

August 6, 2020

# Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Thursday, August 6, 2020**

**5:00 PM**

**Zoning**

**Commission Chambers**

**A. A. CALL TO ORDER 5:00 PM**

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

**ZONING STATEMENT**

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

Chair Lober inquired if the Board wanted to keep it at five minutes for the speakers or three minutes.

Upon consensus of the Board, the speakers will be allowed three minutes for public comments.

**B. B. MOMENT OF SILENCE**

Chair Lober called for a moment of silence.

**C. C. PLEDGE OF ALLEGIANCE**

Commissioner Smith led the assembly in the Pledge of Allegiance.

**STATEMENT BY THE CHAIR**

Chair Lober advised he will try to do this as expedient as possible; he thinks there are several items that are probably going to be relatively uncontroversial so he will try to get those ones in and out on those Items; and then the Board can focus the remaining time on the Items that really need discussion.

**I.1. Approval of Renewal of Lease with the Wickham Park Senior Center Association, Incorporated**

Chair Lober stated at the last meeting he asked to continue what is now listed as I.1. and there is one Public Comment card from Diane Weinzierl, however, he believes she is with the

applicant in this Item; if she wants to speak he will allow her the opportunity to do that; he noted he spoke with Robin Peterson; and at this point, there is no longer a controversy, so if someone wants to make a motion to approve that Item he will certainly second it.

The Board of County Commissioners, in regular session on August 6, 2020, adopted Resolution No. 20-082, authorizing renewal of the lease of real property to Wickham Park Senior Center Association, Incorporated; and executed and approved the Renewal of Lease with the Wickham Park Senior Center Association, Incorporated.

**Result:** Adopted

**Mover:** Kristine Isnardi

**Second:** Curt Smith

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

## **H. PUBLIC HEARINGS**

Chair Lober called for public hearing and advised he pre-recorded an introduction to all the Public Hearing Items and asked Space Coast Government Television (SCGTV) to run it for the record; he stated everyone on the Board will go through all of their disclosures for all of the Items first; and Commissioner Isnardi will start.

Commissioner Isnardi stated she believes the rest of the Board has all the same emails as she does because everyone was copied on it; she disclosed on August 4 at around 1:00 p.m. she spoke with Ms. Rezanka on Items H.1, H.2., and H.6.; Items H.1., and H.2., she believes Ms. Rezanka wanted to know if she had any questions; and she believes H.6., the Board will be discussing quite extensively.

Chair Lober stated as to Item's H.1., and H.2., the Chad Genoni and Theodore Goodenow proposal, they are all emails that he received on all of them were on August 6, 2020; and he read them the names to include David Monty Montgomery, Palm Bay resident, in opposition, Kay St. Onge of Titusville in opposition, Matt Heyden in opposition, Lew Kontnik of Melbourne in Opposition, Michael Mulleavey of Merritt Island in opposition, Spence Guerin of Melbourne in opposition, Lora Losi in opposition of North Brevard, Mary Hillberg of Merritt Island in opposition, Douglas and Mary Sphar of Cocoa in opposition, David Botto in opposition, Bo Platt from Melbourne in opposition, William Klein in opposition, and Joanie Regan in opposition. He continued to say H.6., he has some disclosures as well, all emails; on July 5 he received one from Danielle Hunter in opposition, on July 6 he received one from Joanne Clark in opposition, on July 9 there was one from Michael Dirondio from Canaveral Groves in opposition, on July 19 he received one from Angelos Kokosoulis and Elizabeth Kanelli of Cocoa in opposition, on July 27, there was one from Dan Hunter in Canaveral Groves in opposition, on August 3 one from Caren East and Matt Glander of Cocoa in opposition, August 5, David C. Botto in opposition, and on August 6, 2020 from Ms. Rezanka on behalf of the applicant; and he will provide the list to the Clerks so they do not have to spell all of these names. He went on to say last but not least on H.9., the Marker 24 Marina Proposal Project, he spoke with the applicant Peter Black.

Commissioner Tobia advised he has a couple disclosures; H.1. and or H.2. starting on August 5, R.T. Bo Platt against the rezoning due to the impact on the Lagoon; Mary Sphar request denial due to the clean impact on the Lagoon; David Montgomery request denial pending storm water concept plan; Lew Kontnik opposed pending storm water concept plan; David Botto and Marine Resources contends an increased density will have a detrimental impact on the Lagoon and request denial; and on August 6, 2020 Mary Hillberg opposes due to the impact on the storm water in the Lagoon; William Klein opposed due to pollution in the Lagoon through stormwater; and H.6. on August 1, Caren East and Matt Glassner are opposed and claim the drop in property values, increased traffic, and notice crime and lower quality of life; and he

noted Joanne Clark is concerned with sidewalks and traffic.

Chair Lober inquired if Commissioner Pritchett or Commissioner Smith had any disclosures and they advised they have been turned in to the Clerk.

## **K. PUBLIC COMMENTS**

Chair Lober noted there is one Item under general Public Comments and the other comment cards pertain to particular Items; and he will now hear from Charles Tovey on the topic of trash.

Charles Tovey stated he is talking trash since nobody else is going to address the situation, so he has been elected; he apologizes if anybody has any bad feelings towards him or anything else; he does not know these people and he does not know why, but his life does have value and the things he brings up are of importance to his country and this County; it is better now than later, no one else is going to do it; Sid Ladau (sp) is the only person who could speak for him that the Board might accept, and he has passed; through him he worked with him for the Juvenile Assistance Service Programs (JASP), speaking for years for people who got in trouble and needed help changing their lives; and he noted if anybody knows Sid Ladau, he did. He went on to say he did not bother him with all of his personal issues and it was an honor to speak at JASP and he has done other circuits as well; about talking trash, he can effect the recycling by 50 percent; how to do that, use it twice; that is his slogan, use it twice; the things that are being recycled they can be reused or redirected for another use; and that is what he has and there is not enough time to go into it right now, so he will be back, God willing. He mentioned the other thing about the trash is that the people are throwing it down because there are no containers for them to throw it into; it would make it easier, he would think, to go ahead and provide cans and see how that works out first, before going ahead and enlisting all these others, it is included in their contracts as well; he understands that; and they should do their jobs as enclosed in the contract; aside from all that, the County needs all the help it can get, better today than tomorrow. He further stated no one else cares about things; the other thing he was going to mention is about his property; he came and cleared his property without no notice and took all his ways and means of making a living, hauled it up to his storage place; he had to pay \$3,000 to get it back and he got nothing; yet here today people still expect him to do this or that with all the fines, fees, and liens; and he asked how because they have entrapped him, and the Board has let him. He continued by saying no one can do nothing, and nobody is going to nothing; he cannot do nothing either, otherwise, he gets threatened with arrest, baker act, shot, or tased; and he noted he has a list of things he will go into later. He told the Board to have a nice day.

### **H.3. Richard R. Jr., and Gina M. Wrubel, Trust, Request a Small Scale Comprehensive Plan Amendment to Change the Future Land Use Designation from NC to CC (20PZ00051) (Tax Account 2000354)**

Chair Lober called for a public hearing on a request by Richard R. Jr. and Gina M. Wrubel, Trust for a Small Scale Comprehensive Plan Amendment to change the Future Land Use from NC to CC on a 1.32-acre parcel located on the northwest corner of McCullough Road and U.S. Highway 1, Mims.

There being no further comments or objections, the Board adopted Ordinance No. 20-11, approving the Small Scale Comprehensive Plan Amendment (20S.04) changing the Future Land Use from NC to CC as requested by Richard R. Jr. and Gina M. Wrubel on a 1.32-acre parcel located on the northwest corner of McCullough Road and U.S. Highway 1, Mims.

**Result:** Adopted

**Mover:** Rita Pritchett

**Seconder:** Bryan Lober  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.4. Richard R. Jr., and Gina M. Wrubel, Trust, Request a Change of Zoning Classification from AU to BU-1 (20Z00003) (Tax Account 2000354)**

Chair Lober called for a public hearing on a request by Richard R. Jr. and Gina M. Wrubel, Trust for a change in Zoning Classification from AU to BU-1 on 1.32 acre of undeveloped property located in Mims.

There being no further comments or objections, the Board approved the change in Zoning Classification from AU to BU-1 on 1.32 acre of undeveloped property located on the northwest corner of U.S. Highway 1 and McCullough Road, Mims.

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

**H.5. McD Family Trust, LLC, Requests an Amendment to an Existing BDP in a BU-2**

Chair Lober called for a public hearing on a request by McD Family Trust, LLC, for an amendment to an existing Binding Development Plan (BDP) in a BU-2 Zoning Classification.

There being no further comments or objections, the Board approved the amendment to the BDP in a BU-2 Zoning Classification as requested by the McD Family Trust, LLC, for future Development of a 1,200 square foot office building on 2.14 acres, located at 885 Plantation Drive, Unit W-H/ RV, Titusville.

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

**H.7. 3101 Gannett Plaza, LLC (Kevin Saltman) Requests a CUP for Alcoholic Beverages (Beer & Wine Only) for On-Premises Consumption in Conjunction with an Indoor Family Entertainment Center, in the BU-1 and BU-2 Zoning Classifications (20Z00007) (Tax Accounts 2602422 & 2602423)**

Chair Lober called for public hearing on a request by 3101 Gannett Plaza, LLC, for a Conditional Use Permit (CUP) for alcoholic beverages, beer and wine only, for on-premises consumption in conjunction with an indoor family entertainment center in a BU-1 and BU-2 Zoning Classification.

There being no further comments or objections, the Board approved a CUP for alcoholic beverages, beer and wine only, for on-premises consumption in conjunction with an indoor family entertainment center in a BU-1 and BU-2 Zoning Classification on 28.23 acres, located on the southwest corner of Gannett Plaza Avenue and U.S. Highway 1.

**Result:** Approved  
**Mover:** Curt Smith  
**Seconder:** Kristine Isnardi  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.8. Daren T. Dempsey Revocable Trust Requests a Change of Zoning Classification from RR-1 to AU (20Z00005) (Tax Account 2316704)**

Chair Lober called for a public hearing on a request by Daren T. Dempsey Revocable Trust for a change of Zoning Classification from RR-1 to AU on a 665 foot long parcel, located on the south side of Bishop Road. He stated he understands staff spoke with the applicant and relayed his request to consider adding to a Binding Development Plan (BDP) waving any and all claims to agri-tourism and stating that they are only going to be using it as a plant nursery insofar as business is concerned.

Eden Bentley, County Attorney, stated that is accurate.

There being no further comments or objections, the Board approved a change of Zoning Classification from RR-1 to AU on a 665-foot long parcel to include a BDP waiving any and all claims to agritourism and only using it as a plant nursery insofar as business is concerned.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

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

**H.9. Marker 24 Marina, LLC (Peter Black) Requests a CUP for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 and BU-2 Zoning Classifications (20Z00009) (Tax Account 3018251)**

Chair Lober called for public hearing on a request by Marker 24 Marina, LLC, for a Conditional Use Permit (CUP) for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 and BU-2 Zoning Classifications on 7.08 acres, located on both sides of South Banana River Dr. approximately 160 feet north of West Virginia Avenue. He asked Peter Black to come to the podium; he stated when they spoke yesterday it was his understanding and he wanted to get it on the record the couple of Binding Development Plan (BDP) items that Mr. Black was good with; and the first one with respect to this portion of the property, the east side, the existing septic, if he increases the number of fixtures that are connected to it, such as toilets, sinks, or anything that causes water refuse to go into the system then Mr. Black would agree in the BDP to upgrade the existing septic to advanced.

Peter Black advised he would.

Chair Lober continued by saying the other item was with respect to the detailing and washing, and Mr. Black would include in the BDP language saying that would be conducted indoors.

Mr. Black responded he would.

Chair Lober stated he believes staff, and asked Tad Calkins, Planning and Development Director, to summarize the other item that he had concluded with Mr. Black earlier in the day.

Tad Calkins, Planning and Development Director, stated he spoke with Mr. Black this afternoon about clarifying the meaning behind special condition 19, which he just passed out to the Board; essentially, what it is looking at here is just clarifying the responsibilities and ensuring Mr. Black that they enter into an agreement for whatever maintenance will be necessary; and that the County would agree upon an acceptable time frame for achieving at maintenance before the County would take any action, otherwise, it would be non-favorable for the marina with the bridge.

Chair Lober inquired if Mr. Black had a chance to take a look at that document that came from Mr. Calkins.

Mr. Black responded affirmatively.

Chair Lober inquired if Mr. Black was in favor of that.

Mr. Black stated he is.

Chair Lober inquired if staff had any further concerns other than the three items that were mentioned.

Mr. Calkins responded he does not; and he asked if the motion included all the previous conditions, one through 21, plus the three that were added today.

Chair Lober advised it includes everything that was contemplated plus the items that were placed on the record; and that would include anything in the Agenda Report and what was attached to it.

Mr. Calkins thanked the Board for clarification on that.

There being no further comments or objections, the Board approved a CUP for Commercial/Recreational and Commercial/Industrial Marina in the RU-1-11 and BU-2 Zoning Classification on 7.08 acres, located on both sides of South Banana River Drive, approximately 160 feet north of West Virginia Avenue; and approved all existing conditions approved under 19PZ00080, with the exception of a revised Condition 19, and the additions of Conditions 22 and 23. Condition 19: The property owner is the owner of the Bascule Bridge located on South Banana River Drive, between the Marker 24 Marina facility (hereinafter "Bascule Bridge") as identified on the submitted site plan application. The owner and the owner's successors in interest shall maintain the adjacent Bascule Bridge in good repair and working condition, and shall cooperate with any reasonable requests agreed upon by both the owner and Brevard County or the Florida Department of Transportation (FDOT) regarding the same. Owner and owner's successors in interest, shall have the Bascule Bridge inspected annually by a licensed professional engineer (with Bridge inspection certification) chosen by the owner and provide a copy of the inspection report to the Brevard County Public Works Department Director. Failure of the owner or owner's successors in interest to maintain the Bascule Bridge in good repair and working condition for vehicular travel and vessel navigation, or failure of the owner or owner's successor in interest to have the Bascule Bridge inspected by a professional engineer or provide Brevard County annual inspection reports may result in Brevard County closing and/or removing the Bascule Bridge; Brevard County will provide notification to the owner or the owner's successors in interest prior to removal of the bridge and provide a reasonable time frame agreed upon by the owner and the County to allow the owner or owner's successors in interest to remedy any failure to comply with this condition as identified by Brevard County. Condition 22: The septic shall be upgraded to the advanced septic system if the number of plumbing fixtures increase. Condition 23: All detailing and washing will be conducted indoors.

**Result:** Approved

**Mover:** Curt Smith

**Second:** Bryan Lober

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

#### **H.1. Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive**

Chair Lober called for public hearing on a request by Theodore Goodenow for a Small Scale

Comprehensive Plan Amendment to change the Future Land Use designation from Planned Industrial (PI) to Residential 2 (RES 2) on 4.85 acres of a larger 31.43-acre parcel located on the east side of Hammock Road, located approximately 650 feet south of Parrish Road. He stated he is going to set the timer for three minutes; and given that there are two Items if someone needs an extension just ask and unless there is an objection from one of the other Commissioners he will extend the time a little bit just to make sure everyone has an opportunity.

Commissioner Isnardi stated she does not think the Board can limit the comments to three minutes; and she inquired with the County Attorney, Eden Bentley, if she is correct.

Eden Bentley, County Attorney advised the BCC Policy provides the applicant 15 minutes and then the other people get five minutes under the rule; by vote of the Board, it could be reduced to three minutes for the objecting parties if the Board wishes to do that; however, the procedure is five minutes.

Chair Lober asked the Board how it would like to handle that, he is fine either way.

Commissioner Isnardi noted she saw Attorney Bentley sit up in her seat.

Chair Lober stated there was a motion by Commissioner Smith and seconded by Commissioner Isnardi to keep public comment for this Item at three minutes.

The Board approved keeping public comment at three minutes for this Item.

**Result:** Approved

**Mover:** Curt Smith

**Second:** Kristine Isnardi

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

Chair Lober advised the Board will give the applicant the full amount of time and anyone responding whether or not it is in favor or against they will be restricted to three minutes; and with that said he will not cut someone off at three if they need to wrap it up.

Jeffrey Ball, Planning and Zoning Manager, stated for everyone's clarification in the memorandum on Item D the word one lot should have been included in there; therefore on the eastern portion of that property it should read one and a half acre lot.

Kim Rezanka, Cantwell and Goldman, stated this is a two part application; there is a lot of information in this packet that she has already given three presentations on and it is all in the minutes, so she does not want to do too much; she does want to go over the basic issues that have been raised during these different meetings; the Comprehensive Plan is only for the property on the east side of Hammock Road, on both that property and the property on the west side are all old grove properties with pepper trees; the property at issue for the Comprehensive Plan is 4.85 and it currently does not have any treatment for stormwater run off and it likely goes into the river untreated; and that is the same with the property to the west side. She continued by saying, as the Board knows it has discussed stormwater at length over the years and the stormwater is not really an appropriate issue for a Comprehensive Plan Amendment or even a rezoning unless there is a Binding Development Plan (BDP) or a Conditional Use Permit (CUP); the stormwater is a site plan concern; she has in the packets cited to Section 62-3202(h)(6), and this is more for the public as the Board knows this Code very well; the drainage of the property should not alter the established drainage so as to adversely affect the adjoining property, th plan shall depict the stormwater treatment method required by State and local government; and as the Board knows all local property has to



maintain the historical water post development and predevelopment. She further stated there has also been concerns about wetlands and once again this is more of a site plan issue but it has been raised in the Comprehensive Plan Amendment so this really applies to both; she has cited 62-3694, this is the wetlands Code and it only allows impacts to wetlands of 1.8 percent which is .018 percent, a very small amount; the Comprehensive Plan has the same language in the conservation element so even if Mr. Genoni wanted to impact the wetlands he cannot; and that is the County's Natural Resources Department being very clear on that. She went on to say this is the east side and to the north of it is Comprehensive as Future Land Use Planned Industrial (PI) and is also zoned PIP, both industrial uses, yet there are houses there and they have been there a very long time, earlier than the 80's when the zoning was established; the only thing that separates the property from RES 2 and the property north from RES 2 is Hammock Road; now if her client wanted to annex into the City, which they tried to do but they said it was a non-clave, but it really is not, they would be allowed to annex in because of the road; therefore, to her it is adjacent and this property on the east side of Hammock Road is adjacent to RES 2. She further stated this is a transition, unlike what the staff report says, because there are residential uses and that is allowed in PIP at one unit to the acre, although deed property to the north is not necessarily one unit to the acre; this is a transition, so there will be, only one home here next to industrial which is vacant and pretty much wetlands and probably will not be developed; she and her client believe that the general standard for compatibility works there as well; and she has cited a case of Katherine Bay versus Fagan and it cites the Florida Administrative Code Rule which is also the exact same language as in Florida Statute 163.31649, compatibility means the condition, which land uses or conditions can coexist in relative proximity to each other in stable fashion over time; and this is going to be residential land next to residential land next to vacant land although it is zoned industrial, it is not industrial. She noted PIP zoning does allow single-family homes at one acre with conditions; as to the rezoning, with the BDP she believes the rezoning is compatible as well under that standard because it is still single-family to single-family use; the zonings around this property are all over the place, there are all residential but to the south they are TR-1, which is 7,500 square feet; there is also the PUD that was zoned in Titusville, and it shows that it is adjacent to this land; and those are 6,000 square feet homes and 143 of them so there is some historical; and there is some trending which shows this is compatible. She stated this is going to be developed as one project over Hammock Road; she has had some dispute with staff as to whether that can be possible, but staff says it will be addressed at a later time; she has found several different instances where this has been done throughout the County; she believes the land use here is compatible; they are manufactured homes in this area, but these will be regular homes; there are no school or concurrency issues for this rezoning; the BDP requires that Mr. Genoni bring in City sewer and water, there will be no septic tanks and that will help the Indian River Lagoon as the Board knows; there will be better stormwater retention because it will have to be planned and approved by the County and St. Johns and any other agency that wants to get involved; it will retain the water better than the orange grove that has no stormwater retention or treatment; and the use is the same, residential to residential, and the use is reasonable. She mentioned the land has been around for a while without being developed; she does have 62-1542, the PIP Code, which does show permitted use with conditions can be single-family residents; starting at page six is a brand new BDP because there was confusion in the other one as they recognized in Mr. Calkins memo on the second page, D2, the land on the east side of Hammock Road shall be limited to one half-acre or larger lot; there will only be one home on the east side; this was a negotiation between Mr. Genoni and the residents; and in fact he has had several meetings with the residents and the Board can see there is no one opposing from the neighborhood, these are all people concerned about the Indian River Lagoon (IRL), wetlands, and trees. She advised the other issues is F; just to be clear, there is going to be 25-foot buffer on the west property line of the west parcel and a 25-foot buffer on the north property line on the east parcel; this was brought up at Planning and Zoning and they had to go back to Planning and Zoning on this matter; Planning and Zoning approved that condition; and in order to make it more clear, because

there was some confusion, there is an exhibit B on page 11, which is new to this BDP, and it shows what Mr. Genoni intends to do for that 25-foot buffer; and he listed buffer shrubs to be planted as needed, four foot on center for length of the buffer, type to be either three gallon Walters viburnum or three gallon Florida privets. She noted Mr. Genoni came up with this working with the landscaper so there was clarity on what that landscape buffer would be. She requested the Board approve the Comprehensive Plan Amendment, the rezoning, and the BDP.

Julie Manahan stated her and her husband have owned 1860 Hammock Road for approximately 30 years; his handicapped sister is residing there; she showed on the screen where she lives and pointed out phases one and two; she mentioned they just replaced the mobile home; many years ago there used to be a ditch there which was great for drainage; about five years ago the County came in and filled in the ditch and placed a round drainage thing; and she explained where the land is and that the drainage pipe is three inches higher than the land. She further stated that makes it real interesting; they have to get six inches of water before it actually drains which is a concern; she pointed out the industrial park on the map and stated it brought water in a couple of years ago and it came right up to the driveway of the property beside her; when she replaced her mobile home because of the hurricane, she was told it would be \$50,000 to take it from this corner of her property to this corner of her property; now they are stuck with a well and she is not sure they would have the money to run it from the road in; and she was wondering if the new development is going to take the city water down Hammock Rd. or if they are just going to do it, and she pointed out, from this end and this end for their developing areas. She inquired if this rezoning, because right now with any little bit of rain it gets very wet there, they have the orange groves in which nature filters and nature takes up the water, however, if there are houses in there, there will not be any place for the water to go, and there will be more people stuff there; she noted she is very worried about the impact and she would like to know if they plan to bring the water across Hammock Rd, which would be an advantage to her; she was at one of the meetings they had and there were people there who did not want it; and not everyone was in agreement that this would be wonderful for that area. She mentioned she is still needing and wanting a lot of information because she is not planning to ever get rid of her property and this is going to change a lot.

Commissioner Tobia inquired if Ms. Manahan was in opposition to this because of the environmental issues, however, if they run water by her property and save her \$50,000 then she does not care about the environmental and she is okay with it because she is getting water.

Ms. Manahan responded no, she is still in opposition to what it is going to do to the environment.

Commissioner Tobia asked if she would be happy she got the water.

Ms. Manahan responded she would be if it was coming across.

Commissioner Tobia asked if she would then be in favor of it as he is just trying to find out how important the environment is to her.

Ms. Manahan commented the environment is still more important than the convenience of her having City water; therefore, she is still in opposition to the development of that property.

Commissioner Tobia inquired if she hopes she gets water.

Ms. Manahan responded yes.

Commissioner Pritchett stated the Board will make sure she is protected and she hopes Ms.

Manahan gets water too.

Monty Montgomery stated he is a retired engineer and lives in Palm Bay; he has been following the areas development up here in Brooks Landing on the east and then this came up about four weeks ago; he has a number of slides and he is just going to click through them so if there are any questions he can go back over them; Ms. Rezanka has already explained that there is two applications here, 19PZ158 and a 20PZ24; if there was no approval today of these zoning change requests then someone could build 10 homes on the 26 acres which seems reasonable; the property across the eastern five acres he thought it was one home, if it is five homes he would be surprised, but it would be fine, they could do that; if looking at what this area is, even though someone might say this is similar to Brooks Landing which is going in a few feet to the west, the elevations are quite different for this property being talked about from the Brooks Landing property; and he noted Brooks Landing is probably an elevation average of 12 or 13 feet above sea level, and the 26 acres runs between four feet and seven feet on the west. He continued by saying the eastern properties basically sit from three to four feet above sea level; it is right there at the water line to the marshes; it forms a big bowl; and the Florida East Coast Railway is like a ridge on the right side of the picture which will entrap water. He explained water can only go through the Indian River Lagoon either by seeping through to the ground water or by going through right below where the railway causeway is or right above it, there are no other stormwater exits to the IRL at this point; the issue he has is that these properties are extremely low and he worries about what pad heights will be for the homes and how prone they are to flooding once the infrastructure, roads, pads, driveways, and all that. He further stated the reason U. S. Highway 1 is where it is, is because there is a coastline from prehistoric times that the road is built on and that is up about 22 feet; once again, the 26 acres is still four to seven feet and very incredibly low-lying; he provided some pictures and explained that it shows how Hammock Road which is at six or seven feet has a depression to the left of the 26 acres at the four to six feet and on the right side the five acres is only about three to four feet; the marsh land that is immediately to the east of that is at 2.5 to three feet so it locks in with that; and he mentioned the stormwater all flows to this spot at Jay Jay Road. He noted he just took the picture on Tuesday and this is all the stormwater drainage there is for the entire area so when Brooks Landing comes in it is all going to go to the same spot; and the basic line is the developer can build 10 homes here and then they decided they did not want RES 2 at 52 homes they are trying to go for 62 homes, in here, without a layout he would worry about the elevation of the pads; he inquired how they would do retention ponds, and swales; he noted he knows that is all a zoning thing but right now the Council has the ability to ask why they need more than 10 homes on this 26 acres; and he would propose that this not be approved.

Vince Lamb stated he was invited to look at this property a few weeks ago and to meet some of the neighbors who surround the property; Randall Scragg, a nearby resident on Jay Jay Road and a resident for 38 years, would like to be there except for his concerns about COVID-19 and an asthma condition; he reported frequent flooding just from afternoon thundershowers and tropical storms; he has to wear rubber boots to get to his vehicle whenever it rains that hard; and he frequently encounters flooded roads. He noted he believes Mr. Scragg sent an email to Commissioner Pritchett expressing these concerns; he asked him to express to the Board that the stormwater system in this area needs attention regardless of the development here and Brooks Landing; he is concerned about more flooding especially with increased development; he further stated that Mr. Montgomery and himself spoke with several other residents who expressed similar concerns; and they looked at the stormwater ditches in the area and they appeared to them to be inadequate. He went on to say he received a photo of the ditch on Hammock Road yesterday after the storm and it was almost full, Mr. Montgomery showed that; he would strongly recommend that the rezoning and development plan approval be withheld until the developer can show that an effective stormwater plan can be produced and that flooding will not be a problem; and he knows that in the normal course of business in Brevard County, zoning changes are given without concern for stormwater and flooding and that it

comes later, but he thinks this particular property is so low and such a severe problem that he thinks an exception should be made. He continued by saying he thinks the Board has the power to request that stormwater information be presented before it issues a zoning change; the key thing here is that most of the stormwater evaluation stuff occurs in the dark and the public does not get invited to the meetings to see how the stormwater is going to change in their neighborhood; the intentions are all good but somehow there are a lot of failures; Mr. Montgomery mentioned Merritt Island; and that was one where the flooding was so severe that the County is paying for a Comprehensive Stormwater Analysis and the Board has refused to allow any density increase until it is complete; and he thinks that might also be needed here. He stated regarding the proposed development, if the developer just built the currently- allowed 12 or so homes on half-acre lots with the remainder of the property for water retention the result might be an attractive, sustainable development; and he asked the Board to please not approve this zoning change without addressing the flooding issues to protect the neighbors.

Commissioner Tobia stated the previous speaker indicated that stuff was done "in the dark" and he thinks that might be an insinuation, outside of sunshine or public record and he inquired with the County Attorney, Eden Bentley, if any of these calculations are done outside of public record.

Eden Bentley, County Attorney, explained they are submitted to the staff and everything the staff receives on a project is public.

Commissioner Tobia inquired so there is nothing done "in the dark."

Attorney Bentley responded, no.

Terry LaPlante stated she would request a time extension due to there being two Agenda Items.

Chair Lober replied, sure.

Ms. LaPlante stated one concern that needs to be addressed is the fact, as acknowledged by Ms. Rezanka, that these properties have been orange groves; it has been a long standing problem throughout Florida that orange groves are very highly contaminated with arsenic and other chemicals from pesticides and fertilizer that were used on the orange groves requiring clean up of this contamination; also requiring placing a certain amount of responsibility that the contamination be disclosed to any potential buyers; she would recommend that the County take a look at what needs to be done to clean up that site and to include in the BDP, at minimum, that this be disclosed to any potential future buyers; there is a case going on in Miami-Dade that is being litigated against the developers for the BDP with Miami-Dade said they would disclose it, they did not, and now it is all in litigation; and that is a concern. She went on to say these parcels of land are so close, in her opinion, to the Liquefied Natural Gas (LNG) railway, putting homeowners in harms way; just weeks ago the federal laws approved shipping this highly flammable gas by making it legal to ship by rail, thus putting communities near the rail lines at risk; a couple years ago the federal laws changed allowing for the export of LNG from this country to outside of the country; and at the same time they permitted the LNG facility being built in Titusville near the Space Coast Regional Airport to export 600,000 metric tons of LNG. She noted most likely much of that will be moved by rails so as they build out this infrastructure for the LNG to come from Titusville airport, that railroad line runs along the Lagoon and then it goes east to Parrish Road out to the Canaveral Air Force Station and the Space Center; she would urge the Board to maintain the current zoning of PI on the east parcel because it seems like there is a planned industrial use for that area; and she stated she would also urge the Board, if it decides to approve this development, that the BDP needs to include buffer zones to manage the noise to protect the homes from the noise from the increased train

traffic that is going to be coming through there. She continued by saying there needs to be buffer zones on the east of the east parcel and on the east portion of the west parcel to manage noise pollution; she urged the Board to check what the laws are, what the requirements are for how close it can put homes to a rail line because it seems that this is very, very close; she thinks the Board has a responsibility to protect the public; and it appears that neither parcel should be approved for zoning changes as requested due to the lack of stormwater infrastructure and protections that are in place to protect the Lagoon, and with that said, if the Board does approve this project she believes it is essential for the County to offer incentives to the developer to provide the community with a low impact development to protect the waterways. She noted she has been looking for a low impact community in Brevard for 10 years; she moved out of Viera and those beautiful housing developments when she discovered the damage that was being done to the Lagoon; she has lived in Brevard County her entire life and she has nothing but wonderful memories of the Lagoon and what it did for her family and the community when it was safe to play in and eat the fish from it; she is only one of many who would love to buy a new home in a green Lagoon-friendly neighborhood; all over the State people are demanding that the waterways be protected and restored, people want green Lagoon-friendly neighborhoods; and people need the Commission, the County to offer these developers incentives like waving permitting fees, expediting the permitting process; what happens when they try to develop this type of community is they run into a system, an agency, that only knows how to permit one type of community, so if they do not put in a retention pond it throws them for a big loop because the County requires retention ponds. She explained it takes a lot longer to get a Low Impact development (LID) community permitted so the developers need help with expediting that; the community of taxpayers want the Lagoon protected and restored; and the sort of things to ask the developer to do would be to include permeable materials for driveways, roads, and sidewalks.

Chair Lober asked that Ms. LaPlante sum it up.

Ms. LaPlante replied she is. She went on to say this would eliminate turf grass; and this neighborhood might have a community garden, definitely have Florida native landscaping, and retention ponds would be replaced with bio-swells and rain gardens.

Ms. Rezanka stated as to Ms. Manahan, she is not sure where the water is coming from but she is positive she will have access to it one way or another; if Ms. Manahan wants to contact her and provide her with contact information she would make sure she received that information; where Ms. Manahan has pointed her property is located, it is right next to the Planned Unit Development (PUD) that has already been zoned in Titusville and a few lots below where this land will be; she is not clear on the concern about the environment, the water cannot impact any more than it already does; and it is generally cleaned up by stormwater plans and retention. She stated regarding Mr. Montgomery, he is from Palm Bay and a retired engineer, he has provided no qualifications regarding his expertise in what he was providing to the Board and submitted to the record; DBPR records have his license number as 41109 and it says the status is null and void; therefore, she does not know exactly what his qualifications as an engineer are and he did not provide any; what he has stated to the Board regarding the flood plain and what he thinks is reasonable are site plan issues; and she advised the site must retain the historical water. She continued by saying as to Mr. Lamb, this development cannot make the flooding worse and everyone knows that; staff will make sure that does not happen; a lot of times it gets better when proper retention is put in; withhold for storm water plan has never ever been done at this stage in the 19 years she has been here, except in North Merritt Island, that did happen when the stormwater plan did come out; this always come later; and as to permitting in the dark, everyone should know that all permitting is now online and can be accessed through the online systems by address. She stated as to Ms. LaPlante, she does not know what her qualifications are regarding fertilizer; she talked a lot about what she thinks the developer should do and what they want is a green Lagoon-friendly development, but she does

not know what that is, and it is not in the Code; she talked about speculative issues, Liquid Nitrogen, and buffers for noise, but there are already homes north of this eastern parcel; and if this property needs a buffer, she asked if Ms. Manahan needs to put up a buffer. She commented these are unreasonable requests; these people want to design this for the developer and the developer does not even know what it can design, the engineering has not been done; engineering is very expensive and stormwater plans are very expensive, and until he knows the zoning is approved, engineering is not done; and she mentioned this land has sat vacant for a while, it is an under used parcel, and she asked that the Board approve the Comprehensive Plan Amendment and the rezoning with a BDP as the Planning and Zoning Board did. She advised Mr. Genoni is in attendance if the Board has any questions; and that he thinks the water will be accessible to Ms. Manahan and she will get with her on that.

Commissioner Pritchett stated she thinks that is wonderful for Ms. Manahan because the water quality out there is kind of tough; that would be a really good thing if they can figure out how to provide water to some other citizens out there; she has been aware of this for awhile and it is really a sister-project to the one that was already done; she started looking into that and they are some pretty nice houses; the County needs housing; and she has looked at what could be on the property right now, it could be agri-tourism, then that would be whole mess out there, all kinds of things could have popped on this property. She went on to say she looked at density and it matches up with the project he just did; it is a nice project; she also looked at what they made an agreement to with the citizens around there and she is very glad he is just doing one house on the east side because it is a little more wet and it makes it a little nicer for the stormwater situation; and she likes that he put in the BDP that they will not do more than 62 houses, she thinks that was a real advantage. She mentioned the only other thing would be stormwater and she thinks there is already stormwater situations out there and that has already been discussed; if she could make him fix everybody else's stormwater out there she would love to do that; but he does have to maintain his own stormwater; the Board has been with staff enough to know they have been very strong in making sure people do all the right things as far as their own stormwater; and she mentioned she has one request and she does not think it is going to affect too much, but she thinks if the County could put swells in on Hammock Road, and Mr. Genoni could give the County some right-of-way or look at that and consider putting it in the BDP it would be helpful later when he starts doing the stormwater. She stated she does not think it will mess with Mr. Genoni's plans too much, but she would like to ask that he consider placing that into the BDP; there may be some obstacles to get through, however, he has to go through all those things as he moves forward with the project anyway; and she thinks it would be a nice thing for him to consider doing that.

Chad Genoni stated they would be happy to do that; he asked if it needs to be placed in the BDP or if he could just say he will try to incorporate it if he can; and he mentioned he is just not sure how the language would fit in the BDP.

Commissioner Pritchett stated it was just looked at and there would have to be some flow somewhere; and she asked Tad Calkins, Planning and Development Director, how that could be done.

Mr. Calkins stated on Hammock Road for a portion, there is a sub-standard right-of-way, so he thinks what the County would be looking for is the full 50 feet of right-of-way; the County could look at it from the existing right-of-way line west; he does not know what that means but it could be a right-of-way or drainage easements to whatever facilitates that requirement; and he does not know how that works for Mr. Genoni.

Mr. Genoni stated without seeing the plan, he is not 100 percent sure; and he inquired if Mr. Calkins is thinking it is an additional 20 feet than it would normally be.

Mr. Calkins responded maybe so, he does not have the exact number because he does not know that he saw that on the plans, but if the County gets that 50 feet right-of-way and drainage easement, he thinks it be beneficial.

Commissioner Pritchett noted she thinks it would be an advantage to Mr. Genoni as well.

Ms. Rezanka asked if that could be on the eastern parcel.

Mr. Calkins stated it could be just so they maintain that alignment with that width.

Chair Lober advised he would be a lot more comfortable seeing that as well.

Ms. Rezanka stated she thinks that can be done because there is going to be extra space on the east parcel.

Mr. Calkins stated that would be help with the area and facilitate the drainage providing the County adequate space to work with that.

Chair Lober stated if it is good with Commissioner Pritchett he would like to give the applicant the flexibility whether it is east or west.

Eden Bentley, County Attorney, inquired if that motion is for both.

Chair Lober responded affirmatively.

There being no further comments or objections, the Board Adopted Ordinance No. 20-12, approving the Small Scale Comprehensive Plan Amendment (20S.02) changing Future Land Use from Planned Industrial to Residential 2 as recommended.

**Result:** Adopted

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**H.2. Theodore Goodenow (Chad Genoni) Requests a Change of Zoning Classification from AU to RU-1-9 (19PZ00158) (Tax Account 2105262)**

Chair Lober called for public hearing on a request by Theodore Goodenow for a change in zoning classification from AU to RU-1-9; and approved the Binding Development Plan (BDP) as submitted, with the added stipulation that the applicant provide adequate right-of-way, drainage, and utilities easements to facilitate the existing drainage swales and roadway.

There being no further comments or objections, the Board approved a request by Theodore Goodenow for a change of zoning classification from AU to RU-1-9; and approved the BDP as submitted, with the added stipulation that the applicant provide adequate right-of-way, drainage, and utilities easements to facilitate the existing drainage swales and roadway.

**Result:** Approved

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**H.6. Canaveral Landing, LLC, Requests a Change of Zoning Classification from TR-1 to TRC-1 with a CUP for the Cluster Development of Mobile Homes and a BDP Limiting Residential Development to 100 Units (20Z00006) (Tax Account 2314846)**

Chair Lober called for public hearing on a request by Canaveral Landing, LLC., for a change in zoning classification from TR-1 to TRC-1 with a Conditional Use Permit (CUP) for the Cluster Development of Mobile Homes and a BDP limiting residential development to 100 units.

Kim Rezanka, Cantwell and Goldman, asked if she could show the new concept plan; she stated she has with her Nick Dottore, the owner of the property, the owners representative, Jon Shepherd with Atlantic Engineering, and Rodney Honeycutt with Honeycutt and Associates, the Engineer of Record; this is a 33.8 acres parcel that they are seeking to rezone to TRC-1 with a CUP for Cluster Mobile Homes, manufactured homes; 43 percent of this property is wetlands and it is a very difficult property to develop, hence it has not been developed; everything around it has been developed and it has been like this for a very long time; there is a large drainage ditch that goes through it that the County says it maintains it, but she is not sure it does but she knows there is access to it for maintenance purposes; and this was intended to be what she believes is phase three of Royal Palms, to the west of there are two subdivisions, Royal Palms Two which was platted in 1987 and Royal Palms Estate which was a 1984 plat. She continued by saying the current zoning of TR-1 allows 7,500 square foot lot size, which if calculated out is 196 lots and is obviously reduced by the RES 4 which is currently there; then obviously there could be a density bonus which would get them up to almost 170 lots; they are seeking 100 home sites, they are not lots as stated in the staff Report, they are home sites; this will all be in a cooperative ownership; the owners will own a portion of it like a condominium does, and then have their own mobile homes on their pads; and those homes will be in the range of \$60,000 to \$100,000 and they cannot be any older than three years old to newer. She went on to say at Planning and Zoning this was approved with condition of the second access which they now have; the access was from Ann Way to the east and it is a very large right-of-way that dead ends right into this property; it was obviously intended to be accessed for property; also the Royal Palms Two plat which is immediately to the west, had a tract D which was reserved to the developer for future right-of-way; therefore, this was intended to be another mobile home, manufactured home development. She stated the new concept plan was submitted on July 7, 2020; page one of the Board's packet shows the access to the west using tract D which Mr. Dottore and Canaveral Landings did purchase; there are two accesses there now and it is also shown on the overhead; the changes were the west access road, lots were adjusted to account for it, they removed the waiver request, better aligned the east access road on Ann Way, and added a handicapped golf parking space; the concern raised by the speakers and the letter writers, most of the letter writers were from Merritt Island and Palm Bay and the same issues the Board just heard were low income housing, it is not low income housing, it is affordable housing; and Ian Golden, Housing and Human Services Director, spoke about this during Planning and Zoning very eloquently; and she will talk about it more today. She further stated stormwater and wetlands are site plan issues, it was discussed last time and she has it in the packet again just so the Board knows these are site plan issues; the increase in traffic, this was always intended to be the access from Ann Way, she believes, and now there is Fountain Boulevard; although there might be 499 trips, assuming they can even get 100 home sites, the peak trips are only 44 in the morning going each way, that is only 22 each way in the morning; the peak trips in the evening are 59 which at most is 30 trips each way; and that is not a substantial amount of traffic for a peak hour. She went on to say they have also stated residents have concerns of an increase in crime and there is no evidence that will happen; a decrease in property value and no evidence to support that; and there is a concern about compatibility, however the use is the same, every one of the 33 homes around this property is a manufactured home. She noted there may be other regular brick and mortar or wood houses, but every single one around this, there are 33 of them are all manufactured homes; there are no lot sizes because this is a cooperative; only about 10 homes will actually be adjacent to any



of these home sites which is seven on the west and three on the east that will abut these home sites; the owner also plans to install a fence to the east, west, and south of where the homes are not impacting the wetlands; and he can put that as a condition of the CUP if the Board would like, so there will be a fence around the property. She apologized the packet is so long and explained it is just to support the new development. She went on to say on page two it talks about manufactured housing and is very informative; there are a lot of manufactured homes in this portion of the County; page three, four, five, and six are from Canaveral Landing's website, this never says low income, it says affordable housing which is completely different; it also talks about the employment nearby, housing market information, and it defines what a co-op is; on page seven, is 62-3202 dealing with site plan and stormwater development which was discussed at the last hearing; page eight is 62-3694 dealing with wetlands, this time it is regarding the meets and bounds because that is what this is, and it says it cannot have more than a 1.8 percent of the total property impacted, and the engineer has opined that it would be a one and a half, one and three quarters to two acres of wetlands that would be impacted which would be much greater than 1.8 percent; there is no way for them to impact all those wetlands going to Canaveral Groves Boulevard, it is not that they do not want a permit and do not want to spend the cost, it is that they cannot; she has talked to Darcy McGee and there is absolutely no way they can come from Canaveral Groves Boulevard based upon the County's Comprehensive Plan, which is also in the packet starting at page nine, again talking about only 1.8 percent; therefore, even if there was a waiver to the Land Development Code, the County has in the Comp Plan and it cannot be waived. She mentioned she has a way on page 13 and 14, there are photographs of the conditions of Ann Way, she believes she emailed them to the Board, and she has copies if the Board would like them in color; Ann Way was recently resurfaced, they are not in bad conditions, they are narrow roads but they are not bad roads; maybe they flood; and as one of the residents stated, that was 2017 that was in the picture but she does not know if that was one of the hurricanes or what it was.

Chair Lober asked that she put it on the projector so the audience could see it.

Ms. Rezanka continued on by saying that was page 13 and 14 of the packet; page 15 is the Royal Palms Two plat that was platted in 1987; she has circled the D which is tract D and note three says this was reserved for a right-of-way, showing this was the intended western access to this property; next is page 16 which is the Royal Palms Estates plat, 1984, kind of showing the progression of what she thinks was going to be Royal Palms Three; and page 17 is Section 62-1402 regarding the TR-1 Zoning Code and again showing the lot size there is 7,500 square feet. She further stated page 18 is a discussion of compatibility; she reiterated this is manufactured homes next to manufactured homes; it is the same use; starting on page 19, this was zoned in 1989, zoning 8387 to this exact zoning TRC-1 with CUP for cluster homes; page 20, staff at that time says it is probably compatible, obviously the County Commission thought it was compatible, this exact same thing that she is asking for, back in 1989 as they approved it; interestingly enough, Bill Cannon who was President of the Canaveral Groves Home Association in 1989, said the developers looked for adding another access to accommodate the actual traffic so he did not actually want the traffic on Canaveral Groves Boulevard; and this was rezoned to the TR-1 where it currently is in 2001 for unknown reasons. She mentioned it is interesting looking at the file, only the owners of 15 percent interest in this property zoned it, so it probably was not a valid zoning back in 2001, there is nothing that can be done about it now, it is just interesting; regarding property values, she made a comment at the Planning and Zoning Board that the surrounding property owner's value was \$18,000 to \$108,000; they did an analysis of 33 homes immediately adjacent to where these home sites are going to be and page 24 is that list; the lowest home site is \$17,800 and these are the 2019 values because this was done right after the Planning and Zoning before the new values came out, to \$108,920; she reiterated that every one of them are manufactured homes; and she had the complete composition of the property appraisers information to give to the Clerk. She stated starting at page 25 is affordable housing information and what is the difference; Mr. Comino is going to

talk about that because he is in the manufactured homes business; on Page 27 the County's Comprehensive Plan housing element says that there should be adequate residential choices, that Brevard County shall continue to provide for land uses in a wide variety of housing types, price levels, and broad geographic choices; she noted these homes are going to be in the \$60,000 to \$100,000 range, which is very affordable according to the County's statistics; she noted they have met their criteria for rezoning due to compatibility, the use in the surrounding area is the same; and they also meet the criteria for the CUP; and she reiterated they have met each and every element including the common open space, which is the biggest requirement in the CUP for cluster homes.

Rodney Honeycutt stated Ms. Rezanka covered everything pretty well; he wants to point out that this area could be developed under the current zoning without providing public sewer and there could be probably near the same number of lots; his client is offering to put in the public sewer for this; he thinks that is a big advantage; also under the current zoning the traffic would be at least or more than traffic from 100 units; he thinks those were things he heard that were brought out that he thinks were important to mention; and he will reserve the rest of his time for any questions the Board may have.

Commissioner Pritchett stated she was looking at the stormwater plan on this property and it seems as though the pond is all the way up there, and she inquired how they are planning to do the outfall.

Mr. Honeycutt advised the outfall will have to be at the ditch that traverses through the property.

Commissioner Pritchett stated that is a lot of pipe though and she asked if they are going to run that pipe all the way.

Mr. Honeycutt responded affirmatively.

Commissioner Pritchett stated he answered her question because she was just wondering how they were going to get it there.

Paul Comino stated he and his wife own Home Nation, they are a manufactured housing modular housing supplier in Cocoa, one of the few; he has a vested interest in this project in that he hopes to be supplying some of the homes with the developers here and working with the developers to provide affordable housing; he mentioned he has about 25 years experience in all facets of this industry, he started out in one himself; and full disclosure he lived in one for seven years and three and a half kids later they moved out. He continued by saying that gave him a leg up and without the affordability component of the home that he lived in starting out, he would not be where he is today, interestingly enough the homes that they are selling today adjusted for inflation, are no more expensive than the ones they lived in 35 years ago; that brings him to the affordability aspect of this project; he noted on the screen is the interior of one of the homes they sell; they have homes that are anywhere up to \$100,000; that one is about a 2,000 square foot home and it is by no means what he would call low income housing; however, it is affordable housing and the average medium income in Brevard County for the five years before 2018, was about \$1,018 a month for rent, and he is sure it is more than that now, but his homes would be right around that and they would be brand new. He further stated people can get a home from them for less than rent, brand new, in a community like this in Canaveral Landing; people say they are built to a different code; he was an electrician for a lot of years and the code that they are built to is very little difference, substantially, than the IRC Code that every stick-built house is built to or what used to be called the Southern Boca Code; and the actual electrical is exactly the same code they use, so on and so forth. He mentioned there is no significant difference in building codes; the biggest thing about this kind of housing is that there is no need whatsoever for any form of government subsidy; the affordability

component of these houses means that County can supply all the affordable housing demand in this County without any problem at all and without even having to subsidize it one bit; if they had the land they could provide all the housing that is needed for everybody in this County that does not have something affordable; and he asked if the Board had any questions.

James Conrad stated that is called Pine Acre Estates on Canaveral Groves Boulevard; Ann Way and Hess, are he pointed to his property, shown on the overhead projector; he further stated he has been there for 44 years; where it says wetlands, that whole area was wetlands for all those 44 years; now all of the sudden half of it is not; and they want to place 100 mobile homes back there on small pieces of property, which is nothing more than a postage stamp piece of property, to put all those homes on. He continued by saying the other thing, up front here is one acre lots with one mobile home per acre lot, as on Luciano Ave and Phyllis Way; and he asked if the Board received a picture from one of the neighbors about the flooding conditions on Hess Avenue and Ann Way.

Chair Lober advised he thinks everyone on the Commission received something on this one with photos.

Mr. Conrad stated there is one showing the water going across Ann Way, people could not hardly see the street and the ditch beside it was full like a lake; the neighbor Joe, his yard was full of water, going into this new project area they want to put in; that is way too many mobile homes, too close, and too much traffic; and he mentioned there is going to be some noise, no matter what. He commented he has been in these types of situations before in his life; there is always going to be that 10 percent criminal activity possible, drug dealing going on, and some of the places, he does not care how expensive they are, turn into a dump with stuff thrown around, trash thrown around, vehicles up on jacks, and people revving their engines, playing music, and going out Ann Way; and at this time it is the only way in and the only way out. He went on to say he does not want to walk to his back yard and see 10 to 12 mobile homes looking at him, when he is used to the woods where a lot of animals are, but they will not be any longer; that is way too many in too small of a space; as close as they are going to be, people will be able to hear their next door neighbor fart and flush the commode; and he does not want to hear that. He stated there is a little ditch that runs at the end of his property and it fills up quickly, pointing to it on the map; he pointed out that runs down through here and runs down in that ditch and it fills up the ditch that goes around this way; he noted it does over flood and it has in the past; and it will do it again, especially when there are heavy rains. He further stated right now and going up through Hess Avenue both sides of the street is full of water from the rains they got the other day; it is running right into that ditch and it went up a foot and a half; another foot and it will be up on the road, on Ann Way; and he reiterates it is too many homes in a short space, where he lives on a n envelope and they will be living on a postage stamp. He added there will be too much traffic, too much noise, and wild parties.

Dan Hunter stated this is just a diagram of what Mr. Conrad was talking about where there is major flooding; he noted this is a Federal Emergency Management Association (FEMA) map; the highlighted areas are where they have flooding and it is not when there are storms, it is just week, a few days ago; they have over 200 signatures now of community members that oppose this development at this location; they feel that having a trailer park dumped in the middle of this rural neighborhood is no way homogenous with the existing homes; and asking the neighbors to ignore the impact of this is ludicrous. He continued by saying most homes in Canaveral Groves, as the Board has already heard, are one acre lots and that is the reason people have moved out there, to get away from the hustle and bustle, noise, and zero lot lines; and he mentioned there are a couple trailer parks out there, but none of them encroach into an existing neighborhood, they all have access to a main artery and they do not affect dissimilar homesteads. He advised he would like to summarize some of the County's Administrative Policies and Guidelines concerning the CUPs which he is sure the Board already knows; in

Section 62-1151(c) and 62-1920 they state the proposed CU will not result in the substantial and adverse impact on adjacent and nearby properties due to: 1) the number of persons anticipated to be using, residing, or working under the CU; b) it will be compatible to carry nearby properties with regard to use, function, and amount of traffic generated; a reduction of 10 percent of the value of abutting property shall create a presumable presumption that a substantial diminution has occurred; and he has heard of no studies on this being presented to show that less than a 10 percent depreciation in value of homes that abut this property, and he would almost guarantee that any home that abuts this trailer park, even with a fence around it, is going to have a depreciative value, with a trailer park in the backyard, when someone goes to sell it. He further stated that 2(a), the ingress and egress of the property and proposed structures therein, such as automotive and pedestrian safety and convenience, and traffic flow and control shall be burdening; adjacent and nearby uses means increasing existing traffic on the closest corridor or arterial road by more than 20 percent; and Ms. Rezanka uses Canaveral Groves Boulevard as a reference for this comparison, however, the plans are to use Hess Avenue and Ann Way, and now Fountain Palm Rd. He went on to say the increase of the traffic will be in his neighborhood and well over 20 percent, especially at an estimated 499 more trips per day in his neighborhood; historically the Ann Way extension was never intended to be access for this piece of property; it was a County requirement during the development of Pine Acres; and that extension was there strictly for access to the power lines.

Chair Lober asked Mr. Hunter to wrap it up in a few words.

Mr. Hunter stated the noise from the CU shall not interfere; even a six-foot fence or whatever they are going to put up is not going to affect the noise coming from that area; the existing flue nor Royal Palms Two never intended for a trailer park to go in to here as was stated; in fact, the same concept tried to go in there and Ms. Rezanka said 1989 by Hammocks of Brevard, LLC and 1989 it was shot down; in conclusion, he would ask the Board to consider the people's concerns and to ask themselves how he or she would vote if this trailer park was going in one of their backyards; he mentioned most of the Zoning Board ignored their own guidelines and the concerns for the local citizens on July 7, 2020; and he asked that the Commissioners not do that.

Commissioner Isnardi inquired if Mr. Hunter lives in a manufactured home.

Mr. Hunter responded he does and he noted that all the homes in there are not manufactured homes.

Claude Wheeler stated last Tuesday he interviewed the Hess family, Randy Hess and Anna Hess; they said that there was never any intention to build Canaveral Landings into a neighborhood by them; the extension was dead ended into water and Phyllis Way dead ends into power lines; he asked her why this was true and she stated that the County made them demuck two lots bordering Canaveral Landings, said they did not affect the septic system at all, and they had to pay Watson Paving, there were only two lots that were affected and they gave one of the lots to Watson Paving because they were asked to do this; they also understood that, to develop that property, the whole 19 acres up front had to be demucked; so the idea that there is 33 acres and they are going to put 135 or 197 homes on 14 acres, that is what is being talked about, and it is pretty much absurd; and that is seven home lots per acre. He went on to say Sharps Pine Acres Estates is 110 acres and 96 original home lots; Ann Way is not an extension road; 96 lots on 110 acres and they are wanting to put 100 lots on 14 acres; this sounds like a campground to him; as far as dumping the traffic from 100 new homes onto a side street, he asked if that is normal behavior for the County; and he inquired if this is what the County does. He continued by saying he told Anna Hess what was going on and she said that is absolutely ridiculous, the County made them put in two roads; they do not have to put in two roads, they don't need to put in a road, all they needed was a driveway; there are hundreds of

homes in Brevard county with longer driveways than what is being proposed here for this cluster; and a road all they need is a driveway; everybody he spoke to, he did the petition, he talked to everybody involved, he talked to the Hess family, basically the truth is, they are not wanting to demuck it, and he is not even asking that be done, what he is asking is that they build their own road, have their own entrance to their own neighborhood, and not encroach on his property which is zoned for horses. He commented people do not have to be Superman to know that land zoned for horses is a dangerous place for the horses and everybody involved; there are 45 homes on Hess Avenue; and they wants to dump 100 homes onto Hess Avenue, that troubles his traffic. He further stated he is zoned for horses and they want to triple his traffic on a property zoned for horses; he reiterated there are only 45 homes on Hess Avenue, and it is 55 acres for Hess Avenue and it is half of the latter streets; it is 110, and this is talking about 14 with the same number; 14 acres with 100 homes, 110 acres with 96 homes; he inquired what the Board is talking about and if it is calling this compatible; they are asking for a variance and variances are only granted when it is compatible; and he commented people do not need to be Superman to figure out what happens. He advised he and his brother own three lots, three homes on Hess Avenue; it has been a home to horses, two on his property; horses are dangerous and Superman knows this; Superman is dead because of horses; he stated they want to triple his traffic and somebody is going to blow the horn, someone is going to go backwards on a horse and end up in a wheelchair, and the Board is going to be responsible for it because it is the developers responsibility to buy suitable property; if they need a road to put the neighborhood together then go buy 250 loads of dirt and build a road; and do not tell him about a swamp.

Chair Lober noted Mr. Wheeler needs to summarize.

Mr. Wheeler continued by saying if they are going to tell him about a swamp, then he wants to hear about the swamp in terms of 135 homes, and he asked where they are going to put those on 14 acres; he went on to say no, they have to demuck the whole thing just like the County told Anna Hess 35 to 40 years ago; he asked what has changed and why is the County suddenly bending over backwards to help a developer dump a bunch of traffic into rural areas; and he noted if they dump it on Fountain Palm Rd. it is the same story, a cul-de-sac street full of children and toddlers. He stated people by property on cul-de-sacs because they do not want traffic; that was never intended to be an entrance to 135 homes; people have to go out to Canaveral Groves Boulevard to have 135 homes; he thinks the Board is liable, jointly, severally, and the County; and he advised if somebody gets hurt, John Morgan is going to turn their houses into a rummage sale.

Angelos Kokosoulis stated he is there to express his opposition to this project; he attended the last meeting of the Planning and Zoning Board and he was very disappointed to see the Zoning Board approve the project; and he urged the Board to consider the well-being of the local residents and not of a single developer.

Jon Shepherd stated he is there to talk about the environmental aspects of the project, he is an environmental consultant for the applicant; he thinks Ms. Rezanka said things very well talking about the wetland aspect of things; they just do not have the opportunity to come off of Canaveral Groves due to the County's current regulations; during the Zoning meeting, a lot of the concerns that were brought up about Scrub Jays that were out on the property and he wanted the Board to know that they have completed a portion of the Scrub Jay survey and to date they have not found any Scrub Jays; and if they do find some in the future they will follow all the Federal guidelines that they need to follow.

Commissioner Isnardi stated she was under the understanding that Mr. Shepherd actually tried to work with the County to find an alternate entrance into that property, but they were not able to due to the wetland impacts.

Mr. Shepherd confirmed her statement; and he stated they were only allowed to impact 1.8 percent of the entire acreage of property; he has in his notes that the property was 25 acres, but he heard Ms. Rezanka mention 33 earlier; and going with the worst case, 33 acres, they only have a maximum impact of .6 acres of wetlands that can be impacted on this property and there is just no way to get the road in there.

Chair Lober clarified so they cannot run south; and he asked if that was what Mr. Shepherd is saying.

Mr. Shepherd responded affirmatively.

Ms. Rezanka asked Mr. Shepherd to explain the map of the Scrub Jays and when that might have been created.

Mr. Shepherd stated he assumes the map was taken from the County's website; this is a Scrub Jay map that shows potential for Scrub Jay occupancy within certain areas of the County; these maps were first created in 1993 and then updated again in 2002; just because these maps show there is potential for Scrub Jays, that is all it is, just potential; and the habitat that is there on the site is not really conducive to Scrub Jay occupation. He reiterated they will be doing their surveys and figure out if they are there or not.

Kim Rezanka stated a couple of comments that were made regarding the flooding, they cannot contribute to the flooding when this is developed; there will be some culverting that may help out there; Mr. Hunter has stated a lot of things and has provided a lot of things to the Board in its packets including stating that she has misguided the Planning and Zoning Board about access and that is not correct at all; at that point they only had the access up Ann Way; they were not sure if they could use the access from the east off tract D, which now they can and are willing to do so; it is a better project if there are two accesses; and regarding him saying all the land out there is one-acre lots, that is only to the east, and to the west there are one-third acre lots and one-half acre lots, they are different lot sizes, not all one acre. She went on to say regarding the Administrative Policy, he provided no evidence; he stated they had not a study regarding property values decrease, that is not required by the County's Code, it is usually done by someone on the other side, and she has never seen it required for any developer to ever do that; and it is speculative that it will decrease some value especially when the values of the homes going in there are quite a bit higher than those in the surrounding area, as shown by what she has previously shown to the Board. She mentioned there are concerns about noise, however, there are performance standards that have to be met as the Board is aware of; that is not necessarily a concern at this point; the 1989 zoning to TRC-1 with Conditional Use for 137 cluster homes was approved in 1989, he does not know what he is taking about; it was approved, it was intended to be this exact same concept, except they are limiting it to 100 units not 137 units; and Mr. Wheeler talks about Randy and Anna Hess, but she has no idea who they are, but they did not own this property in 1989 when the re-zoning was done; In fact Kelley Barnes is someone whom she has spoken with and Mr. Dottore has spoken with because he bought that tract D from her; in fact, he did say it was indeed supposed to access off of Fountain Palm Road; it was to be extension of, and it was supposed to be a trailer park, Ms. Barnes owned part of the land in 1989; she was a 13 percent owner, or 11 percent owner in 1989; and also an owner in 2001 and she did not consent to the re-zoning, but that is another issue. She further stated asking to build their own road, they are going to have to build the roads through the development, but there is no other way to access this property and this property has been zoned for this exact same thing in the past; she advised she would like to talk about the other mobile home parks and did it in length at the Planning and Zoning Board; she did not here; and she mentioned there is a Sunlake Estates to the south of this property, across the other side of Canaveral Boulevard and staff says it is about 1670feet to the east. She went on to say she gets her directions confused but there are

Sunlake Estates and there is, when continue going south, there is a TRC-1 with a cluster and it has 146 units on 25.26 acres and it is accessed through Shepherd Road and goes right through another mobile home park; therefore, there is definitely some evidence of this being done in the past and this is right in the same area as what this is being proposed. She further stated other than that she requests that the Board allow this to be rezoned to TRC-1 with a CUP for cluster homes, limited to 100, and they can add if the Board wants, there is a BDP as well and they can add that the fence will be installed; and if there are any other conditions the Board would like to ask, if it is concerned about noise or lighting, they still have to meet the performance standards; and that certainly would be appropriate at this time as well.

Commissioner Pritchett stated in the past Ms. Rezanka brought projects in and she has just given her a hard time back about access and just having to prove things; when she first heard this she really started doing some research on it; she wanted to talk to County staff, and then she asked Ms. Rezanka if there was another way to do it and she said they could not; and she found out that she cannot make them not come out the access that is available for this project, so that argument is over because Ms. Rezanka has the ability to do that. She went on to say she tried to talk Ms. Rezanka into doing just one and with the wisdom of staff they told her not to do that because they would want to go ahead and divide that off both sides; at that point it is no longer an argument, it is just going to have to be there; and she asked how long her client has owned this property.

Ms. Rezanka responded he had bought the property in December.

Commissioner Pritchett stated it has been zoned TR-1, trailer parks for what she found to be 20 years; this has been that personality and if the Board does not even do this, this man can go out there and put 100 trailers on it; the only thing they are doing right now is asking is for it to be clustered so they can do something with the other parcels of the land; as far as what is being done here, they are not changing zoning because it is allowed to have it on it; the Board is not saying they cannot put trailers on it because it has no ability to do that right now; he owns the property and he has complete right to do that; however what he is trying to do is put it in projects and groupings. She mentioned Ms. Rezanka said she would negotiate with the County with a CUP on a couple of things; she has a couple requests; and she would ask that with the wetlands there that they would maybe put in there to keep it as a conservation area and will not develop it.

Ms. Rezanka responded affirmatively.

Commissioner Pritchett stated she thinks that would be a wonderful thing to protect that as far as wetlands and stormwater; Ms. Rezanka mentioned the fence, so that got her attention; when she was looking at the plans there is some kind of a walking trail going around the outside of it; she thinks that would be very uncomfortable for the home owners to have people all of the sudden walking right there, and there was only a 10 foot buffer; and she asked Ms. Rezanka to explain how they are going to do that buffer and fence because she wants to make sure those other property owners feel like they still have their sense of privacy.

Ms. Rezanka stated it has not been engineered yet; they are going to have the buffer and the fence, that have to by Code, so there is no choice for that.

Commissioner Pritchett asked if they can negotiate a little bit of a bigger buffer; there is only a 10-foot buffer right now and she inquired if they would consider a 25-foot buffer.

Ms. Rezanka advised she does not know that they have the ability to do that, looking at the aerial, the homes next to it are all far back from this property.

Commissioner Pritchett mentioned they have that walking trail right up on it; she thinks if they would do a bigger buffer she would get a little more comfortable; or bring that walking trail to the inside of the property; that is one thing she thought would be a little more fair for the other residents; and Mr. Honeycutt kind of answered her question as far as stormwater because she was wondering how they were going to do that, but if they are willing to put that piping in, that is significant. She stated they are going to make it a lot nicer than just putting a bunch of trailers in there right which they can do, the County cannot tell them they cannot put trailers in, so everybody who came here thinking that, the Board has no ability to do that because it is already zoned that and has been for 20 to 30 years; some wonderful, kind gentleman called her and said he wished he had bought it a while ago, it was for sale real cheap and he could have kept it; she told him he should have because it was really an inexpensive price at that time; and if she could negotiate with them a BDP with something about a buffer and how they would do that, that would give her a lot of comfort.

Ms. Rezanka noted that Mr. Honeycutt has stated 20 feet is workable.

Commissioner Pritchett stated she would be comfortable with that.

Chair Lober stated he goofed and one of the cards he pulled he did not put back in the correct order so he will give them their three minutes.

Kyle Doe stated he and his better half, Krista, are new to Brevard County; Krista is from south Florida and he is from up north; they have been shopping for a little over six months for a home somewhere within Brevard County; they have found nothing under the \$200,000 mark that is new or worth investing into; anything under \$200,000 is going to be a massive rehab project, it is going to take a lot of time, and it just is not conducive to them starting out; in their mid 20s to give the Board an idea of what they are paying for rent right now, is \$1,400 per month, so they are looking at \$17,000 a year in rent; and there is nothing under \$200,000 new construction within the County that they could even potentially live in or look at. He went on to say he works in Cocoa and Krista works in Viera; they are considering moving to south Brevard County to live in Barefoot Bay because that community gives an opportunity for a younger couple or family starting out to actually have something under that \$200,000 price point that is not junk; they have gone out and looked at this area; they are in talks with the company about purchasing a home and being a member of this community; one thing he can say is the manufactured homes they have looked at, not mobile homes and not trailers, they are manufactured homes and they are really nice; and he tends to think they are actually going to improve the property values of the neighboring lots especially given that they are older manufactured homes, and some being pre-1976 mobile homes. He commented he thinks this would be an improvement to the community and it gives them an opportunity to really get on their feet and cultivate growth within Brevard County; and as a younger couple seeing the potential for something like this, under possibly \$150,00, and certainly under \$200,000 for new construction for them starting out a family, it is exciting and it gives them a reason to move to Brevard.

Commissioner Isnardi stated that she is really excited that Commissioner Pritchett supports this because unfortunately manufactured homes, and she knows trailers have a negative connotation, but manufactured homes are manufactured homes; people complain all the time, and for her she knows affordable housing is big, and the number one complaint people have when they want to talk to her about their living circumstances; she is glad Kyle and Krista came out to talk about themselves and their circumstance and she wished them the best of luck; and she thinks there needs to be more done for affordable housing in Brevard County and this is an option for people; and she stated she thinks it is a great idea.

Commissioner Smith stated back in the mid 70 to mid 80s he bought quite a bit of property in



south Jersey and he was working with a builder; he came to him one day and said he should look at the manufactured homes, and said quite frankly, they could buy one of these far cheaper than he could build the same quality, stick-built; so he did and those houses are still standing, they have withstood hurricanes and storms and they are very nice inside; and that is just a little add on there.

Chair Lober announced for what it is worth, he lived in a manufactured house, or technically a townhouse for some time; it has been many years at this point but it was nice and it held up; and he had less problems with that property than he does with the house that he built with concrete block, so he does not think by any means that they are terrible.

Commissioner Pritchett stated she lives in Fox Lake and a manufacturing housing project went in right behind them, Swan Lake, and it is very nice with nice homes; and it has actually been kind of nice.

There being no further comments or objections, the Board approved a request by Canaveral Landing, LLC, to change the zoning classification from TR-1 to TRC-1 with a BDP limiting to 100 units, and additional conditions on the CUP to the 10-foot buffer on the site plan to 20 feet, and provide a conservation easement over the wetlands.

**Result:** Approved

**Mover:** Rita Pritchett

**Seconded:** Kristine Isnardi

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

\*The Board recessed at 6:55 p.m. and reconvened at 7:05 p.m.

#### **L.4. Bryan Lober, Commissioner District 2, Chair, Re: Board Report**

Chair Lober stated he wants to address the memo he referenced earlier; he is not going to read it verbatim but he wants to discuss a couple of the items just for those in attendance that may be curious; essentially what was done with CareerSource Brevard, the Board had funded them with \$750,000 with the idea that they would help either people who had lost their jobs on account of the Coronavirus and/or businesses that were forced to reduce staff or layoff staff on account of the Coronavirus; the real goal, if they could match up both those boxes and kill two birds with one stone that would be wonderful, but as long as they checked one box or the other, that was what he was going for; he has been keeping decent tabs with CareerSource just to get a good idea in terms of where they are at with that to see how it is going and whether they are expending everything that was allocated, which at least was his understanding, it was likely to be done at the time the Board approved it; and advised they have received about 160 applications throughout the County. He mentioned Judy Blanchard and Tom LaFlore from CareerSource are both in attendance. He continued by saying to fully fund one employee for all of the businesses that applied, they would need another \$1.5 million over and above the \$750,000 that was initially allocated; keep in mind he is not talking about all minimum wage jobs by any means, he is talking about jobs that pay reasonable wages in many instances; the other amount he thinks the Board needs to discuss is for those businesses that requested two or more employees; to fund two employees for those businesses, over and above the one that the Board would otherwise potentially fund, it would be another million to cover all of the businesses that applied to have a second, or beyond that, additional employee or employees; to give them another employee over and above the first would be \$1 million; and the Board would be looking to fund everything that is being requested at another \$2.5 million. He went on to say putting that on the back burner, he thinks the Board is looking at this in a multi-faceted way; the other avenue being pursued with respect to businesses, was doing this direct relief, the grants to businesses that were impacted by COVID-19; the Board had allocated \$10 million

to accomplish that; they had limits of \$10,000 per business, there was a slew of qualification requirements that were put in place, and as of yesterday, the memo he sent out gives the stats in terms of where they are at with that; and the bottom line is the County could fully fund everyone that qualifies and has applied thus far, and have plenty of money left over. He further stated he knows there were certain individuals who thought that \$10 million would not be enough, given the requirements that were set out, it appears to be more than enough; his suggestion would be, over and above what he suggested with respect to CareerSource and funding them with that additional \$2.5 million, and the County Manager may have a slightly different proposal and he would certainly consider that or ask the Board to consider it as well, following the application deadline for that \$10 million block that was set aside separate and apart from CareerSource for businesses to apply for grants or direct relief, that deadline is coming on Monday, August 10, and everything received after that is past the deadline as it is now set, and the Board needs to look to see what it wants to do with that; his suggestion just from eyeballing this, is that after the deadline, the County allows for a second round of funding where it takes additional applications, but he thinks the Board should relax the requirements, or some of the requirements, to a degree; and he noted he has had some folks in and out of his district reach out that have expressed some concern, some much more reasonable than others, where they either did not qualify or had some issue that prohibited them from being able to get in during this round. He further stated given that the Board may relax the requirements, his thought is to reduce the amount that the Board allows per business from \$10,000 to \$8,000 because he does not know how many businesses will apply; the Board can always increase it later or expand it later; he would like to have a second round fully funded at \$10 million just as the Board fully funded the first round; the way he would suggest the Board come up with that is to take anything left over from the first round of funding, where the Board allocated the \$10 million, no matter what the number is, and whatever the difference is between \$10 million and that number that is left over from the first round of funding, and take that out of the unallocated portion of the CARES Act and have that second round of funding available up to \$10 million; if it hits \$10 million that is wonderful and if it does not, then the Board can figure out what to do at that point; and the County can keep it open for a similar amount of time. He continued by saying the couple suggestions he has as far as relaxing the standards for that second round, he heard from people, but if staff has a different or alternate idea, he is open to it, the Board had specified and he thinks it was his idea so he apologizes if it affected anyone, that they had to have a valid County business tax receipt, his understanding and he has not had a business in an incorporated portion of the municipalities it was always in unincorporated Brevard County, there are businesses, as he understands it now, that are in municipalities that have tax receipts and either some of those businesses did not qualify or believed they did not qualify as a result of not having a County business tax receipt, even though they may have done everything appropriate and had a business tax receipt with the city; his thought is to relax it so whether businesses have a County or city business tax receipt, as long as they have one or the other and it is valid, they be treated the same; beyond that, it would allow the same businesses that would otherwise have qualified for the first round, to apply for the second, they cannot double dip, a limit of \$8,000 would apply for the second round regardless of whether they met the more stringent earlier requirements or not; and as far as those who have received Federal aid is another disqualifier, and he does not want to see them double dip and beyond cover their actual quantifiable expenses that qualify for reimbursement, but if their Federal aid did not make them whole from the COVID-19 attributable losses or expenses he would like them to be able to get that difference up to the \$8,000 cap, if they otherwise qualify. He went on to say he spoke with Mr. Abbate, County Manager, and there were at least some businesses, thankfully not too many, that essentially wanted to get more between the Federal program and County options than they lost; that to him is not the purpose of the program, it is not to make someone more than whole, it is to get them as close to whole as it can without going over; he thinks if it is done this way it is going to help a lot more local businesses; it is going to help businesses that were not made available to in the first round options, but it is in a conservative enough way that the Board is not putting itself in the spot where it is very likely to run out of funding; and he

would suggest the Board support both of those, but if supports either of those, it is better than nothing.

Commissioner Pritchett stated she likes that and agrees the Board probably needs to get that going because it only has five months; it is hard to get all these things done in that amount of time; she agrees with raising the amount some; she looked at the ones that did not go through and Chair Lober is correct, they were going to make like a \$20,000 profit by the time they were finished, so that was a good call; she struggles with CareerSource because the Board gave them a pot of money and they took a fee and turned it over to somebody else to run it which makes a couple administrative fees and makes her very uncomfortable; another thing, they dropped it to 11 percent but on \$250,000, that is like given \$290,000 in administrative fees right off the top; and her other concern is if they put one employee into a business and it is \$14,000 for three months, so the Board is giving money to a business, \$14,000 to keep a person working for three months and then end up with an administrative fee handing over \$29 per hour some way, somehow. She noted she thinks a better strategy, if the Board is going to hand over \$14,000 to a business, instead just give it to some of these small businesses and let them hire extra people instead of giving them \$10,000 give them \$24,000 and let them hire five people; she thinks that would get a better result, no administrative fees, and it would get the money into the community; and she stated she did not vote for this last time so no one will be mad at her for not voting for it this time. She reiterated she is real uncomfortable with handing it over, giving them a cut, and them handing it over to get it done; she is also really uncomfortable with the amount of money being spent for one person when it could go out to these small businesses with higher amounts; and they can just spend it better.

Chair Lober stated in terms of an 11 percent administrative fee, it is not that there is no value added by what they are doing; he will let those from CareerSource talk because they can do a better job explaining exactly what their involvement is with the process, but the fact is, the Board does not have expertise remotely comparable within the County umbrella to what they offer; he does not know that it would be any cheaper for the County to be able to do it in-house; he will take responsibility good, bad, or indifferent, as he approached CareerSource and asked them about it, it was not the other way around; and they were great to work with, and quick to put things together. He went on to say this is ideal to him because the Board is paying someone to work, not paying them just to exist; it is putting them into a position where they can be productive in contributing to the economy, and it is helping the businesses at the same time; frankly, it is a two for one by having both of those addressed; if the business does well, in all likelihood they are going to keep those people on; and he agrees if looking at \$29 per hour, but people must keep in mind that it is not that it is \$29 per hour that is necessarily unreasonable, there is a big high tech industry and if the Board is paying people to go into high tech jobs he feels much better about that, than simply paying them as a grant. He stated the other problem with handing it to businesses, and if there is a way around it, he would consider it but he does not know of one that is really feasible, and he inquired how the Board would allocate that to businesses because that is part of what the 11 percent is going toward; he inquired how the County would verify that they are going to pay the employees with that; he further stated the goal with this is, it helps the businesses, the employees, and the local economy; and he agrees it is great to help businesses but the Board does not know that it is going to have all of those three things; and he feels like that is getting a lot of bang for the buck with that.

Commissioner Pritchett stated she agrees with a lot of those things; she understands where Chair Lober is going with that, but if they are being paid \$19 per hour and that is \$10 per hour for those extra fees; if it is given to the businesses and they can pick up another employee then they would qualify for more; all she is saying is she thinks it would get more money into the community; and in her heart she thinks that would be a better way to get money out and give it to the businesses and let them hire their own people. He continued by saying she feels kind of funny with paying the high end wages right now when there are these small businesses being

told no; she thinks if it is getting into this kind of pay, she just feels funny giving it out; and she is not going to support this anyway so she will let everyone else discuss it.

Frank Abbate, County Manager, stated staff does have an alternate proposal that it hopes the Board may consider; he will start by giving the Board an overview so it has a general understanding of what they are doing with all the programs and what the current status is; there are a few recommendations to add on to what Chair Lober has placed on there; and hopefully he will get some Board direction in terms of where it wants staff to go. He went on to say he will start with a very broad overview in terms of where that \$105 million, which is the Board's CARES Act allocation and where they stand with all of that now; he mentioned the Board approved four different programs, public health, medical expenditure, public health compliance, and public employee reassignment; he will provide what those numbers are in terms of what was initially in the budget and what the County has occurred to date in each of those areas; public health had \$7 million and that was for Personal Protective Equipment (PPE), disinfecting, quarantine, and things like that; they anticipate encumbering \$3.4 million right now which leaves about \$3.5 million that staff still has five months to deal with; in the medical expenditure area which is going to deal with antibody testing, COVID-19 testing, medical transport, and as a matter of fact, when the Board approved the School Board, they intend to come back and say they have part time medical technicians that help with determining students that might have any health issues related to COVID-19, and that they would like to extend that to a full day and he thinks that would be a good one to fall under medical expenditure; staff is waiting for the School Board's proposal on that; there is also the hospital issue which will be coming back to the Board in the future; and there is \$16 million for that, as of now there is only \$1.4 million put in with a remaining balance of \$14.5 million. He continued by saying he would anticipate there will be several areas that will be coming up that will probably take a large part of it; Public Health Compliance which deals with telework communications, thermometers, sneeze guards and, plexiglass, is for all of the jurisdictions that are part of the program; there was \$15 million to start with and staff has incurred or anticipated \$4 million in that area, leaving about \$10.9 million; for public employee reassignment had \$2 million and they have spent \$1.7 million or anticipate that leaving about \$286,000; and therefore, in those four programs the County has about \$28 million right now that is not allocated, but during the next several months he expects at least \$15 to \$20 million to be potentially allocated. He went on to say there is total of \$21 million that is unobligated for public health and safety, and the Board put in that contingency saying it did not know what was going to happen with storms, etcetera, so that money is still there; it will not be touched without further direction from the Board; generally speaking there is \$4.4 million; Housing and Human Services Director, Ian Golden came back and received more money just this past Tuesday, than the State gave him for the Housing and Rental Program; staff anticipates all of that will be spent out; food stability was \$4 million; and staff anticipates that will be out there as well. He further stated that the Economic Stability Program, for the PPE, the Board gave \$500,000 for that for small businesses and staff is in the process of doing that; the Board already talked about CareerSource and if the Board makes adjustments there, there is \$750,000 allocated for that right now; the Board put \$10 million towards the Small Business and Not-for-profit program, but left \$24.3 million; he thinks that is part of what Chair Lober was talking about, where the County might get that difference of the \$10 million; he just wanted to provide that information; and he noted basically with the \$105 million, \$30.2 million is already anticipated to be utilized and \$74 is within those other resources that he just talked about. He mentioned that was the overview he wanted to provide to the Board so it knows where the dollars are; he knows some of the Board is thinking of different things potentially and he wanted it to know generally what is happening; and now he would like to provide some specifics of the programs that the Board has directed staff to put in place, and the participation levels the County is getting. He further stated with the individual assistance program that Mr. Golden is running, there are currently 711 applications in there and the average assistance has been going up because the Board allowed it to go over for a period of months, up to three months; the average assistance right now in the area for the residents is about almost \$2,800

per resident that is receiving it; staff has anticipated right now obligations of \$1.7 million of that \$4.4 million that is already in line for those expenditures; the Food Stability Program, the County has already spent \$105,000 for 21,000- plus meals; they have served and are serving 757 households with that farmers market program, they are doing extensions of that Program for both District 1 and District 5 which did not have farmers markets so they do understand some of the cities, like Titusville, being very excited about seeing what is going to be happening there and that they are going to be expanding farmers markets into those two districts; and staff anticipates \$2.1 million being encumbered thus far for the food stability program and anticipate they will get to the entire \$4 million that was allocated. He continued there is the PPE for the Small Business Program; the Board expanded that to cover restaurants and to say small retail businesses; staff has 551 applications that it received; staff spent the day in Titusville and there were 102 kits distributed and that was for all the masks, the gloves, the sanitizer that they handed out; staff also went to Cocoa and there were 214 kits distributed there; they distributed 98 to Cocoa Beach, Melbourne received 321 kits, and they are headed to Palm Bay tomorrow to distribute kits there; there will be resources left so they can make another round to all these small businesses and they welcome other businesses; and he wanted to let the Board know that staff plans on doing that because they have anticipated about 800 kits being left, and there is additional resources left from the \$500,000 to go back and continue helping small businesses. He commented Chair Lober gave the update and he has a little more information on that so he will provide that information, and the public can also hear about what is happening with small businesses; there have been a variety of inquiries on what the County has in process, because it is being done online, they are also accepting applications by paper, then County staff puts it into the online system, and there are 50 staff members processing either as reviewers or approvers or what the reviewers do to look at applications that are submitted to try and do the best it can to help the business be able to qualify; staff knows how many are in process, but that does not mean they know what has been submitted, it means staff knows people have started completing the applications and putting in the documentation; 1,378 is the total and they consider 1,029 in process which means the applicant started but staff is not looking at it yet because the applicant has not hit the submit button or completed the application to do that; and they have 154 applications that are pending for additional information. He advised they have 83 applications that are in the process or being looked at or that have been sent to the approvers; there are 41 that are under review by approvers right now; there have been 55 approved applications and he mentioned that it is only seven days into the program; they are moving ahead with \$508,000 committed that staff is already saying yes the applicant has given enough information to qualify and provided all the documentation to where the reviewer and approver have verified enough to feel safe in terms of them not having to worry about the audit and that they have received enough documentation that the Treasury has told them they need to have; with that program as it is going by, there are 300 applications in hand, and what staff was going to do is suggest to the Board if it wants, it gave him the ability to extend the application period beyond Monday, and what staff was going to do, unless the Board wants to do the approach that Chair Lober mentioned, was to continue accepting new applications; any application that was received by August 10, pay the full amount because they do not anticipate that it will get to the \$10 million, and then continue accepting applications that are in process until such time as there are enough applications submitted that would reach the Board approved amount, which right now is \$10 million, unless the Board decides to extend it by whatever amount; but they would accept enough applications to reach the threshold, that way they would all get the full amount once they complete the review. He added what staff was also going to suggest was to start paying out the dollars now; and he noted the Board has made repeated comments about wanting to get the money out as quickly as possible. He further stated that under the prior approach staff would have to wait until it evaluated everything to make sure there was enough money or not and to provide a portion of the amount; by doing this approach, it would not have to be done that way; staff is looking for Board direction on that; and he asked if the board wants to address that issue now.

Chair Lober responded the Board could do that now then he could turn it over to Commissioner

Tobia and Commissioner Isnardi for questions; he stated in the memo he mentioned, even with what he was proposing that the County would pay out in the full amount all of those applications that qualified, and were received on or before August 10, which is this coming Monday; he does not disagree, he thinks it is a good move regardless, presuming the County does not exceed that \$10 million that has been set out; he does not think it will get anywhere near the \$10 million, but he would still put that caveat there so they do not find out that it is now \$30 million because every business that has ever existed in Brevard County is now applying on the last day; and he does not think that will happen, but this is to be safe.

Mr. Abbate stated he has two points of clarification because it would be important for the businesses especially if they are watching this now; any business that is operating right now in Brevard County under the State Statute should have a County business receipt; as a matter of fact, Statute provides the County is obligated to give the cities a proportionate share of what the County collects; that County business receipt is \$37; many of the cities have their own which is another statutory provision; and some of them charge substantially higher, but they are still required to get a County business receipt. He went on to say there has been a lot of good success because the County is not saying no to people who do not have it, what they are telling them is to get the upcoming one, apply, and as long as they show a receipt that they have applied for 2021, they are good, so they get that checkmark; they have actually added a significant amount of business which were not previously registered by going to that process; and if the Board is okay with that then they will continue to do that.

Chair Lober stated as to the suggestion he mentioned and also the memo that they have at least a municipal receipt, he would take that back and still leave that they have to have a County business tax receipt, he just did not realize that; and if that is helping people get in conformance with the law then he would like to do it that way.

Mr. Abbate stated he wants to say, so that the County does not inhibit people from applying, that currently if they receive PPE or any other Federal assistance the County is still accepting their applications; staff is doing exactly what the Board said, already they are making sure their revenue loss or expenses related to COVID-19 exceed what they have received; and as long as they do that, as long as they received \$20,000 in PPE and other Federal assistance and had \$35,000 of revenue loss or COVID-19 related expenses; he emphasized it has to be COVID-19 related expenses and he thinks one of the reasons some of the businesses are struggling with is they are giving staff their expenses from March through June but if it is not through a period of closure then it is not necessarily a COVID-19 related expense so it would not qualify; and that is one of the issues that staff has been having, but if they have the revenue loss and can show that it is more than what they received, then that difference is something that would help them qualify for up to the \$10,000 amount. He went on to say staff is doing that and they will continue to do that; one thing that Chair Lober mentioned was going beyond that \$10 million amount, and if the Board chose to do that, staff needs to know that because if they chose to go the way staff has suggested, what it would change is the \$10 million to \$12 million or whatever the Board thinks is appropriate; and staff would continue accepting applications until they would all, if qualified, run out of whatever the Board amount was that it provided to staff.

Commissioner Tobia stated he will reserve the time until after CareerSource.

Commissioner Isnardi stated for her the suggestion was going to be what Mr. Abbate's was; there was not a memo on this other than Chair Lober's memo, but it was expanding the amount of time for people to apply because she thinks people were getting nervous that they were not going to be able to get their stuff together; she is excited that the Board is going to do that; anything the Board can do to get these funds out sooner, she does not want the County to be with tens of millions of dollars when it could have gone directly to help, even with direct

assistance; and if Mr. Abbate is saying the Food Stability Program is already getting close to capping maybe the Board needs to look at expanding that number too, along with the assistance for rent and the utility assistance.

Mr. Abbate noted he would be glad to bring that back.

Commissioner Isnardi advised as long as it is COVID-19 related she cannot see why it would not be a good idea.

Mr. Abbate noted Mr. Golden would definitely be more than happy to come back to the Board on that.

Commissioner Smith stated he would like to double up on what Commissioner Isnardi said about the food assistance; he thinks that would be well worth something that the Board should do; he would like to see the Board extend for the non-profits too; and he asked if that was in the plan.

Mr. Abbate advised it is.

Commissioner Smith stated he agrees also that the County should be paying out now to the businesses that have already qualified, he does not want to make them wait, and he wants to get them their money and let them move on.

Mr. Abbate advised he just needed to come back to the Board for that approval because of what was previously approved.

Chair Lober stated in light of what he has just heard he would like to modify what he proposed or would be asking for; he appreciates the clarification from Mr. Abbate, he does not think they were connecting on a couple of those items and that is entirely his own fault; with that said, and everyone seems to agree that after Monday, August 10, presuming it has not exceeded the \$10 million that was set out, that staff as quickly as they are reasonably able to, get those folks that qualified paid for whatever amount they qualified for up to the \$10,000 cap; and he asked how long the County is leaving it open.

Mr. Abbate advised they were going to leave it open until Monday; and originally it was and ten business days, so they left it open for 14 calendar days.

Chair Lober asked since there is another meeting within that time frame, he would like to do a second application period to run back to back starting as soon as this one runs out, so starting Tuesday open a second round of funding; he thinks the Board has already addressed what it would do with respect to those folks that came into that first pool, and the second pool there would be another 10 day period and it could be readdressed before that 10-day period runs out, just as it is doing now, where instead of capping it at \$8,000 per business leave it with \$10,000; he does not think there is a reason to penalize them at this point; and it will keep the same requirements as previously; and essentially it will be a second funding program, the folks that got in earlier have the advantage of getting paid sooner but they are not being treated any differently.

Commissioner Isnardi stated that sounds good.

Chair Lober reiterated he is talking about paying out on the first round with the caveat not to exceed the \$10 million and then the second they will take whatever is left over in that first round to take the difference and add it what is left over to come up with the second pool of \$10 million to use to fund that second opening portion again with the same criteria so Commissioner

Smith's concern with the non-profits is incorporated with that same exact criteria, it is open to the same people, no more no less; and he asked if Commissioner Pritchett's motion contemplates all that.

Commissioner Pritchett replied she was just going to add another \$10 million to it because they had \$40 million and pulled ten out, so maybe it could just be a total of \$20 million because the Board is probably going to have to find a way to get that into the hands of businesses anyway; and it could always be pulled back if there is stuff left.

Chair Lober stated the Board can do what it wants to do but he would be more comfortable adding it later just because he his concern is if it over allocates with four months left in the year, it is harder to take it back once it is out there; and it is much easier to add it like what the Board is doing right now.

Commissioner Pritchett stated but if there are enough businesses that come in and need it that would feel really good to get it into their hands.

Chair Lober stated if this makes Commissioner Pritchett more comfortable, if it makes sense the Board can ask Mr. Abbate to reach out to him and let him know if they are getting remotely close to it running out, he will call a Special meeting, and he does not mind; and he thinks everyone is good with that too.

Commissioner Pritchett stated that sounds good.

Chair Lober stated he is not looking to remove anyone's opportunity to get funded if they qualify; and he will present it to the Board again if that is the case.

Commissioner Pritchett stated she would not mind putting another \$5 million towards Mr. Golden if he needs it for housing and food too.

Chair Lober asked if that amount makes sense.

Mr. Abbate stated he is going to address one other issue but he wants the Board to deal with the motion here first so he knows what number he is looking at.

Commissioner Tobia stated he has a couple things as he did not know the Board was going straight to \$10, \$20, or maybe \$40 million so quickly; it seems as though the consensus here is to get money in people's hands as quickly as possible; while he disagrees with that sentiment, the way the Board is proposing to do that is to give it to businesses which is another level; if the Board really wanted to get this into people's hands it would do as the Trump administration did and give people a \$1,200 check; that is what gets money into people's hands; and then conceivably those individuals then spend the money at the businesses. He reiterated that it goes to the people first before businesses; he advised he is not advocating either, he is just saying there is inconsistency in the argument; he would like to give an alternative; he appreciates going through the white paper and he spent a lot of time with it, had he known the Board was going to discuss this in such great detail he probably would have done this, he looked at what other counties were doing with this money and a number of the other counties were distributing money to their municipalities; constantly it has been heard that government closer to the people is better; the people in Titusville understand what runs the businesses in Titusville better than what the Board does at the County level; and he is not advocating for giving pots of money as suggested but in retrospect it is probably better than the path the Board is going down here. He noted Commissioner Pritchett mentioned the Board needs to sharpen its pencils because there are going to be some revenue shortfalls; he is trying to put this stuff altogether to see if the Board can accomplish all of these goals; he actually thinks



there is a way; as the Board knows it is on the hook for approximately \$7 million a year in Community Redevelopment Agency (CRA) payments; the Board can turn over some of this money to cities in lieu of fronting the CRA payments so they would get all of the money ahead of time and local governments could then conceivably end the CRA Districts, front the money to those businesses in the ways that they see fit, and give more local control there; and he mentioned there are CRA's in every District. He went on to say if the Board was to front the money for the life of the Tax Increment Financing (TIF) payments, it would be in the range of what is being discussed, \$20 or \$30 million; when there is \$7 million a year coming out of the General Fund, this would fill a hole and not decrease any level of service as well as give the local control to the municipalities; and if they wanted to hand it to businesses or individuals, as long as the Board enters into an interlocal agreement where the Board would be indemnified for the proper use of the CARES fund, the administration would be handled by them and the Board could get the money out quickly; and it would save the General Fund budget millions and millions of dollars, not only this year, but into the 2040's.

Commissioner Pritchett inquired if the Board can do that.

Mr. Abbate explained to do that there would have to be an interlocal agreement; and what he is suggesting is that the CRAs would stop.

Chair Lober commented his thought is Commissioner Tobia has brought up something that frankly he does not believe has occurred to any of the other Board Members, and certainly not to him; there is good and bad, first is the philosophical question, and he does not know if there is a right answer, where if the Board gives people money then they can spend it at businesses, that makes sense; if the Board gives businesses money and they employee people and pay them, then they can spend money at businesses; he does not know where it is best to start that, he has his opinion, but that is not necessarily any better or worse than Commissioner Tobia's opinion; and however, he understands where Commissioner Tobia is coming from.

Commissioner Tobia stated if the Board were to hand it to the cities, the individual cities could make that decision instead of the Board making that decision.

Chair Lober stated the indemnification idea is great because he hit the biggest concern that he had about the Board being on the hook because the Board is the one who received the money and the conditions apply to the Board, that if someone does not qualify now it can be clawed back and the cities can be on the hook, so that makes sense to him providing they have assets that are sufficient to actually suggest that they are able to indemnify the Board other than just giving the Board their word of honor; however, he has taken a more of a centrist approach with the CRA's than he thinks than any other Commissioner, and he is not trying to pat himself on the back because probably half the people love it and half the people hate it; but he has not had a problem making use of funds that would have otherwise gone to CRAs to improve infrastructure in the area; he did that with the Sykes Creek Bridge on Sea Ray Drive, and that was kind of a combination of carrot and stick approach; he thinks they knew the alternative approach was not necessarily going to be to their liking, and it benefits the same people it would have benefited from them spending in a different way, and perhaps a wider audience; however, his concern with this is he does not know that without the ability to think it over and to run it by the Board's colleagues at the cities, if he can support this tonight. He noted he really wants to be a good partner to the cities; and if it is something they are interested in, he would feel a lot more comfortable going forward.

Commissioner Tobia stated he is sorry he did a poor job; since this would be an interlocal agreement and both parties would have to agree to this type of contract; Titusville for example, the Board is on the hook for a TIF payment for \$288,000 for the next 20 years; if the Board were to hand roughly that math, \$5 or \$6 million to Titusville and conceivably Titusville could

make the determination on what businesses or what individuals; and that would free up money in the General Fund. He noted he is not opposed to spending that money on infrastructure in Titusville, there are County roads that are all over Titusville; what it does is it gives the Board more discretion to make the determination with the funds that the Board collects; and the CRA's would have the money upfront so they could decide how to best expend those monies, and they would be held harmless in this. He added in fact an argument could be made that not only would they have more flexibility with their businesses, they could not directly do it, but they could look at their debt structure and how it wanted to handle it that way; and his motion would be to ask the County Manager and potentially the County Attorney to reach out because this just came to him this morning and in all honesty looking at what other counties had done with this, to see if they are interested because if the cities are not interested in receiving these funds then this is obviously a moot point. He commented he thinks it is something that probably could be done in very expeditious fashion.

Mr. Abbate advised it would have to be spent by December.

Commissioner Tobia noted there is indemnification so he does not think any city would spend it incorrectly, but if they did, while the Board would be on the hook technically for it, the indemnification would allow the Board to go back to the cities the exact same way that Satellite Beach spent CRA funds incorrectly, and had to return those funds back to the Board; and he trusts Titusville and Satellite Beach would do it, but just in case they do not, they have the revenue source to repay the County over time.

Chair Lober stated his thought with this, looking at the numbers and doing the quick math, not being a Certified Public Accountant by any means so hopefully it is decent enough, this is not mutually exclusive even if the Board wants to do this from anything that is being talked about today; with the amounts being talked about today there will be eight digits left over; and the Board can absolutely approve everything being talked about today or some percentage of what the Board wants to approve tonight, and the Board can come back and do this with the remainder.

Commissioner Tobia stated unfortunately it is mutually exclusive; the sheer number, the Board is on the hook from General Fund for more than \$7 million per year in TIF payments for the CRAs; when looking at that some go as far as 2042; the Board could very quickly go through the unallocated, plus other money; and just looking at the three below the line, the Cocoa downtown, the Melbourne downtown, and the Titusville is \$25 million right there.

Chair Lober advised the worry he has, he thinks everyone is focused on getting the money out to the people that need it quickly, even if it does not cover 100 percent of what Commissioner Tobia is looking to cover; if it covers 80 percent he is still getting the vast majority of what he has suggested; that may be great and he is not suggesting it is not, he just does not know at this point because it is so fresh in his mind; he has not had a chance to talk with the cities about it; he does not want to place everything else on hold seeing how this other program is no longer going to be available after Monday if the Board does not take action on the motion that was seconded; and again, he might support it in the future, and he is not saying to kick it off.

Commissioner Tobia stated he is sure Chair Lober has the votes; he asked if Chair Lober could bifurcate the motion because he has no problem with extending the initial program to \$10 million, the time period to allow folks and even pay out the ones that got it in on time; but Chair Lober is talking about allocating another \$10 million.

Chair Lober stated he can get behind that.

Commissioner Tobia stated he would have a special meeting on this and for all he knows the

cities are not amenable to this; he imagines if he is a City Council member in Titusville and the County asks if they would like some money upfront that they can spend right now in the areas of the CRA, he would think that, he would like that discretion; he reiterated Brevard County would not be the first County to be doing this; Miami-Dade allocated just under 25 percent of their funds to the municipalities in their areas; and it started at \$30 million and ended at just over \$100 million.

Chair Lober stated he may end up withdrawing his motion and making a new one.

Commissioner Smith stated he likes thinking outside of the box; he likes trying to wrap his head around what Commissioner Tobia is saying; he does not want to get off track because the Board is working on one thing and he is jumping in with another; there is an awful lot to be considered with what he has said and a lot that the Board could go over; his first thought when Commissioner Tobia first mentioned it was one-year, he was not thinking about doing the whole six, 12, or 15 years; and number two, there are cities that do not have CRA's so they will be left out. He added those are the things that need to be talked about and that is why he is thinking the Board should put this off until the next meeting and just keep going forward with what the Board is doing here, to get that out of the way.

Chair Lober stated he is kind of torn at this point and he would like to hear from Commissioner Isnardi.

Commissioner Isnardi stated she thinks there are a lot of moving parts here and the Board just needs to take a breath; she likes Commissioner Tobia's idea and she thinks there may be a way, if he gets someone to buy into an interlocal agreement, odds are they are not going to have to be paid out 100 percent because if some of these CRA's are 20 years in the future, that expectation of getting 100 percent payout early and upfront would be unrealistic, even if they are willing to do the interlocal; therefore, the Board would be able to actually get out cheaper than that entire number if there is \$20 million left on a CRA or \$15 million, the Board may be able to get out of the CRA with eight of it; and it is always a possibility but she thinks there needs to be a temperature check on where these cities are because she has a feeling it may not go as rosy as the Board may hope. She reiterated she really likes the idea though; however, she would like to see it on paper as well.

Chair Lober asked what Commissioner Isnardi's thoughts are on either just extending the existing program without upping the funding or alternatively going the way that was originally discussed.

Commissioner Isnardi noted she is fine with that; and she asked if the Board is talking about meeting. She advised she wants to extend the applications of course.

Chair Lober stated he just wants everyone to get the information before he turns it over; he noted what the Board may end up doing, and he will certainly go the way the Board wants to, he is not too solid in either camp at this point; he asked if the Board were to hypothetically extend that, it would keep, as far as the two portions of the motion that was made and seconded earlier, they had set up the new round with a full \$10 million complement partially funded out of what was left over from the first and partially out of the unallocated, the other component was paying out to those folks who qualify up to max, presuming the County does not exceed \$10 million which was allocated for those who get in before the deadline on Monday; he would be okay with the second and he thinks everyone on the Board is okay with latter of those two things, paying out those folks that get in presuming everything that was discussed is able to be achieved; and however, if the Board wanted to go ahead and extend that until the next meeting or a few days after the next meeting is that something the County Manager thinks is feasible without altering the amount that has been allocated to do it.

Mr. Abbate advised that could be done or the Board could just authorize him to continue accepting applications until they reach that amount of money; and they still have other applications in process that they can go back to if the Board wants to extend it beyond that.

Chair Lober stated he is thinking he will withdraw his original motion; he would keep the first half of the motion and add a new motion as far as paying out with all the caveats that have been discussed and laid out in the memo and at the dais, and then additionally authorize the County Manager to extend the existing program until he reaches a level of concern at which point he will reach out to him, and he will call a Special meeting if it is not coming up in a reasonable amount of time on an existing meeting that has already been scheduled.

Mr. Abbate asked for clarification that it would just be the original \$10 million.

Chair Lober replied that is correct; and he stated if they get to \$7.5 or \$8 million to reach out to him because at that point by the time the Board gets a meeting together and does what it needs to do, it may be really nearing that \$10 million mark. He asked Mr. Abbate where he thinks the County is at right now in terms of the numbers.

Mr. Abbate stated they are way below \$3 million.

Chair Lober announced he does not think they are at any risk based on that being way below \$3 million.

Commissioner Pritchett stated she thinks that is a good idea but maybe the next conversation the Board should find out how much money Mr. Golden needs; she really wants to get money out to him; she is thinking about the CRA thing; if she was a city CRA and the Board was offering that money, and if she were to take that money and had to use it on COVID-19 then she loses the ability to pay other bills; she loves the idea if the Board can figure out how to do it and get it into their hands, and cut off an obligation the County is going to have later; she thinks it is going to have to be a carrot and a caveat; therefore, she does not know about it; she noted she loves the idea of getting it into the cities and let them start handing it out; they are closer to the people and they might have an easier time; and it takes a little pressure off the County staff.

Chair Lober stated Commissioner Tobia is the only light on right now, before this gets too detached from the motion that was made, he would like to Call the Question, then he will turn it over to him.

The Board authorized the County Manager to continue accepting applications until the program reaches the \$10 million previously approved for the Small Business Program; authorized the County Manager to contact the Chair to schedule a Special meeting with the Board of County Commissioners when the amount to be distributed reaches \$7.5 million; and approved distribution of payments, with all the caveats, to those who have already qualified.

**Result:** Approved

**Mover:** Bryan Lober

**Second:** John Tobia

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

Commissioner Tobia reiterated this would be an interlocal agreement, therefore, it would be up to the cities to make the decisions; if Mr. Abbate can negotiate that, obviously a CRA would look at TIF payments and they assume TIF payments would increase over time, 100 percent payout may actually be less than what they would receive over a period of time; Commissioner Smith brought up a very good point, there are cities that, in his opinion, made the wise

economic decision not to enter into a CRA; he has some calculations of handing over money to those cities in the same fashion the Board would based on population as well; Indialantic does not have one and they should not be penalized for not doing that; and they would get a payment and since there is no CRA, all the Board would need is an indemnification that the money has to be used for those types of purposes. He added this was just a starting point with the CRAs, but he did not want to leave Grant/Valkaria, Malabar, or Mims out; this certainly would turn over the burden; and he asked when the Board gets a little further he would like to authorize Mr. Abbate to at least make those calls and see if that is something they would be interested in because if they do not then the Board needs to move forward with an alternative plan.

Chair Lober inquired if Mr. Abbate feels he needs a motion.

Mr. Abbate stated he would like the motion so he can tell the cities.

Chair Lober stated he will take that as a motion and will second.

The Board authorized the County Manager to contact the cities with Community Redevelopment Agencies (CRAs) to see if they would be interested in entering into an interlocal agreement to accept the CARES monies, to be distributed, as payment for the CRA funds from the County.

**Result:** Approved

**Mover:** John Tobia

**Second:** Bryan Lober

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

Mr. Abbate asked if he could go back to the Housing and Utility Assistance; he would like to know if the Board, and he noted it would make it easier for staff to get the funds out earlier, that there was a provision in there stating there has to be a 25 percent income loss, if staff could eliminate that position and just let the applicants prove to staff satisfaction that they had losses that were COVID-19 related, instead of having to show a 25 percent because the State is not requiring the 25 percent.

Commissioner Pritchett stated she will make the motion to change that.

Chair Lober inquired where the numbers are because he wants to make sure the County is not putting itself in a bad spot.

Mr. Abbate stated the actual dollars that went out are low; he believes at the rate Mr. Golden was going he is at \$1.6 million; however, \$4.4 million was the dedicated amount. He added staff thinks that will help get the money out.

Chair Lober inquired if Mr. Abbate thought it was safe to just get rid of the 25 percent or maybe reduce it to 10 percent and see how that goes.

Mr. Abbate noted if the Board gets rid of it then it takes that burden away; theirs is a more difficult process; and that it what is happening right now.

The Board granted approval to eliminate the 25 percent loss of income requirement for applicants, the applicant just has to prove, to staff satisfaction, they had losses due to COVID-19 in order to receive housing and utility assistance from the CARES Act.

**Result:** Approved

**Mover:** Rita Pritchett

**Secunder:** Kristine Isnardi

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

Chair Lober stated as far as the food stability that Commissioner Pritchett wanted to get into, he would like to address that real quickly.

Commissioner Pritchett asked Mr. Abbate if staff can wait until the next meeting to add money to the Food Stability Program until the next meeting.

Mr. Abbate advised that would be fine, Mr. Golden is going to figure out what the needs are, and he will have it ready at the next meeting.

Commissioner Pritchett noted she is open to putting another \$5 million, so she wants the Board to think about it.

Chair Lober stated he would ask for staff recommendation when they come back with that, whether it is \$2 million, \$3 million, or \$5 million, he wants to know how much staff thinks it will take and how long it will fund it; and he would be happy increasing it to some reasonable amount. He further stated to recap what the original ask was that he had suggested, the Board allocated \$750,000 to CareerSource to fund every business that applied with one employee; it would require \$1.5 million additional if the Board wants to fund those businesses which asked for more than one employee, whether they asked for two, 20, or 2 million employees to fund those for a second employee; not beyond that so the ones who asked for two will get everything they asked for and those who asked for 10 will get two-tenths of it, and that is another million; therefore, his ask would be \$2.5 million. He continued by saying to him the \$1.5 million is a lot easier because everyone would get at least one; the only question in his mind is the second question of that million on top to fund those businesses that requested multiple or that second employee; and he asked for those from CareerSource to come to the podium.

Judy Blanchard, CareerSource, stated she would like to provide the Board an update of where CareerSource is at this point; the program is up and running; they have the application period open for 10 business days, 12 calendar days, and in that time they received 160 applications from small businesses, 50 or less employees, for-profit and non-profit, and they had to be operational as of January 1; as the applications were coming in tandem, Thomas LaFlore and his team were assigning them out and starting to connect with those businesses; and to date the 160, the team is working diligently to connect with the employers and get them the documentation that is required to ensure eligibility to move forward. She added they have 31 employers that have completed those required documentations and they have been referred over to the staffing agencies; she reminded the Board the individuals that are being rehired by the businesses that were affected are actually being employed through a staffing agency which eliminates and alleviates any liability for things like worker's compensation, payroll taxes, or any types of businesses that those individuals want to take part in; and then there is no hit to their unemployment rates if indeed they have to release them again at the end of the program. She further stated they have 24 of those applications in process with the staffing agencies and as of the middle of this week, they have put 10 individuals back to work; the average wage of the individuals at this point, those that they have been through and processed, is \$19.91 an hour; they are really pleased to see that the wages are much higher than what they originally estimated that it would be when they asked for the \$750,000; they did not know what the response would be, but she thinks it indicates that there is a lot of value and a lot of need in 10 days to have 160 applications; they have seen wages from \$12 per hour up to \$45 per hour; they are not seeing any recurring theme in the applications other than it is across the board, so the need is there; the applications are coming in all across the County from Titusville to South

Palm Bay; and they are in accommodations, lodging, retail, customer service, health care, entertainment, transportation, legal offices, and engineering offices. She went on to say as Chair Lober indicated with the \$750,000 that they have, based off of the wages, that the business indicator was the prevailing wage to the individual in which they want to rehire; at this point they are only going to be able to fund 33 percent of the 160 applications, which is about 53 individuals; she mentioned \$1.5 million, based off of the wage of the 160 applications for the first individual that they indicated was their priority to bring back, that is where the additional funding would be needed if the Board approves on at each business that they received an application from; with that she will answer any questions that she can; she introduced Thomas LaFlore, Industry Relations Manager; and she stated it is his team that is executing the program, and that they are doing a phenomenal job in a short period of time.

Chair Lober stated he does not know where folks are, but his thought, and obviously everyone has their own position with respect on how to best handle this; he really thinks at a dead minimum the Board should do the \$1.5 million to give everyone their one employee; he thinks that is something that will have a very quick impact on the local community; he has heard there are some people already back to work as a result of what this Board has done; his only question is where the Board is on doing the multiple; and he does not think that if someone asked for 100 employees that the Board should agree with that, there has to be a limit so the Board makes this money touch as many businesses as possible, and as many individuals as possible. He added he does not know that he has a problem with the second employee for those that asked for multiple; he understands why the suggestion is leaving it at that, he thinks it is reasonable; however, he does not know where the rest of the Board is on it.

Commissioner Smith stated two works for him.

Chair Lober explained it would be \$1.5 million to fund the remaining two-thirds with one employee and then another \$1 million to fund everyone that requested more than one, whether it was two or 20 with an additional; and he stated if Commissioner Smith is good with that and wants to make the motion.

Commissioner Smith stated he is good with that and he wants to make the motion; and he thinks this is putting in the hands of people who need a job, have a job, and it will put them back to work so they can buy their own food, pay for their own rent, and they can be in the community spending money.

Commissioner Tobia stated Commissioner Pritchett brought this up and if he would have thought about it a little more he might have been on the other side of the fence; he is just trying to do the math; and he asked if Ms. Blanchard said one was \$45 per hour, and to times it by 40 hours per week for 16 weeks.

Ms. Blanchard responded in the affirmative.

Commissioner Tobia stated then there is overhead on top of that with administrative costs and all of that is roughly 11 percent.

Thomas LaFlore mentioned with the \$45 what they have to do when receiving the applications was look at a scale.

Commissioner Tobia interrupted saying he was just taking a number.

Mr. LaFlore stated he was trying to explain.

Commissioner Tobia advised that is their number and that he does not have to explain, just tell him what the overhead is 10 percent, 15 percent, or 11 percent.

Ms. Blanchard answered the administrative fee is 11 percent on the grant and that is required Federally, however, there is an administrative fee that the staffing agency adds on top of the wage; and that is all based off of the occupation.

Commissioner Tobia asked to ballpark that.

Ms. Blanchard responded 20 percent on top of the wage.

Commissioner Tobia commented he just wants to understand if this is \$45 times 40, plus 60 and it is roughly at \$30,000.

Ms. Blanchard responded affirmatively.

Commissioner Tobia stated and then to add 10 percent on top of that brings it to \$33,000 and then the staffing agency needs 20 percent; he does not know if they are going to add the 20 percent to the 10 percent because that is like taxing the tip and he hates when they do that; just doing the math, that is looking at the neighborhood of a little over \$40,000 to employ someone that he is not sure that company would otherwise be employed; and it is terrible that people are out of work but he wants to get the biggest bang for the buck. He added when the Board is focusing \$40,000 on one person, he does not know if that is the best expenditure on resources; and when people say it is great that wages are higher, in all honesty, if the Board is going to do a direct handout he would almost rather the wages be lower because if the wages are lower, the Board can help more people meet their basic benefits, that being rent. He went on to say conceivably someone making \$45 per hour, that is \$90,000 a year and more than he makes teaching; that person had better of saved up for rent, a house, or a car; he is concerned about the person who is making \$9 or \$10 per hour that does not have the luxury to pay for Florida Pre-paid or car insurance six months at a time; he thinks those are the folks, and that is not very Republican-like for him to say, that the Board needs to focus in on the people who have probably been impacted the most by this, but it is not the person who makes \$90,000, it is the person making \$11 or \$12 per hour; and he commented he is sorry but when the Board is helping people, and by Ms. Blanchard's own admission that are making \$90,000 per year, and then when it is adding 30 percent administrative costs on that, unless he is missing something, he does not think it is the best use of funds.

Chair Lober commented he understands where Commissioner Tobia is coming from, but the fact is whether someone is earning \$20,000 a year or \$120,000 a year if they cannot afford their rent or mortgage because they had lost their job on account of COVID-19 or were severely underemployed on account of COVID-19, it is still a problem; he knows when the Board looked at the Housing Assistance Program, it talked about that as well and he thinks it was something that everyone appreciated the concern that if someone cannot pay their rent because of a virus that no one would have predicted came through; and it is still a concern and it puts people in a spot.

Commissioner Tobia stated he will just go back to what the President did, he said if someone made more than \$75,000 then he was not giving them \$1,200 and if someone made more than \$99,000 then he was not giving them anything; and the United States has a conservative President who is taking a different tact than what Chair Lober would be advocating for.

Chair Lober stated it is the 80/20 rule with respect to that; he does not agree 100 percent of what anyone does, including his spouse; he does not know and he certainly never heard from staff that they are comfortable saying they can place applicants as well for the same or lower cost; that is the real question for him because the Board can talk about all sorts of things, but if someone wants an apples to apples comparison that is really the question; and he has not heard at any point in the process, from Mr. Abbate, anyone in the County Manager's office, or



anyone under that umbrella that the County has the ability with a reasonable degree of comfort to say it can do the same or a better job for the same or less money.

Commissioner Tobia stated he is not arguing with Chair Lober; he just has a fundamental difference in where government is; he does not think the Board's job is to make sure that Joe's Crab Shack has someone that is working the fryer or someone that is managing it, he thinks the Board's job is to create a level playing field so it encourages these businesses to go there; therefore, he is not arguing that the Board cannot do it for any less, his argument is that the Board should go for the public welfare, infrastructure, and the people who fall through the cracks, those folks are ill-equipped and for one reason or another do not have the ability, and these are not the people making \$90,000.

Chair Lober stated he hears what Commissioner Tobia is saying.

Commissioner Tobia continued by saying the Board should focus in and even he has said food assistance is important; for these folks, that is a fundamental need, one that the Board needs to take care of; but he wants the Board to understand, these people by their own admission, it is \$90,000; and what Commissioner Pritchett pointed out, and he did not understand and probably should have listened more, but this is 10 percent and 20 percent, and this is almost a government handout and he does not know that the staffing agency should receive any money if they are getting 20 percent off the top of \$2.5 million.

Chair Lober stated he would like to address some of the points that Commissioner Tobia has mentioned; as far as the contention of what the Board should be spending the money on, he does not necessarily disagree with him, but the Board does not have the luxury of spending it on things like infrastructure out of this funding, it is just not an option; he agrees the Board should be covering the people who are falling through the cracks; and what he is talking about doing tonight and what the Board started doing before is covering exactly those folks. He went on to say he is talking about these people who have had a profound change in their income due to something that arguably is no fault of their own; he is with Commissioner Tobia in the sense that this whole program that was instituted by the Federal government, he thinks it is terrible for future generations; however he is not going to take the money that they have given the County to prove a point that no one other than the County will get and send it back. He continued by saying he wants to make as much use of the money the County has available; frankly, the Board has the ability to help a lot of people across a broad spectrum of society, the people who are poor and the folks who are middle class; \$12 is not a tremendous wage, but \$45 is certainly a decent wage; and he advised the Board is talking about out of the \$105 million, at most \$2.5 million, which is the potential vote if the Board were to include everything today.

Commissioner Isnardi stated she does not have a problem with helping small businesses but essentially the Board is helping CareerSource get an administrative fee, which is not their goal, the Board is helping a staffing agency get their profit from the employee, it is helping the business with a free employee, and if the Board wants to help small businesses and help people get their jobs back, it should be directly giving money to the businesses; she appreciates the effort, but she does not think it is the best way to do it; and she feels like the Board is going around the block when it can go directly to the businesses. She noted she would rather give them money directly; they can show the COVID-19 loss and the loss of employee because they cannot afford to pay them, she would much rather give that money directly to the businesses to help employ that person; therefore, then no one is getting paid administrative fees or commissions.

Chair Lober inquired who would handle that.

Commissioner Isnardi stated it would obviously be through the same application process that

the County uses now; it would still be the Small Business Program that applies for the grant or for the funding; they would show to staff, just like they have shown their COVID-19 loss, and just throw that in as part of the application; she mentioned the County should not be vetting employees and using a staffing agency; this is a program that the County is not forced to use, it is a program the Board is choosing to use, with CareerSource; and she does not think it is the best use of the funds.

Commissioner Pritchett stated she thinks CareerSource is wonderful and the Board went to them, they did not come to the Board, so this has nothing to do with Ms. Blanchard or Mr. LaFlore; she commented she is with Commissioner Isnardi on this; she thinks instead of giving a company \$14,000 to keep some employed and only giving the businesses \$10,000, she thinks it would be better to just up the businesses so they can hire more people; and then the Board would reach its goal and not be paying the extra 30 percent, and the surcharges.

Commissioner Smith inquired how the County wound up with CareerSource; he stated he thinks it was discussed at the last meeting that they are in the business of doing what the Board asked them to do; they do not work for free; and he asked if that is correct.

Mr. Abbate commented as Chair Lober said, he initially approached them.

Chair Lober advised that was correct.

Commissioner Smith stated he gets what is being said; and he agrees 100 percent it would be nice if the County could just skip CareerSource because that gives the County 20 percent more.

Chair Lober advised it is 11.

Commissioner Smith went on to ask how the County would get the monies out there; who is going to administer it; he noted the County already has a staff that is overwhelmed with doing what they normally do, now they are doing COVID-19; and he does not know if there is an answer.

Chair Lober asked Mr. Abbate if, as a County organization, they are able to place the applicants as well for the same or less dollars; he mentioned he just has not heard that from anyone in the County umbrella; if Mr. Abbate can tell him yes then that changes the equation entirely; and he reiterated he has never heard that.

Mr. Abbate advised staff took on the Small Business Grant Program, they are going to do it very cost effectively, relatively; that is 1,000 something applications where the four Chambers of Commerce were not in the position to do it; staff is very dedicated to getting something done and they are going to do it; he would not ask them, based on where staff is now, to add an additional burden of trying to do this program on top of that; and it is not that he does not think staff has the ability to do it, from a staffing perspective and everything going on they are dedicating a lot of resources right now to do the Small Business Program and everything there. He went on to say he does not see, at this point, where staff would be able to do it.

Commissioner Isnardi stated she wants everyone to keep in mind the Board is choosing, or looking at this as an obligation to place applicants and that is not the County's obligation; the Board is trying to decide how best to allocate these monies; if that money is put directly to the businesses that shows that they have had to let employees go, she believes staff could handle that; and she asked Mr. Abbate if that is correct.

Mr. Abbate stated yes.

Commissioner Isnardi pointed out she is talking about an application program, getting people re-employed and all that.

Mr. Abbate responded affirmatively, that it is different.

Commissioner Isnardi stated what she is saying is that this is not a requirement of the Board; this Board has not said to Mr. Abbate, as a collective that this is what he needs to do and this is what is being done and it is carved in stone; this is something the Board chose or something that it is discussing as a possibility of doing; and there is no obligation that it be done.

Mr. Abbate commented, of course.

Commissioner Isnardi stated, she like Commissioner Tobia, of course he hates the program, but she would much rather get that money directly to the people in the most painless way possible; now writing a stimulus check to every Brevard County resident is not feasible because they would all get less than \$200, even at the full funding of \$105 million; and she does get what is being said but she would rather give people the money directly, as well.

Chair Lober stated that is the concern he has; the County can certainly give it to businesses through the program, expand the funding, expand the amounts they are eligible for, but the concern is he wants to help not just the businesses but also the job seekers, and this is the way to guarantee that happens; if it was just given to the businesses there is absolutely no way of knowing that they will hire more people on account of that; the Board would not know what their salaries would be or if there would be a single person added; and that is his concern.

Commissioner Pritchett stated the Paycheck Protection Plan (PPP) funding when they give it to the businesses, they are able to hire back and that was mostly what they did; there was something interesting with that too and Commissioner Tobia brought it up, when that money came out, those funds did not cover payroll taxes; with the Board doing this, it is doing something the Federal government did not even do with those funds; she agrees with Commissioner Isnardi and she thinks that it should be given to the small businesses; and she mentioned if there is a small business, or maybe it could be increased to medium businesses, if they have the money they are going to hire staff because that is how they make their products, they are going to do better, and people will get their jobs. She reiterated she agrees with Commissioner Isnardi and that is where she is going to land on a vote.

Chair Lober stated as far as them hiring because that is how they make money, until the economy recovers to a degree that they have the business to justify that, he does not know that is 100 percent steadfast fact; the business has to have that environment that is conducive of them making money; if the Board puts certain steps in motion to cause that to happen or to help accelerate that he does not know that anyone individually, any government entity, has the ability to restart everything just by unilateral action; however, the Board has the ability to put people in a position that furthers that being more likely that it better enhances the chance of it occurring.

Commissioner Pritchett stated if they do not have the business they do not need to something because they are not producing; it is kind of the same thinking; after that time period, if they are not doing better they are going to lay them off anyway; and the Board is just trying to get money into the economy, but she likes doing better through small businesses.

Commissioner Isnardi stated she thinks Chair Lober is beating a dead horse; she appreciates his passion and she respects his position on it, but she does not think there is another person on the Board that wants to move forward going this route.

Commissioner Smith stated he has several thoughts; he does not disagree with Commissioner Isnardi, Commissioner Pritchett, or Commissioner Tobia, but the other side of the coin is how many other \$45 per hour employees are they talking about; and he commented he would think that is an extreme case.

Mr. LaFlore responded it is; he stated what he tried to say earlier was they have one that is \$41; one of the things they noticed that first week of applications what they decided to was any applicant earning over \$25 an hour they created scale so they would not get the full 16 weeks because they wanted to be fair with all the businesses; so just looking at the wages, \$15, \$17.31, \$18.50, \$15, \$20, \$12.50, \$18.27, and to Commissioner Smith's point that is an extreme case; what they did was anything over \$25 per hour they would not get that full 16 weeks because they want to spread it around to as many businesses as possible; and of course, when they opened it up they did not know how many applicants they would get. He went on to say now with the 160 applications, that was what the initial ask was; they have had a lot of businesses that initially did not qualify, not a lot but some so they have referred those businesses to the Brevard County grant as well; this is not about CareerSource and the Board it is about the community; and regardless of what the Board's decision is, they are grateful to help even the 53 companies.

Ms. Blanchard reiterated yes they are grateful; she reminded the Board that the application process and the criteria was for that small business criteria to identify that employee that was really their priority to bring back on staff that they had to dislocate either through a layoff or furlough; the wage associated with that individual is the prevailing wage that the business was already paying them; and they structured the program so that, that priority employee could help bring that business back around and was who they needed, so that is how that one individual was identified.

Commissioner Tobia stated he appreciates what CareerSource does; it is not negative that there is ancillary businesses that benefit from the work CareerSource does, staffing companies pay taxes and invest in the community; it is not as though anyone from CareerSource is making a lot of money; he is more concerned about those people who have not had the opportunity to save; and he understands that \$45 may be an outlier, and he is not even concerned about the \$2 million or the \$1.5 million, his goal is to get as many folks employed as possible. He continued by saying he thinks there is a way to do that; he was looking at the median salary in Brevard County and surprisingly it is only \$27,360 according to Google which gives him a rough hourly wage of just under \$14 per hour; the money could go further if the Board were to set a cap, and he knows that is different from what those from CareerSource were saying; they were very excited that wealthy people making \$90,000 which is three times above the means of receiving those funds; but he wants to help those people who are at the bottom of the pot on the pay scale not the high. He added he is not arguing with the \$1.5 million, if Chair Lober was willing to set a cap.

Chair Lober asked for \$25 per hour.

Commissioner Tobia stated then it is twice the median salary; and he knows it sounds terrible but he does not think the board should be.

Chair Lober interjected \$20.

Commissioner Smith stated most of the numbers they were using were \$17, \$15, and \$18 so if he picked \$18.

Commissioner Tobia explained then the Board is helping people above the average, that is helping the haves and not the have-nots.

Chair Lober stated they are not the haves any longer that is the concern.

Commissioner Tobia stated but they had the opportunity; the problem is these people that go out there and have homes that they cannot afford and buys cars, yes bad things happen, but they did not save at all, as opposed to the people that did not have the luxury like he did, whose parents paid for them to go to college and get a car when they were 16 years old; he started that 100-yard dash 40 yards in; he wants to help those that had to run the full distance; and the way the Board does that is to focus these monies on the people that have not had the wonderful opportunities that people like him have had. He continued by saying he believes the Board can do that by focusing in on people who earn below the median.

Chair Lober asked Commissioner Tobia to meet him part way.

Commissioner Tobia responded, what.

Chair Lober asked again for Commissioner Tobia to meet him part way.

Commissioner Tobia reiterated the median is \$13.68.

Chair Lober asked him to round it up a few bucks, call it \$17 an hour.

Commissioner Tobia pointed out that is not a few bucks, that is 50 percent above.

Chair Lober asked what number Commissioner Tobia is comfortable with.

Commissioner Tobia stated how about, and he is just making this number up, 20 percent above median income.

Chair Lober asked Commissioner Tobia to give him the math as he does not have a calculator.

Commissioner Tobia stated \$33,000.

Chair Lober asked what that is on an hourly basis.

Commissioner Tobia stated it is \$16.41, or whatever 20 percent above the median income is if Google is incorrect.

Chair Lober asked if the Board could say \$16.50 to make it a clean number because he is obsessive compulsive.

Commissioner Tobia stated \$16.50 sounds reasonable, that way with the same amount of dollars the Board could help more people and focus in on those people who need it the most.

Commissioner Smith inquired if \$16.50 works for CareerSource and if they are being over-run with people that are asking; and he inquired if CareerSource has enough people at \$16.50 and below that they can help.

Mr. LaFlore advised they do; he commented Commissioner Smith is asking them but really it is the employers that submit the applications; he hears the number, but with the existing applications, they submit what they submit, it was not them; he explained when they opened up the program they did not put a wage amount; he further stated that first week they received some higher wages; and they thought to be fair, they needed to make sure not to make that \$45 per hour job was not paid for four months. He reiterate it is really the existing applications beyond the 53, and what they placed on it; if it was a \$20 per hour job, that is what it was; to go

back and have to say sorry they cannot help this one, but they could help the other businesses that pay less is where they are; as it stands they would be able to help about one-third of that 160; however, that is not for them if that is a doable wage, because when they opened it up there was no caveat as to what the wage could be.

Commissioner Smith agreed that the Board did not give CareerSource any parameters and now it is hearing what that yield is and deciding how to feel about that; and he noted that it has nothing to do with them.

Commissioner Pritchett commented she knows the Board is getting ready to settle this and she just has to say, if the Board does the \$16.50 per hour, then \$650 goes to the employee and \$200 will go to the agency; if it were to do the \$20 per hour it would be \$800 to employee and \$240 to the agency; just so the Board knows it is paying 30 percent off the top, it is adding to it, so if it does that \$16.50 it is going to be costing \$860 because it is having to pay that, or it can just go with the businesses and find the businesses that need employees and instead of giving \$10,000, give them \$15,000, and they can go hire employees; and she mentioned she is going to quit now.

Commissioner Smith stated his only concern is can staff do this.

Chair Lober stated he has heard they cannot.

Commissioner Pritchett stated staff does not have to set that up; businesses can come in and they are filling out the applications, then the Board can just give them more money and tell them to hire more people; staff could tell people what businesses are hiring; she would even like to know what businesses the County has been looking at because it would be very interesting to her; and she advised she is really struggling with the 30 percent.

Commissioner Smith stated he gets it.

Commissioner Pritchett stated she is not usually stingy.

Commissioner Smith inquired what Mr. Abbate's thoughts are.

Commissioner Isnardi interjected saying she is just going to interrupt because she is getting ignored; it is not Chair Lober's fault it is just that everyone just keeps talking; people can count the votes, but she is not going to support this either because no one has to do this program; she mentioned it is okay that Commissioner Smith supports it; she does not fault him for that because she believes he believes in this; however, she is where Commissioner Pritchett is and she believe the percentage the County is paying over is ridiculous. She added yes there are businesses getting free employees for 16 weeks, so she does not want anyone to think these businesses will not apply for it; they can show the COVID-19 loss and the loss of some employees; they may just be downsizing because profits are down, not because they had to close their doors; she is more concerned about the businesses that are barely keeping their doors open or did have to let employees go; and the Board could easily make those monies available with the County, they do not have to be an employment agency.

Commissioner Smith stated that is his question.

Commissioner Isnardi noted the Board members can talk in circles and they can negotiate, if Commissioner Smith is onboard she would just encourage Chair Lober and Commissioner Tobia to negotiate terms that they can all vote for; she just does not want to waste anybody else's time on this; and she suggested maybe the Board should have a Workshop because the Board is way off. She noted this is a Zoning meeting and the Board is knee-deep in CARES Act

discussion.

Commissioner Smith stated that is a good point.

Chair Lober stated he is not going to beat this more than a little bit now that it is dead; he respects Commissioner Pritchett's thought that if the Board gives the businesses the money that they are going to turn around and hire people, that is a hope; one of the things he has learned in life is that hope is not a plan, certainly not a good plan; it may happen with some businesses; and the Board is guaranteed that people are being re-employed if it goes through this route and that is why he is willing to pay a premium to get that added value or ensuring to an absolute certainty that there are people re-employed. He further stated most often that is his understanding but he does not believe it is limited to that.

Commissioner Pritchett stated Chair Lober would not go through a temp-agency if that was true because they are bringing in people who need jobs and setting them up in new businesses.

Chair Lober stated his thought is the \$750,000 that was allocated, the County is already contractually obligated with CareerSource for them to do what they are doing with respect to that; looking at a new allocation, whether it is \$1.5 or \$2.5 million, he is fine with respect to that; setting parameters for CareerSource that are more stringent than what the Board did with the initial allocation that the Board gave them, so that with the additional money they are confined and constrained to do what the Board tells them at this point are the requirements presuming they are willing to take it; and if the Board says it will fund CareerSource with an additional \$1.5 or \$2.5 million but they cannot pay more than \$16.50 per hour, then he is fine with that too because anything the Board can do to get people re-employed, and that is something the Board can do, then he would rather help them people out that it is able to help out by doing this than by doing nothing. He continued by saying to him, this is truly the only way that he has seen that incentivizes work; it is getting people re-employed and it is not just giving them money to exist; to him that is a huge reason that he approached CareerSource in the first place with this; he does not want to pay someone to breathe in air, make use of the oxygen, and exhale more carbon dioxide, that does not get the economy going, it basically allows for people to exist and vegetate for awhile hoping that things are going to get better without actually causing them to get better; if Commissioner Tobia is willing to support \$1.5 million he is happy to do that for that same sort of arrangement, capped at \$16.50, not to exceed that amount; and if Commissioner Tobia is happy with \$2.5 million he is fine with that.

Commissioner Isnardi inquired after this program of the 16 weeks, are they required to keep the employee for a year or two or anything like that; and she asked if there is any guarantee of employment beyond the program.

Ms. Blanchard advised not at this point, there is no requirement.

Chair Lober stated he thinks that was discussed in the meeting, that is going back a little ways, hours and hours of meetings, but he thinks everyone has acknowledged that some businesses will keep them and some businesses will not keep them; the percentage is an unknowable number; presumably if the Board is doing everything it can to give them infusion of resources it is giving them every possible opportunity; and meanwhile it is helping that employee be gainfully employed and contributing to the economy. He went on to say he thinks Commissioner Smith and himself are close to being on par with this; and he asked if Commissioner Tobia is good with \$2.5 million capped at \$16.50 or at \$1.5 million.

Commissioner Tobia stated if that only counted for one-third, then it sounds like \$1.5 should more than extend the need.

Chair Lober stated if Commissioner Tobia is good with \$1.5 then he would ask Commissioner Smith to withdraw his earlier motion.

Commissioner Smith withdrew his motion.

Chair Lober asked if either Commissioner Smith or Commissioner Tobia would please make a motion to authorize an additional \$1.5 million allocation to CareerSource Brevard to implement a substantially identical program with the caveat being that it is capped at up to and inclusive of \$16.50 an hour, and if they want to use some portion of that for the folks that have already done their due diligence and been early at the table to off-set some of the people who have already applied, then wonderful, to the extent that they qualify.

The Board authorized an additional \$1.5 million allocation to CareerSource Brevard to implement an identical Workforce Recovery Program, with the caveat of capping up to, and inclusive of \$16.50 per hour for employees hired through the Program, and allowing monies to be used to offset businesses that have already applied and qualify.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Bryan Lober

**Ayes:** Lober, Tobia, and Smith

**Nay:** Pritchett, and Isnardi

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

Commissioner Pritchett stated in North Brevard at 6755 South Washington Avenue tomorrow from 1:00 to 5:00 in the church parking lot they are giving out tons of food so if anyone needs food just show up and fill up the car.

**L.7. Kristine Isnardi, Commissioner District 5, Re: Board Report**

Commissioner Isnardi stated if the Board is going to have these lengthy discussions, especially with CARES Act funding the Board should probably do it in a Workshop because this is only one little slice of the pie and this money is so important; she does not want to be doing it at the end of the meeting when everybody is getting a little irritated because it is going in circles; and she noted she is getting irritated because the Board is talking in circles. She added it is no one's fault, everybody obviously cares about this money, she just thinks the Board is making decisions on the fly and she does not like doing that, and she does not feel comfortable doing that because it is too important; and the last thing she wants is an extra meeting because there are a lot of meetings, but this probably needs to be discussed in a Workshop.

Chair Lober asked if the Board wants to set something up; and he asked what Mr. Abbate thinks about it.

Frank Abbate, County Manager, stated he only intended this to be a five-minute discussion and he had no idea this was going to go that long.

Commissioner Isnardi noted she is sure Mr. Abbate thought that.

Mr. Abbate stated he would be happy to get it set up for a Workshop.

Commissioner Smith stated if the Board gets to a point where something like this comes up then go with the Workshop idea.



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Commissioner Isnardi commented someone just yell Workshop and the Board will stop talking.

Chair Lober stated as he has said before if someone needs him to call a Special meeting, he is not going to fight anyone on it, just let him know and he will call it; and he knows unilaterally that he can call it otherwise it takes two but he will go ahead and let Mr. Abbate know right now if it pertains to CARES Act he can just assume that he is okay with it and he will be the second vote on anyone's request to have a CARES Act Special Meeting; and he can set it up with anyone who wants it.

Commissioner Tobia advised that per the Charter the Vice Chair can also call the meeting.

Chair Lober agreed.

Upon consensus of the Board, the meeting was adjourned at 8:48 p.m.

ATTEST:

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SCOTT ELLIS, CLERK

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