

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, October 27, 2020

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:00 AM

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

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE

Commissioner Tobia led the assembly in the pledge of allegiance.

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. Resolution Recognizing Manufacturing Month in Brevard

Chair Lober read aloud, and the Board adopted Resolution No. 20-138, recognizing October 2020 as Manufacturing Month in Brevard County.

A representative for EDC Manufacturers Association of the Space Coast thanked the Board for its support.

Result: Adopted

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

E.2. Resolution Proclaiming October 2020 as National Arts and Humanities Month

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 20-139, recognizing October 2020 as National Arts and Humanities Month.

Kathy Engerran, Interim Director of Brevard Cultural Alliance (BCA), thanked the Board for recognizing Arts and Humanities Month; she stated BCA is the designated local arts agency that serves cultural organizations, individual artists, and students in Brevard Public Schools; and BCA is honored to serve in that capacity.

Result: Adopted

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F. CONSENT AGENDA

Chair Lober mentioned that Item F.9. was deleted.

F.1. Final Plat and Contract Approval, Re: Sendero Cove and Sierra Cove at Addison Village - Phase 2 (20FM00003)

Developer: The Viera Company

The Board granted final plat approval; and authorized the Chair to execute the Contract with The Viera Company for Sendero Cove and Sierra Cove at Addison Village Phase 2, subject to minor engineering changes, as applicable, and project does not relieve the developer from obtaining all other jurisdiction permits.

Result: Approved
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.2. Adopt Resolution and Release Performance Bond: Reeling Park South, Phase 2 Developer: The Viera Company

The Board adopted Resolution No. 20-140, releasing the Contract and Surety Performance Bond dated May 19, 2020, for Reeling Park South Phase 2 – The Viera Company.

Result: Adopted
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.3. Approval, Re: Transfer of Stewart Road Between Aurora Road and Lake Washington Road to the City of Melbourne

The Board adopted Resolution No. 20-141, authorizing the conveyance of County property; approved transferring Stewart Road between Aurora Road and Lake Washington Road to the City of Melbourne; and authorized the Chair to execute the County deed and Resolution.

Result: Approved
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.4. Rejection of All Proposals - Sykes Creek Regional Wastewater Treatment Facility (WWTF) Generator Replacement (Bid Number B-7-20-44)

The Board rejected all proposals received in response to Sykes Creek Regional Wastewater Treatment Facility (WWTF) Generator Replacement (Bid Number B-7-20-44); and authorized Edward Fontanin, Utility Services Director, to re-advertise a revised solicitation in accordance with BCC-25 Procurement.

Result: Approved
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.5. Legislative Intent and Permission to Advertise an Amendment to Article III, Section 90-66, Section 90-68, Section 90-69, Section 90-70, and Section 90-71, Brevard County Code of Ordinances-Affordable Housing Advisory Committee

The Board approved the Legislative Intent and permission to advertise an amendment to Article III, Section 90-66, Section 90-68, Section 90-69, Section 90-70, and Section 90-71, Brevard County Code of Ordinances - Affordable Housing Advisory Committee.

Result: Approved
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.6. Approval, Termination of Contract for Convenience, Re: Treasure Coast Medical Associates, Inc. (TCMAi); and Approval to Initiate Request for Proposal (RFP) for new Vendor

The Board approved the termination of the Contract with TCMAi, pursuant to paragraph 10 of the Contract; approved the development and advertising of a competitive Request for Proposal (RFP) process to solicit a new contractor; approved the Selection and Negotiation Committees consisting of Jerry Cisco, Human Resources Director, Michael Bramson, GAFF President, Deputy Chief Scott Jorgensen, Assistant Chief of Professional Development Richard Connor, and Michael Watson, Human Resources Health and Safety Officer; and authorized the County Manager, or his designee, to sign all contracts and contract related documents upon review and approval of the County Attorney's Office, Risk Management, and Purchasing Services.

Result: Approved

Mover: Rita Pritchett

Seconders: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.7. Request Approval of a Contract Extension for Toxicology and Histology Lab Services; Medical Examiner's Office

The Board approved a 120-day extension of the existing Contract with Steward Rockledge Hospital, Inc. for continued Lab Services for the Brevard County Medical Examiner's Office; authorized the Chair to execute the Contract extension as required; and authorized Matthew Wallace, Public Safety Director, to develop and advertise a Request for Proposal (RFP) for firms that can provide these services, if an expectation of competition exists.

Result: Approved

Mover: Rita Pritchett

Seconders: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

F.8. Associate Medical Examiner Locum Tenes Temporary Placement Services

The Board authorized the development and advertising of a Request for Proposal (RFP) for Firms that can provide Locum Tenes Temporary Placement Services to the Brevard County Medical Examiner's Office approved the Selection and Negotiation Committee consisting of: Matthew Wallace, Public Safety Director, Steven Darling, Jr., Central Services Director, and Craig Engelson, Medical Examiner's Office; authorized the County Manager, or designee, to execute all resulting contracts and contract related documents upon review and approval by the County Attorney's Office, Risk Management Office, and Purchasing Services; and authorized the County Manager, or his designee, to approve any necessary Budget Change Requests or other administrative actions required to maintain the Medical Examiner capability.

Result: Approved

Mover: Rita Pritchett

Seconders: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

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

The Board acknowledged appointment of Jack Ratterman to the Merritt Island Redevelopment Agency, with term expiring December 31, 2024.

Result: Approved
Mover: Rita Pritchett
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

G. PUBLIC COMMENTS

Dina Reider-Hicks, Public Affairs Manager with Waste Management (WM), stated she had a brief service reminder for Brevard residents to contact WM for service for large loose yard waste piles, also known as clam yard waste piles, and for bulky waste, which is anything that is too large to fit in the cart, such as furniture; a yard waste pile requires a clam truck if it is over three cubic yards, which is about the size of the bed of a full-size pickup truck; since not everyone places a large yard waste pile out for service every week, clam piles are actually scheduled and routed for service within three business days of the resident's regular containerized yard waste day; scheduling for clam yard waste or bulky waste is not a new requirement as it has been in place for at least the past seven years; residents have several options to get in contact with WM to schedule service by email at centralfloridaservice@wm.com, live chat at wm.com, or at 321-636-6894 for North residents and 321-723-4455 for central and south residents; and she just wanted to remind residents to please contact WM for these services, which helps them to serve the community better.

Chair Lober stated he wanted to express his gratitude for things improving substantially over the past few weeks; and he knows that is to her liking as well, but he wanted to make note of it.

H. PUBLIC HEARINGS

H.1. Addition of Section 122-29. Use of Vessels on the St Johns River, to Chapter 122 Waterways of the Code of Ordinances of Brevard County

Chair Lober stated he thought this was a revisit; and he asked Frank Abbate if that was correct.

Mr. Abbate stated that was correct.

Chair Lober called for the public hearing by reading the Item description into the record for addition of Section 122-29, Use of Vessels on the St. Johns River, to allow for the implementation of new slow speed and idle speed zones along the St. Johns River.

There being no comments heard, the Board adopted Ordinance No. 20-19, amending Chapter 122, Waterways by adding Section 122-29, Use of Vessels on the St. Johns River, to allow for the implementation of new slow speed and idle speed zones along the St. Johns River.

Result: Adopted
Mover: Curt Smith
Second: Bryan Lober
Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

H.2. Petition to Vacate, Re: Public Utility Easements - 826 S. Tamarind Circle - "Barefoot Bay Mobile Home Subdivision, Unit One" Plat Book 22, Page 100 - Barefoot Bay - Brady G. and Tamarah L. Mitchell

Chair Lober called for the public hearing by reading the Item description into the record for petition to vacate public utility easements at 826 S. Tamarind Circle - "Barefoot Bay Mobile

Home Subdivision, Unit One" Plat Book 22, Page 100 - Barefoot Bay by Brady G. and Tamarah L. Mitchell.

There being no comments heard, the Board adopted Resolution No. 20-142, vacating public utility easements at 826 S. Tamarind Circle - "Barefoot Bay Mobile Home Subdivision, Unit One" Plat Book 22, Page 100 - Barefoot Bay as petitioned by Brady G. and Tamarah L. Mitchell.

Result: Approved

Mover: John Tobia

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

J. NEW BUSINESS

J.1. South Beaches Dune Project Maintenance

Chair Lober stated he believed this was entirely in Commissioner Tobia's district, and he asked for his vote.

The Board approved and authorized a Change Order to an existing Contract with Southern Disaster Recovery, waiving the bidding requirements, to repair the South Beaches engineered dune project; approved a negotiated Contract change to the price per cubic yard to reflect the Consumer Price Index (CPI); authorized the Chair to execute the Change Order for the new work at the negotiated price, not to exceed CPI; approved use of County owned or managed land for temporary construction access; authorized the County Manager, or his designee, to execute work in excess of \$100,000 for associated tasks required to complete the project and comply with permit conditions; authorized staff to seek State funding for partial reimbursement; and authorized any necessary Budget Change Requests.

Result: Approved

Mover: John Tobia

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

J.2. Approval, Re: Use of Space at the Merritt Island Service Complex for Brevard County Tax Collector's Office, Brevard Family Partnership and Brevard Cultural Alliance

Ian Golden, Housing and Human Services Director, stated the Board has been briefed regarding the space usage at Merritt Island, and talked about Brevard Family Partnership and the grant and the use of the space for them; the Tax Collector has requested space, so this Item addresses both of those requests and also brings back to the Board some of the responses the Board requested regarding Tourism Development and moving them into the space; and he is available for comments or questions.

Commissioner Tobia stated he would not belabor the point because he thinks the Board is not interested in the same direction he is interested in going, but he wanted to point out some potential savings before the vote is taken; there was a change to give some space to the Tax Collector, which he thinks is a good move since the Tax Collector hands over millions of dollars at the end of every budget cycle; however, with the Tourism Development Office, the County hired a consultant to determine square foot needed for types of employees; according to the consultant, the Tourism Development Office would need between three and four thousand feet, and currently has more than 6,000 feet; and there is ample space, about 3,455 feet. He added

there would be a cost associated with ending that lease early, which would be \$16,600 on February 1, 2020; the \$100,000 year lease over that period would be a savings of roughly \$133,000, and subtracting the \$16,600 out of that savings leaves a net of about \$116,700; the County did an estimate for the moving as well as retrofitting that property for the amount of \$120,000 to \$150,000; it is important to note, assuming that lease is not continued at the end of July 2022, that moving and retrofitting cost would have to be incurred at some time; and that would be a net zero until July 2022, but after that point the Tourism Development Office would realize a savings of at least \$100,000 per year. He stated that does leave some space on the bottom floor; he thinks if the County is going to make cuts, there is no lower fruit than subsidizing art; he thinks that the marketplace determines that it shouldn't be the Board determining local art going up in public buildings; he thinks that is \$50,000 that can be better spent anywhere else; then there is Brevard Family Partnership which sounds like a wonderful organization that just received a \$2,000,000 grant which is not contingent on any matching funds from the County; and he looked at their Federal filings to determine if they were a small or large organization, and the organization noted that if they did not receive the \$40,000 of rental space, that would be \$40,000 less of services that they could provide to the County. He went on to say that \$40,000 sounded like a lot of money until he looked at their 990, which showed it was an organization that had more than \$4,000,000 in employee compensation; in other words, if they were to cut their employee compensation by one percent, they could make up for the \$40,000 loss; he has noticed numerous commercial buildings that had space available; he wanted to make it known that if the County is providing free space, this is hurting the businesses with commercial space available, and probably bastardizing the market; and for all of those reasons he cannot support any of this, other than the Tax Collector, because he sees that the Tourism Development Office can break even and then save \$100,000 a year going forward. He stated he does not care if the bottom goes to Brevard Family Partnership or the Brevard Cultural Alliance, but thinks the more nominal leases the County provides, especially over long terms, is not good for the County's bottom dollar and for private businesses that have ample amount of commercial space available; and for that reason he cannot vote for this.

Commissioner Smith stated he would like to hear some discussion because Commissioner Tobia brought up some very interesting points to save the County money; and he would like to hear some comments to rebut what he has told the Board.

Mr. Golden stated he would speak about the Brevard Family Partnership (BFP), and there is a representative in the audience as well; years ago, the State privatized the foster care system and when they did that, BFP was created as a partnership between three agencies, Devereux, Children's Home Society, and this Board; each agency put up a \$1,000,000 bond to start that agency; there has been a connection between this Board and BFP since their inception; and there are still appointments to their board of directors. He added he thinks their services are primarily an employee-driven department because of what they do and the services they provide, as the only foster care system in Brevard, as the lead agency for that, so they are employee-heavy; a large portion of their funds go to support those employees; it is not a stretch to say that every dollar that would be taken away from staffing and put towards things like rent, does reduce their ability to staff; and they are not an agency that traditionally gets increases from the State, which is where their funding comes from.

Chair Lober inquired, as far as the employee compensation, Commissioner Tobia stated if it was cut by one percent, it could cover this \$40,000; but he did not hear they were driving fancy cars and if they are already underpaid, he does not know if it is fair to ask them to start cutting the employees' salaries.

Mr. Golden replied he could not speak for their specific salaries, but with the grant that the County is looking to support with this space is a new grant, not existing activities or things that can be absorbed by the staff they have now.

Chair Lober asked Mr. Golden if he was confident that by allowing them to have this nominal lease, that there is a high likelihood that there will be a direct benefit to Brevard constituents and the taxpayers.

Mr. Golden replied definitely to the children and families that are going to be served under the grant.

Chair Lober inquired, as far as the consultant that Commissioner Tobia referenced, how long ago that was.

Mr. Golden replied he could not answer that.

Jim Liesenfelt, Assistant County Manager, stated it was from the early 90's or late 80's.

Chair Lober remarked that was decades ago when the assessment was made; and he asked Peter Cranis, Tourism Development Director, if the square footage was cut to the degree necessary to fit his department in there, noting that Commissioner Tobia is okay having the Tax Collector there which will reduce even further the amount of available space, if that would impact his operations as far as his department is concerned.

Mr. Cranis replied it would impact a couple of things; he stated first, there are more people in his department now than there were when this was first looked at; secondly, he has a visitor center which is not accounted for in that study, which is something that is dictated by ordinance, so a percentage of the Tourist Development Tax has to go towards visitor information; that is something that being in downtown Cocoa affords them to do; and being in Merritt Island would probably not be nearly as effective.

Chair Lober stated the carpet in his office is probably as old as he is, but he is not saying there is anything wrong with having frugal surroundings and a concrete mausoleum to operate in, as it is free to the taxpayers, and he is happy to be there; but when it comes to driving tourism to the area, he asked Mr. Cranis if he thinks that there could be an impact as a result of having a visitor center in an ugly, ancient building that would require certain build-out costs to the degree that Commissioner Tobia articulated.

Mr. Cranis replied he thinks the build-out costs sort of offset the value benefit there and he thinks there is an opportunity next year as they look at an economic environment that is a bit down; he thinks there will be a lot of opportunities and better spaces to get a much lower lease amount; that is something that he would like to have the time to investigate next year if he could; renegotiating the current space could also be possible; and an analysis could be done and brought back to the Board. He added the lease is up in July of 2022, and there may be an ability to get out of that lease earlier in July 2021; and he would like to start looking then.

Chair Lober mentioned to Mr. Cranis he would like to keep it in District 2, and either of those options would keep it in the District; if he ends up with more space than is needed, and it is no more expensive than the bare minimum, he could go with what he likes with respect to that, and what he thinks would positively impact operations, or at least, limit the downside of it; and he asked Jim Liesenfelt, Assistant County Manager, with respect to BCA, if there was previously a contract with them that had a \$40,000 to \$50,000 figure, where the County was paying them to provide a certain service that now they are providing for free in exchange, at least partly, in exchange for having the space at a nominal rate.

Mr. Liesenfelt replied that is correct; he stated the County provided \$45,000 to \$50,000 per year out of the General Fund for Art in Public Places and the Clearinghouse; and when the funding from the General Fund went away and all tourism funded now, the County added those services into the lease for their nominal lease so they have where the County was providing the \$50,000 previously, they now have to provide that out of their own budget in exchange for the use of the space in Merritt Island.

Chair Lober stated with respect to the \$2,000,000 grant that Commissioner Tobia referenced, he never voted to approve anything like that here; he does not think \$2,000,000 would slip under his nose, maybe 20 cents; and he asked Mr. Liesenfelt if that was a County grant to his understanding.

Mr. Liesenfelt inquired if he was talking about Brevard Family Partnership.

Chair Lober replied yes.

Mr. Golden responded if it is the Brevard Behavioral Health Expansion (BBHE) grant that is being referenced, it is actually a \$4,000,000 grant that the Board did authorize the Housing and Human Services department to submit as the lead agency as the pass through.

Chair Lober asked if it was coming out of County funds.

Mr. Golden replied no; he advised it is a Federal grant of \$4,000,000, \$2,000,000 will be match dollars; and Commissioner Tobia was correct that the \$42,000 that the County is asking to be used as the fair market value for a match, is not actually necessary, but with any Federal grant the more it can show that the locality is vested, the better.

Mr. Liesenfelt stated the Housing and Human Services department has a number of grants they have to apply for as the lead government agency and it is passed to other agencies.

Chair Lober stated he knows the County gets that as it had that with the Sheriff on the last Agenda being the same thing; and if it is not costing County taxpayers, any time Federal funds are brought in, it is wonderful.

Commissioner Tobia asked Mr. Abbate what his salary is.

Mr. Abbate replied about \$202,000.

Commissioner Tobia asked Mr. Abbate what the County budget is.

Mr. Abbate replied roughly \$1.4 billion.

Commissioner Tobia stated that puts Mr. Abbate's compensation somewhere in the range of .01 percent of the total budget; he looked at the 990 Form and it is the most recent one since 2018; the Chief Executive Officer (CEO) of that very small Brevard Family Partnership had a compensation of \$266,471 of a budget of \$24,974,000; in other words, 1.1 percent of the total budget and roughly 100 times the amount of the fraction that the County Manager makes; and the only person he knows who has a better compensation package, given the amount of their budget, is the Captain of the Port. He added this is not a small mom and pop; the CEO at the time made \$120,000, the CCUMO salary is \$107,904, the Executive Director makes \$103,488 and this was a couple of years ago; and even if they did not increase the salary, this is a handout in the worst type of way.

Commissioner Pritchett asked Mr. Liesenfelt if he could state the terms of the lease for each entity; and she sees that BCA has been extended out three years.

Mr. Liesenfelt responded three years until 2023 for zero or \$1; and Brevard Family Partnership is one year with four one-year renewals.

Mr. Golden clarified it is actually the first year will be 10 months with four one-year renewals.

Commissioner Pritchett inquired if the County is able to break the lease at any time it needs to.

Mr. Golden replied yes; he stated at the fourth year of the lease is really there because with a lot of Federal grants if all the money that is allocated is not expended in the term, the County can do what is called a no-cost extension; and this way if the County ends up doing a no-cost extension, they do not have to move or try to relocate staff at the same time the County is trying to close out the grant and provide the final service.

Mr. Liesenfelt stated then the Tax Collector's space usage.

Chair Lober stated he had a couple of questions for staff; the \$266,471 sounds high, but he has no idea what someone in a comparable position would make; and he asked if staff knew if it is a high number or low number.

Mr. Liesenfelt replied no.

Mr. Golden replied he did not either and he could not tell him in the private or non-profit sector.

Commissioner Pritchett asked how many employees there were, if they knew.

Jim Carlson, Senior Executive of Administration for Brevard Family Partnership replied approximately 70 employees at any one time; he stated the reason that amount was so high was it included a board-approved severance package for the exiting founding CEO; she received a severance package that was included in the 990 Form that Commissioner Tobia referenced; and the current CEO salary is one of the lowest in the State at around \$150,000.

Chair Lober asked if Mr. Carlson had an idea in terms of average employee wage.

Mr. Carlson replied they have done several studies and it is below the area, but it typically includes Orlando which pays higher.

Commissioner Tobia stated he has to do a comparison again; doing the rough math, \$150,000 for 70 employees is about \$2,100 per employee; and he asked Mr. Abbate how many County employees there are.

Mr. Abbate replied about 2,200.

Commissioner Tobia remarked if the County gave the same percentage, Mr. Abbate would be making \$4,200,000; just to give a perception of this, 70 employees at \$150,000, public or private, does not sound very bad considering the bargain the County is getting here, which is just one out of 160 percentage.

Chair Lober asked Commissioner Tobia if that was fair analogy to say whatever Mr. Abbate makes to the County's \$1.5 billion budget is X percent of that, whereas \$150,000 out of whatever their budget is, is a higher percentage.

Commissioner Tobia replied when this organization is asking for space at the expense of taxpayer dollars, absolutely.

Chair Lober stated he is thinking what the President makes over the Federal budget, he thinks then the Board could say that Mr. Abbate is grossly overcompensated as well; then this would be to a different stratosphere; what the Board has heard from staff as well, with respect to the amount that is offset for them being put back into the services that are made available for the community, he has no problem if the vote is made contingent upon having a clause in the contract that mandates that to ensure that happens, that whatever amount is offset, the actual market value, that amount has to go into the services over and above what they put in in the past; if there is a problem with that, they simply will not sign the lease; and he asked Commissioner Tobia if that would resolve the concern.

Commissioner Tobia replied no; he advised this is at least a \$25 million organization with a CEO that makes \$150,000; they have ample resources to go out and get space in a private commercial space; this is going in lieu of a space that the County is currently in a private facility; if there was no one else to put in that space, this would be a different argument; he is trying to get as much use of these dollars as possible; not to disparage this organization, but they are compensated very well for that work and he does not think that taxpayers need to fund that additional burden; and it sounds like there are four votes but he was just putting this out there.

Chair Lober stated the argument kind of implicitly suggests that if the Board approves this, somehow that is going to impact the compensation of one or more employees there; and he asked Mr. Carlson if the CEO is going to be making more if this nominal lease gets approved.

Mr. Carlson replied no current employees will receive additional salary or benefits as a result of this.

Chair Lober asked Mr. Carlson if, by extension, if they have additional resources, based on this freeing up what they would have to spend on a lease, they could theoretically employ more folks to provide more services.

Mr. Carlson replied yes, or a contract with other local providers to provide the service.

Commissioner Pritchett stated it is a one-year lease and the Board could look at it later if a change is needed; it might be a large salary but there is a big responsibility to the welfare of children because one would have to be very careful placing those children, and a lot of liability comes with it as well; and she is ready to Call the Question.

Chair Lober stated to Commissioner Tobia if when this is up for renewal, if he could bring something showing that the actual "apples to apples" comparisons reflect that this \$150,000 salary is out of line, he would be happy to look at that and potentially not renew the lease; but he does not know by looking at a number in isolation without knowing what the comparisons are, so it is impossible for him to be able to say that is a high or a low number.

Commissioner Tobia stated he is not concerned one way or another what the market bears as if this is a high or a low, frankly he does not care; the fact that they are taking public space does cause him concern; if that is a small fraction, or three-times more, it is irrelevant to him; this is an organization with more than \$25 million in contributions in 2017; there is a ton of commercial space out there; this is three or four thousand square feet that probably deserves to be in the private space and ultimately it is going to be borne by the taxpayers; and he appreciates Chair Lober's concern on that.

Commissioner Isnardi stated normally, if this was not an entity that provided services directly to the constituents, she would probably be where Commissioner Tobia is; the County's nominal leases of organizations that previous Commissions, based on pet projects or personal passions, have been discussed before; she would beg to say that probably many items on this list from wind surfing to Bitten Spur Club, probably at least 25 organizations that have a significant revenue loss to the County if the Board were to go back and look at potentially recovering some funds; the Board could pick and choose and say which one is more worthy, but this is the tone that has been set in the County, that it gives free leases; and this is a no-brainer to her because it is foster services for people who will directly benefit in the community and the Board is already a partner with this agency, previously decided by previous Commissions. She added she is going to support this because she believes it is the return on investment and the return on the community is big and that space is not being used now.

Chair Lober stated with respect to the County not using the space now, the only two entities that are on the entire upper floor, not factoring in the Sheriff's side of the building, is District 2 and Merritt Island Redevelopment Agency; it a ghost town other than that; the vast majority of that space is open and from a selfish perspective, one could say he might vote against this because there is less traffic, less personal interaction, and less parking issues, but that space cannot sit there and do nothing; there has been no interest, commercially, at renting it out, and as far as competing with private enterprise, he does not know that he would want to do that either; and he agrees with the reasons Commissioner Isnardi stated and he thinks everything has been gone through. He added he thinks this is one of those where it is atypical enough and it is extenuating enough that it is worth supporting; and he Called the Question.

Result: Denied

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, and Isnardi

Nay: Tobia, and Smith

Jim Liesenfelt stated if the lease fails, there is a number of different options; and there is approval to request for the Tax Collector to give them space, or BFP, or BCA.

Commissioner Pritchett made a motion to approve the Tax Collector.

The Board approved and authorized the use of approximately 2,690 square feet on the second floor of the Merritt Island Service Complex to the Brevard County Tax Collector for office space; and authorized the County Manager to sign any amendments or modifications to the lease upon approval of the County Attorney and Risk Management and to execute any necessary Budget Change Requests.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

Chair Lober asked for a motion to approve BCA.

Commissioner Pritchett made a motion to approve BCA for one year.

The Board approved and authorized the Chair to execute Amendment #8 to the Lease Agreement with the Brevard Cultural Alliance for one year; and authorized the County Manager

to sign any amendments or modifications to the lease upon approval of the County Attorney and Risk Management and to execute any necessary Budget Change Requests.

Result: Approved

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Isnardi

Nay: Tobia

Chair Lober asked for a motion to approve BFP.

Commissioner Isnardi made a motion to approve BFP.

The Board approved the lease of approximately 3,455 square feet on the second floor of the Merritt Island Service Complex to the Community Based Care of Brevard, Inc. d/b/a Brevard Family Partnership in support of a Behavioral Health Care Expansion Grant; authorized the County Manager to sign the Brevard Family Partnership lease upon approval of the County Attorney and Risk Management; to sign any amendments or modifications to the leases upon approval of the County Attorney and Risk Management; and to execute any necessary Budget Change Requests.

Result: Approved

Mover: Kristine Isnardi

Second: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Isnardi

Nay: Tobia

Mr. Liesenfelt stated that should include the County Manager to sign amendments and modifications to the leases upon approval and execute necessary Budget Change Requests.

No objections heard.

Mr. Golden asked if that includes allowing BFP to use the fair market value as match for the grant.

Chair Lober inquired if that would cost the County anything.

Mr. Golden replied no.

Commissioner Pritchett made a motion to allow BFP to use the fair market value as match for the grant.

The Board approved the use of the fair market value of the space for Brevard Family Partnership, approximately \$42,289.20 per year, as match for the Behavioral Health Care Expansion Grant.

Result: Approved

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

Commissioner Tobia stated he was confused; and he asked, procedurally, was the outcome any different than the motion and the aggregate.

Chair Lober stated that was an excellent question; and he replied no.

J.3. Permission to Participate in and Accept the 2020 Edward Byrne Memorial Justice Assistance Grant

Chair Lober stated this is in the amount of \$48,482, and the Board is acting as the pass-through; and he asked for a motion to approve.

The Board granted the Sheriff permission to participate in and accept the 2020 Edward Byrne Memorial Justice Assistance Grant.

Result: Approved

Mover: Rita Pritchett

Second: Bryan Lober

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

K. PUBLIC COMMENTS

Sandra Sullivan stated she was present for health and safety as she read some reports this week that very much concerned her; zip code 32937 has been known for decades to have an elevated, higher incidence of childhood cancers on a map showing it dark gray on a few areas of the State; a little tiny zip code and it was mentioned in one report as being the third highest; that brings her to what, potentially, might cause that and one of the concerns she has in doing the research; and she has found a legacy of organochlorine pesticides which were banned in the late 80's. She added that one in particular called Chlordane, but also the other ones Dichloro-diphenyl-trichloroethane (DDT), and Heptachlor; these were at very high levels on Patrick Air Force Base, just north of the community; she shows evidence of the migration into the groundwater to the south; it turns out that also the Hodgkin's cluster that everybody knows about, they were looking at those chemicals; and they also released them to the river with no public advisory with an Amyotrophic Lateral Sclerosis (ALS) cluster that followed and the reports from Department of Environmental Protection (DEP) and Environmental Protection Agency (EPA) indicate that this was a risk to human health. She stated fast-forward to the south base housing, which the high school is adjacent to, it turns out in reviewing those phase one reports that there is a recognized environmental condition, which is a legal term for that contaminant; there has been no testing after requesting it for two years; she understands this is not in the County, but the high school is adjacent and the unincorporated students go to that school; it is possible for there to be slow groundwater migration from this contamination, which means the sprinklers running on fields where athletes and cheerleaders seem to have these cancers, raising the question if this is impacting the children at the school; and she has advocated her heart out to try and get Patrick Air Force Base at Board meetings, and in letters to the State and to Representative State Officials. She continued by asking that Brevard County advocate for the children in 32937; she is going to send the Board a report showing the higher incidents of cancer among the children; there have been three children that have died of Diffuse Intrinsic Pontine Glioma (DIPG) cancer in the last year and there are only 300 to 400 cases in the entire country; and it raises a question.

Chair Lober stated he was happy to review anything that she may send in to his office; obviously, if it is something that the Board needs to act on, it can be addressed at a subsequent meeting; and if it is something he can act individually on, depending on what he gets, he may send something out on his own, as an individual Commissioner.

L. BOARD REPORTS

L.3. Rita Pritchett, Commissioner District 1, Vice Chair

Commissioner Pritchett stated the Board is getting ready to have the CARES Workshop; she was wondering if the Board would consider the County also considering Circles of Care; she reached out to them this week and they work with people with mental health issues and are overwhelmed; they have 15 percent more people that they cannot even get to, that are having problems; and if the Board would not mind that being part of the discussion.

Chair Lober offered Dave Berman, Florida TODAY, a copy of the CARES packet, that he had distributed to the other Commissioners and the Clerk; he did not want to read seven or eight pages, but he did want to go over a few things in his Board Report; and he does not mind if something is added or proposed.

Commissioner Smith stated he was good with that.

Chair Lober stated his thought was that if anyone that wants something added on, they are welcome to pitch it.

Commissioner Pritchett stated she did not want to waste the time if the Board all said no.

L.4. Bryan Lober, Commissioner District 2, Chair

Chair Lober stated no, and that is why he is dovetailing here, and he will start in reverse; starting at the bottom of page three and going into page four, this memo talks about distribution of a portion of the remaining CARES Act; it talks about two animal rescue groups that have in-County shelter facilities and the proposal is to allow the Society for the Prevention of Cruelty to Animals (SPCA) in District 1, and the Humane Society in the north side of the County but serves the entire County, to allow them to apply for up to \$100,000 in CARES Act funding; he justifies it in terms of the programs that are being put on and what they do and why those particular organizations are potentially more worthy of merit based on their offsetting costs that otherwise would fall on the County and providing County facilities; and he had a couple of other proposals for review while there is some time between now and November 5. He added that Brevard County Fire and Rescue (BCFR) is the first addressed proposal on the front end; he thinks the Board has an opportunity to do a tremendous amount in terms of allocating CARES Act funding to BCFR; and he asked Frank Abbate, County Manager if there was anything he wanted to add in terms of the number he believes qualifies.

Mr. Abbate stated there would be more discussion on November 5, but there is opportunity for the Board to cover certain Countywide costs and that is how he would recommend it related to services that are provided on a Countywide basis that would include unincorporated and incorporated areas; for BCFR that would be Emergency Medical Services (EMS) transport; staff has done an analysis because the U.S. Department of Treasury and Office of the Inspector General has said that personnel costs and benefit costs of medics who are on Countywide ambulance service could be covered; that could cover up to \$11,100,000 from the period of March 1 through December 31, 2020; that will be brought back for the Board's consideration; and whatever is received from individual Commissioners will be added including what Commissioner Pritchett just brought up on Circles of Care. He added that Ian Golden, Housing and Human Services Director, had a request from an agency on mental health expanding that even further and he will bring that back for the Board; and he asked Mr. Golden to address that briefly.

Mr. Golden stated as a result of some of the revenue reduction at the State level, there is a lead agency for mental health, substance abuse, and all of those agencies across the State were required to cut their budgets by three percent this year as a result; they passed those cuts on to all their provider agencies; in Brevard, it is Circles of Care and another agency, but all total, Circles of Care's reduction from that three percent was about \$300,000; and that is the number he was going to bring to the Board on November 5.

Chair Lober stated on page two is another item that might interest Mr. Golden; the second item that he mentioned is the housing, mortgage, and rent assistance; on the front-end, the Board approved a \$4,400,000 allocation to put in place a housing assistance program; there was initially a requirement that applicants show that they had lost 25 percent of their income, which has since been struck; the County has extended the maximum duration that someone could qualify from three months to ten months, but the problem with that is that the maximum that an eligible person can receive under the program is \$7,200; and if that is the totality of what they are bringing in because they have no income, that is \$720 per month, irrespective of how big the family is. He added he does not know that housing can be found for \$720 a month in a lot of the areas of the County; he is not suggesting that assistance is raised to the point that someone is allowed to get lavish housing, but thinks that \$7,200 is too low to accomplish all that the Board can accomplish; the proposal he will bring at the Workshop on November 5 is to raise that to \$12,500 which still may be low, but with \$1,250 a month, there is more potential to find something that is habitable; in order to ensure that adequate funding is in that program, he thinks the Board needs to look at infusing it with more cash than the initial \$4,400,000; and he is suggesting to add another 50 percent, making it \$6,600,000, which amounts to two percent of the total CARES Act allocation the County received. He stated another item on page two deals with urgent care clinics, and there are at least 24 urgent care facilities throughout the County; some are owned by at least one larger entity but irrespective of that, the majority seem to be either small or individual facilities and the suggestion he will bring on November 5, is to allow them, irrespective of their participation in other programs, to apply for up to \$5,000 per urgent care facility for expenses that would qualify for reimbursement, with the caveat that they cannot double-dip on the same expenses; he said that would be about one-tenth of one percent of the overall pot and would help a lot of the frontline folks at these facilities; he does not know specifically how Tetra Tech will evaluate it, but if a facility bought a certain value in gloves between January and December 2019 and compared that with between March and December 2020 and the monthly allocation is substantially higher, that could determine, potentially, if the cause was due to COVID-19 or other factors; and he does not know how Tetra Tech will determine that but he is sure they have a methodology for that. He went on to say he thinks that is something that the Board can put in place to help the facilities that is minuscule in cost; even if the Board allocated to all of the facilities, it would be in the league of \$130,000; beyond that, at the bottom of page four, he is probably going to be willing to support similar funding as what he is proposing for the animal non-profits, that benefit the County, if another Commissioner is inclined; he thinks as long as the Board can articulate a Countywide benefit, whatever it may be, he is happy to look at it, but he wants to keep it brief; and there is a lot more detail in the document that he passed out. He stated he also had two other things; one was a suggestion from a constituent that the Board considers renaming the County from Brevard County to Space Coast County and part of him thinks that is incredibly cool and the other part thinks it might be eliminating the history; he does not know yet and has not talked with staff about it, but from a tourism perspective, he thinks there is some potential benefit to it; he wanted the Board to think about it between now and when it may be brought up at a Board meeting; and second, he mentioned District 2 has lots of water, with the river, barge canal, and the ocean, and a potential issue came forth with respect to the dock code, and he distributed a copy of the email received from a constituent of his who is an ecologist. He went on to say that other municipalities and counties have provisions that serve to limit folks blocking access to adjacent docks; he would like permission to have Planning and Development put together a report that could suggest some potential Code revisions for the Board to consider, that when

done, could rectify some dock-related issues; if there are issues in other Districts, he is happy to have them included; he asked for a motion authorizing staff to put together that draft report to propose Code changes if necessary to address dock-related issues throughout the County.

The Board directed Tad Calkins, Planning and Development Director, to draft a report with proposed Code Revisions, if necessary, to address dock-related issues throughout the County.

Result: Approved

Mover: Curt Smith

Second: Rita Pritchett

Ayes: Pritchett, Lober, Tobia, Smith, and Isnardi

L.5. John Tobia, Commissioner District 3

Commissioner Tobia stated he grew up in England and he is often reminded of something Margaret Thatcher said, something to the effect of the problem with socialism is you eventually run out of other people's money; he asked to please remember that as these organizations come asking for more, and more, and more when the Board starts picking winners and losers; what is worse is that the Board is not running out of other people's money; now it is running into people's money that have not even been born yet; and when hearing from the zoo, or Green Gables, or others, just remember that eventually someone is going to have to repay these dollars.

L.6. Curt Smith, Commissioner District 4

Commissioner Smith stated he wanted to offer up kudos to his fellow Commissioners; serving with them for the last four years, and he is quite sure each and every one of them will be re-elected, so he is looking forward to spending the next two years of his term with them as well; he just wanted to bring that to everyone's attention because he is quite sure none of them are going anywhere and he certainly hopes not; for his real men wear pink update, it is \$1,200 short of his target of \$7,500 to get his hair dyed pink; and anyone that wishes to see him with pink hair for a week, he encourages them to support this worthy cause.

L.7. Kristine Isnardi, Commissioner District 5, Vice Chair

Commissioner Isnardi stated she actually had on her list Circles of Care as her second item for the Board to consider as far as CARES Act funding because she knows, having seen a lot of patients in her office, mental health issues are up and there is only so much the County can provide; it is one of the only agencies that people rely on and they are definitely under funded and unable to provide the services they want to provide; she also would like the Board to look at Aging Matters, particularly the Meals on Wheels program; and she wants to make sure the seniors that are not getting out are taken care of, that, and the Homeless Coalition. She added she wants all of this to be COVID-19 related; she does not want the Board to just be approving the personal favorite causes, just because they think they are worthy; she is sure every agency is worthy, but wants to make sure that, at the very least, just because the government opened up the criteria to be able to distribute this money throughout the community; and she wants to make sure it is COVID-19 related so the agencies do not become dependent on this kind of funding that may not be available next quarter.

Commissioner Smith asked if a second was needed.

Commissioner Isnardi replied she does not think so as long as none of the Board objects to it; and she would like to, at least, have those items considered.

Frank Abbate, County Manager, mentioned the easier one actually is determining whether or not it is COVID-19 related as Commissioner Isnardi indicated; the more difficult one is going to be the same kind of challenge that staff has had in some of the other programs, which is evaluating a lot of these agencies, and he believes Meals on Wheels may be one of them, are receiving significant funding; matter of fact, staff has reached out to them and they indicated that they had other partner agencies or government resources that are reimbursing them; staff is making sure to make it clear to them that it has to be for something that they are not already receiving reimbursement for; and staff will continue to do that and move that ahead in preparation to November 5 meeting. He added staff will reach out to these organizations and he will be happy to do that for the Homeless Coalition as well.

Commissioner Isnardi stated it also should be for primary needs like food, shelter, and emergency funding, and that sort of thing.

Upon consensus of the Board, the meeting adjourned at 10:05 a.m.

ATTEST:



RACHEL M. SADOFF, CLERK



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

As approved by Board February 9, 2021.