how it always has been under the process that has been laid out and will continue its natural course of things where everybody continues to have access to voicing their point of view and ultimately the assessments will be made by the Federal

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Railway Administration and all of the other cooperating agencies of the federal government who have purview over that particular process; and it is important to note that those two things are separate from one another. He noted the second thing he would like to point out is All Aboard Florida is effectively a direct investment into infrastructure and as with all infrastructure investment programs, it will generate enormous jobs and billions of dollars of economic activity; it will additionally generate environmental and safety benefits that will be felt throughout the entire State of Florida; about 20 percent of the total investment that their company is going to be making into the rail infrastructure that will be supporting their business will be made right here in Brevard County; and the benefits that stream out of that direct investment in Brevard County will come along with that investment. He pointed out All Aboard Florida produces important enhancements to the mobility of the State of Florida and the mobility is central to prosperous and sustainable economies everywhere in the United States, and in fact, everywhere in the world; the investment from their sources that they are proposing with the Board today, these needs, these transportation mobility needs, would otherwise need to be serviced from public funds as they are traditionally are in the form of taxpayer contributions in one form or another to take on these infrastructure challenges; and what is unique about the opportunity that is before the Board today is a methodology to overcome that challenge and a way that does not place burden on public entities and taxpayers in any way, shape, or form. He stated the economics of the proposition are really pretty straight forward; there is a finite amount of investment that they can make in order to produce a viable and profitable private sector business; the more money of their investment that they have to spend to pay for debt in the form of interest payments, the less money they have available to direct towards tangible assets; and in fact, it is the tangible assets that generate the jobs, the economic benefits, the environmental benefits, and the sustainable aspects of what they are talking about today. He added, the proposition before the Board today is an incentive mechanism to reduce the cost of debt, thereby increasing the amount of money that they can invest directly in all forms of the tangible assets that will generate all of the positive benefits that accrue from the development of All Aboard Florida as a project. He reiterated what the Board has before it is an opportunity to help make this infrastructure program happen in the State of Florida, to be at the table as a participant in the future of the operation, in a way that places absolutely no burden, no obligation, and no risk on the taxpayers here in Brevard County or anywhere else in the United States; and at the end of the day that is the central questions the Board is being asked to opine on today. He expressed his appreciation to the Board for its time and attention it has given this subject matter up to this point; and stated they look forward to the results of the Board's vote.

Commissioner Fisher expressed his appreciation to everyone for coming; he stated it is great that the Board received input; and it is great that it got to hear from different people in different parts of the State. He noted his concern has always been what is best for Brevard County; when he puts his entrepreneur hat on, he sees a company that owns railroad tracks and wants to use their property for something they feel they can make successful; and he inquired who he is to say they cannot do that. He pointed out that is their business model; they need to make a decision; and the private market will decide whether it will work or not. He went on to say it is not his responsibility to figure out whether the Feds will regulate the safety of trains running down the track at a certain distance; he has the ability to say how Brevard will benefit from it; he has the ability to put on his negotiation hat; and he can slow down the process. He stated Mr. Renninger probably called him names when they first met; he told him that this is good for Florida; and he thinks he told him he is not near as worried about Florida as Brevard County. He stated when he looked where the bonds were being issued throughout the County he saw the stops were going to other communities and the County would not have a stop; he felt the County deserved to be compensated in some way for helping issue these bonds; he felt they should be paying for maintenance; and maybe there was an opportunity to talk about how long and what the responsibility of the maintenance was going to be. He noted they had dialog; there was conversations regarding the quiet zones; there is some language in those that will allow the County to make sure it is not responsible for the quiet zones; the other issue was to

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see Port Canaveral and the TPO drive the study because the Port and TPO driving the study to justify whether trains at some point in time will go north or south. He went on to say by going back and forth to the Port it would put some relief on State Route 528; and if they bring cargo, cargo drives business. He advised the Board he supports this; and he stated he is supportive of the maintenance and the resolution, understanding that if the Board does not issue the bonds, or the bonds do not happen, to come back and address all those other issues in the future.

Commissioner Infantini stated many speakers brought up that the only counties that are being asked to use their name to help All Aboard Florida to help them get their tax exempt financing are the counties that have train stops, except for Brevard County; Brevard County is being asked to support 21 percent of their bond financing request; no other county that does not have a train stop is being asked to do that; and she inquired why Brevard County is being asked to do that.

Mr. Tobin replied the five counties that will use private activity bonds, three of the counties so not have caps on the amount of bonds that can be issued, so there are two counties, Miami-Dade and Brevard, that are being asked to lift their caps so that they can issue more bonds that the current cap; the station issues are frankly coincidental; it is simply that they are capped at \$7.5 million in Brevard County; and they are asking to lift that cap so they can invest more infrastructure in Brevard County utilizing the private activity bonds. He pointed out it is the same with Miami-Dade County, so there is no relationship between stations and the PAB vote.

Commissioner Infantini noted the County has a cap and it is not getting a train stop; but Indian River, St. Lucie, and Martin Counties are not providing any of the bond requests, at least that is her understanding; and she inquired if they are getting tax bonds from them as well.

Mr. Tobin responded Commissioner Infantini's understanding is correct; there is frankly only a certain amount of bonds that can be issued in the market place today; they have determined in talking with their financial advisors that \$1.75 billion is the amount that the current market will bear; that works with their financing structure; and they will not be utilizing PAB financing for the track in Indian River, St. Lucie, and Martin Counties.

Commissioner Infantini stated there is something wrong with that answer.

Mr. Renninger stated as Commissioner Infantini pointed out the magnitude of the investment in Brevard County represents a very significant portion of 21 percent; that is why they are asking in Brevard County because that is where the investment is going; the investment from the utilization of private activity bonds will not go into those counties; and the equity investment of the company will go into those particular counties.

Commissioner Fisher stated basically they are putting the tracks there or whatever out of their own pockets.

Mr. Renninger advised the Board that is correct because of the magnitude of the investment in the County, that is why it is being asked for the participation in the total financing of \$1.75 billion will be coming to Brevard County as well.

Commissioner Infantini stated it is curious to note more than half of the speakers that were in support of the train and the resolution came from South Florida; three of the counties that would have train stops as opposed to the people that are opposed to it came from counties that are not going to be receiving any benefit; it does not say Brevard County will have a train stop; it has been pointed out before, but if something is not in writing that the County will receive a train stop, it is not likely it will receive one; and she would like it to be part of the Agreement. She stated if there is there has to be enumeration in a financial manner to compensate Orange

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County Expressway Authority for all of the funds that they would lose for people that are no longer traveling along the Beachline; and she inquired if that is correct.

Mr. Renninger responded no, that is not exactly correct, and neither were the comments that were made earlier by the Assistant Attorney from Indian River County; he stated it was either a misinterpretation of the words of the document or some other error; the public document, available to everybody to read, specifically does not preclude a stop in Brevard County or really anywhere else; what it does do is it has conditions that are around protection to the existing station were to be added onto the system anywhere that an assessment would need to be made with respect to the negative impacts financially to the existing economics of those negative impacts relative to the approval of the station; that exact exercise was conducted in the base agreement to put the system that was on the table today into existence; and in fact, there is a condensation method from All Aboard Florida directly as a part of the lease that makes up the difference that was associated with the stops that are proposed in the first stage. He pointed out that very same process would have to be taken for other stations, including the potential future station in Brevard County; but it was not an impediment to actually having a station placed in the County or anywhere else.

Commissioner Infantini stated she thinks that there definitely would be an impact, because when taking cars off the Beachline, there would definitely be an impact to their pocket; that is why she wanted the clause reversed out of the agreement with the Orange County Orlando Expressway Authority; and she is trying to get that removed so there can be an agreement with the County that All Board will put in a train station when and if. She stated she does not want the Board to substitute All Aboard Florida for the FEC in its lease agreements; one of the clauses says in one of the existing agreements say the County shall not take any action to prevent or tend to restrict the operations of trains over the tracks; there is another part that says the County grants all necessary permits to the FEC; and that means automatically whatever permits that would be required by All Aboard Florida re automatically going to be permitted by Brevard County.

Commissioner Anderson stated he told All Aboard Florida the County was getting the entire burden and none of the benefits; he did not like the taxpayer's money being used; and his biggest issue was the maintenance issue. He went on to say staff did a fantastic job negotiating this bond issue, so at least the County gets a voice; he is okay with the agreement as is because it addresses everything he had issues with; he has one issue that has nothing to do with them; and since the Board selected a State Consultant/Lobbyists, he hopes the Board will support that as one of its legislative priorities.

Commissioner Fisher noted all of the players ought to be part of the agreement so it is clear who is responsible for what.

Commissioner Nelson stated he is uncomfortable with making a decision that the Board is going to have multiple decisions to be made at a later date. He pointed out the folks from All Aboard Florida have been very professional; they have never threatened; they have always been just top notch and doing what they do; and he appreciates that because it has been a good discussion. He went on to say he is a supporter of multi-modal transportation, and he does think that trains are in Florida's future; the difficulty will always be how does that look in any community; and the safety, cost, and community impacts are important to him. He stated in two weeks there will be two new Commissioner; they will be making those decision going forward; his preference would be that they make those decisions because they need to have that input; and he does not want to put a burden on them with a decision that they may feel differently about. He stated while he believes that this is going to go forward in the near future, he would prefer the new Board deal with it; they need time to be brought up to speed on some of the issues currently on the table; and he is not comfortable with it at this point in time.

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Commissioner Bolin Lewis stated she differs in philosophy with Commissioner Nelson; she feels she and Commissioner Nelson has the experience and knowledge of the eight years sitting there making tough decisions and moving forward; she is supportive of this Item; she wants to make the hard decision now because it is something that will be beneficial to Brevard County; and she firmly believes this is going to be the future and that there will eventually be a stop in Brevard County.

Commissioner Fisher stated the Commissioners have all dealt with things that other Commissioners have done.

Commissioner Infantini stated she read the quiet zones were going to be paid for by All Aboard Florida, but apparently it is only to the extent that there is federal funding available. She inquired if someone will clarify that for her.

Mr. Cumber replied they have discussed with staff that half a million would be contributed towards the quiet zones.

Commissioner Infantini stated she does not know how much it will cost; and she inquired if they are only contributing one half a million dollars for quiet zones.

Mr. Cumber replied correct, but it is not contingent on whether federal funds or state funds are available.

Commissioner Infantini inquired if they decide which locations would get those.

Mr. Cumber responded that is part of the process that would take place with the Public Works Department.

Commissioner Infantini noted she wanted to make sure the Board was aware of that because she knows quiet zones are important to Commissioner Anderson; he seemed to express himself about the quality of life; and she reiterated she wanted to make sure the Board understands the funds are not going to be unlimited for quiet zones.

Commissioner Anderson pointed out he understood that through the TPO discussions.

Mr. Whitten stated there are two sections in this resolution that talks about quiet zones and sealed corridors; and he wanted to bring that point to the Board's attention.

Commissioner Infantini inquired how much money is going out and where is it coming from.

Mr. Whitten replied the Board passed a resolution that the TPO will go for State funding with regards to the quiet zones; those costs are currently unknown at this time; their costs for the sealed corridors are 100 percent; and there may be a differential between the quiet zone requirements and sealed corridors.

Commissioner Anderson inquired if they are actually giving far more than \$500,000, because State funds can be pursued for sealed corridors.

John Denninghoff, Public Works Director, replied affirmatively.

The Board adopted Resolution No. 14-201, authorizing Second Amendment to Joinder to Interlocal Agreement; approved the FDFC Letter Agreement at \$375,000 waiver fee; executed Agreement (Maintenance and Moratorium) with Florida East Coast Railway, L.L.C., and All

Aboard Florida-Operations LLC (AAF) at eight years maintenance for both the County and affected cities, plus a \$375,000 waiver fee, plus an AAF contribution of \$500,000 toward matching funds for railroad related improvement initiated by the County; executed the Crossing Agreement with Florida East Coast Railway, L.L.C. and All Aboard Florida-Operations LLC, attached as exhibit C to the Maintenance Agreement; and all Agreement and the Resolution to be conditioned upon the issuance and closing of revenue bonds issued by the Florida Development Finance Corporation on behalf of All Aboard Florida-Operations LLC.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Robin Fisher, Mary Bolin Lewis, Andy Anderson
NAYS:	Chuck Nelson, Trudie Infantini

Attorney Knox clarified for the Board that the approvals that it authorized were the four that Commissioner Fisher identified in his motion, and that all those approvals are conditioned upon the private activity revenue bond financing that AAF is seeking actually being issued and closed.

ITEM IV.A., REVIEW AND APPROVAL, RE: RESULTS OF THE EMERGENCY SHELTER TASK FORCE, SUNSET AND FUTURE GOALS

Ian Golden, Housing & Human Services Director, stated a year ago the Board, through a resolution created Emergency Shelter Task Force, to look at certain issues regarding homelessness within Brevard County; the group has been working diligently on the issues and they are coming close to their sunset date; and they are going to make a presentation to talk about what they have learned, the partnerships in place, and what the vision is for the future.

Keith Donald, Founder and CEO of Steadytown, stated he will be serving as the spokesperson because of his independent work over the last two years on the issue of which he seeks solutions, action, and leadership. He provided the Board with a PowerPoint presentation of the goals of the Resolution and asked the Board for the continued support of the plans and recommendations. He acknowledged the designated members and the participating agencies. He explained the issues related to homelessness fall into one of two groups, chronic or episodic; those who are chronic homeless are effectively disabled; ongoing supports are needed to end their homelessness; and those that are episodic, they are a working families with some time limited supports and a job they will end their homelessness on their own. He stated last year Brevard Public Schools identified 2, 202 children experiencing homeless; last years census identified 262 veterans experiencing homelessness in Brevard County; the Veterans Administration identified 91 unsheltered veterans last month in Titusville at their stand down, most of them chronically homeless; and the cross at the Daily Bread list the names of 80 chronic homeless individuals that died in Brevard County last year. He went on to say as of today there is not yet an ongoing coordinated effort to identify, classify, and prioritize those experiencing homelessness in our community. He recommended to the Board to sunset the Emergency Shelter Task Force and put the system in place under the scope of the Brevard Homeless Coalition; the Coalition will then put in place a coordinated housing for the system; this year they are going to house 40 chronically homeless veterans, and 250 of moderate need; and 150 families with children experiencing episodic homelessness. He added, they are going to expand their data collection and outreach efforts, and next year the Board will see the impact and what kind of progress they have made on the issue as a unified team focused on it.

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The Board acknowledged presentation by the Emergency Shelter Task Force; approved their goals for the future; and approved the Board to sunset per Resolution 2013-112.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.3., RESOLUTION AND JOINT PARTICIPATION AGREEMENT AMENDMENT TWO WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, RE: PINEDA CAUSEWAY GRANDE SEPARATION

John Denninghoff, Public Works Director, stated the Item is associated with the Pineda Causeway, which the realignment extension has been completed for several years, but as a part of the process, staff was committed with the Florida East Coast Railway (FEC) to the construction of an overpass over the railroad, which would eliminate one of the at-grade crossings with the railroad. He added, as a part of that the State provided the funding that was in excess of \$26 million to go towards it so that no local funds would be required; and staff has been working towards completing the design and all the permitting requirements associated the project. He advised staff has identified the right-of-way needs that are associated with the construction activities; and the completed project will not require to permit right-of-way acquisition, however the process of construction will require temporary acquisition of property rights. He pointed out there are two privately owned parcels that are associated with it; one is the Holy Trinity Episcopal Academy site, and the other is owned by Bill Page; and the cost associated with requiring temporary rights was extremely high and if the County was to go that route it would end up with the completed project and no property associated with the acquisition. He noted, keep in mind that it is being funded by the State, however that is still taxpayer money. He explained the concept became the possibility of instead of acquiring a portion of the property rights, regarding the Page parcel, that the Board consider acquiring all of it; he has had multiple conversation with Mr. Page over the years regarding this matter; and if the County had another public use for the property it would acquire the entire piece at a marginal increase in cost as compared to what the County would have gotten with temporary rights. He stated the property would be suitable to relocate the Sign and Signal shop from Merritt Island; effectively relocated that critical operation to an area that is not subject to evacuation due to hurricanes or flooding from storm surges, and effectively would be able to more quickly and efficiently begin the recovery process after any serious event. He pointed out after Hurricane's Jeanne and Frances in 2004, the County was delayed a couple of days in the process by trying to get its own shop back under operation so that it could then begin the process of restoring traffic signals all over the County. He advised, it is centrally located on the Pineda Causeway, which is a short distance to US 1, Tropical Trail, A1A, I-95, and Wickham Road; and it would also have the ability on the property to construct an intelligent transportation system traffic management center on the vacant portion of the property that is there. He stated the objective would be, after consultation with the Department of Transportation (DOT), to utilize up to \$3.1 million from the DOT source of revenue to pay a portion of the cost to complete the transactions with both Holy Trinity and Mr. Page; the County would be responsible to pay the difference of whatever exceed the \$3.1 million in the process; and the reason the DOT would not pay for all of it is because it clearly would not be necessary to pay for all of it with the purposes of the overpass, it would be outside of their scope. He added, it is felt that this would be an efficient way to make the most of the taxpayers money and acquire permanent property rights rather than temporary property rights; and it would also require an approval of the Joint Project Agreement with the DOT, which would allow modifying of the agreement to allow for the \$3.1 million allocation for the purpose of

the right-of-way. He noted, one of the things that would occur as a result is it would be able to relocate the entrance to Holy Trinity camps to a location rather than up high on the overpass, which is where it would be located if the one does not do this, to a location that is down at the existing grade; and that would be a safety enhancement that would be important.

Susan Smith stated on behalf of Holy Trinity, both as their attorney and a parent, they are very supportive of the provision, and it is a safety concern for the Academy; the Academy is doubling the size of the campus; and it is very important to know where the entrance is going to be so they can start planning for it.

Christopher Hayes stated he is in favor of moving the Holy Trinity Episcopal Academy upper school main entrance signalized on Pineda Causeway westward about 100 yards; he sees this as not desirable, but necessary for safety reasons; the current main entrance serves 550 students each day and is at grade; and as a result of the pending move of the lower school to the Pineda campus it will soon be serving 1,000 students each day. He advised the proposed elevation of the Pineda to create a railway overpass would leave the current main entrance about 10 feet in the air; the resulting ramp would significantly increase the risk, particularly to young drivers; and therefore he is requesting that staff continue to put the interest of the children and the future first by moving the signalized entrance west.

Mr. Denninghoff pointed out if the options on the Agenda Report are selected by the Board, staff would be proceeding with negotiations for the acquisitions, which would then come back to the Board for approval; and if the negotiations fail, then staff would be coming back to the Board for a request for approval of a resolution of necessity.

The Board adopted Resolution No. 14-199 (Exhibit A), and executed Joint Participation Agreement Amendment Number 2 with Florida Department of Transportation (FDOT) for the Pineda Causeway Grade Separation Overpass over the Florida East Coast Railway Project; and authorized staff to begin negotiating the acquisition of the Page parcel, including the use of eminent domain if necessary.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.F.1., CITIZEN REQUEST BY SUSAN SMITH, RE: GRANT FROM FEMA FOR HOLY TRINITY EPISCOPAL ACADEMY

The Board approved for Holy Trinity Episcopal Academy to apply for a grant from FEMA, for building a gymnasium with a special type of hurricane proof dome that would allow it to be used as a hurricane evacuation shelter, subject to the Local Mitigation Strategy Council's terms and approval, contingent upon the County not having to provide any matching grant money for this project, and the County not paying any costs associated with filing of the grant application.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Chairman/Commissioner District 5
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.1., RESOLUTION, RE: AMENDING RESOLUTION NO. 12-245, ALLOCATION/REALLOCATION OF AVAILABLE FUNDING AND MODIFICATION - LOCAL OPTION GAS TAX BOND

Commissioner Nelson stated his concern is that the Board approved over \$2.5 million in South County this last 60 days; and since this list came up, there was an issue that occurred on North Merritt Island where West Crisafulli Road went under again during the last rain storm, and it is on the verge of flooding homes on a routine basis. He asked staff to look within all of the transportation funds to see if it can come up with an additional \$500,000 to deal with the flooding issue on North Merritt Island and come back to the Board on November 6th.

Commissioner Fisher suggested District 1 give up \$200,000, District 5 give up \$200,000, and District 4 give up \$100,000. Commissioner Anderson stated the issue he has with Minton Road is every time it rains, it collapses, and it is going to cost the County twice as much if it waits another rainstorm; and this is the top three busiest roads in all of Brevard County every morning.

The Board adopted Resolution No. 14-197, amending Resolution No. 12-245, pertaining to the County's Local Option Fuel Tax Revenue Bonds, Series 2005, modifying the definition of "initial project" contained therein; authorized all budget change requests needed; and approved amending the Capital Improvement Program (CPI) to include the unfunded projects list.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Andy Anderson, Chairman/Commissioner District 5
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.2., RESOLUTION OF NECESSITY, RE: ACQUISITION OF PARCELS FOR THE ST. JOHNS HERITAGE PARKWAY PROJECT

John Denninghoff, Public Works Director, stated this Item is a Resolution of Necessity for the acquisition of right-of-way north of US 192 up to approaching the future interchange for the Parkway at I-95; staff has negotiated in the past with the property owners and he has concluded that they do not believe they can reach a negotiated settlement; and staff comes to the Board requesting an approval of Resolution of Necessity so that it can more efficiently pursue the ultimate acquisition of the properties.

Commissioner Anderson stated he has met with couple of the property owners in the past, just like he has told everybody on this project that owns property, he is not going to bring something back to the Board asking to purchase property over the appraised value, and he thinks in a couple of instances what they had excepted.

The Board adopted Resolution of Necessity No. 14-198, for acquisition of parcels for the St. Johns Heritage Parkway Project; authorized the County Attorney's Office and staff to proceed with this action in accordance with the requirements set forth in Chapter 73 and 74, Florida Statutes, as part of staff's efforts to negotiate settlements.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Chairman/Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.4., CONTRACT FOR PURCHASE OF EASEMENT RIGHTS AND ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM RACETRAC PETROLEUM, INC. RE: USE IN CONJUNCTION WITH THE CRANE CREEK (LAMPLIGHTER) DRAINAGE PROJECT

John Denninghoff, Public Works Director, stated this Item is to acquire easement rights for the construction of stormwater improvements associated with upper Eau Gallie Project, which provides flood relief for the Lamplighter area, and it represents the final area that the County needs to acquire property for that particular project; and the property owner has agreed to donate the property for the purposes stated.

The Board executed Contract for Purchase of Easement Rights with Racetrac Petroleum, Inc. And accepted Permanent Drainage Easement from Racetrac Petroleum, Inc. For use in conjunction with the Crane Creek (Lamplighter) Drainage Project; and authorized necessary budget change requests.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Chairman/Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.A.5., CONTRACT FOR SALE AND PURCHASE OF A PARCEL OF LAND FROM MICHAEL AND ISABELLA PALUMBO, RE: IMPROVEMENTS TO EXISTING LIFT STATION V-01

John Denninghoff, Public Works Director, stated this Item is an acquisition of a parcel of land on the west side of North Banana River Drive on Merritt Island for the immediate purposes for construction of improvements for the sanitary sewer system for water resources department.

The Board executed Contract for Sale and Purchase with Michael and Isabella Palumbo for a parcel of land to be used for improvements to existing Lift Station V-01; and waived the requirement for an appraisal, utilizing the Market Value as established by the Brevard County Property Appraiser.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.B.1., PERMIT AGREEMENT, RE: KAYAK/CANOE/STAND-UP PADDLEBOARD COMMERCIAL PERMIT PROCESS

Jack Masson, Parks and Recreation Director, stated the increased and fast enormous growth of eco-tours in Brevard County because of the natural beauty has created somewhat of a control problem at one the particular parks; what staff is proposing is that the Board consider a permit process for Kayak/Canoe/Stand-Up Paddleboard; and he has provided the Board with a copy the proposed agreement. He added, staff needs to make sure it has continued equal access by the resident and visitor, and also the commercial interest that are involved in the eco-tours. He pointed out one of the issues is County Code of Ordinances, Section 78-107, requires that a permit is issued for commercial in any County park system, and prior to any commercial activity taking place within the County parks system a permit has to be issued with the requirements of insurance and the various business tax receipts. He noted parking is the biggest problem they have at Manatee Cove Park; the parking area is less than a half-acre. He went on to say sometimes there are two tour buses that come out of the Canaveral Port through the cruise lines; and it is very difficult for the resident who wishes to go to Manatee Cove Park to find a parking spot. He stated the proposals allow 15 kayaks, but at any time there may be three and sometimes four commercial operations at the same time.

John Schantzen stated he is a representative for the Parks and Recreation areas on North Merritt Island for the homeowners association; he hears the questions and complaints from the members of the community that may or may not have a problem with the parks; and he is a volunteer for Parks and Recreation, and to save the County money he opens Pine Island Conservation Area at 6:30 a.m. every morning and closes it at night. He continued to say he rides his bike through the parks system on North Merritt Island; he stated Manatee Cove is a disaster on some days; he is all for the recreation areas, but there has to be some kind of reasoning; and he has seen it where one cannot even turn a car around, but has to back out because of the buses and outfitters in there. He went to say on Monday just one operator from the cruise line had 28 kayaks in the water; there was another outfitter with four kayaks in the water and a couple of citizens fishing from their kayaks; and each of the 28 kayaks, 90 percent of them had two passengers per kayak. He noted he has seen some of the visitors swim out into the cove and swim amongst the manatees, which is not acceptable. He reiterated there needs to be some reasonableness; and he thinks a permitting process will give the reasonableness.

Pam Jones stated she is with Funday Tours, they are a soft adventure and nature tour operator with eco-tours; they are all for sustainability; and there is a lot of questions and it impacts them as a small company. She asked is the money going to be going to other areas and make parking for Manatee Cove; and with the cruise line it could impact them as well. She stated Funday Tours is opposed to the permits.

Venetta Valdengo, Assistant County Manager, stated the general overview and intent of this is to provide access, not only to the citizens, but for the vendors as well; staff definitely supports ecotourism, but at the same time it wants to make sure to protect access for the citizens and not love Manatee Cove to death; and it is just so popular now that when it has three or four vendors in there, 50 or 60 kayaks, it has just taken over the park. She added, one of the other reasons is really a business issue as well; there are people operating a business as well out of a County park, so there needs to be some kind control; and if one looks at Kelly Park, there is a vendor who is under contract and who gives funds back to the County, and it does help maintain the park.

Mr. Masson stated staff is looking at a two part process; one is a general permit that offers a nineteen parks within the County that would be available seven days a week for \$500; that allows two tours a day, a limit of 15 watercraft; and in addition there are two restricted sites,

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which are Manatee Cove and soon to be open, Pine Island Conservation Area. He added, those two sites will be done to ensure fairness through a lottery system; it will have two lottery systems, one for Manatee Cove and one for Pine Island; those two sites will only be open during the week with the exception of six national holidays; and the lottery system will be done per day, per award, and it is \$1000 per that given day of the week for 52 weeks of the year. He went on say there will be the opportunity for more than one day depending on the amount of vendors; and there may be an opportunity for multi-day awareness. He explained through the lottery system gives he or she the opportunity to be awarded that particular day of the week or multi-day depending on the amount of vendors; and it is a five day operation, but if there are three vendors interested in Manatee Cove, each of the vendors would get a least one of the five days, with the opportunity of getting a multi-day through the process.

Commissioner Infantini stated this seems to violate the business model; and she does not see how the Board can suddenly go implement \$500 or \$1000 permit to struggling businesses. She added, the County is trying to eco-tourism; the County is handing out incentives and tax abatements except for this business; and it just seems wrong. She asked Mr. Masson for a list of all the complaints, and there were only two complaints; and perhaps the Boards should wait and monitor the situation; and questioned how many other counties have policies like this.

Mr. Masson corrected a statement that he did not say staff only received two complaints; he has received two complaints from Mr. Schantzen and Darlene Hunt; and his staff has also received complaints, so there have been a number of complaints. He continued to say Brevard County does have commercial activities throughout the park system primarily through concession operations; and staffs intent is not to put anybody out of business, and it is not a revenue source. He stated the intent is to control the activity so it is a fair and equitable access to the waterway.

Commissioner Infantini read out loud the email from Mr. Masson stating he had received verbal complaints from John Schantzen and Darlene and Jerry Hunt; did it not say staff received has received other complaints; and three complaints does not render making an ordinance.

Commissioner Nelson stated commercial activity is prohibited so the ordinance says one cannot do what they are doing; what staff is saying is unless he or she has a permit then Brevard County will allow it; and one of the things staff is trying to do manage the resource and he thinks the Boards responsibility is to the citizens who purchased the property, who paid for its development and who want to be able to use it first.

The Board directed staff to work with the community and businesses to develop a voluntary no cost licensing concept relating to the commercial operation of kayaks, canoes, and stand-up paddleboards at selected parks within the Brevard County Parks system, and bring it back to the Board for its consideration.

ITEM V.C.2., AUTHORIZATION, RE: SPACE COAST STADIUM 2014-2015 CAPITAL IMPROVEMENTS

The Board authorized staff to proceed with design and construction of capital improvements at Space Coast Stadium; authorized the County Manager, or his designee, to authorize bids and awards, or use continuing contracts for materials, services, and equipment necessary to the expeditious completion of these projects; and approved budget change requests as required to complete approved Stadium capital projects.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Andy Anderson, Chairman/Commissioner District 5
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Chuck Nelson, Trudie Infantini, Mary Bolin Lewis, Andy Anderson
ABSENT: Robin Fisher

ITEM V.C.3., PERMISSION TO ADVERTISE INVITATION TO BID AND EXECUTE AGREEMENTS, RE: CELLULAR COLOCATION TENANTS AT THE TITUSVILLE RF TOWER SITE, LOCATED AT 1141 DAY STREET TITUSVILLE

The Board granted permission to advertisement Invitation to Bid for future cellular colocation assignments at the Titusville RF tower located at 1141 Day Street, Titusville, that is part of the 800 MHz Public Safety Radio Network administered by Emergency Management; and authorized the County Manager, or his designee, to sign/execute any documents and renewals on behalf of the Board as may be required to execute/administer any new lease agreements and any subsequent extensions of leases, subject to approval by the County Attorney's Office.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM V.C.4., PERMISSION TO ADVERTISE INVITATION TO BID AND EXECUTE AGREEMENTS, RE: CELLULAR COLOCATION TENANTS AT THE SCOTTSMOOR RF TOWER SITE, LOCATED AT 4940 U.S. 1 SCOTTSMOOR

The Board granted permission to advertise Invitation to Bid for future cellular colocation assignments on tower located at 4940 U.S. Highway 1, Scottsmoor, that is part of the 800 MHz Public Safety Radio Network administered by Emergency Management; and authorized the County Manager, or his designee, to sign/execute any documents and renewals on behalf of the Board as may be required to execute/administer any new lease agreements and any subsequent extensions of leases, subject to approval by the County Attorney's Office.

RESULT: ADOPTED [4 TO 1]
MOVER: Andy Anderson, Chairman/Commissioner District 5
SECONDER: Robin Fisher, Vice Chairman/Commissioner District 1
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM V.E.1., AUTHORIZATION TO ESTABLISH GROUND LEASE AND REVENUE SHARING AGREEMENT WITH THE CITY OF INDIAN HARBOUR BEACH, RE: COUNTY RF TOWER SITE TO BE LOCATED ON CITY PROPERTY

The Board authorized the County Manager, or his designee, to negotiate and establish a ground lease and revenue sharing agreement with the City of Indian Harbour Beach for the County to

locate a County RF tower off Osceola Drive on City property that will become part of the 800 MHz Public Safety Radio Network administered by Emergency Management; and authorized the County Manager, or his designee, to sign/execute any documents and renewals on behalf of the Board as may be required to execute/administer any new lease agreements and any subsequent extensions of leases, subject to approval by the County Attorney's Office.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM V.E.2., RESOLUTION, RE: AMENDING RESOLUTION NO. 2012-273 BY INCREASING THE AUTHORIZED BORROWING AMOUNT THEREIN TO PROVIDE FOR THE FINANCING OF THE REMAINDER OF THE 800 MHz PROJECT THROUGH THE COMMERCIAL PAPER LOAN PROGRAM

The Board adopted Resolution No 14-200, amending Resolution No. 12-273, by increasing the authorized borrowing amount therein to provide for the financing of Phase 3 of the 800 MHz Project through the Commercial Paper Loan Program.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Chuck Nelson, Commissioner District 2
AYES: Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS: Trudie Infantini

ITEM V.E.3., AUTHORIZATION, RE: NEW CELLULAR LEASE AGREEMENT WITH VERIZON WIRELESS, RE: NEW CELLULAR LEASE AGREEMENT WITH VERIZON WIRELESS, RE: SPACE ON TOWER SITE AT 1141 DAY STREET, TITUSVILLE

The Board authorized the County Manager, or his designee, to execute a new lease agreement, subject to approval by the County Attorney's Office, with Verizon Wireless for Verizon's lease of space on the tower site at 1141 Days Street in Titusville, including rental abatement in return for Verizon building a new tower for the County and deconstructing the existing County tower; and authorized the County Manager, or his designee, to sign/execute and documents and renewals on behalf of the Board as may be required to execute/administer any new lease agreement and any subsequent extension of leases, subject to approval by the County Attorney's Office.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER: Andy Anderson, Chairman/Commissioner District 5
AYES: Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.F.3., CITIZEN REQUEST BY ROBERT KUNST, RE: RESOLUTION OPPOSING 'ALL ABOARD FLORIDA' CHOICE OF SIEMENS

Robert Kunst stated Siemens, chosen by All Aboard Florida to run its trains, rewards one of the worst German Nazi companies in the Holocaust responsible for slave labor and gas chambers costing hundreds of thousands of lives, including at Auschwitz, Buchenwald, and Ravensbrueck and 400 other sites. He continued to say there are also recent corruption exposes in which Siemens offered \$12 million to Holocaust survivors while earning \$104 billion annually.

The Board acknowledged citizen request by Robert Kunst requesting the Board initiate a resolution opposing All Aboard Florida's choice of Siemens to run its trains, but took no formal action.

ITEM II.C.2., PERMISSION TO SOLICIT AND AWARD COMPETITIVE BIDS FROM EXPERIENCED AND QUALIFIED COMPANIES, RE: PROVIDING LABOR AND MATERIALS TO CONSTRUCT COMMUNICATION TOWERS PERMITTED IN THE TELECOMMUNICATIONS MASTER PLAN

The Board granted permission to solicit and award competitive bids from experienced and qualified companies to successfully provide labor and materials to construct communication towers to be placed on County-owned sites that are identified in the Master Plan, and meet the intent of the Ordinance, Section 62-1954, Towers and Antennas and Administrative Order for Request for Telecommunication Facilities on County-owned Sites; and authorized the County Manager, or his designee, to sign any related development/construction documents, subject to approval by the County Attorney and Risk Management, on behalf of the Board.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Vice Chairman/Commissioner District 1
SECONDER:	Chuck Nelson, Commissioner District 2
AYES:	Robin Fisher, Chuck Nelson, Mary Bolin Lewis, Andy Anderson
NAYS:	Trudie Infantini

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

Stockton Whitten, County Manager, thanked Commissioner Bolin Lewis and Commissioner Nelson for eight years of open and honest dialog; and wished them well in their future endeavors whatever those will be. He announced that a fellow employee, Art Churchill, was killed in an accident on his way to work; Mr. Churchill was a driver for Transit; and our thoughts and prayers are with his family.

ITEM VII.B., REPORT, RE: SCOTT KNOX, COUNTY ATTORNEY

Scott Knox, County Attorney, stated he would also like to wish Commissioner Bolin Lewis and Commissioner Nelson the best.

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ITEM VII.F., REPORT, RE: ROBIN FISHER, DISTRICT 1 COMMISSIONER, VICE CHAIRMAN

Commissioner Fisher stated it has been a pleasure serving the last six years with Commissioner Bolin Lewis and Commissioner Nelson, and more importantly he feels like he has two friends.

ITEM VII.G., REPORT, RE: MARY BOLIN LEWIS, DISTRICT 4 COMMISSIONER, CHAIRMAN

Lisa Rice, Career Source Brevard, expressed appreciation to Commissioner Bolin Lewis and Commissioner Nelson. She presented a video about supporting Jump Start Military Families. She explained Career Source Brevard is involved in this crowd funding effort because there are a lot of military families who are coming back to Brevard County and deciding to live here and they do not have the connectivity that they need to get into the job market; and this is a population that he or she needs to get employed in Brevard County.

Commissioner Bolin Lewis presented a video of the last eight years of being an elected Commissioner. She thanked everyone who has assisted her though the eight years.

Upon consensus of the Board the meeting was adjourned at 3:37 p.m.

ATTEST:



Scott Ellis

SCOTT ELLIS, CLERK



Mary Bolin Lewis

MARY BOLIN LEWIS, CHAIRMAN
BREVARD COUNTY BOARD OF
COMMISSIONERS

APPROVED BY THE BOARD 1/6/15