

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 May 14, 2013 at 9:00 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

Call to Order

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

INVOCATION

The invocation was given by Reverend R. Bradley Beaupré, St. John the Evangelist Catholic Community.

PLEDGE OF ALLEGIANCE

Chairman Andy Anderson let the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Board approved the April 4, 2013, Zoning Meeting Minutes, and April 16, 2013, Regular Meeting Minutes.

ITEM VII.F.2., LEGISLATIVE INTENT/PERMISSION TO ADVERTISE, RE: BREVARD COUNTY EDUCATION IMPACT FEES (DISTRICT 1)

Commissioner Fisher stated any decision he makes today will not be an effort to get back at the School Board; it will not be made an attempt to harm any other students, or any other areas of the County; his decision on this issue will be made on the merits of the issues and the questions that have been asked of him; and he is trying to get answer to questions his constituents are asking. He went on to say one question being asked frequently is why the Board is getting involved in School Board issues; he has been told by School Board Members that it is none of the Board's business to stay out of it; unfortunately, the School Board has made it the Board's issue; and for years there has been a decent relationship between the two entities. He stated that relationship has gotten somewhat strained; one of the reasons is because people in the community were coming to the Board saying the School Board is not listening; the School Board limits how many people can speak at its meeting; all the constituents are not being listened to; and he saw that firsthand at a couple of School Board meetings he attended when Commissioner Nelson was not given the courtesy to have a conversation with them before such an important vote was taken that would affect the community. He noted in his case, it will be the second school in three years that has closed in the North area; he expressed those concerns to a School Board Member that it flies directly in the face of economic development and some of

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the things they are trying to create there; after attending several meetings at the School Board, he realized the limitation of 10 people to speak, not allowing people to have dialogue, and people were not able to talk to their School Board Member and be part of it; the board tried the injunction; and the court said the Board did not have the right or ability. He added, when there are parents who are upset, they keep on asking more questions; inquired if schools are being closed, why the School Board is still collecting impact fees; stated he started exploring that; and the Superintendent of Brevard County Schools, Brian Binggeli, advised the Board if the sales tax referendum did not pass, more school closures could be expected. He went on to say that impact fees are designed to pay for growth; and he is trying to figure out where the possible growth is. He pointed out the City of Titusville did a redevelopment on a housing project, it was 26 units; it was a federal grant awarded to the City through CBG/HUD type dollars; and they put up nine family affordable housing units. He stated the City had to pay the School Impact Fees on that; the school in the area where these houses are located was Riverview Elementary, the school that was closed down; those children from Riverview Elementary got moved over to South Lake Elementary, which is now being closed; and he inquired why impact fees are being paid on redevelopment, and charging impact fees if schools are being closed down. He stated he understands there is great growth in Viera; he can understand the possibility of why impact fees could be justified in that area; he is not sure impact fees are not justified all over; with the new charter school going in will have 650 students, which will be taken out of the public schools; they have already announced they are doing Phase III, so that is another 300 children moved out of the public schools, and that leaves 950 children coming out of the public schools into the charter schools. He advised that will free up some space in the schools in the Viera area. He stated this is a great time for the School Board to sit down with the Board of County Commissioners to have some serious dialogue about what is being done with impact fee dollars, how that will affect them in the future, and why it is important to them; he thinks the School Board needs to understand the Board's concerns in the community, and why closing schools in their districts are important; it needs to be looked at if impact fees should be used on redevelopment, because some of the school closures are happening along the U.S. 1 corridor in old Palm Bay; and if the Board wants to encourage development, it needs to consider that. He inquired if it is legal or moral for the impact fees to be charged when schools and why the threat of more school closings are out there; and reiterated the School Board said if the sales tax is not passed in 2014, there will be more closures. He stated he wants the School Board and the Board to have an emergency meeting to talk about school closures, impact fees, and try to start rebuilding the relationship back between the two entities.

Chairman Anderson stated as a point of order, this is legislative intent/permission to advertise; it gets it to the next agenda if it is approved; and it is not a decision being made today.

Commissioner Infantini made the motion to table the item.

Commissioner Infantini stated the item was place on the Agenda late Friday afternoon; it did not give the Commissioner's time to work with and talk to the School Board Members; the last thing she wants to do is punish the children and the faculty of all of the Brevard County schools for something is more of a knee jerk reaction; and it almost appears to be bullying. She went on to say she is completely opposed to impact fees; she has always been opposed to impact fees; however, the last thing she wants to do is yank the rug out from underneath the School Board in retaliation for them closing the schools.

Motion died for lack of a second.

Chairman Anderson inquired if impact fees are used for salaries, books, or computers; and what can they only be used for.

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Scott Knox, County Attorney, advised they are used for capital improvements to offset growth as it occurs. Commissioner Infantini stated growth in the south which is taking place. Chairman Anderson stated there are under capacitated schools in the south as well.

Commissioner Bolin Lewis expressed her appreciation to Commissioner Fisher for bringing this item up; she stated she has kind of ignored the School Board in the past; there were no meetings between the two entities like there should have been through the years to keep communication going; and she agrees there needs to be a meeting scheduled and be able to work through this. She went on to add, the Viera area is the growth area; she needs to have the school impact fees so she can pay off the Viera; it is a cycle; there are people coming into the community and he or she wants to go where the schools are good; and in District 4 there are excellent schools. She advised she has two elementary schools that are overcapacity; there are 52 portables; if she does not keep that standard of education level in Viera, she will not have the new houses built, which means the new businesses will not be coming in; and reiterated it is a cycle, and everyone would be hurt by that.

Commissioner Fisher stated he is very proud of Viera and the success the area is having; he does not know whether or not, because of the charter school that is opening with the 900 children, what it will do to Commissioner Bolin Lewis's ratio; the conversation is good; and maybe that dialogue can be had. He went on to say Commissioner Infantini made a reference to bullying; bullying is when citizens want to speak to their elected officials and they cannot have access to them; he is concerned that not everything has been bought out in these closures and issues; and someone told him that one of the things they were going to do was talk about impact fees, but they were not allowed to speak. He stated at the end-of-the-day, it is time to have serious dialogue about this conversation and the value of impact fees.

Commissioner Bolin Lewis stated she gets appalled by the use of the word 'bully', because a bully is only a bully if a person lets them be a bully; and the Board is not letting anyone be a bully.

School Board Member Amy Kneessy expressed her appreciation for the opportunity to speak to the Board. She stated today she asks the Board to vote with its contentious and make a decision that will help people; choosing to harm others because of the belief the County has been harmed is not what they were elected to do; they were elected to serve the whole County, not small constituent groups; punished perceived hurts is self-serving; and they need to look forward to fulfilling the needs of the County now and in the future. She went on to say she implores the Board to do the right thing today; there are several options, one of them she suggested when this came up, are for the two groups to get together and meet; that has not been done in a long time; and together, the two board's can focus on decisions that will be good for the whole County. She stated the second things is one of the suggestions she made to Commissioner Fisher, they did close two schools in his area, they do not have to eliminate impact fees in the whole County; it can be done by zone; and by all means, why not start with the north area. She added, they can fund a study; through all of this whole process there has been a question of who's date is correct; there is always a question of whether it was unbiased or not, whether it was School Board staff, County staff; impact fees can be used to fund an unbiased study to see if the impact fees are wise, being used where they need to be, but asked the Board not to make a knee jerk reaction because of a few school closings. She went on to state south area has 74 portables; Meadowlane Elementary School has over 1,000 students; central area has 51 portables; and as of today there are 125 portables. She stated in the north area, even with closing the schools, the total number of portables is six; there is growth, there is a need for capacity; they cannot count on charter schools, which are public schools, because that is a parent choice; and they always have the welcome mat out at all Brevard County public schools. She asked the Board not to make a decision that would have long-term economic ramifications for the district.

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Commissioner Nelson stated he would say the same thing about the School Board's school closings; and he would say all the things that Ms. Kneessy said that the Board should be considering are things that the School Board should have considered. Ms. Kneessy stated she voted no. Commissioner Nelson stated to Ms. Kneessy's credit, she voted no; she has been an advocate for keeping the schools open. He went on to say he did not want to get involved in this; after the parents started talking to him, it was just wrong; inquired how can an 'A' school be closed, bus the children past another school to the other side of the Island; those things make absolutely no sense to him; and from a fiscal perspective, and they all deal with budgets, the decision making that has gone on does not add up. He stated it is not about lost money, it is about how the money they have is going to be spent the money the School Board has, and that is different. Ms. Kneessy stated the School Board has lost 65 percent of its capital funds; the closures were not because of capacity, it is because it needed those revenues to put back into the capital fund; and it is a revenue problem. Commissioner Nelson stated the School Board's funding for next year will be the same as it is this year, and those schools were not closed last year; for Ms. Kneessy to say the School Board has lost money, it is true, they have all lost money and adjusted accordingly; but the reality is the money the School Board had last year is going to be actually less than the money it gets this year because of some wise things that were done. Ms. Kneessy stated it is whether the glass is half empty or half full; that is only part of the picture; the extra revenue they have coming in has been earmarked; they do not get a check that the School Board can spend as it sees fit; half of those dollars are for the \$2,500 teacher bonus; \$5 million is for the increase in employee retirement; and another \$5 million is for virtual school. Commissioner Nelson pointed out the School Board is in the position of giving two raises this year, because the School Board, before the legislature had finished its work, voted to give raises; now, the legislature has also said that; and the teachers will receive two raises. He went on to say he is very supportive of that, but it would have been wiser to have waited to find out what the legislature was going to do; but the School Board chose to do what it did. Ms. Kneessy advised she has been on the School Board for eight years; she has studied school law; she is well-invested in the school budget; she is elected by the officials to make school decisions; and she has no time come before the Commission and told it she had a better idea on, for example, libraries. She added, she does not tell it how to run the Parks and Recreation Department, because it is its job to do; the County has the staff and time to research those issues; when people make acquisitions based on what they read in the *Florida TODAY* what a few constituents tell the Board, it is not getting the whole picture. She went on to say she appreciates the Board's input, and she has taken it very seriously, she has researched the school budget, she understands how those decisions are made; and Commissioner Nelson is making acquisitions based on little information.

Chairman Anderson stated he wants to get back on order; the Board is going to talk about the permission to advertise this item, whether the Board is going to go forward and have a public hearing on impact fees; and he is not going to drag it out and rehatching the budget. He stated the Board is taking a break now; and it will be staying point on order today.

The Board recessed at 9:22 a.m. and reconvened at 9:24 a.m.

Chairman Anderson stated to be clear, this item is legislative intent and permission to advertise Brevard education impact fees; this is going to be a discussion whether there will be a public hearing regarding the school impact fees through the Board; it is not rehatching what schools got closed anymore; and that goes for the School Board Members.

Commissioner Infantini stated she would like to clarify one comment made by Commissioner Nelson; he was talking about Brevard County living within its budget; actually it has the capacity

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to continually raise tax rates; when it did not have enough money, it did not live within what money was already scheduled to come in; and for two years in a row, raised property tax rates about 15 percent per year. She went on to say the School Board has not always spent money they way she always appreciated, but it was its money to spend as the Board did.

Commissioner Fisher stated at the end-of-the-day everyone cares about the community and children; he does not want a child harmed on a decision the Board makes; he is a little partial because he has dealt with this issue twice; but he does not want it to happen to someone else's child. He inquired if the threat is the School Board is going to continue to close schools if the sales tax does not pass there will be more closures, which that threat has been out there, then how does it continue to collect impact fees with that scenario going on; and stated impact fees are designed for growth. He went on to say it is a fair question and fair dialog; on the legislative intent, he wants to have conversation before the 28th to have this meeting about this situation; and he would think the School Board would find time to meet.

Ms. Kneessy stated they have 16 schools going through graduation this weekend; they are in the middle of a very heavy schedule; and to ask the School Board to come together with the Board at such an important topic in two weeks is a next to impossible task. She went on to say all she is here today to ask the Board is to not move forward in advertising for this until both organizations can sit down and talk; it was not her intent to argue with anyone; her intent was to bring an olive branch asking that no decisions are made until the two elected bodies have come forward; and that is all she is present to ask for. She stated if the Board votes to move forward on this in two weeks, it is not enough time; and it would not be in the best interest of the County. Commissioner Nelson inquired if Ms. Kneessy can say she will not close schools during that same period of time until the School Board and Commission get together, because otherwise the School Board is moving towards closures. Ms. Kneessy advised those three schools were voted on for closure; she has no authority to go back and change that; she cannot, even by Roberts Rules of Order, since she was in the losing vote put it back on the agenda, that would have to come from other School Board Members; and she cannot make that promise to Commissioner Nelson. She went on to say as far as 2014 and the tax vote, the Board has not even voted if that was going on the ballot; what she is looking for is this particular item on the Board's Agenda, she is asking not moving on that until the two entities have met; and she does not know what that time to be.

Andy Ziegler, Brevard County School Board Member, stated one of the comments made was the School Board was not listening; there have been many conversations; speaking before the School Board is not necessarily the time to listen; and conversations one-on-one or in groups there is better brainstorming. He went on to say he supports a joint meeting; he has not problem discussing impact fees; they should be reviewed on a regular basis; and they probably have not been. He pointed out up until lately, he has never came before another elected body; he typically does not believe it is his place to get involved in other agencies business; but this topic has 'school' in it. He added, some people may say people should not get involved in the School Board's business, but he appreciates people being concerned about schools; and he is glad the Board thinks they are its schools because they are. He noted the Board will be there for the children and the schools. He stated Brevard County has never been in a better position because the entities get along and work for what is best for the community. He went on to say impact fees are a projection of community growth; they need to have them well ahead of time to be able to provide the services the constituents need; the School Board has a positive outlook about the community; economic development is very important; and he commends Commissioner Fisher for what he is doing. He stated by saying impact fees are not needed may imply the County is not in a growth phase and there is belief the County is in a continued down turn; if the County is in a growth phase, they need to start planning ahead for those future needs; and it needs to be decided where, how much, and if the impact fees need to be continued. He went on to say if impact fees are removed from new construction, it will

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encourage builders to build, and discourage buyers from buying re-sales; when he met with Commissioner Fisher, Titusville City Council, and the City Planner, they informed him there are over 3,000 vacant homes in North Brevard County that needs to be sold; he would hate to discourage that resale market since growth is needed in that area; and if impact fees are removed, he would assume it would drive re-sale home values down in that community. He added, impact fees or not, the School Board will make sure a great education is provided to all of the children; they will make sure they have space for them; trailers can be brought in; and if that is what is necessary, it will be done. He asked the Board not to make a hasty decision; many of the Board Members did not feel the Capital Outlay Committee had time to evaluate concurrency; there was no specific time frame within that concurrency agreement; and he moved to extend the vote out an additional three weeks from the original vote to give that group time to meet. He went on to say as a minimum, he would suggest the meeting be set up at least three weeks, and extend the School Board the same courtesy that he did by extending the other vote out an additional three weeks; and hopefully in five weeks, staff can do the research, pull the data together, and they can meet and analysis what is in the best interest of the community.

ITEM VII.F.2., (CONTINUED)

Commissioner Bolin Lewis inquired if the County has a policy that the Board needs to review regarding school impact fees. Howard Tipton, County Manager, stated the Ordinance calls for a review every five years. Commissioner Bolin Lewis inquired when the last time the Board reviewed the Ordinance was. Mr. Tipton advised his recollection is it has not been reviewed in nine years since the Ordinance was established. Commissioner Bolin Lewis stated the Board and School Board needs to have a joint meeting, but she is wondering if within the next couple of weeks before the Board adjourns, it should have a review among the Commissioners of this policy; and she inquired if that will assist the Board in moving forward. Mr. Tipton pointed out the review is more in depth; Ms. Kneessy had stated earlier a consultant would be needed to look at the forecast for growth, where the dollars have been spent, whether or not the levels are set appropriate, and those kinds of things; and it is a bigger undertaking than could be done in a couple of weeks.

Commissioner Fisher stated the challenge he sees with that is if the Board waits on a study for three, four, six, or nine months, is that the issue needs to be addressed and a meeting needs to be scheduled before a study is done; he needs to get a feel how important a meeting with this body is; and he inquired if the School Board could do that in three weeks.

Mr. Ziegler advised he will wait three months, whatever it takes; if the Board wants to fast-track this, he will do what he can to make the School Board available in short order; he does not think it should be fast-tracked; there really should be an in depth study; and both sides of the fence need to analyze this to decide what is best for the community.

Commissioner Fisher stated Mr. Ziegler was the deciding vote on this issue; there are a lot of facts that have come to light since the School Board voted on the school closures; and inquired if Mr. Ziegler agrees with that. Mr. Ziegler responded affirmatively. Commissioner Fisher inquired if Mr. Ziegler will ask the School Board to address school closures knowing all of the different dynamics that have come forward; he stated it may have the same result, but to at least address it; and at the same time, the Board will try to schedule the same type of meeting to talk about the whole impact fees situation. Mr. Ziegler stated he will ask if anyone wants to have a conversation on it; there are a lot of dynamic involved in reversing this decision that are very complicated; they have to make decisions because the School Board knows what it has; and unfortunately no business makes decisions that way. Commissioner Fisher asked Mr. Ziegler to talk to the Superintendent and his staff to address these new dynamics that have come about; and stated it would be fair to at least start the conversation with the School Board.

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He stated citizens are bringing up the question of impact fees and why is the School Board collecting them; decisions the Board makes today, it does not know the ramifications that come down-the-road; and Mr. Ziegler probably never thought impact fees would become part of the conversation. Commissioner Fisher went on to say the Board waived \$21 million in impact fees over the last four years; the Board extended the courtesy to the School Board allowing it to continue to collect them because the Board realized at that point-in-time time the schools were getting cut by the State, funding was going down, and the School Board really needed the dollars; and then the Board agreed to do that as a courtesy, because it could have been stopped then. He added the School Board got tarred and feathered for its decision; he appreciates that Mr. Ziegler has come before the Board to talk about; and inquired if Mr. Ziegler can have dialogue with the Superintendent asking him to have dialogue. Mr. Ziegler stated he understands the Board put a moratorium on transportation impact fees in 2009 when it had clear foresight of declining economy and population, and the timing there was good; that may have been the appropriate time for the School Board to have that conversation; and the question is, is the County in a growth or declining faze. He stated he will mention this to the School Board; and if any Commissioner wants to have conversation at any point-in-time with him, he would be glad to speak to he or she. He went on to say the good coming out of this is people have their eyes on the importance to schools right now due to all of the concern.

Commissioner Infantini expressed her appreciation to Mr. Ziegler for coming before the Board taking the time to talk; she inquired if it is the position of the two School Board Members that had the opportunity to be there today that the Board table the Agenda Item until such time there can be a workshop scheduled; and before moving forward to schedule a hearing, it will allow the School Board time to attend graduations and go through with its planning. She inquired if there should be a workshop scheduled in three weeks, and move the legislative intent and permission to advertise to a later date. Mr. Ziegler responded that would make sense to him to move the hearing to a later date; the guidance from the Board and School Board to staff should be to start the process of analyzing impact fees so there can be facts to make the decision. Commissioner Infantini stated perhaps the Board can meet before June rather than take the entire month off from meetings; and maybe both boards can have a joint meeting the month of June.

Chairman Anderson stated if the legislative intent and permission to advertise was moved, it would not be until July anyway; and that would give a whole month to create dialogue with the School Board. Commissioner Infantini inquired why there would be a permission to advertise before an analysis is done on whether or not it is a prudent thing to do. She stated having a Friday Agenda Item is a little bit rushed. Chairman Anderson advised any time he has a fellow Commissioner hand him the opportunity to reduce taxes, he will look at it. Commissioner Infantini stated so would she but she does not want to impact the children of the south County to the detriment because something happened in the north County. Chairman Nelson inquired what the capacity of Palm Bay High School is. Mr. Ziegler responded he believes it is 57 percent utilization, just above where Cocoa High School was; the School Board needs to keep its eyes on that; when a school gets below 50 percent, and even if it is in his district, it will have to be considered for closing.

Commissioner Fisher stated Mr. Ziegler advised the School Board was looking at closing Palm Bay High School. Mr. Ziegler advised it is not being looked at, but it is on the radar screen whether it increases or declines. Commissioner Fisher pointed out that is the exact reason he brought this item up; inquired if there is growth but the schools are being closed, what are the impact fees for and should the School Board be collecting them if that is happening; stated he thinks it is a fair question; and inquired as the communities are moved through redevelopment where it is needed, should impact fees be collected on redevelopment. He inquired should the Board have another government agency who pays a grant pay for those impact fees; and that is what happened with the North Brevard situation. He pointed out Commissioner Infantini is worried about hurting the children in the south; he is worried about all of the children in the

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community; and he even wore his kids tie to show where his heart is. He went on to say because of the strained relationship, without the legislative intent there is the School Board ready to go look at it, and will they sit down and have conversation with the Board is the question. Mr. Ziegler advised yes, everything he told the Board in the past he would do he has done.

Commissioner Nelson stated the issue of impact fees and school operations cannot be split, because they are intricate; the money is being used to pay debt, which is the School Board's budget; but to try to isolate it from the overall discussions is impossible. He went on to say people talk about different sandbox's, but the reality is that they have a relationship for a variety of reasons; the County builds roads to get to the School Board's schools; the two entities cannot be separated; and in Merritt Island the County built a turn lane to get into the school to make it safer, out of County funds not school funds. He pointed out the County is doing a \$600,000 intersection to make that safer to get in and out of that school; the Board and School Board is supposed to work together to try to come up with solutions; and inquired what other schools is the School Board talking about closing.

Mr. Ziegler advised they are not talking about anything right now; one of the comments they heard was that people did not know any schools were being considered for closing; to be proactive, the School Board should always have an eye on situations that need to be addressed; schools that may be trending towards declining enrollment, they should have things in their radar screen; and trying to analyze something in the last hour is one of the things they have to pay attention to while going along.

Commissioner Nelson inquired if things have stabilized and have not changed, and the same things are being done this year as last year, why the School Board did not close those schools last year if they needed closing. Mr. Ziegler responded he advocated closing some schools last year. Commissioner Nelson noted he does not advocate closing schools; he thinks the community schools are the basic unit; there are schools of choice; and you cannot give up the primary responsibility to the neighborhood schools. He went on to say having a child who can walk to school versus busing sometimes up to 30 minutes to get to a school is not right; the impact fee discussion cannot be divorced from the closing of schools; the timing is a concern to him; he disagrees with the decision the School Board made; he believes they had options; they are moving \$6 million from capital into operating; it would cost about \$3 to keep those schools opened; and Cocoa is resigned to the fact they are combining Clearlake with Cocoa High School. He stated the elementary schools need to be left open.

Commissioner Bolin Lewis stated in her area, benefit district two, she has two elementary schools over 100 percent; looking at the information she received, she will be up to three the year after; and then she will end up with five over capacity. She inquired if the School Board is looking at possibly adding schools to benefit district 2 or will students be bused to other places because of capacity; stated Viera High School is at 92 percent; and Palm Bay is 57 percent.

Commissioner Fisher stated Commissioner Bolin Lewis will lose 650 stations immediately. Commissioner Bolin Lewis will bring it down to manageable. Commissioner Fisher stated the Mr. Ziegler is going to bring the question at the meeting and if he can get three votes on it. Mr. Ziegler advised he did not say that, he said he will see if anyone wants to have conversation on it; and they have an open board discussion time where it does not have to be a motion to have a conversation about an item. He stated there is a need and it could be projected in Viera; and inquired how that would be funded. He went on to say right now the School Board is moving money from General Fund into Capital; they are hoping for \$10 million in Capital for this coming year; they really need \$26 million; and they will not have the Capital to build.

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Lisa Davis stated she is a parent of a fourth grade student at Ralph Williams Elementary in Viera, and soon to be McNair Middle School; she is here to ask the Board to explore valid options, to continue to assess impact fees for education; she does not see her school district is flushed with cash; and if that were the case, the district would not be faced with the painful task of cutting \$30.7 million from their budget. She went on to say stopping the impact fees will have an impact on her school district; she is the PTO President at her school, and she can only sell so much wrapping paper and have so many bake sales to make up for the budget shortfalls; the impact money is needed for capital improvements at her school; and a school cannot be built to let sit without continuing to make capital improvements. She point out all of Brevard County schools need to remain strong, not just in the Viera area, but to attract families to Brevard County so they can work, continue to build, and raise and school their children. She asked the Board to continue dialogue to keep the impact fees for education.

Chairman Anderson inquired if developers can avail themselves to impact fee credits for the school impact fees. Scott Knox, County Attorney, stated he knows Viera is part of the development that has a provision for impact fee credits; he is not sure it relates to schools; and it relates to transportation. Chairman Anderson inquired if the Board can get that information later on.

Dale Davis stated he applauded Commissioner Fisher; cooler heads need to prevail; there is a problem; and looking at the center hub of the problem may be the intent of the superintendent of the School Board. He went on to say he does not believe impact fees for developers are a tax, but it is something we need for infrastructure; this year they are look at \$3.9 million; and the County is slowly growing. He noted the Commissioners know we need those dollars to deal with infrastructure; since this is legislative intent, and the Board has put the School Board's feet to the fire, that the Board table this item; and if Commissioner Fisher tables the motion, it can be revisited. He added cooler heads have prevailed today; and the future needs to be looked at and grow slowly.

Commissioner Fisher stated he wants to do the right thing; he does not want to hurt any children or anyone on a decision that has not been thought out; he has honest questions that need to be addressed; and he is willing to, because the School Board has agreed to meet with the Board, to extend the possible date of when the legislative intent is, with the consideration that the joint meeting does happen. He went on to say he is willing to extend the date, but not to drop it all together; the Board needs a better understanding; and staff needs to get together to try to straighten out this stuff.

Motion by Commissioner Fisher, seconded by Commissioner Bolin Lewis, in light of Mr. Ziegler bringing the issue back to the School Board with all the different things that have happened, and to move this item to the second meeting after the Board's break in June.

Chairman Anderson inquired if a meeting needs to be set or can it be left up in the air. Mr. Tipton advised July 9, 2013, is a regular meeting, and there is a workshop on July 28, 2013. Commissioner Fisher stated he preferred July 9, 2013.

Commissioner Infantini inquired if a workshop was being scheduled between the Board and School Board, but it is scheduling the legislative intent and permission to advertise in spite of not having a workshop with the School Board. She stated the Board should schedule a workshop first before scheduling the legislative intent.

Commissioner Nelson stated he does not mind having a workshop early in June to continue the discussions; but that is a separate issue than what Commissioner Fisher has put on the table.

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Chairman Anderson stated he is unavailable the first two weeks of June.

Commissioner Infantini stated she has to vote no on the first motion pending the workshop being scheduled.

Commissioner Fisher stated he will amend his motion to include somehow before the legislative intent is considered, the two staff's get together, preferably soon than later, to have conversation, and set a workshop date on impact fees.

Commissioner Infantini inquired if the workshop date will take place with the Commissioners because she does not want just staff discussing it. Commissioner Fisher responded yes, to schedule the workshop prior to the legislative intent day.

The Board tabled consideration of legislative intent and permission to advertise an ordinance repealing Ordinance No. 04-34 as codified in Sections 62-926 through 62-934 of the Code of Ordinances of Brevard County as it relates to the imposition of educational facilities impact fees on residential development in unincorporated areas of Brevard County, to the July 9, 2013, Board meeting; and to attempt to schedule a workshop with the School Board to discuss education impact fees before the item comes back before the Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.A., RESOLUTION, RE: PROCLAIMING THE WEEK OF MAY 26 - JUNE 1, 2013, AS HURRICANE PREPAREDNESS WEEK

Commissioner Bolin Lewis read aloud, and the Board adopted, Resolution No. 13-073, proclaiming the week of May 26 through June 1, 2013, as Hurricane Preparedness Week, and urges the cooperation of the National Weather Service, all municipalities, the School Board of Brevard County, business and industry, homeowners and condominium associations, manufactured home parks, hotel associations, and all media in their efforts to inform the residents and visitors of Brevard County of appropriate awareness, preparedness, and safely measures.

Kimberly Prosser, Emergency Management Director, stated there are hurricane survival guides in the back of the room for everyone; for people at home the information is available on the website, and there are copies of the guide at libraries; and also in the front of the telephone book one will find Space Coast emergency information. She added, it has thirteen primary evacuation shelters in the County; and if one is a pet owner, make plans for the pets, do not leave them home alone, if one decides to evacuate there are three pet friendly shelters where he or she can take your pet. She went on to say if someone has special medical needs please register them so they can go to a special shelter where they will be cared for, and there will be a generator to keep electricity for their needs.

Dave Sharp, National Weather Service, stated the National Weather Service is indeed expecting a busier than normal hurricane season this upcoming year; National Oceanic and Atmosphere Administration (NOAA) has yet to release its seasonal forecast, but it is expecting

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to be very consistent with that of Dr. Bill Grays. He went on to say he is expecting in the vicinity of around eighteen named storms with nine of them possibly becoming hurricane intensity, and among those four perhaps even reaching major hurricane strength; and what that means for Brevard County is that there is an increase likelihood that it may feel the negative effects of land falling, or passing hurricanes and tropical storms. He stated readiness and preparedness is the key, and he is very pleased to accept the Resolution, and also very proud of the working relationship that it has with Kimberly Prosser and Brevard County Emergency Management. He concluded by stating the National Weather Service will be doing a statewide hurricane exercise next week, in which a former Brevard County Emergency Manager, Bob Lay, the storm will be named in his honor and all the work he did in the years of service to Brevard County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.B., RESOLUTION, RE: PROCLAIMING MAY 19-25, 2013, AS EMERGENCY MEDICAL SERVICES (EMS) WEEK

Chairman Andy Anderson read aloud, and the Board adopted, Resolution No. 13-074, proclaiming the week of May 19 through May 25, 2013, as Emergency Medical Services Week.

Orlando Dominguez, Chief of Emergency Medical Services for Brevard County Fire Rescue, stated thanks to the Commission for recognizing EMS Week, and on behalf of all the men and women in Brevard County Fire Rescue we would like to thank you for all the continued support and for allowing them to do what they are so passionate in doing, which is servicing the citizens and guests of Brevard County.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.C., RESOLUTION, RE: PROCLAIMING JUNE 2-8, 2013, AS MANAGEMENT WEEK IN BREVARD

Chairman Anderson read aloud, and the Board adopted, Resolution No. 13-075, proclaiming the week of June 2 through June 8, 2013, as Management Week in Brevard; and recognized and commended the National Management Association for cultivating highly productive workplaces where talented people populate a company's leadership pipeline.

Ray Pontiac, Florida Space Coast Council, stated each year it recognizes a Manager of the Year in Brevard County, and also selects an executive for the Golden Knight of Management, along with Executive National of the Year at the annual conference. He thanked the Board of the Resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM I.D., RESOLUTION, RE: PROCLAIMING MAY 2013 AS NATIONAL OLDER AMERICANS MONTH

Chairman Anderson read aloud, and the Board adopted Resolution No. 13-076, as Older Americans Month.

A representative from the office of the Public Guardian for Brevard County, stated thanks to the Commission and the support of many individuals that have helped raise awareness in helping make sure that the individuals that are rendered to need their service do so with dignity, and they could not do it without the Board's support.

Becky Mathison, Program Manager for Brevard County Aging Solutions, which is the office of Public Guardian for the 18th Circuit, stated it has five districts in Florida; there are only fifteen office of Public Guardians; it is very difficult to care for wards; and she only has slots for 83 here in Brevard County and if one does the numbers it is astonishing, and they need all the help they can get. She added, it takes a community to care for people, and the Board's support. She explained the people from her organization have been able to be clothed, have hygiene products, to be able to have just a pair of slippers bring such joy to them; and thanked the Board for recognizing the organization, it means the world to them.

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

ITEM I.E., RESOLUTION, RE: RECOGNIZING HONORABLE ROBERT MARSHALL, CONSUL TO THE INDEPENDENT STATE OF SAMOA

Chairman Anderson read aloud, and the Board adopted, Resolution No. 13-077, recognizing Robert Marshall, Honorary Consul to the Independent State of Samoa, for his untiring work with educating and promoting tourism, business development, and international trade between the Independent State of Samoa and Brevard County, Florida.

Robert Marshall, Honorary Consul to the Independent State of Somoa, stated on behalf of the residents of the Independent State of Somoa, the Prime Minister, and the Honorable Ambassador to the United States located in New York, he would like to take this opportunity to thank you for the wonderful resolution; and the recognition of the first consulate ever in Brevard County. He added, it is nice to be setup in Brevard County because it gives him an opportunity to take away a lot of the tourism, believe it or not, from neighbors to the west, and there is more to Central Florida he found out then just a mouse house. He went on to say Universal Studios and other destinations around Brevard County offer it a great opportunity to bring tourist that were originally and still going to these destinations to explore the wonderful areas on the east

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coast of Florida. He stated the last time he was with the Prime Minister in New York asked to send to the residents and the Commission his 'Talofa"; and Talofa is a word, it is a word similar to the Hawaiian 'Aloha', and it is not just hello, or goodbye, or love, it is a combination, and it means share with me, share with my feelings, respect me and I will respect you; and it is a word of hospitality. He added, as he has listened to some of the Boards discussion, Talofa is a good word for the Commission. He stated there are about 109,000 people live in Somoa; and there are two Somoa's, there is the American Somoa and there is the Independent State of Somoa, and they are about 50 miles apart from each other, but strangely enough in the hour flight one changes days when going to the Independent State of Somoa. He introduce Larry Laughton, an nationally acclaimed author with the book 'Extra Redemption', a wonderful program helping wayward youths throughout the United States, and hopefully he can get the work done on an international level in the islands; and he has been supporting and giving his marketing efforts to the new consulate that began in November. He reiterated his thanks to the Commission on behalf of the Independent State of Somoa, and the delegates from there, Talofa.

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

ITEM, I.F., RESOLUTION, RE: CONGRATULATING AND COMMENDING THE BREVARD BULLS BASKETBALL ORGANIZATION

Commissioner Infantini read aloud, and the Board adopted Resolution No. 13-078, congratulating and commending the Brevard Bulls Basketball Program on successful years of dedication in building a foundation for the future of Brevard County's youth.

Steve Hughes, President of Brevard Bulls Basketball Organization, stated thanks and appreciation to the Board, he really did not know what the award was for because what he does he does not do is for any kind of recognition, strictly for the love of the kids; and to receive the award he really appreciates it.

Gloria Gardner, Board of Directors Secretary for the Brevard Bulls Basketball Organization, stated the organization really appreciates Mr. Huges for his passion and tenacity in insuring the success of the youth.

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

ITEM II.C. RESOLUTION, RE: I TALK TO STRANGERS

Commissioner Fisher read aloud, and the Board adopted Resolution No. 13-089, acknowledging I Talk to Strangers seeking to renew dialogue amongst strangers to improve

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human relations in an effort to help bridge gaps of cultural, racial, and societal differences that divide nations, groups and individuals.

Robbie Stokes gave his thanks to the Board of the Resolution; and stated his movement is about conversation, it is about getting to the point of issues and actually taking the time to get to know people, because when one has the conversation, things happen; and just within the generation and society everyone has lost touch with that. He added, one has cell phones, Facebook, and all the different technological advances that improve communication, but it has slowed in the genuine interaction that one has had with each other. He stated, he took a leap of faith; this time last year he was working for the United States House of Representative as an event planner, and he told he Mom that he was going to quit his job and change the world. He added, he sold everything he had and went on a 17-day backpacking journey, all with the soul purpose of talking to strangers; and stated he wore a shirt that said 'I Talk to Strangers' for 110 days straight to give the whole meaning of what happens when he purposely put his self in a position to learn from people, to have a conversation with those who are different, those who look different, only to learn something different from them ;and from that a movement started. He noted, when he came back to the United States a foundation started; and is pleased from that travel he has a documentary that it is pitching to Oprah to have it appear on Oprah Winfrey Network (OWN), he has a book that he is premiering, he has a tour that he is going on next year to perpetuate what talking to people actually means. He went on to say what happens when one lets go of their egos, prejudices, racisms, sexism, and just learn from different people, learn what it is to be a human, and put faith back into humanity. He stated he could not just do this around the world, he decide to do something for home as well, on the whole concept bring people together, so on May 25th the Miracle Run was born, and this was a complete from the ground operation where he is bring together a community, the County, to raise \$100,000.00 to save seven lives; low income families who had medical emergency, heart transplants, kidney transplants, and cancer treatments; and they just need help and he does not even know them, because the true essence of community if not strangers helping strangers, and the is reason of the event. He continued to say coming before the Board was just a case study of what has happened in less then 12 months, seventeen countries, and the millions of impressions that it has created, and the millions of lives it has changed by having a conversation in bring the world together.

ITEM II.A., HOWARD TIPTON, COUNTY MANAGER

Howard Tipton, County Manager, stated he is going to pull VII.E.1., which is the Blue Ribbon Panel, he is going to pull the item and bring it back in a couple of weeks; and on VII.F.1., which was the adult game arcade they have asked for a continuance on the item, and it will be brought back on Board of County Commissioner meeting of May 28, 2013.

ITEM II.E., TRUDIE INFANTINI, DISTRICT 3 COMMISSIONER

Commissioner Infantini advised she would like to pull Items III.B.5, III.D.1., and III.D.2.

ITEM II.D., CHUCK NELSON, DISTRICT 2 COMMISSIONER

Commissioner Nelson stated in light of the discussion the Board had with the School Board about impact fees and the need for an updated study, could the Board asked that it get the cost associated with impact fees and move it along to see what the cost would be, because ultimately, he thinks it needs to do that regardless of all the issues associated with it.

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Howard Tipton, County Manager, asked if he would like to include, not saying he needs to just asking, because the impact fees generally include a different number of areas; and would the Board like to a review of all the areas, which would include transportation, corrections, libraries, there is a number of smaller areas. Commissioner Nelson responded he is okay with that.

The Board authorized the County Manager to begin the process of identifying the needs and costs for an impact fee study.

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

ITEMS PULL FROM CONSENT AGENDA

Chairman Anderson stated Items III.B.5, III.D.1., and III.D.2. were pulled under Commissioner Infantini's report for discussion.

ITEM III.A.1., GRANT CONTRACT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RE: FORTENBERRY REGIONAL STORMWATER MANAGEMENT SYSTEM, PHASE 2 (DISTRICT 2) (FISCAL IMPACT: GRANT REIMBURSEMENT OF UP TO \$41,000)

The Board executed a Contract with the Florida Department of Environmental Protection (FDEP) for the cost-share of Fortenberry Regional Stormwater Project, subject to Contract approval by the County Attorney and Risk Management; approved the legal venue as Leon County; authorized the County Manager, or designee, to execute amendments, change orders, and similar modifications, subject to approval by the County Attorney and Risk Management; and approved any associated budget change requests.

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

ITEM III.A.2., FINAL PLAT AND CONTRACT APPROVAL WITH THE VIERA COMPANY, RE: STROM PARK, PHASE 1

The Board granted final plat approval, subject to minor engineering changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits; executed Subdivision Infrastructure Contract with The Viera Company; and authorized the Chairman to execute the final plat for Strom Park, Phase 1 Subdivision.

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

ITEM III.A.3., FINAL PLAT AND CONTRACT APPROVAL WITH THE VIERA COMPANY, RE: BRESLEY DRIVE SOUTH ROAD PLAT

The Board granted final plat approval, subject to minor engineering changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits; executed Subdivision Infrastructure Contract with The Viera Company; and authorized the Chairman to execute the final plat for Bresley Drive South Road Plat.

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

ITEM III.A.5., SUBORDINATION OF UTILITY INTERESTS FROM FLORIDA POWER AND LIGHT COMPANY (FPL), RE: VIERA CHARTER SCHOOL PROJECT

The Board executed a Subordination of Utility Interests from Florida Power and Light Company necessary for the Viera Charter School Project, located in Section 5, Township 26 South, Range 36 East.

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

ITEM III.A.6., RESOLUTION OF NECESSITY, RE: ACQUISITION OF PARCELS FOR THE BARNES BOULEVARD WIDENING PROJECT (FISKE BOULEVARD TO MURRELL ROAD)

The Board adopted Resolution of Necessity No. 13-079, to acquire parcels in Sections 21 and 22, Township 25 South, Range 36 East, required for the Barnes Boulevard Widening Project (Fiske Boulevard to Murrell Road); authorized the County Attorney's Office and staff to proceed with the action, in accordance with the requirements set forth in Chapters 73 and 74 of the Florida Statutes applicable to "quick take" proceedings; and authorized the payment of reasonable expert fees per Chapters 73 and 74 of the Florida Statutes, as part of staff's efforts to negotiate settlements.

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

ITEM III.A.7., RESOLUTION; REPLACEMENT LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); PERMISSION TO ADVERTISE FOR CONSULTANT; AND APPOINTMENT OF SELECTION AND NEGOTIATION COMMITTEES, RE: DESIGNING FOUR LANES ALONG ELLIS ROAD

The Board adopted Resolution No. 13-080, for the design of four lanes along Ellis Road; executed the replacement Local Agency Program (LAP) Agreement with Florida Department of Transportation (FDOT); granted permission to advertise for a consultant selection; appointed Assistant County Manager Mel Scott, Public Works Department Director John Denninghoff, and Engineering Program Manager Richard Szpyrak, P.E., or their designees to the Selection and Negotiation Committees; and approved all necessary budget change requests relating to this action.

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

ITEM III.A.8., APPROVAL TO UTILIZE LAYNE INLINER, LLC, RE: INSTALLATION OF CURED-IN-PLACE PEPE PROJECT

The Board granted permission for the Public Works Department to utilize Layne Inliner, LLC for Cured-In-Place Pipe (CIPP) rehabilitation services, for the storm drain reconstruction for Ormond Avenue and Country Woods Place in Merritt Island.

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

ITEM III.A.9., ACCEPTANCE OF EASEMENT FROM VIERA LANDINGS, LLC, RE: SEWER SERVICES TO VIERA CHARTER SCHOOL

The Board accepted the Easement from Viera Landings, LLC for construction and maintenance of a sanitary sewer system and other allied uses to provide sewer service to Viera Charter School, located in Section 5, Township 26 South, Range 36 East.

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

ITEM III.A.10., RESOLUTION OF NECESSITY, RE: ACQUISITION OF PARCELS FOR THE EAST MIMS NEIGHBORHOOD PLAN, COMMUNITY IMPROVEMENT PROJECT

The Board adopted Resolution of Necessity No. 13-081, acquiring parcels in Section 17, Township 21 South, Range 35 East required to provide drainage, sidewalk, and utility construction and maintenance; authorized the County Attorney's Office and staff to proceed with action in accordance with the requirements set forth in Chapters 73 and 74 of the Florida Statutes, applicable to "quick-take" proceedings; and authorized the payment of reasonable expert fees per Chapters 73 and 74 of the Florida Statutes, as part of staff's efforts to negotiate settlements.

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

ITEM III.B.1., APPROVAL OF AGREEMENTS, RE: DORI SLOSBERG DRIVER EDUCATION SAFETY ACT/DRIVER EDUCATION SAFETY TRUST FUND

The Board executed Agreements with school entities that submitted applications for funding from the Dori Slosberg Driver Education Safety Act/Driver Education Safety Trust Fund in the amount of \$229,887.74; and authorized the Chairman to sign any changes or amendments to the budget or contracts, with previous approval by the County Attorney and Risk Management.

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

ITEM III.B.2., APPROVAL, RE: COMMUNITY BASED ORGANIZATION (CBO) FUNDING REQUEST FOR PROPOSALS (RFP)

The Board approved the Request for Proposals (RFP) to solicit Community Based Organizations (CBO) to provide services for residents of Brevard County.

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

ITEM III.B.3., APPOINTMENTS, RE: AFFORDABLE HOUSING COUNCIL

The Board appointed **George Raines** and **Verdell Shackelford** to serve on the Affordable Housing Council, with said terms expiring December 31, 2015.

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

ITEM III.B.4., RESOLUTION, RE: DOG FRIENDLY BEACH AT CANOVA BEACH PARK

The Board adopted Resolution No. 13-082, designating approximately 530 feet of Canova Beach Park as a dog friendly beach from the south end of the middle ramped crossover to the south park property line.

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

ITEM III.B.6., AUTHORIZING RESOLUTION; GRANT APPLICATION; USE OF TRANSPORTATION DEVELOPMENT CREDITS; AND EXECUTION OF FOLLOW UP AGREEMENT, RE: FY 2014 SPACE COAST AREA TRANSIT CAPITAL AND OPERATING ASSISTANCE GRANT FROM FEDERAL TRANSIT ADMINISTRATION (FISCAL IMPACT: \$5,416,193)

The Board adopted authorizing Resolution No. 13-083; executed Grant Application, and the use of Florida Department of Transportation (FDOT) Transportation Development Credits (formerly Toll Revenue Credit) for the FY 2014 Urbanized Area Formula Program, Public Transportation Capital and Operating Assistance Grant from the Federal Transit Administration (FTA) in the amount of \$5,416,193 for Space Coast Area Transit (SCAT; executed the Designation of Signature Authority allowing staff to submit the Grant Application electronically; authorized you to execute and submit the Grant Agreement electronically contingent upon County Attorney and Risk Management approvals; and authorized you to execute any additional follow up documents/resolutions and amendments necessary to secure these funds.

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

ITEM III.B.7., AUTHORIZING RESOLUTION: GRANT APPLICATION; USE OF TRANSPORTATION DEVELOPMENT CREDITS; AND EXECUTION OF FOLLOW UP GRANT AGREEMENT; RE: FY 2014 MAP-21 SPACE COAST AREA TRANSIT CAPITAL AND OPERATING ASSISTANCE GRANT FROM FEDERAL TRANSIT ADMINISTRATION (FISCAL IMPACT: \$1,260,274)

The Board adopted authorizing Resolution No. 13-084; executed Grant Application, and the use of Florida Department of Transportation (FDOT) Transportation Development Credits (formerly Toll Revenue Credit for the FY 2014 MAP-21 Urbanized Area Formula Program, Public Transportation Capital and Operating Assistance Grant from the Federal Transit Administration (FTA) in the amount of \$1,260,274 for Space Coast Area Transit (SCAT); executed the Designation of Signature Authority allowing staff to submit the Grant Application electronically; authorized Transit Services Director to execute and submit the Grant Agreement electronically contingent upon County Attorney and Risk Management approvals; and authorized Transit Services Director to execute any additional follow up documents/resolutions and amendments necessary to secure these funds.

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

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

The Board approved the Budget Change Requests, as submitted.

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

ITEM III.C.2., ACKNOWLEDGEMENT, RE: FY 2014 PROPOSED BUDGET FOR VIERA STEWARDSHIP DISTRICT

The Board acknowledged receipt of the FY 2014 proposed budget for Viera Stewardship District.

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

ITEM III.D.3., APPROVAL, RE: FIRST RESPONDER AGREEMENTS (FISCAL IMPACT: 876,600.02)

The Board executed First Responder Agreements with the Cities of Cape Canaveral, Coco, Cocoa Beach, Indian Harbour Beach, Melbourne, Palm Bay, Rockledge, Satellite Beach, and Titusville, and the Towns of Indialantic, Melbourne Beach, and Melbourne Village.

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

ITEM III.D.4., LABOR AGREEMENT WITH INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), RE: RANK AND FILE

The Board directed staff to schedule an executive (closed) session with the County Manager and appropriate staff to discuss ongoing collective bargaining negotiations with representatives of the International Association of Fire Fighters (IAFF) Local 2969; and scheduled the executive session to be held after the Regular Board meeting on May 28, 2013.

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

ITEM III.D.5., APPOINTMENTS/REAPPOINTMENTS, RE: CITIZEN ADVISORY BOARDS

The Board appointed **Sean Anderson** to the Merritt Island Redevelopment Agency, with term expiring December 31, 2013; **Steve Brode** to the Mims/Scottsmoor Public Library Advisory Board, with term expiring December 31, 2013; and **Tony Sasso** and **John Porter** to the Transportation Planning Organization Citizens Advisory Board, with terms expiring December 31, 2013.

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

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

The Board approved the billfolder, as submitted.

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

ITEM III.B.5., OPERATION AND MAINTENANCE AGREEMENT; PERMISSION TO ADVERTISE REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGEMENT SERVICES; AND APPOINTMENT OF SELECTION AND NEGOTIATION COMMITTEES, RE: WICKHAM PARK COMMUNITY CENTER

Jack Masson, Parks and Recreation Director, stated the item has come before the Board previously, staff was asked to go back out and solicit interest of a potential operation maintenance of the proposed Wickham Park Community Center. He added, eight letters were sent out to non-profits, City of Melbourne, and Boys and Girls club YMCA; and he received three letters of interest; and additional letters went out, and received interest from the City of Melbourne, Aging Matters, and after staff met with them they declined. He stated staff is coming back before the Board with permission to construct the Wickham Park Community Center with an agreement to be executed with the City of Melbourne for the operations of maintenance.

Chairman Anderson announced Mary Ann Bowman is present from the City of Melbourne, for questions only.

Commissioner Infantini stated she pulled the item off the agenda because originally what was scheduled to be built at Wickham Park was going to be an 18,000 square-foot community center; instead of having the senior center built further down south, they moved the senior center and located it at Wickham Park, which is roughly an 18,000 square-foot structure in the proximity where they want to put the new community center. She read aloud a report from the internal auditors on Parks and Recreation Department; "In the north central areas the millage is 100 percent dedicated to debt service leaving no operational funds from those taxes". She noted, in the south it is moving to that; it showed that the south had four million dollars transferred out of the general fund to operate the parks system down in the south. She continued to read aloud from the report; "Three golf courses are intended to be self sustaining", and yet the County Commissioners agreed to invest one million in the irrigation in one of the golf courses. She stated the point is right now the Board is talking about constructing yet another community center; it does not have the capacity or the funding to run the current community centers; and to build another one not knowing how long it could be operated by the City of Melbourne does not seem to be a prudent thing. She added, she read the City of Melbourne's

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annual report and financial statement for this past year; and they made no mention of wanting to take on any additional recreational facilities, instead their annual report stated that they wanted to just maintain what they have and keep exactly what it has without taking on additional burdens. She added, she is very surprised to find out that two members from the City of Melbourne are at the meeting asking to take on the community center, because their report just issued did not indicate that it did not want to take on any other financial responsibilities, and question where they are going to get their funding. She stated she pulled a financial analysis which showed how much money is currently going out to the community centers, and right now in the south area the County is expending over \$600,000.00; in the central area over \$800,000.00; and in the north area over a million dollars. She reiterated that it just does not seem prudent, and again it is up to the wishes of this Board if it is going to expend more money on community centers when there is a civic center just three and a half miles away, she questions the need for another community center.

Commissioner Bolin Lewis stated the Wickham Park Community Center was on the books for a long time; the money was set aside long before she became a Commissioner; and she has not built it all these years being prudent with the taxpayers money until she was able to have the building built when the money was there to build it. She added, it was the maintenance cost, she did not have the money; now because of a proposal through the City of Melbourne, the County will be able to build, upon approval of the Board, a community center and the maintenance cost will be zero to the taxpayers of Brevard County. She stated the reason why staff has not put it out in the public before hand is because the Board has not made a discussion whether or not it is going to accept the proposal; and it would have been un-prudent to go public on something that has not been agreed upon. She continued to say in the many negotiations she has had over the past year and a half with the City of Melbourne, they are going to be closing one of their community centers so that they would be able to operate. She stated Rodes Park Community Park has been very successful, the capacity is excellent; and commented she did a little analysis also; she took a mile radius of households around Rodes Park, and there are 721 households in the radius; and in one mile radius of Wickham Park there are 3,475 households; and stated she has been depriving the citizens of a community center of all these years. She noted, if one wants to go even further out and do a two mile radius, there are 4,000 household around Rodes Park, and 7,000 around Wickham Park. She stated the Board is in a situation now that it can do a wonderful agreement with the municipality of Melbourne; she does not believe Melbourne is going to go bankrupt anytime soon; and the agreement the Board is looking at is a 10-year, with a renewal, or it can go 20-year, it is a decision upon the Commissioners. She went on to say she whole heartily feels that the community needs this community center, it is a hub of the community, and they have waited long enough, and proposed to move the item forward.

Commissioner Fisher stated he seconds the item and the reason why he believes it is important; as the Board talks about trusting government it takes in referendum dollars over the years with the understanding that it would build the community center, and it has never been built; and he thinks it is important that the Board do what they tell people they are going to do with their tax dollars; and reiterated he is going to support the item especially since it has the partnership with the City of Melbourne. He asked the Board to consider to not tie their hands totally that the design and the fitting of the building has to be exactly like the ones done in the past; he thinks the City of Melbourne wants to have the opportunity to think about how it can program it better on a daily basis; and stated he would like to be flexible enough that it does not put them in a situation that they have got to program exactly like the County's.

Commissioner Bolin Lewis stated she already looking at the floor plan very carefully, because it built the senior center with anticipation of the community center at the same time, and has collocated a lot of the expense for the parking, plumbing; and it is a master campus plan. She added, the Viera Center is a duplicate, and staff is going to be looking at what it would change if

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it was to do anything different to the Viera Center location, so they can do the best floor plan without a lot of expense and hopefully decrease some expense. She went on to say because it is a highly populated area it needs to also look at the next hurricane shelter, special needs pet shelter; and keeping that in mind it need to be sure it is going to be used one hundred percent.

Commissioner Fisher noted the City of Melbourne might decide they want to add a pool to the site.

Commissioner Nelson thanked the City of Melbourne for partnering with Brevard County; the County gave them Melbourne Riverview Park not long ago; and has had similar relationships with Grant-Valkaria where the County gave them the money and the park so they could build their City Hall, plus the park; and the City of Satellite Beach it gave them Hightower Park; and it has had some great partnerships with the cities and appreciate it.

Commissioner Infantini stated the County has a \$300,000.00 loss at Rodes Park, at least according to the statement she has, but she hopes they can make it work, and she hopes the taxpayers of the City of Melbourne are on the same page, because she knows the taxpayers of unincorporated Brevard have been trying to get her not to raise tax rates.

Chairman Anderson asked Mr. Masson if the numbers that are cited in the report by Commissioner Infantini, does it include the revenues or is that just the base without the revenues. Mr. Masson stated he would like to correct a few numbers; the square footage of the senior center at Wickham Park is 10, 652 feet, not 18,000; and it serves the needs of the senior programs at Wickham Park; and the other numbers Commissioner Infantini stated were correct. He added, there is a million dollar renovation project going into the Savannahs Golf Course; the County has a serious issue with irrigation, all it take is about three days of not having water on a golf course and it will lose the whole golf course, so it is necessary to maintain the operation of the golf course program; and there are three golf courses. Chairman Anderson asked staff to look into why the County never installed lighting on the boat docks at Christenson, when one comes in at night there is no lighting, none; and one can not get any off of the parking lot, it is just a tough situation for everyone.

The Board authorized Request for Proposals for Construction Management Services; appointed a Selection Committee consisting of Teresa Camarata, Interim Central Services Director, or designee; Greg Minor, Parks Operations Manager, or designee; and Venetta Vendengo, Assistant County Manager, or designee; appointed a Negotiation Committee consisting of Venetta Vendengo, Assistant County Manager, or designee; Scott Knox, County Attorney, or designee; Jack Masson, Parks and Recreation Director, or designee; and Teresa Camarata, Interim Central Services Director, or designee; authorized the Chairman to execute an Operation and Maintenance Agreement with the City of Melbourne for construction of Wickham Park Community Cneter; and authorized the Chairman to execute the negotiated contract.

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

ITEM III.D.1., RESOLUTION, RE: AD VALOREM TAX ABATEMENT FOR BARN LIGHT ELECTRIC COMPANY

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Commissioner Infantini stated she is voting in opposition to the tax abatement; she spoke with Deputy County Manager Whitten, just clarifying what they got back in the email, that because Barn Light is being offered a tax abatement, and since they are in the City of Titusville they would be eligible for a tax abatement for Brevard County yet Brevard County will still have to pay the taxes they would have had to pay into the North Brevard Economic Zone. Mr. Whitten stated the properties in the City of Titusville that are exempt from payment into the Zone are the property that are in the two CRA's within the City. Commissioner Infantini it is double dipping, and the County would be paying money to the Zone that it is not actually receiving.

Commissioner Fisher stated that is not true, and asked Commissioner Infantini to be honest. Commissioner Infantini stated it is true according to the email she received. Mr. Whitten stated his definition of the term 'double dipping' is paying twice what would have been paying; and he does not know if that is Commissioner Infantini's meaning. Commissioner Infantini stated no. Mr. Whitten stated it is not 'double dipping'; in any CRA in any district, the old issue was whether or not the CRA was paying at the assessed value or the taxable value; that situation has been corrected; and CRA's are paid at a taxable value because the tax abatement is simply an exemption on the assessed value. He went on to say there is a lower amount that is paid because of the correction; but payments are required within CRA's for tax abatements for all districts throughout the County. Commissioner Infantini stated her definition of 'double dipping' means money that is not being paid into Brevard County will still be paid from Brevard County to the Economic Zone; she does not mean to mislead anyone with her definition of 'double dipping'; it means paying out money the County is not receiving in tax abatements; and she just votes no

The Board adopted Resolution No. 13-085, qualifying Barn Light Electric Company as an eligible business under the County's Tax Abatement Program; and authorized a public hearing to consider adopting an exemption ordinance.

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

ITEM III.D.2., RESOLUTION, RE: ADOPTING AMENDMENT 1 TO THE FIRE RESCUE AUTOMATIC AID INTERLOCAL AGREEMENT WITH CITY OF PALM BAY

Commissioner Infantini stated in 2009, this deals with moving the location of Fire Station 84 to a new location in Palm Bay; in 2009, the Commissioners addressed the situation of Fire Station 84 and it was in such disrepair that it was determined that a new station needed to be constructed; it was done; however, during that 2009 meeting, she brought up instead of constructing a new first station just to house two ambulances, perhaps they could co-locate in the City of Palm Bay, the area in which they were servicing. She went on to say at that point in time she was told that those ambulances could no co-locate at Fire Station 1 and 2 in the City of Palm Bay; that is what this Agenda Item now permits for those ambulances to be co-located in the City of Palm Bay at the fire stations owned and operated by the City of Palm Bay; and now she questions the need to transfer Fire Station 84 to a new location in Palm Bay when they now have housing for those two ambulances. She went on to say the initial costs to build that in 2009, according to the documents she has, was about \$360,000; and they are asking for \$540,000 to move it to a new location; she personally is not for it.

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Chairman Anderson stated Chief Collins, Fire Rescue Director, and Chief Stables with the City of Palm Bay, took what was once a tough relationship between two departments and have turned it into a great relationship and a model for the rest of the County.

Chief Larry Collins, Fire Rescue Director, stated essentially Harris Corporation has approached him, unbeknown to him, they are going to develop the site the Fire Station 84 is sitting on; had staff known that back then, they would not have made that investment; thanks to a change in the administration and a willingness to cooperate on a greater level with the County, Palm Bay has extended to them the opportunity that Commissioner Infantini just spoke about; and that was not on the table ever before. He stated he is happy and pleased that two communities are doing the right thing for the community in a cost efficient and cost effective service manner that really benefits the entire community. Commissioner Infantini expressed her appreciation to Chief Stables. Chief Collins stated in order to make that happen, they have to move that trailer off of that property; they were never charged for that; they offered them another site there that was not acceptable; it is too far east and impacts response times; and with the assistance of Palm Bay they are going to be able to move those two rescue units, spread them out where the workload is the greatest, improve the response and coverage for that area for the County and the City of Palm Bay. He went on to say in order to do that, Chief Stables has to move an engine company out of a station to let one of the rescue units in there; they agreed to move it down to Station 89 in South Palm Bay, where he needs an engine anyway, and put those two double-wide trailers together; there is not charge to move into those fire stations; and he has no other alternative.

Commissioner Nelson stated what they have is a change of circumstances that were unforeseen in 2009, so it is an apples and oranges discussion; and he expressed his appreciation to the City of Palm Bay and Chief Collins for the much better relationship between the two than in 2009.

Commissioner Infantini stated she is sorry they did not have it in 2009; and the Board is thankful they are here now.

The Board executed Amendment 1 to the Fire Rescue Automatic Aid Interlocal Agreement with the City of Palm Bay.

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

IV. PUBLIC COMMENTS

Charles Tovey stated he can bring money to the schools today and tomorrow; he can help all of these programs; and no one will listen. He went on to say he is getting his VISA renewed, he is going to other countries; he contacted other counties; he is giving it away; he wanted to give it to Brevard County because his ancestors helped start Brevard County; and apparently the Board does not want money, to save money, or to help Brevard County. He pointed out he has a list of all his gifts that he wants to give to Brevard County and to America, but no one wants to see

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it. He stated money can be saved; the schools can be helped; the elderly can be helped; the community centers and environment can be helped; and they can raise money for Brevard County. He advised before his fire where they tried to burn his house down; Super Wal-Mart called him and wants to advertise his business anyway he wanted it; and every Wal-Mart stores in Florida. He went on to state he has five other businesses; he is non-profit; he has gifts; and he has itemized speculations and descriptions of how they can impact the savings, money generations, economics, and all of the other things. He reiterated he wants to give away stacks of money that Brevard County does not want. He mentioned that Commissioner Bolin Lewis called a deputy on him; stated he just calls her to advise her of things going on in her District in the County; and what happens they turn around and want to convict and entrap him.

The Board recessed at 11:14 a.m. and reconvened at 11:31 a.m.

ITEM V.A., RESOLUTION, RE: PETITION TO VACATE PUBLIC UTILITY EASEMENT AND SANITARY SEWER EASEMENT - JUDGE FRAN JAMIESON WAY, BRESLEY COMMONS SUBDIVISION, THE VIERA COMPANY/BSE CONSULTANTS

Chairman Anderson called for a public hearing to consider a Resolution to vacate a public utility easement and sanitary sewer easement on Judge Fran Jamieson Way, Bresley Commons Subdivision, as petitioned by The Viera Company/BSE Consultants.

John Denninghoff, Public Works Director, stated there are not objections to this item; and it is linked with Item III.A.3.

The Board adopted Resolution No. 13-087, to vacate a public utility easement and sanitary sewer easement on Judge Fran Jamieson Way, Bresley Commons Subdivision, as petitioned by The Viera Company/BSE Consultants.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.B., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION FOR PROJECT BOAT (PARAGON PLASTICS, INC.)

Chairman Anderson called for a public hearing to consider an ordinance amending Ordinance 11-35 to also include granting Project Boat (Paragon Plastics, Inc.) an Economic Development Ad Valorem Tax Exemption for its new construction.

There being no objections or comments, the Board adopted Ordinance No. 13-15, amending Ordinance No. 11-35, granting Economic Development Ad Valorem Exemption to Project Boat (Paragon Plastics, Inc.); specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.012 F.S.; providing for a proof of eligibility for exemption; project Boat (Paragon Plastics, Inc.); and providing an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.C., ORDINANCE, RE: AMENDING ZONING REGULATIONS TO PROVIDE FOR SEASONAL PACKAGE STORAGE/DELIVERY ACTIVITIES (SECOND READING)

The Chairman called for a public hearing to consider an ordinance amending zoning regulations to provide for seasonal package storage/delivery activities.

Commissioner Nelson stated there were some recommendations by the LPA; and inquired if the Board is approving those recommendations as well or the original ordinance.

Robin Sobrino, Planning and Development Director, stated it is the original ordinance. Commissioner Nelson stated those recommendations can be looked at, at a later date, because they really were not related.

There being no further comments or objections, the Board adopted Ordinance No. 13-16, amending Chapter 62, Land Development Regulations, Code of Ordinances of Brevard County, Florida; amending Article VI, Division 6, Subdivision I, specifically amending Section 62-2117.5 Temporary Storage Units to Incorporate Criterion for parcel/package Delivery Service Temporary Storage Units and to re-title the Section, providing for conflicting provisions; providing for severability; providing for area encompassed; providing an effective date; and providing for inclusion in the Code of Ordinances of Brevard County, Florida.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM V.D., APPROVAL, RE: EXCHANGE AGREEMENT AND EASEMENTS FOR WATERFRONT IMPROVEMENTS AT GRIFFIS LANDING (DISTRICT2) (FISCAL IMPACT: SUBJECT TO GRANT FUNDING)

Chairman Anderson called for a public hearing to consider an exchange agreement and easements with Island Pointe Marina, LLC and Island Point Condominium Association of Merritt Island LLC for waterfront improvements at Griffis Landing.

There being no comments or objections, the Board approved Exchange Agreement and Easements with Island Point Marina, LLC and Island Point Condominium Association of Merritt Island LLC for waterfront improvements to Griffis Landing; authorized staff, the County Attorney, and Risk Management to finalize negotiations and the Chairman to execute the final agreements and easements; determined these easements to be in the best Public Interest; and authorized staff to close on the easements and record the documents upon full execution by all parties.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chuck Nelson, Commissioner District 2
SECONDER:	Mary Bolin Lewis, Vice Chairman/Commissioner District 4
AYES:	Fisher, Nelson, Infantini, Bolin Lewis, Anderson

ITEM VII.A.1., CONSIDERATION, RE: TOWER MASTER PLAN PROCESS

Susan Raybold, CityScape Consultants, provided the Board with a presentation regarding the Tower Master Plan process.

Ms. Raybold stated she hoped she could meet with the Board again in July.

Robin Sobrino, Planning and Development Director, stated staff suggested the Board consider a July workshop so that the consultants could present their data to it; and also get some guidance from the Board of some decision-points that they need to incorporate into their recommendations.

Commissioner Nelson stated after hearing the presentation it brings tears to his eyes, because the Board has been so beaten up in his District over the issue of cell towers; this is going to be such a benefit to the community to actually plan and know where these things belong, and not have to sit there and argue with RF Engineers over those issues; and he is looking forward to it. He inquired if the County Manager had any dates for a workshop. Howard Tipton, County Manager, advised the Board there is a July 18, 2013, date that is a scheduled workshop; and it starts at 9:00 a.m.

The Board acknowledged presentation given by Susan Rabold, CityScape Consultants, Inc., outlining their methodology for the Wireless Telecommunications Master Plan under Contract #P-4-13-09; and approved CityScape Consultants, Inc. Presenting an analysis of existing conditions, eliciting board input prior to making recommendations, at the Workshop scheduled for July 18, 2013.

ITEM VII.C.1., AUTHORIZATION, RE: MUNICIPAL REVIEW OF LOCAL OPTION GAS TAX (LOGT) PERCENTAGES ALLOCATIONS

The Board directed the Clerk to the Board to mail a copy of the Local Option Gas Tax (LOGT) percentage allocations to each municipality for review; and authorized final review of the allocations at the July 9, 2013, Board meeting.

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

ITEM VII.E.1., SELECTION, RE: BLUE RIBBON ADVISORY BOARD FOR TRANSPORTATION INFRASTRUCTURE

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Upon consensus of the Board, consideration of selection of representatives to serve on the Blue Ribbon Advisory Board for Transportation Infrastructure was tabled to the May 28, 2013, Board meeting.

ITEM VII.E.2., RESOLUTION, RE: AD VALOREM TAX ABATEMENT - PROJECT CIRCLE

The Board adopted Economic Development Ad Valorem Exemption Resolution No. 13-088 qualifying Project Circle as an eligible business under the County's Tax Abatement program; and authorized a public hearing to consider adopting an exemption ordinance.

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

ITEM VII.F.1., CITIZEN REQUEST BY KIM REZANKA FOR CKAR, LLC, RE: BUSINESS TAX RECEIPTS FOR ADULT GAME ARCADES

Upon consensus of the Board, tabled consideration of Citizen Request by Kim Rezanka, on behalf of CKAR LLC, regarding lifting the hold on issuance of Business Tax Receipts for Adult Game Arcades, to the May 28, 2013, Board meeting.

ITEM VII.F.3., AUTHORIZATION, RE: FEDERAL ELECTIONS ACTIVITY GRANT

Commissioner Bolin Lewis questioned where the Board will be getting the \$14,500.00 for the match on the grant, and what is the actual money used for. Stockton Whitten, Deputy County Manager, responded he did not get that question answered; he does not know if it is within the existing transfer or it is a request for new dollars; and will ask the question to the Supervisor of Elections. Commissioner Bolin Lewis asked where the County match is going to come from, as far as the budget; is it money the Board has already allocated to the Supervisor of Elections, or this is above and beyond the Budget.

Lori Scott, Supervisor of Elections, stated is has to be going into next year and it is very specific that is can not be something in the budget that it is matching because federally it could get in trouble; it has to be something that comes from the County to draw the federal grant money down. She explained, she has done this every year; it has always been a letter signed by the Chairman, but it is required by the federal grants specifications for it to be money that the County does to get this into addition. She added, the \$95,000.00 becomes part of the budget, the whole entire thing becomes part of the budget. Commissioner Bolin Lewis asked Ms. Scott to explain how she uses the money. Ms. Scott stated, typically what it does with these grant dollars, and she has to submit every year because there is classification that has to be approved of what they use them for; she takes the money into general election years, which are use for sample ballots that get mail out to the voters, voter information cards, and poll worker manuals.

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

ADJOURN

Upon consensus of the Board, the meeting adjourned at 11:45 a.m.

ATTEST:

ANDY ANDERSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

SCOTT ELLIS, CLERK