

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, August 6, 2024

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:00 PM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 2 Tom Goodson, Commissioner District 3 John Tobia, Commissioner District 4 Rob Feltner, and Commissioner District 5 Jason Steele

C. PLEDGE OF ALLEGIANCE

Commissioner Tobia led the assembly in the Pledge of Allegiance.

F.1. Assignment Agreement Change Approval, Re: Singhofen & Associates, Inc. to Halff Associates, Inc.

Sandra Sullivan stated she is very grateful for the work that this company has done; she understands that they are being acquired, so it is great that the County is amending this contract; she would like to point out some of their very good work; she provided the Board with a document showing the company's 10-year flood plan for North Merritt Island; and as the County looks to the work and expand storm sewage on that, it needs to pay attention to what is in their hydrology study that the County spent a half a million dollars, and actually use these reports, instead of just all growth and not paying attention to the implications of growth in those areas.

F.2. Scope of Work and Budget Allocation, Re: Eau Gallie Northeast Muck Removal Project

Sandra Sullivan commented that this gives her so much heartburn; this is regarding the Eau Gallie Muck Project and changing the specifications of work; this was a \$26 million project that was for 750,000 cubic yards of muck; the quote came in for half of that amount, almost \$50 million; the issue here is, rather than fixing what is causing this problem, the County is pumping muck 8.1 miles down to Palm Bay; that is what is causing the ridiculous price, so instead the County is going to play games; it is going to reduce the amount of muck being pumped to 250,000 cubic yards; and it is going to remove the interstitial cleanup, so the cleaning up of the nutrient loading that goes back into the Lagoon, is going to be taken out. She continued by saying oh, but wait, it says the County will do a change order later and add it back in again; all it is, is manipulating numbers to make something look good that is not good; this project needs to be changed to reflect the overall problem, which is the County is pumping muck 8.1 miles because it wants to give Sarno to a city, the Sarno land that has historically been the place the County has put that muck; it is not just this one project, she is talking over \$100 million just for this round; and future costs will be hundreds of millions of dollars, because there are a lot more projects in this vicinity. She pointed out the optics of this is not good at all.

F.3. Approval, Re: Westgate Agreement Between Westgate Cocoa Beach Pier, LLC, the City of Cocoa Beach, and Brevard County Florida

Sandra Sullivan advised what this County does for the developers, the backflips it does, drives her absolutely nuts; she asked the Commissioners if he or she had seen the news about Westgate laying off about 300 people, or whatever; they are not doing so good; she provided the Board with some pictures of South Patrick Residents Association (SPRA) Park; she stated this is for the sand re-nourishment project that they just had; and she asked if the Board can see how wide those projects are, as they are not 20 feet wide. She went on by saying previously the County had a 40-foot width or 50-foot width to be able to access to put sand in that area; of course, Cocoa Beach is a major tourist location; this has been priority for sand for the County;

she asked if the Board knows that under its sand re-nourishment permits with the Federal Government, that these trucks cannot stay on the beach at night; she noted they have to come up; and she asked where the County is going to put them. She asked if the County is going to narrow that to a little, narrow pathway, where are the trucks going to be put; have the Commissioners really thought this out; and she remarked she did not think so.

Commissioner Goodson asked what kind of trucks Ms. Sullivan is talking about.

Ms. Sullivan replied they had four articulating, big sand trucks; and they had diggers to put the sand . . .

Commissioner Goodson advised those are excavators.

Ms. Sullivan stated yeah, okay.

Commissioner Goodson asked if Ms. Sullivan had ever seen an excavator go down the road.

Ms. Sullivan replied yes, they go on a flatbed.

Commissioner Goodson commented correct, and the road is 12-foot wide, the excavator's eight, transports are eight, and off-road trucks are eight; and he asked if there is a 20-foot easement, where is this going to restrict the County from getting in there.

Ms. Sullivan remarked it is not restricting them from getting in there, it is how they are stored when they come off of the beach at night.

Commissioner Goodson pointed out they would not bring an excavator off of the beach at night, they are pulled up on the dunes for it to be there the next day; and off-road trucks are the same way.

Ms. Sullivan noted except one has to have room to put them; and she asked if they will be put in line down a row.

Commissioner Goodson stated they would be put down the beach in a line.

Ms. Sullivan mentioned it is just common sense.

Commissioner Goodson exclaimed common sense is one does not move that equipment every night.

Ms. Sullivan advised the County's Federal permit requires it.

F.1. Assignment Agreement Change Approval, Re: Singhofen & Associates, Inc. to Halff Associates, Inc. (continued)

The Board approved and executed an Assignment Agreement for Engineering Consultant Services from Singhofen and Associates, Inc. to Halff Associates, Inc.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.2. Scope of Work and Budget Allocation, Re: Eau Gallie Northeast Muck Removal Project (continued)

The Board approved amending the scope of work for the Eau Gallie Northeast Muck Removal Project to focus on removing muck from areas with the highest nutrient flux, using Save Our Indian River Lagoon (SOIRL) Trust Funds allocated for both muck removal and interstitial treatment to bid dredging without interstitial treatment; authorized staff to negotiate and the County Manager to execute change orders to removal more muck and/or add interstitial treatment to the contract if the negotiated cost is reasonable and sufficient funds are available or become available; and extended the same flexibility and approach to all muck removal projects approved in the SOIRL Project Plan, as necessary, so projects can move forward within their allocated budgets.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.3. Approval, Re: Westgate Agreement Between Westgate Cocoa Beach Pier, LLC, the City of Cocoa Beach, and Brevard County, Florida (continued)

The Board authorized the Chair to execute the Westgate Agreement between Westgate Cocoa Beach Pier, LLC, the City of Cocoa Beach, and Brevard County to facilitate the City Council's desire to vacate a portion of Meade Avenue, while at the same time preserving public access, construction access, and other rights essential to the Brevard County Shore Protection Project, subject to final approval by the County Attorney's Office.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.4. Florida Department of Transportation Resolution, Re: Previously Approved Joint Participation Agreement for Cost-Sharing and Nutrient Credit Sharing of the Sykes Creek Zone N Septic-to-Sewer Project

The Board executed and adopted Resolution No. 24-070, for the previously approved Joint Participation Agreement with FDOT for the cost-sharing and nutrient credit sharing of the Sykes Creek Zone N Septic-to-Sewer Project.

Result: Adopted

Mover: Rob Feltner

Second: John Tobia

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.5. Final Plat and Contract Approval, Re: Landings at Viera Developer: Condev Pineda Investors I, LLC

The Board granted final plat approval; and authorized the Chair to sign the Final Plat and Infrastructure Contract for Landings at Viera - Developer: Condev Pineda Investors I, LLC, subject to minor changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.6. Permission to Advertise, Re: Repeal of Ordinance 89-29 - State Road 46 Water Extension #1

The Board granted permission for the Utility Services Director to advertise for the repeal of Brevard County Ordinance No. 89-29 – State Road 46 Water Extension #1.

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.7. Approval, Re: HUD Urban County Agreements and Requalification for FY 2025, 2026, and 2027

The Board approved the Urban County Agreement Requalification with the U.S. Department of Housing and Urban Development (HUD) to receive Community Development Block Grant (CDBG) and HOME funds; approved the continuance of Cooperative Agreements with seven municipalities consisting of Cocoa Beach, Indialantic, Indian Harbour Beach, Melbourne Village, Palm Shores, Rockledge, and Satellite Beach for Fiscal Years 2025, 2026, and 2027; authorized the County Attorney to send the mandatory letter to HUD; and authorized the Housing and Human Services Director to transmit the renewed Agreements and any supporting documents to HUD.

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.8. Approval, Re: Budget Change Request

The Board reviewed and approved the Budget Change Request (BCR).

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.9. Appointment(s)/Reappointment(s), Re: Citizen Advisory Boards

The Board appointed/reappointed **Donald Lusk** to the Brevard County Library System Advisory Board, with term expiring December 31, 2025; **Josiah Gattle** to the Economic Development Commissioner of Florida's Space Coast, with term expiring December 31, 2024; **Stacy Landon** to the Historical Commission, with term expiring December 31, 2025; **Melissa Jackson**, as alternate, to the Planning and Zoning Board, with term expiring December 31, 2026; **Ana Saunders**, and **Robert Wise**, as alternate, to the Planning and Zoning Board, with terms December 31, 2025; and **Jessica Curry** and Warren **Bradford Whitmore, Jr.** to the Titusville-Cocoa Airport Authority, with terms expiring August 6, 2027.

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.10. Acknowledge Receipt, Re: Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved
Mover: John Tobia
Second: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

G. PUBLIC COMMENTS

Louie Hanna stated he has lived on East Crisafulli Road for 28 years, retired after 30 years at the Space Center, he is an Army veteran, and he has a problem with the speed bumps on East Crisafulli Road; they heard about these soon to be installed speed bumps just a couple of weeks before they were to be installed; it was a done deal, they were coming, and to deal with it; and it kind of felt like the residents were not supposed to know about it beforehand, or until it was too late to do anything about it. He went on to say upon inquiring about why no one knew about the speed humps prior, he was told that the only ones affected were the ones who voted for it, the address is within the first one-half mile from Courtenay to Judson; the residents east of Judson to the end of East Crisafulli and all of the connecting streets were unaffected; because they were unaffected, not one person east of Judson, on Crisafulli, or tributaries had a vote or any say in the matter at all; they were just going to be put in and that was it; this is his home being talked about here; his Commissioner, Mr. Goodson, told him they could use Judson Road, thereby eliminating the necessity to drive over the speed bumps all together; Judson is a dirt road; in the dry season, it is a dusty as a washboard road; and in the wet season, it is a mud road. He noted if the residents wanted to traverse a dirt road on a daily basis, they could have bought cheaper property on a dirt road; to his way of thinking, when something is arbitrarily taken away, what is offered in return should be equal to or better than what they lost; he asked the County to pave Judson; he asked why punish everyone for the sins of the few; he remarked to catch the guys who are speeding, and put cops out there; the name on a document authorizing the installation of speed bumps is the same name that appeared on at least one of the company trucks on the job site the day of installation; he asked who provided the asphalt; and is this a conflict of interest. He pointed out at the very least, it is what is called bad optics in today's world; the resident who initiated this process was overheard boasting at the local convenience store about how he had gotten traffic slowed down on East Crisafulli, that he had pulled some strings of the buddy at the County to get speed bumps installed; but he was unable to get them installed past Judson; he thought his County Commissioner's job was to help the citizenry he represents to make life better; this is not better; this is insulting and divisive; East Crisafulli Road has been his home for over 28 years; do not tell him he is unaffected; and they are all affected.

Commissioner Goodson advised this was voted on with former Commissioner Lober; in the County Code, and the County Manager can correct him if he is wrong, it says 85 percent right now that front the property where the speed bumps go; and he asked if that is correct.

Marc Bernath, Public Works Director, responded there is a BCC that governs that; they sent out the petition; and it met the threshold.

Commissioner Goodson asked if it is true that the people that are voting right now, unless the Ordinance is changed, if it is the people who front Crisafulli Road.

Mr. Bernath replied correct.

Commissioner Goodson asked not the people that live a block off or a mile off on another street, correct.

Mr. Bernath responded that is correct.

Commissioner Goodson asked if these were approved by former Commissioner Lober, correct.

Mr. Bernath responded he does not know offhand; and he was not prepared to answer that tonight.

Commissioner Goodson inquired therefore, if the County is going to allow Mr. Hanna here, the Code would have to be changed, correct.

Mr. Bernath replied it is a BCC, it is not a Code.

Commissioner Goodson asked what a BCC is.

Mr. Bernath advised it is a Board Policy.

Commissioner Goodson asked if the Board would have to change it.

Mr. Bernath responded affirmatively.

Commissioner Goodson stated if he is not mistaken, the people east of Mr. Hanna voted to . . .

Mr. Hanna noted no, they did not.

Commissioner Goodson stated that Mr. Hanna said they did not; but he was under the impression they voted too, for when they pave the road, they want speed humps; Mr. Hanna is saying no; and he is going to agree with all of them.

Terrence White commented he lives on Joseph Court, which is a road off of Crisafulli; Mr. Hanna covered a lot of the points he has; but in doing some research, a lot of the problems with speed humps that people have not even discussed, they slow down the response of emergency vehicles; being a former fire fighter, he knows what it is like to go over bumps in a big fire truck; and it also includes transporting someone in an ambulance after the fact, as the ambulance cannot leave the area in a hurry because of the humps. He went on to say one of the things that he witnessed for years in areas that do have speed humps is when a school bus goes over there, the children in the backseat gets launched almost to the ceiling of the school bus; he asked the Board Members to follow a school bus in a neighborhood that has speed humps; along with Mr. Hanna, no one, east of Judson, was questioned about the speed humps; he did not find out about them until he drove down the road and they were in the process of installing them; and it causes excess wear on the vehicles. He added one of the issues he sees as well is people down there have livestock, horses, goats, and cattle; they play heck going over those bumps with animals in their trailers; a lot of animals are spooked in a trailer anyway; and it also plays on the suspension of the trailers. He stated while he is up here he would like to request that the speed humps on Joseph Court to be removed; there are 15 residents on that street; 14 of them told him that they want them removed; in doing research on the ones on

Crisafulli, he found a thing that says speed humps cannot be installed on a dead-end road; and Joseph Court is a dead-end road.

Robert Adams mentioned he has lived on Crisafulli Road for 40 years; he is here to make a citizens request, which he was told to do, for a petition to remove the speed humps; whatever that package is, that is what they are trying to get a hold of, which is why they are here speaking; five speed humps have been installed in less than one-half a mile, from Courtenay to Judson; and Crisafulli Road is only two miles long with a bunch of other roads on it. He continued by saying according to County Policy, the benefited and affected areas are the ones that are supposed to be checked out before putting speed bumps in; everyone on that road uses Crisafulli every single day; every time he leaves his house, he goes over 20 speed bumps; he would love the Commission to put 20 speed bumps around his or her house and see how much it is enjoyed; other than that, they were told by Commissioner Goodson to drive down Judson; that is not what he moved out there for 40 years ago; he moved out there to get away from Homeowners Associations (HOAs); and they finally found him. He advised he does not appreciate the detrimental effects, or whatever one wants to say; he inquired when it comes to the logistics of it, how many of the affected homeowners signed off on a petition to use their tax money to put in those speed bumps; he pointed out he did not; he has never been asked in 40 years whether or not he wanted speed bumps; the detrimental effects is the community is torn apart; they used to be friendly people and wave at each other, and people stopped and looked at each other's Christmas lights; now they flip one off every time he or she goes by the the corner; and it is not too hard to figure out that it is not really much of a bring it together package. He noted property values are impacted, school buses, and damage to his cars; he is not taking his trailers with a thousand dollars' worth of equipment over five speed humps just to leave his home every day; it is not the way to do business; he asked why were the unnotified homeowners possibly have to use their personal funds to remove those speed bumps, which is in the County's package deal; and he asked the Commissioners want to drive over five speed bumps every time he or she leaves their home; and he stated that is five in and five out.

Commissioner Goodson asked if he wants to remove the speed bumps, and he ran a survey of all of the people who live on Crisafulli and off of Crisafulli, would he agree if they voted for speed humps.

Mr. Adams replied no; he has a hundred and some odd signatures here . . .

Commissioner Goodson stated to hang on and let him finish the question, because the first people who voted that lived on Crisafulli, only one said no; and everybody else said speed bumps.

Mr. Adams remarked fine.

Commissioner Goodson asked if he ran a survey and everybody that lived off and on Crisafulli said they wanted or did not want speed humps would Mr. Adams agree with the vote at the end.

Mr. Adams replied yes, very much so, as that is logical.

Alan Miles asked why is there no urgency to put a traffic light at the intersection between Viera High School and the new middle school; he stated there are veterans leaving the Veterans Clinic, seniors from Sonata East, and a wet surface from the car wash; there are high school students making u-turns, golf carts, and walkers all diverging on this intersection; it is slated for a light beginning the 2025 school year he believes; and if safety is the main concern of the

Commission, then get a light. He advised temporary ones in the Palm Bay Heritage High School are being installed; he has some information on this system; and he asked if anyone knows what is going on with the traffic lights there.

Chair Steele explained the Public Comment section is for him to go ahead and give the Board his comments; and it is not a question and answer situation.

Commissioner Feltner noted out of respect for his constituent, he would like Mr. Bernath speak to the light project that is happening out there; and he knows there have been many conversations with the schools about it.

Mr. Bernath stated the School District is actively designing this light; staff is contributing to it; he does not have the actual design schedule at his disposal; but they are planning on putting it in sometime later this year; staff anticipates by the end of the year, he would say, to have that put in; and he reiterated it is something the County would anticipate them doing later on this year.

Mr. Miles pointed out it still does not meet the safety qualification of being installed before the school year.

Chair Steele advised the Board is not going to get into a question and answer service; Commissioner Feltner asked Mr. Bernath for a response; and he gave it to Mr. Miles.

Commissioner Feltner stated everyone is actively working on it, and also by Viera Elementary, which is something he inherited; and he has been working on that since he got on the Commission.

H.1. Resolution, Re: Petition to Vacate, Re: Public Utility & Drainage Easements - 466 Newfound Harbor Drive - "Revised Gateway Unit No. 2" Plat Book 19, Page 112 - Merritt Island - Shani Murphy and Todd P. O'Brien

Chair Steele called for a public hearing to consider a petition to vacate public utility and drainage easements located in Revised Gateway Unit No. 2, Merritt Island, as petitioned by Shani Murphy and Todd P. O'Brien.

Richard Bitner stated this thing is absolutely a monstrosity; he provided pictures to the Board showing the scope and size of this; he explained as the Board can see, that is him standing in that structure; it is huge; it is almost as big as the house; that is a side view; there are safety issues on this as well; and the Board can see where the roof is collapsing. He advised there is no privacy; he provided a picture to the Board of when they are standing on their deck, what they looked at; he noted he wants privacy in his yard; every single time they step on their thing, that is what he has to look at; it is just too big; and it is the size of their house. He pointed out it does not pass zoning; they have already said it is against Policy; here they are wasting their time when it should have been torn down a year ago; they have been at this for a year; and he reiterated he just wants his privacy. He stated they are up there two feet, he has to look at two feet of their bodies every time they step on top of that structure; the thing is like 50 feet long; it is terrible; it is just too big; it needs to come down or be modified; but it is not fun going out into his yard to swim, and he has to look at them.

Commissioner Goodson asked how long Mr. Bitner has lived there.

Mr. Bitner replied five years.

Commissioner Goodson asked if this undoubtedly been a problem for only the last year.

Mr. Bitner responded there have been other issues; but the subject is on this structure; they have gone to court; they had a privacy fence that was eight feet tall that was removed; it was on his property; they had it removed and put a new six-foot fence, the white fence the Board saw, they put it on their property, so they took away two feet of their privacy; and they tried talking to them, but it was their way and only their way.

Marc Bernath, Public Works Director, stated it is a public petition to vacate two public utility and drainage easements to allow for the existing covered deck to remain and become compliant with the Code Enforcement case; the petitioner is requesting for five foot vacate on both the north and west side; and that is at the discretion of the Board to honor that or not; and if so, then the petitioner would then go before the Board of Adjustment to seek a variance.

Chair Steele asked if this is Commissioner Goodson's District; and he asked if he would like to make a recommendation.

Commissioner Goodson replied he would like to make a motion to approve.

There being no further comments or objections, the Board adopted Resolution No. 24-071, vacating public utility and drainage easements located in Revised Gateway Unit No. 2 in Merritt Island, as requested by Shani Murphy and Todd P. O'Brien.

Result: Adopted

Mover: Tom Goodson

Secunder: John Tobia

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

H.2. Approval, Re: Revisions to Ordinance No. 98-37, Also Known as Chapter 2, Article VII of the Brevard County Code of Ordinances, Entitled "Construction and Improvement of Public Buildings"

Chair Steele called for a public hearing to consider revisions to Ordinance 98-37, also known as chapter 2, Article VII, Brevard County Code of Ordinances, entitled Construction and Improvement of Public Buildings.

Kathy Wall, Central Services Director, stated it is requested that the Board approve the revisions to Chapter 2, Article VII, of the Brevard County Code of Ordinances, Construction and Improvement to Public Buildings.

Chair Steele stated he listened to this during briefings, and he was extremely pleased with this.

There being no comments or objections, the Board adopted Ordinance No. 24-18, amending Chapter 2, Article VII of the Brevard County Code of Ordinances, entitled "Construction and Improvement of Public Buildings"; amending Section 2-226, Brevard County Code, entitled "Definitions", to define certain terms; amending Section 2-227, Brevard County Code, entitled "Award of Contracts Generally", to increase the minimum dollar threshold of certain public projects from \$50,000 to \$200,000; amending Section 2-228, Brevard County Code, entitled "Prequalification and Competitive Bidding"; amending Section 2-229, Brevard County Code, entitled "Qualifications of Bidders"; amending Section 2-230 entitled, "Debarment"; providing for inclusion in the Code; providing for conflicting provisions; providing for severability; and providing for an effective date.

Result: Adopted
Mover: John Tobia
Seconded: Rita Pritchett
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

H.3. Approval, Re: Revisions to Board Policy BCC-28, “Pre-Qualification of Construction Bidders Prior to Award”

Chair Steele called for a public hearing to consider revisions to Board Policy BCC-28, Pre-Qualification of Construction Bidders Prior to Award.

Kathy Wall, Central Services Director, commented this requires the acceptance of public comment on the revisions to the Board Policy BCC-28, Pre-Qualification of Construction Bidders Prior to Award.

There being no comments or objections, the Board accepted public comment on the revisions to Board Policy BCC-28; and approved the revisions to BCC-28, Pre-qualification of Construction Bidders Prior to Award.

Result: Approved
Mover: John Tobia
Seconded: Tom Goodson
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

I.1. Board Discussion and Direction, Re: Negotiations with City of Melbourne Concerning Sarno Road Landfill Property

Frank Abbate, County Manager, commented staff has given the Board some items so they can get some Board direction; after discussions with the City of Melbourne, they were not interested in the purchase of the property; however, there were questions about whether or not the Board might be interested in leasing a portion of it, and/or selling or leasing a portion of it for purposes of affordable housing; the third area was whether or not the Board wanted to sell a portion of that land to the City at some point in the future, so the Board will see that outlined in the Agenda Item; the Board can either say yes, it is interested in any of those three items, or indicate that it would be interested in it if it was a package; and either way, staff is looking for Board direction. He went on to say if the Board would choose not to do any of those things, staff did put a second item if the Board would be interested, in light of what happened in prior Board discussions, the use of Wickham Park for Renaissance Fair, whether or not it would be interested in staff trying to reach out to them for a short-term lease, one year or less, for use for the coming year; the third option would be any other direction the Board might have for staff; and he did receive an email from the City Manager right before the meeting indicating that what she read in the Agenda was consistent with staff's discussions.

Sandra Sullivan stated this is going to cost taxpayers hundreds of millions of dollars; this site has been not only used for a Dredged Material Management Area (DMMA) site, it has also been used and is required 15 acres for hurricane debris; she provided a picture of the aerial showing how much of the site that was used before; she noted the math does not work, the County only leaving eight right now; there is no appraisal in the Agenda Item; and there should have been a couple of appraisals. She added, the City inquired whether the Board might be willing to consider a long-term lease of the site with a relatively nominal value; that is not allowed; she gave the Board a legal opinion previously; it was very clear from the meeting that they do not want to pay for the land; only Mayor Paul Alfrey, City of Melbourne, was pushing making points that they can lease Sarno for \$1 a year for 99 years; he said the County really

wants to get rid of it; and the County does not need the Sarno land, and it absolutely does. She advised the optics of this are not good; there was a hit piece that dropped this week; when digging into who is the pack that funded that; and one will find out that it is the entity across the road; it is very common knowledge in Brevard County that he did not want the affordable housing across the street on that property; she asked is this a trade for a three-acre piece of property for a 57-acre piece; she reiterated the optics do not look good on this at all; and when this first came up, there was a campaign contribution to a Commissioner. She pointed out this is not good for the people; the County is not following its own rules on appraisals; as far as she can see; it has one appraisal; it cannot be discussed leasing land for \$1 a year for 99 years; this is utility land; this was purchased with bonds; there are rules and State Statutes; and this stinks, has really bad optics, and usually in the past things would have a tendency when one brings it before this Board, they would tend to go away once it has been exposed. She stated she does not get this Board; it just seems like even with things that are brought forward, there is no shame anymore; and there is no shame for the will of the people of what he or she wants.

Jeffrey Njus, Executive Director of Daily Bread, stated he wanted to very simply express their openness to the possibilities that have been put forward; he is what one may call an indirect party to the negotiations; he wanted to provide a little bit of clarity that they would be open to the possibility of a long-term lease; they are indifferent to whether the property is owned or leased by them; and he is grateful for the County to step in and address this Countywide challenge of the problem of affordable housing. He went on by saying he is grateful for the kind of creative solutions to this need; and he is available for any questions.

Commissioner Pritchett expressed her appreciation to Mr. Njus, as he has a great mission, and he impacts a lot of people; and she stated she wanted him to know she appreciates it.

Commissioner Feltner stated he wanted to make a motion to lease directly to Renaissance Fair for the next season; and then any other thing that happens with this parcel is something maybe the next Board can discuss in the future.

Chair Steele passed the gavel to Vice Chair Pritchett.

Commissioner Steele stated he would second Commissioner Feltner's motion.

Vice Chair Pritchett passed the gavel back to Chair Steele.

Commissioner Tobia advised this came out of his office; as a little background, he wants to thank the County Manager and the County Attorney, as they worked very diligently on this; he had some discussions with the Mayor of Melbourne; clearly he was observing Sunshine, because Mayor Alfrey had no idea where his board was going to go; and he had no idea where this Board was going to go. He pointed out the County Manager; with the instruction of this Board, went out and got an appraisal of that land; it came back at far more than what he would have expected; the City of Melbourne had an appraisal done; theirs came back even higher than the County's appraisal; then the offer was made for an exchange for road maintenance, so they could amortize this cost over 20 years; clearly, the other elected officials in Melbourne were not too intrigued with that plan; that is okay; and he fully-supports that decision. He stated there were a bunch of other decision points in there about parceling up this land; he would support the way the motion and the second are going on that; he thinks the Board needs to close the door on parceling this off; he does not know what sections of that 57 acres they would want, the sections the County may use, the dry sections, or anything like that, so if the County was going to go in and exchange for some road maintenance and the whole parcel was being dealt, that would be okay; as far as parceling it up, he does not think there is any more need for staff to continue negotiations based on what it received back; and he

would not be in favor of a long-term lease with the City of Melbourne for \$1 or \$1,000, as he just does not think it would benefit the County in any nature. He reiterated he will support that motion and the second as long as the Board puts some sort of termination; clearly, the County is not going to meet the City with what they are looking for; Commissioner Feltner just has a creative way to help out some live LARPer out there playing in some costumes; he would certainly support that as long as there were some clear provisions in there with that lease; obviously, the Parks and Recreation Director would put in play that just costs, certain cleanup be done, and a market rate be done; the Board needs to be very clear that entrance, exit, and all of that stuff is outside; the entrance is not County land, that needs to be handled and permitted through the City of Melbourne, so the County can offer the lease but it cannot guarantee anything that is going on; and he would like added in the motion, and he hopes this would be friendly, that the Board would not go any further with negotiations with the City of Melbourne, as the County and City are too far apart, because the City is not interested in that type of deal, as well as the provisions with the Renaissance Fair that the County sets just cost and all that good stuff.

Commissioner Feltner advised he will accept that as a friendly amendment if Commissioner Tobia wants to restate that to make it clear for the Clerk.

Commissioner Tobia stated the amendment would be to terminate the negotiations with the City of Melbourne.

Commissioner Feltner asked what if the Renaissance Fair pays the same rate as last year at Wickham Park for this next season coming at the Sarno property.

Mr. Abbate noted he would say the Board would be looking at the all-in cost in terms of what they paid for the permit; they also had a variety of camping that was going on, Recreational Vehicles (RVs), et cetera that they did, so the County has an all-in cost for that; and in the current motions, as well as in the Agenda Item, all ancillary costs, cleanup, et cetera would also be included in whatever would be the terms, so it would be under the same terms for the period of time that the County collected the revenues from the Wickham Park situation, and the ancillary costs as well.

Commissioner Tobia stated so the additions are number one, to terminate negotiations with the City of Melbourne; and number two, to use the provisions in the staff report to have a similar fee schedule as last year for the Renaissance Fair, which hopefully that would be a friendly amendment.

Commissioner Feltner remarked he would accept that friendly amendment.

Commissioner Pritchett commented since this is a different area for them, she is sure they are going to have to do some clearing and setting up; and she asked if that is going to be on their dime as well.

Commissioner Feltner replied it is his understanding that any site work prep would be up to them.

Commissioner Pritchett pointed out she just wanted to double check.

Mr. Abate advised the work prep, the cost would be on the Renaissance Fair.

Chair Steele noted all of that will be included in the lease.

Mr. Abbate asked as a cost paid by the person who is leasing it, right.

Chair Steele replied yes; and he called for a vote on the motion.

The Board directed staff to terminate negotiations with the City of Melbourne; and approved leasing the Sarno Landfill property directly to the Renaissance Fair for a period not to exceed one year with a similar fee schedule and terms as was utilized at Wickham Park between County Parks and Recreation and the Renaissance Fair, with the Renaissance Fair being solely and exclusively responsible for complying with all County and City special events permitting requirements, and any and all other costs associated with the Fair being held on leased property.

Result: Approved

Mover: Rob Feltner

Second: Jason Steele

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

J.1. Approval, Re: Contract with Keep Brevard Beautiful for SR 406 Max Brewer Causeway, SR 528 Beachline Causeway, SR 518 Eau Gallie Causeway, HWY 192 Melbourne Causeway, and SR 404 Pineda Causeway Clean Up

Commissioner Pritchett stated Items J.1. and J.2. are very closely related; she asked if they can be discussed together; she advised both contracts are working in collaboration with Keep Brevard Beautiful (KBB); she thinks the County should have one contract with KBB on all of the projects rather than having Cocoa Beach as a middleman for SR 520 Causeway and the Beach cleanup project; Item J.1. has the Max Brewer Causeway in the Titusville area, the 192 Causeway in Melbourne, the Beachline, and it just makes sense to put them all together instead of separating out SR 520; and after a discussion, she would like to make a motion to approve and authorize the Tourism Development Commission Director to sign a three-year contract with a two-year extension with KBB beginning October 1, 2024, for the six causeway projects, plus the beach cleanup for the annual amount added together \$417,184 per year, subject to the County Attorney, Risk management, and Purchasing Services approval. She added, the funds for SR 520 Causeway and cleanup would come from the Tourist Beach Fund under the Sections 102-119(3)b and (4)a of the County Code; the funds for the five other causeway projects will still come from the Lagoon portion of the Beach Fund under Section 102-1194 of the Code; adopt the legislative findings at that time for the requested action for these; that is just an idea to put them both together; she thinks it would serve KBB; and then the Board would be able to take Cocoa Beach out of that as a middleman and just get all of the projects done.

Chair Steele pointed out that is sure going to put a stick in the wheels here; he would have to find out whether or not Cocoa Beach and Keep Brevard Beautiful would be interested in doing that; and in the interest of saving time, he asked Wayne Carragino, City Manager of Cocoa Beach, if he has a problem with that.

Mr. Carragino replied not at all; and it makes sense actually to be honest.

John Nico, Keep Brevard Beautiful, stated he does not have a problem with this; and he thinks this would be a good idea.

Sandra Sullivan commented almost every single week, Waterway Warriors is out cleaning up Pineda Causeway; their volunteers are so impressive; she provided the Board with a picture of one of their posts on social media; they are doing other causeways and other roads; and they

have put receptacles all along the Causeway so when people go fishing or are recreating at this side of the Causeway, they are putting their trash in there. She went on to say these people work so hard, it is so impressive; the County is giving almost \$37,000 to KBB; it does not cleanup Pineda Causeway, Waterway Warriors does; they have been working with Natural Resources Management, who know what they are doing; they are going down into the Lagoon and picking up stuff; the Board would not believe what they pick up; and there is no consideration here for Waterway Warriors. She noted they have been for two years now cleaning up Pineda Causeway on a weekly basis; she asked the Board Members to drive down there sometime and he or she will see all kinds of trash bags at the side of the road with their volunteer sign; on the sign on Pineda Causeway it says 'Adopt a Highway, Pineda Waterway Warriors'; she asked what the County is doing here; and she stated it is not acknowledging people who work really hard, volunteers who are out there every weekend picking up trash.

Commissioner Feltner explained that this Board adopted a Resolution in recognition of the Waterway Warriors; he thinks they are an amazing group that goes out there and cleans up; they called him on a Saturday morning, and he got Roads and Bridge out there and picked up the remains of what must have been a dock that was set up there for a bonfire; they removed every splinter of that with their group; they even went back out there with a magnet and picked all of the nails up, so please believe him when he tells everyone that they are an amazing group; and the County appreciates them. He asked if the representative from Weekend Warriors would like to speak and if she is in support of this.

Chair Steele noted she can just come up and speak, or let this go, because he thinks this is going in the right direction; and that is up to her.

Sharon Noll, Waterway Warriors, expressed her appreciation to Ms. Sullivan for her words; she advised they are in absolute and complete support of the agreements with KBB moving forward; they are looking forward to a collaboration with them, however that is going to look; and they could not be any more in support.

Commissioner Pritchett expressed her appreciation to Ms. Noll for all that she does.

Commissioner Feltner seconded Commissioner Pritchett's earlier motion.

Commissioner Tobia stated he likes the first two provisions on here; he had one of them, but only on one section, so he thinks it is wise these are combined; he also thinks it is wise that they are run through the County for an administrative cost; his issue is with the numbers; they really do not add up very well; and here is where he got it. He pointed out there is an increased cost to the Causeways of roughly \$36,000 and change; however, there, the scope is expanded to add an additional causeway, so that justifies the better part, if not all, of the initial costs. He remarked he has no concerns with the added expenditures for the causeway portion of that; but he does want to go to the other section; the County is looking at an increase of roughly \$85,000, or 49 percent; that is to go from an expenditure of \$175,000 to \$260,000; they justified that with three things, an increase in tourism, an increase in fuel costs, and an increase in material costs, so the scope is not expanding; and these are the three added costs. He stated unfortunately, none of those even get close to justifying a 49 percent increase; he did look these up, because when one comes and asks for more money, he thinks it is very fair to have some baseline; he looked over the period of time since the last contract; using the data from Fiscal Year 2022 to Fiscal Year 2024, the County has seen roughly a 12 percent increase in Tourism Development Tax (TDT) collection; but when drilling down a little bit more, it has actually seen about an 11 percent increase in Cocoa Beach. He noted when getting to fuel costs, over the past five years, according to the U.S. Department of Transportation, have gone up 35 percent; he does understand that 35 percent is close to 49 percent; but he was informed

walking in that, that only counts for 10 to 15 percent of their budget; and finally, materials. He stated there is no justification of what those materials are; he has no problem with a 49 percent increase as long as the Board can justify why it is providing a 49 percent increase; he would be more than willing to provide a three percent per year over those five; but that does not get anywhere near that \$85,000; in fact, it would be about \$57,000 less than what is collected here; he would be willing, again, to vote for that 49 percent, but there is no justification; tourism is up, fuel is up, but neither is up 49 percent; and they have given the County no justification of what materials they needed. He mentioned they did the job at \$175,000; he does not know why the Board needs to arbitrarily offer a 49 percent increase; he thinks that would be irresponsible of the Board; and by doing the 3 percent increase, that would be \$57,126 less than what they are asking for.

Chair Steele passed the gavel to Vice Chair Pritchett.

Commissioner Steele commented he understands what Commissioner Tobia is saying; he thinks what has happened here is these good people have been working short-handed and using volunteers to supplement what they are doing; they have been getting underpaid to be able to do the work that they need to do; he is perfectly comfortable with their proposal; and he would absolutely, unequivocally, without any question, support it. He noted he understands Commissioner Tobia's option on it; and he does not have the same opinion, so hopefully, the Board can come to some understanding on this and move forward.

Vice Chair Pritchett passed the gavel back to Chair Steele.

Commissioner Pritchett asked if the gentleman from KBB can come back up if has any explanations of what it would cost.

Deb Harman, Board Chair of Keep Brevard Beautiful, advised she understands Commissioner Tobia is concerned; she is going to explain how they arrived at these numbers; he is asking for a percentage increase; it is nearly impossible for them to get to a percentage increase that she can make sense of and defend; and Mr. Nico will tell the Board that when he showed her the numbers and the estimate that was put together for Peter Cranis, Tourism Development Office, for both offices, she said based on what. She went on to say they dug-in and analyzed their costs for the last two years, and have given a pretty detailed cost estimate for what it is costing them now and what they can foresee next year; just to clarify one thing, on the beach contract, before the Pineda entered in there and were asked to do that, and are grateful for the Waterway Warriors and what they are going to do together, they originally paid \$60,000 in 2019; in 2022, she believes, they were given an extension of \$40,000 for that one year to take care of the additional trash from the people coming back to the beach during the pandemic for one year; they are asking for 120; and that expired at the end of the County's Fiscal Year 2022, maybe 2023. She pointed out they were compensated \$100,000; the trash did not go away; they did not cut their level of service; they have analyzed their costs and said it is going to cost 120; if the Board looks at the number for Pineda added, they are roughly similar numbers; and the Causeway, if the Board remembers, the level of effort on each Causeway varies, so there is some variation by Causeway. She mentioned as far as the beach contract is concerned, she cannot defend why it was increased; she thinks the number was artificially low, and she does not know why, based on what was negotiated years ago; she can tell the Board what is in that number; and they are happy to disclose how they arrived at the \$26,000 for materials, which includes fuel, supplies like bags, as the big bags they use at the beach are quite expensive, personal protective equipment, because they do have people on the causeways doing fairly dangerous things, and on SR 520 as part of the beach contract. She stated she can give the Board the breakdown, which is roughly \$236,000 just for the beach, and another roughly \$24,000 to \$25,000 for the Causeway at the SR 520 Causeway; all of these contracts are

based on the same labor rates they have now, the same general costs for their allocations for insurance; their vehicle insurance, every year, for all of their vehicles is roughly \$53,000; she does not know if any of that was included originally; when she looks at the numbers now versus then, it is very hard to get to that; but she can tell the Board that they are happy to sit and disclose; they went over these numbers, and the backup with their treasurer who has been their treasurer for 30 years, just this morning; and she cannot speak to the increase because she was not here when the original number was created. She expressed her appreciation to Chair Steele for pointing out that on top of what they get paid for, they bring a lot of volunteer activity; they have not stopped even though their funding has not been adequate for the last couple of years; they are just asking, moving forward, to be paid for the value they are giving for the paid work; and they will continue to work hard to supplement that. She noted she is from the business world where they competed for government contracts at all levels; she understands the Board has a fiscal responsibility, she has a fiscal responsibility as a citizen, she wants to see the County use the funds well; but she also has an obligation for stewardship to make sure their organization is sustainable because of the work they do.

Commissioner Tobia pointed out that Ms. Harman said she could not defend the increase; he asked if someone came to her, a contractor, they were asking her for maybe a 50 percent increase, and she asked why they are asking for a 50 percent increase, and they said they cannot defend the increase; and he asked if she would provide them with that increase.

Ms. Harman explained she wants to say it a different way, all she can do is to explain the costs that they have today and how it compares to what they have been paid for the last two years.

Commissioner Tobia remarked she just said the treasurer was there for 30 years, did she not.

Ms. Harman replied that is true.

Commissioner Tobia stated he is listening to her, it is just not adding up.

Ms. Harman went on to explain that is true, and he cannot explain it for her either.

Commissioner Tobia asked if her treasurer cannot answer it who has been there 30 years, and she cannot, why she expects this Board to arbitrarily hand her 49 percent more; again, she cannot explain it, the treasurer cannot explain it, but she expects the Board to hand over 49 percent more.

Ms. Harman stated all she knows is in 2019 it was a grant and was not intended to cover their full costs; she reiterated she does not know; they are willing to let the Board review them in detail; and the County can let their financial people tell them whether or not there are things that are not allowable.

Commissioner Tobia expressed his appreciation to Ms. Harman for being honest.

Commissioner Feltner asked he knows this went to the Tourist Development Council (TDC), and if in the aggregate there were any concerns over the cost at that time of the two contracts.

Mr. Cranis replied there were questions that the TDC asked, but they felt, he thinks satisfied after getting the answers; and it was a unanimous vote.

Commissioner Pritchett mentioned this is in Commissioner Goodson's area; and she would not mind if he would chime in with his thoughts.

Commissioner Goodson commented there are two options; it can be tabled and brought back with everything that Commissioner Tobia wants to look at, or the Board can vote today, because he is in agreement, they do a wonderful job; the TDC said everyone voted unanimously for it; and he is onboard with them.

The Board approved and authorized the Tourism Development Office Director to sign a three-year Contract with a two-year extension with KBB beginning October 1, 2024, for clean-up on SR 406 Max Brewer Causeway, SR 528 Beachline Causeway, SR 518 Eau Gallie Causeway, Highway 192 Melbourne Causeway, SR 404 Pineda Causeway, SR 520 Causeway, and beach clean-up, totaling \$417,184 per year, subject to County Attorney, Risk Management, and Purchasing Services approval; authorized funds for SR 520 Causeway and clean-up to come from the Tourism Beach Fund under Section 102-119(3)b and (4)a of the Code; authorized the funds for the other five (5) causeway projects to come from the Lagoon portion of the Beach Fund under Section 102-119(4)a of the Code; adopted the legislative findings as set forth in the requested action listed on the Agenda Reports for Items J.1. and J.2.; and authorized the County Manager to execute any necessary Budget Change Requests (BCR).

Result: Approved

Mover: Rita Pritchett

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

J.2. Approval, Re: Contract with City of Cocoa Beach for Keep Brevard Beautiful Beach and SR 520 Causeway Clean-up

The Board approved and authorized the Tourism Development Office Director to sign a three-year Contract with a two-year extension with KBB beginning October 1, 2024, for clean-up on SR 406 Max Brewer Causeway, SR 528 Beachline Causeway, SR 518 Eau Gallie Causeway, Highway 192 Melbourne Causeway, SR 404 Pineda Causeway, SR 520 Causeway, and beach clean-up, totaling \$417,184 per year, subject to County Attorney, Risk Management, and Purchasing Services approval; authorized funds for SR 520 Causeway and clean-up to come from the Tourism Beach Fund under Section 102-119(3)b and (4) a of the Code; authorized the funds for the other five (5) causeway projects to come from the Lagoon portion of the Beach Fund under Section 102-119(4)a of the Code; adopted the legislative findings as set forth in the requested action listed on the Agenda Reports for Items J.1. and J.2.; and authorized the County Manager to execute any necessary Budget Change Requests (BCR).

Result: Approved

Mover: Rita Pritchett

Secunder: Rob Feltner

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

J.3. Proposed Amendment, Re: Brevard County Home Rule Charter to Align the School Board Member Residence Areas with the County Commission Districts

Commissioner Tobia stated he wants to go over a little bit of the history that is going on here; on May 23rd, the School Board voluntarily voted to align their district boundaries with the Commission districts so that they share the same boundaries as the Commission; this was one of the things that he wanted to do when he got elected; he thought that there were five County Commission districts and five School Board districts; and it should make sense that they were aligned accordingly. He went on to say it lowers costs to taxpayers, it reduces confusion to

voters, and it eliminates redundancies; following this vote by the School board, he suggested at the July 11, 2023, meeting that the Board looks into potentially a Charter amendment to ensure that the two entities/districts continue to align in the future; he asked why to do this; he stated dictating the boundaries remain cohesive will save reoccurring estimated of approximately \$30,500 every 10 years, so \$17,000 in legal fees, and \$13,000 in Geographical Information Systems (GIS) licensing, and it will also save an estimated 250 hours in County staff time alone; and will bear the School Board its own costs. He remarked the next time redistricting comes around, the County and the School Board would have an equal amount of appointees on the new redistricting committee; to get this on the 2024 ballot, the language must be submitted to the Supervisor of Elections by August 19, 2024; seeing that this is a Charter amendment, there would be a supermajority, so it would obviously need four of the Commissioners; it also requires review by a three-attorney panel to ensure it embraces only one subject and is consistent with the Florida Constitution, general law, and the Charter; the attached resolution includes a clause that the language would not be submitted to the Supervisor of Elections unless and until it is approved by at least two members of said panel; if the panel is not able to complete the review, the amendment, in time for the 2024 deadline, would be submitted in the 2026 ballot measure; and this is important, this does not take away authority from the School Board. He went on to say when the five County Commission districts are redrawn, the five School Board Members' areas would also be redrawn in conjunction; however, the proposed Charter amendment provides for the following redistricting the School Board will still retain the authority, under Florida Statute 1001.32, Section 2; they may make any changes that it deems necessary should they not see fit; in other words, what this would do is make the default of the Board and School Board working together; if the School Board did not like that, they would have the ability to override; but it makes no sense that the Board invests time and money drawing lines; and the School Board does the same thing under the same parameters. He noted this would potentially put this on the ballot in 2024; if the Board cannot meet the deadline, put it on the 2026; he is open to answer any questions on positives or negatives, suggestions, any of that good stuff; he is very happy that the School Board voluntarily joined the Board, so if one is in County Commission District 2, he or she is also in School Board District 2, so he just wanted to make that a default and not necessarily goodwill like it happened this last time; and that is what he is looking for. He stated he wanted to make a motion to adopt a resolution proposing an amendment to the Brevard County Home Rule Charter to align School Board Member residence areas with the County Commission Districts; to authorize staff to submit the proposed Charter Amendment and ballot language to the three-attorney panel with review proposed Charter amendments for compliance with the Florida Constitution, Florida law, and the Brevard County Charter, and to determine whether proposed amendment embraces only one subject; and if at least two members of the panel approve the proposal amendment, provide for a placement of the proposed amendment at the referendum held concurrently with the November 5, 2024, general election; if the deadline should pass before the panel is able to successfully complete its review, the amendment will be placed on the 2026 ballot.

Commissioner Pritchett stated she would second the motion.

Commissioner Goodson asked if Commissioner Tobia can tell him with the three panels reviewing it, what the cost would be to the County.

Commissioner Tobia replied there is an hourly cost; and he stated he would like to punt that over to the County Attorney.

Morris Richardson, County Attorney, explained he thinks there is a one-time estimated cost of \$15,000 for the three-attorney panel review.

Commissioner Goodson inquired if this is such a great idea, why would the Board not get with the School Board to share in the cost.

Commissioner Tobia responded out of good will, the School Board aligned with the Board, so that is \$7,500; he thinks that is fair; the big savings here is the \$30,000 every 10 years; the mapping software that the County licensed, and the School Board license, can now be combined; the legal notices can now be combined if the Board should go this way; and most importantly, again, 250 hours of staff time could be split there, so he would like for the School Board to pony up \$7,500, but he certainly does not want this to go down for the split of that.

Commissioner Feltner asked if this would not happen until 2031, the next redistricting; he stated with all due respect, he thinks the Board could decide in early 2028 whether it wants to take this issue up and put it before the voters that cycle; and if the voters agree to that, that would still be in place by 2031, so he would let a future Board do this.

Chair Steele called for a vote on the motion.

The Board denied the proposed amendment to the Brevard County Home Rule Charter to align the School Board member residence areas with the County Commission Districts.

Result: Denied

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, and Tobia

Nay: Goodson, Feltner, and Steele

Chair Steele pointed out candidly, it is a great idea, he just thinks the timing is off; he thinks that is what the problem is; and ultimately, the County will get there sooner or later.

J.4. Letter to Palm Bay, Re: Low-income Senior Citizen Additional Homestead Tax Exemption

Commissioner Tobia expressed his appreciation to one of his constituents who brought this to his attention; he mentioned he went to his campaign Post Office box; he had sent a snail mail letter bringing this to his attention; and he thought this was very interesting. He continued by saying Brevard County enacted an exemption in 2007 after 75.31 percent of Brevard County voters approved an amendment to the State Constitution; this additional homestead tax exemption for low income seniors is authorized by Section 6(d) of Article VII, of the Florida Constitution; what it does is if one owns his or her permanent residency as of January 1, they are approved for the additional \$25,000 homestead exemption for citizens 65 years of age; all persons living at the household to file Federal returns, must provide a copy of their prior year's Federal Income Tax return for verification; the low-income threshold for qualifying is calculated annually by the Department of Revenue; and to put it in perspective, in 2004, that is merely \$36,614. He stated the County offers this, and 11 of the 16 municipalities also offer this homestead exemption for low-income seniors; there are five who do not; he is picking on the City of Palm Bay, because he represents a large portion of Palm Bay; the constituent that brought it to his attention is from Palm Bay; and most importantly, the City of Palm Bay has an almost 7 percent tax increase that they will be budgeting. He noted the good news to that is they were also talking about a two mill that came outside of that, so for taxpayers in Palm Bay, it could be worse; the other ones, by the way, are Rockledge, Melbourne, which is talking about a 6.5 percent tax increase, and Indialantic, which is talking about a 7.23 percent increase; again, the Mayor of the City of Palm Bay claims very conservative; by looking at the approved

tax increases of the last years, it would be seen that 24/25 was 2.6 percent, 23/24 was 2.9 percent, 22/23 was 15.3 percent, and 21/22 was a 2.5 percent tax increase; to be very clear, they play games over there; but games cannot be played with the Department of Revenue as defined by a tax increase. He pointed out the Department of Revenue clearly says if it is above the rollback it is a tax increase; Palm Bay had to put in a half-page ad in the *Florida TODAY*, it may be a quarter-page ad, advertising their tax increases; first of all, he would like to thank the City of Palm Bay that reached out ahead of time, which was very kind; on July 24th Governor DeSantis said at press conference, "Why are you trying to raise property taxes in the middle of some of the worst inflation we have ever seen. Why don't you manage things better instead of trying to come and jack-up people's taxes;" he stated he thinks that is pretty darned clear, so all he is asking here is he has attached a letter which he would like the Board to co-sign, asking the City of Palm Bay to offer the exact same exemption to low-income seniors; and not that, that will counter the tax increase that they are trying to levy on the rest of their citizens, but he thinks it would carry more weight with this Board. He stated the letter is attached, he tried to make it pretty nice; should this Board go in a different direction, the letter that will come out of his office, with an appropriate disclaimer on it, will be nowhere near as nice; the Board talks about low-income housing, here is an opportunity that the County already takes advantage of that Palm Bay does not; he would just like the letter to go out; he fully-supports any other Board Member sending a similar letter to the other cities that do not participate; again, the snail mail letter he received from a constituent, who will go nameless, brought that to his attention; he really appreciates the Board taking the time and the effort to do that; here is his attempt to help get it fixed; he wishes it could be done unilaterally up here, but the Commissioners can certainly provide some pressure to Palm Bay to do the right thing; and that is his request.

Commissioner Feltner stated just to clarify, the \$50,000 is off the value on the municipal taxes; it is not any other item on a TRIM notice or tax bill; and he asked if that is correct.

Commissioner Tobia replied his understanding is municipal, correct.

Commissioner Tobia made the motion for the Board to approve and authorize the Chair to sign the Letter to the City of Palm Bay for low-income senior citizen additional Homestead Tax Exemption.

Commissioner Feltner advised he will second the motion.

Commissioner Pritchett asked Commissioner Tobia to read the letter, as she does not have it in front of her; elderly people right now are trying to make ends meet; Commissioner Tobia has a good handle on that; and she hopes the cities will kind of have an ear to that a bit, because people are really having a hard time right now making the bills.

Commissioner Tobia read the letter aloud.

Commissioner Pritchett remarked she likes it; and she thinks Commissioner Tobia might get a little bit more attention if he takes off Governor DeSantis' comments, if he would consider that part.

Commissioner Tobia advised he does not mind getting rid of that.

Commissioner Pritchett pointed out it will be a little softer.

Chair Steele called for a vote on the motion.

The Board approved and authorized the Chair to sign the Letter to the City of Palm Bay for low-income senior citizen additional Homestead Tax Exemption.

Result: Approved

Mover: John Tobia

Second: Rob Feltner

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

J.5. Approval, Re: Partial Funding of Phase 2 Study for Port St. John Regional Wastewater Treatment Plant

Frank Abbate, County Manager, stated staff put this on the Agenda this afternoon; they had spoken to the Federal Government representative who is responsible for these grants; they were told the County is in good shape for the grant, but the County needed to get this taken care of because the funding for this particular grant, they have to spend the dollars that are available by October 1; the upper echelon felt that what the Board sees in here would be necessary for them to provide that approval; and this will provide a \$700,000 grant for funding of a study that is going to help the County with the Military Installation Resilience (MIR) grant which is a combination of the Department of Defense grant that helps the County with installation in Port St. John to bring over water/wastewater from beachside over onto the mainland. He went on to say it helps with the affordable housing, resiliency in the river, and a variety of other avenues; it is definitely something the County needs to do in that area anyway; and staff is looking for Board approval.

Chair Steele commented he sees Ms. Sullivan waiving her card; and he did not forget she had a card in.

Sandra Sullivan stated she would not want to speak out and say the Chair forgot her card, and be escorted out by the deputies again.

Chair Steele noted it can be arranged if Ms. Sullivan wants.

Ms. Sullivan explained at the last meeting, Port St. John was being discussed; she showed the Board a document, and pointed out a red line as being capacity; she stated this is 2024 right here; the County is almost double what the capacity of the plant is according to this; and it is crazy. She went on by saying also in that report, this is the Federal lands in North Merritt Island; the County is developing that for wastewater; she talked earlier today about the hydrology study; she provided a copy to the Board of the 10-year flooding; she noted it is kind of interesting when the County spends one-half a million dollars for a study, and not include the Space Florida portion; it is missing from the study; this is very much a floodplain and it floods all of the time; and the flooding in North Merritt Island has filled this room more than any other topic, citizen driven. She stated this number was not brought up, but this is \$1.717 million to be funded from Utility Services, so what is being talked about is the development of the Space Florida leased lands as being constrained, because their sewage is going to Space Force on the base; that is near capacity; she wrote North Brevard Economic Development Zone (NBEDZ), and they said they wanted a letter from NBEDZ saying it would support putting in a temporary line to Sykes Creek Sewage Plant; but this is about development; it also talks about affordable housing, so the Senate Bill 102 in 2024 is to put, allows, affordable housing on those Federal-owned lands; and the problem with that is, there is no property taxes paid for that, so the County is literally putting the cost of all of this infrastructure on the people for business; then the Commissioners come here the last meeting with the Economic Development Commission (EDC) and wanting to put tax abatements for the companies going on there; she cannot comprehend this that the County, first of all, is being irresponsible with Port St. John

being over capacity; then the County is looking for the people to pay \$1.71 million for something that should be paid by the State and the Federal Government, because this is something for them; and this is another classic example of 'we the money' versus 'we the people', and burdening the people for the money interests.

Commissioner Pritchett pointed out this is an enterprise fund, so it works like a business; the money the County invests, which it has to do as it is over capacity; it is the business of the Enterprise Fund will eventually pay back all of these funds down-the-road, and do a great job in helping the citizens with growth; and she just wanted to mention that.

The Board approved partial funding of the Phase 2 Study for a proposed Port St. John Regional Wastewater Treatment Plant in the amount of \$1.717 million from the Utility Services Fund; authorized the County to pursue the Phase 2 Study either in cooperation with the EDC as a sub-grant recipient, or as the primary MIR grant recipient; authorized the County Manager to execute any grant agreement(s) and amendment(s), upon County Attorney, Risk Management, and Central Services review; and authorized the County Manager to execute and submit required Budget Change Request (BCR), amend the five-year Capital Improvements Plan (CIP) as it relates to this project, and any documents, reimbursement requests, amendments, or other administrative actions necessary to leverage the MIR grant funding.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

K. PUBLIC COMMENTS

Sandra Sullivan stated she wants to talk about F.6., Permission to Advertise for Repeal of Ordinance 89-29 – State Road 46 Water Extension #1; it is a done deal; but she is going to speak about it anyway; she looked up on the St. Johns River Water Management District (SJRWMD) site . . .

Chair Steele advised he is completely lost on what Ms. Sullivan is talking about.

Ms. Sullivan commented she just wanted to talk about something she forgot to put in a card for, if that is okay; if the Commissioners want to object to that, she will just stop talking about it.

Morris Richardson, County Attorney, advised it is up to the Chair; the Policy provides that the Consent Agenda is for discussing business items of the County that are not on the Agenda; and one is just supposed to discuss items that are otherwise.

Chair Steele advised Ms. Sullivan to go on.

Ms. Sullivan stated this was for putting in a waterline; this was a funding source essentially as hook-ups by developers, they would pay a connection fee; that was revised a couple of times with some Ordinance Agreements; now, the Board is saying, okay, the line is put in and it is all done; and she is pretty confused about this. She went on to say she looked up on SJRWMD's site, and the Conditional Use Permit (CUP), there is no waterline in the CUP, so it seems to be a misrepresentation in the item; but this has been handled and the waterline is there; and according to SJRWMD's site, it is not there. She pointed out she has been coming to these meetings for almost six years; honestly, it gets frustrating coming here; she reiterated what she has said before that she has never seen a Commission like this particular Commission when it

comes to not respecting the will of the people, seemingly not having the interest of the people in mind, and always being 'we the money'; and that is her perception on so many items.

L.6. Reports, Re: Rob Feltner, Commissioner District 4

Commissioner Feltner stated when the Board was discussing the Keep Brevard Beautiful (KBB) contract, he wanted to recognize Julie Braga who is on the Tourist Development Council (TDC); and he thinks she brought up Pineda and was a voice for that, so he is glad Pineda is included in there, and that Ms. Braga made a case for it.

L.7. Reports, Re: Jason Steele, Commissioner District 5, Chair

Chair Steele stated he was in Washington, D.C., and they had tremendous meetings; he thinks they had some success; the decision on the Brightline fund will be coming in October; he does not know what it is going to be yet; but he has a passed this booklet around on who they met with, where they met, and all of the other things; and he is hoping and praying that good results are gotten.

L.5. Reports, Re: John Tobia, Commissioner District 3

Commissioner Tobia commented today is National Root Beer Float Day; the useful Florida fact is Telestar One launched on July 10, 1962, from Cape Canaveral, the world's first active communications satellite; AT&T uses satellites to test basic features of communications via space; this day in Florida history is on this day in 1763, Augustine Prévost arrived in Florida and was appointed as the interim Military Governor of West Florida after the seven-year war ended; and Prévost was appointed to the West Indies where he served as Deputy Inspector General in Kingston, Jamaica. He stated the employee recognition is for Morgan Roth, Program Assistant, Family and Consumer Sciences, in the UF Extension Services Department; she has been there three years; the Director wrote, "I am delighted to write this recommendation for Morgan Roth who's been an outstanding member of the University of Florida IFUS Brevard County team for the past three years. Morgan has demonstrated exceptional skills, dedication, and professionalism in her role, making her an invaluable asset to our organization. From the moment Morgan joined our team, she worked to strengthen our marketing efforts. Her expertise in the area was immediately evident, and we were thrilled to have her capabilities and knowledge on our team. She took the initiative to work collaboratively with all program areas providing assistance wherever needed. Morgan's efforts were instrumental in establishing protocols that gave our office a professional look across all programming areas. Morgan's impact, particularly notable in her work with Farmer's Market at Wickham Park. She worked to attract more vendors, clientele, especially after disruptions caused by COVID-19. In addition to marketing responsibilities, Morgan also serves as the Farmer's Market Manager, overseeing day-to-day operations and managing the double buck's supplement nutritional assistance program dollar grant. This grant ensures that consumers on SNAP can purchase fresh fruit and vegetables, effectively increasing their buying power and promoting healthier eating habits. Over the last years, Morgan spearheaded two additional marketing campaigns aimed at attracting more consumers to the market. Her creativity and strategic thinking have significantly contributed to the market's growth and success. Morgan's commitment to professional development is evident through her participation in the Lean Six Sigma Program. During this program she worked on a library project to streamline the process of adding books to shelves, while showcasing her ability to excel beyond her primary responsibilities. Her success in the project highlighted her versatility and problem solving skills, further providing for value to our organization. In conclusion, Morgan Roth is a remarkable employee who consistently exceeds expectations. Her contributions to our team and community have been substantial, and her positive attitude and willingness to take on new challenges are truly commendable. We are

proud to present Morgan Roth as a worthy employee of Brevard County and whole-heartedly recommend her in any future endeavors.” He noted it almost sounds like they are trying to get rid of Ms. Roth, saying she is great in other places; he expressed his appreciation to Ms. Roth and all she does for Brevard County.

Upon motion and vote, the meeting adjourned at 6:36 p.m.

Result: Approved

Mover: Rob Feltner

Second: Rita Pritchett

Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

ATTEST:

RACHEL SADOFF, CLERK

JASON STEELE, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board on September 17, 2024.