

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, September 12, 2023**

**9:00 AM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 9:02 AM**

**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.

**D. MINUTES FOR APPROVAL**

The Board approved the August 3, 2023, Zoning meeting minutes.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**E.4. Check presentation by Senator Debbie Mayfield to Brevard County for Utility Services and Natural Resources Management Departments**

Senator Debbie Mayfield stated in getting anything done it takes a team; Representative Tyler Sirois and Representative Thad Altman have been instrumental in helping bring money back to the community during the Legislative process; everyone knows that the Lagoon is very important to the community; it is the lifeblood that creates the economic development this community has; and it is also why people want to come here and live, which is why the technology and the Space Coast is known for what it does here. She stated they are proud to be able to bring some money back from Tallahassee; they brought back about \$5 million in funding for the Utility Services Department which included three projects the South Brevard Advanced Wastewater Treatment Plant for \$1.5 million, North Brevard Water Treatment Plant Expansion and Portable Water Wells for \$1.5 million, and the Brevard County South Beaches Second Deep Well Injection for \$2 million; those are all projects that the Utility Director had asked them to work on; Brevard County has a great staff and they are so easy to work with whenever they are trying to bring these projects back; they were able to secure \$19,674,000 for Natural Resources, with the lead of Virginia Barker; and she does not know what the County is going to do when Ms. Barker decides to retire because she is a wealth of information, she does a lot of stuff, and she helps them to understand what the projects are. She added they did Indian River Lagoon Septic Upgrade and Advanced Treatment Units Phase 3, bringing \$450,000 for 50 more sites to get septic tanks off of the Indian River Lagoon (IRL); they brought back \$890,000 for the Blue Crab Cove Working Waterfront Project; they all know that the bottom of the IRL has to come up and that is part of the de-mucking process, and they had three de-mucking projects they were able to get done; they did one for Sykes Creek Phase 2 for \$4,324,000, Eau Gallie NE Construction for \$5,010,244, and brought back Grand Canal Phase 5 for \$9 million; and she thinks the Board will see that, that will go a long way in helping to improve the Lagoon. She mentioned this community is so blessed, it has people like Dr. DeFreese, who is very instrumental in the science and the technology behind these projects to make sure the money is not wasted whenever these projects are done; and again, Ms. Barker, who is very engaged in the Brevard IRL Coalition that takes into account five counties who all came together because they all are connected by the IRL. She announced that she and Representative Sirois are pleased to present the Board with a check for \$24,674,246.

Representative Sirosis stated he just wanted to thank the Board for all it does for Brevard County; he is looking forward to the legislative session ahead; there is a lot more for them to do for the Veterans and transportation needs; he is certainly looking forward to some more environmental projects, muck dredging being chief among them on his priority list; for those who have served in Tallahassee, they understand that it takes two to tango, and there has to be a good dance partner in the Senate, just like Schoolhouse Rock used to teach, it has to be matching on both sides to get it through the Legislature; all of these projects, to the extent that he is able to help in the House, certainly would not be done without a strong Senator; he is really proud to work with Senator Mayfield; when a person is leaving the Capital at night and looking up at the Senate Office Building, all of the lights are typically off except for the rule suite where he knows Senator Mayfield is; he enjoys going up there and pestering her about the projects in Brevard County; and she is always receptive to that. He added he is looking forward to next year; and he expressed his appreciation to the Board for all that it does.

The Board accepted the check presented by Senator Debbie Mayfield to Brevard County, which represents Legislative Appropriations for Brevard County amounting to \$24,674,246 for Utility Services and Natural Resources Management.

Chair Pritchett mentioned having wonderful representation in the State of Florida; they are doing great; and good job voters.

#### **E.1. Resolution Proclaiming Constitution Week, September 17-23, 2023**

Chair Pritchett read aloud, and the Board adopted Resolution No. 23-091, recognizing September 17-23, 2023, as Constitution Week.

Lisa Waters, Abigail Wright Chamberlin Chapter of the National Society of the Daughters of the American Revolution (NSDAR), stated NSDAR was formed in Melbourne in 1932; it is a non-political woman's volunteer organization that supports the community by promoting patriotism, supporting the military (active and Veteran) community by supporting conservation, and educating the youth in the importance of American history, and the Constitution; this proclamation really helps them promote that in the community; and she invited the Board to visit the public library on Fee Avenue, they have a fantastic display of all sorts of items, including a written annotated copy of George Washington's personal Constitution and documentation. She expressed her appreciating to the Board for its support.

**Result:** Adopted

**Mover:** Rob Feltner

**Secunder:** Jason Steele

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

#### **E.2. Resolution Acknowledging MaryAnn Sterling as USA Today's 2023 Woman of the Year - Florida Honoree**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 23-092, acknowledging MaryAnn Sterling as USA Today's 2023 Woman of the Year - Florida Honoree.

Lillian Hobson, Volunteer, Fundraising, and Social Media Coordinator, stated she is going to defer her spot to Matt Sterling.

MaryAnn Sterling, Founder and Executive Director of Grandparents Raising Grandchildren of Brevard County, Florida, Inc., expressed her thanks to the Board; she introduced her grandson, Matt; and she stated she is so proud of him.

**Result:** Adopted  
**Mover:** Rob Feltner  
**Second:** Jason Steele  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

### **E.3. Resolution Honoring the Retirement of Paul “Doug” Divers**

Commissioner Tobia read aloud, and the Board adopted Resolution No. 23-093, honoring the retirement of Paul "Doug" Divers.

Mr. Divers expressed his thanks to the Board; he stated it has been a real treat to work for Brevard County to see everything grow and develop, and how the County has protected the drinking water and the waters of Brevard County, all the way down to Martin and St. Lucie counties for the headwaters of the Indian River Lagoon; when they were able to add those extra counties, they helped protect the drinking water down there as well, and it helped with the whole Lagoon Project; when he moved to Brevard County in 1986, there were just over 300,000 people here and now it is pushing 700,000; and the sleepy little community that he came to, is no more. He stated he appreciates all that the Board has done for Natural Resources Management, and all the Commissioners in the past.

Commissioner Tobia asked if he wanted to justify his love for West Virginia.

Mr. Diver replied he grew up in Charleston, West Virginia, and they had the Pittsburgh Pirates farm team; they had a AAA team there; West Virginians are all about almost heaven, it is a wonder place, and once a West Virginian, always a West Virginian; there is a lot in Brevard County, they have a West Virginia Day in Titusville, District 1; it is kind of a smaller State; and they did not have a lot of professional football and baseball teams, so he kind-of glommed on to what they had.

Chair Pritchett stated the Board is moving into the rest of the Agenda; she is going to do some rearranging today, based on cards; after doing Consent, the Board is going to hear the I Items first, then the G Items, and then the H Items just to help County staff get back to work after they do their Items; she has no cards for Consent; and she had a request from a Commissioner for them to do Item I.4., next because they are kind of companions.

**Result:** Adopted  
**Mover:** John Tobia  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

### **F.1. Legislative Intent and Permission to Advertise Amendments to Chapter 62, Article I, Section 62-2, “Rules of Construction and Definitions,” Brevard County Code of Ordinances, to Add a Definition of “Major Transit Stop”**

The Board approved legislative intent and granted permission to advertise an amendment to Chapter 62, Article I, Section 62-2, "Rules of Construction and Definitions," Brevard County Code of Ordinances, to add a definition of "Major Transit Stop," in order to comply with Chapter 2023-17, Laws of Florida (Live Local Act).

**Result:** Approved  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.2. Adopt Resolution and Release Performance Bond: Aripeka at Viera, Phases 3 and 4 - Developer: The Viera Company**

The Board executed and adopted Resolution No. 23-094, releasing the Contract and Surety Performance Bond dated September 13, 2022, for the Aripeka at Viera, Phases 3 and 4 - Developer: The Viera Company.

**Result:** Adopted

**Mover:** Jason Steele

**Secunder:** Rob Feltner

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

**F.3. Adopt Resolution and Release Performance Bond: Del Webb at Viera, Phase 2 Subdivision - Developer: Pulte Home Company, LLC**

The Board executed and adopted Resolution No. 23-095, releasing the Contract and Surety Performance Bond dated May 17, 2022, for the Del Web at Viera, Phase 2 Subdivision - Developer: Pulte Home Company, LLC.

**Result:** Adopted

**Mover:** Jason Steele

**Secunder:** Rob Feltner

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

**F.4. Approval, Re: Dedication of Utility Easements From: 1) Wickham Summerbrook, LLC, 2) Summerbrook Commercial Property Owner's Association, Inc., and, 3) Quick Service Realco, LLC, Related to the Plat of Summerbrook Commercial**

The Board approved and accepted Utility Easements from Wickham Summerbrook, LLC, Summerbrook Commercial Property Owner's Association, Inc., and Quick Service Realco, LLC, related to the plat of Summerbrook Commercial.

**Result:** Approved

**Mover:** Jason Steele

**Secunder:** Rob Feltner

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

**F.5. Adopt Resolution and Release Performance Bond: Del Webb at Viera, Phase 3 Subdivision - Developer: Pulte Home Company, LLC**

The Board executed and adopted Resolution No. 23-096, releasing the Contract and Surety Performance Bond dated November 15, 2022, for the Del Web at Viera, Phase 3 Subdivision - Developer: Pulte Home Company, LLC.

**Result:** Adopted

**Mover:** Jason Steele

**Secunder:** Rob Feltner

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

**F.6. Approval, Re: Warranty Deed from School Board of Brevard County Florida for the Mila Elementary Sidewalk Replacement Project**

The Board approved and accepted the Warranty Deed from the School Board of Brevard

County for the Mila Elementary Sidewalk Replacement Project.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.7. Permission, Re: Award to Lowest Bidder for Micco Road Bridge Replacement**

The Board awarded the bid for Micco Road Bridge Replacement in the amount of \$3,442,191.05 to Vecellio and Grogan, Inc.; approved the allocation of Fiscal Year 2023 Reserves in the amount of \$1,500,000 to the project budget; authorized the County Manager to execute the resultant construction contract; and approved any Budget Change Requests associated with this action.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.8. Approval, Re: Right-of-Way Reconveyance From the Florida Department of Transportation (FDOT) to Brevard County Relating to A. Max Brewer Causeway Project**

The Board authorized the Chair to accept and/or execute any and all necessary documents, upon review and approval by the Parks and Recreation Department, Public Works Department, County Manager's Office, and the County Attorney, pertaining to the re-conveyance of certain right-of-way under the terms of the Memorandum of Agreement dated May 4, 2004; and authorized staff to record any necessary documents to effectuate the re-conveyance.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.9. Permission, Re: Reject All Bids Received in Response to B-6-23-69 / Traffic Signal Installation, Maintenance & Emergency Repairs**

The Board authorized Purchasing Services to reject all bids submitted for B-6-23-69/Traffic Signal Installation, Maintenance, and Emergency Repairs; and approved piggybacking of Orange and Seminole County traffic signal contracts.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.10. Phase VII Sideslope Closure CDF Slurry Wall Landfill Change Order No. 2**

The Board approved and executed Change Order No. 2 for the Phase VII Sideslope Closure Project currently in construction on the Slurry Wall Landfill at the Central Disposal Facility.

**Result:** Approved  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.11. Approval, Re: Renewal and Amendments to the Management Services Agreement With Pier 220, Inc.**

The Board approved and executed the Renewal and Amendments to the Management Services Agreement with Pier 220, Inc.

**Result:** Approved  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.12. Approval, Re: License Agreement for Access Across Environmentally Endangered Lands Program Managed Lands at Grant Flatwoods Sanctuary**

The Board approved and executed a License Agreement allowing Ryan Lacy to access his property through the EELs Program-managed lands at Grant Flatwoods Sanctuary.

**Result:** Approved  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.13. Approval, Re: Six (6) Month Extension for the Merritt Island Amphitheatre at Veteran's Memorial Park Groundbreaking Period**

The Board approved a six-month extension, from October 6, 2023, to April 6, 2024, for the groundbreaking period for the \$1, 270,833 Merritt Island Amphitheater at Veteran's Memorial Park Tourist Development Council Capital Facilities Grant.

**Result:** Approved  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.14. Approval, Re: Resolutions and Public Transportation Grant Agreements, Florida Department of Transportation Public Transit Block Grant Program**

The Board executed and adopted Resolution No. 23-097, approving actions for the SFY 2024 Public Transit Block Grant from the Florida Department of Transportation in the amount of \$2,102,451; granted permission for Terry Jordan, Transit Services Director, to submit the grant electronically, and to execute any additional follow-up documentation, resolutions, and amendments necessary to secure these funds; and authorized the County Manager to execute necessary Budget Change Requests.

**Result:** Adopted  
**Mover:** Jason Steele  
**Second:** Rob Feltner  
**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**F.15. Board Approval for Interlocal Agreement Between Brevard County, the City of Cape Canaveral/Canaveral Port Authority for E-911 Dispatch Services and Automatic Aid**

The Board approved and executed the Interlocal Agreement between Brevard County and the City of Cape Canaveral; Canaveral Port Authority for E-911 Dispatch Services and Automatic Aid.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.16. Board Approval for Agreement Between Brevard County and the Cape Canaveral Volunteer Fire Department (CCVFD) for E-911 Dispatch Services and Facility Use for a County Ambulance**

The Board approved and executed the Interlocal Agreement between Brevard County and the CCVFD for E-911 Dispatch Services and Facility Use for a County Ambulance.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.17. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed **Wayne Soard** to the Tourist Development Council, with term expiring on October 7, 2027;

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**F.18. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**I.1. Authorization to Foreclose or, in the Alternative, Sue to Recover a Money Judgment on Specified Code Enforcement Liens**

Billy Prasad, Planning and Development Strategic Operations Manager, stated this is a request authorization for the County Attorney's Office to foreclose or, in the alternative, sue to recover a money judgment on imposed Code Enforcement liens related to three properties, for 287 Myrtlewood Road, Melbourne, (Tax Account 2602194, District 4), 180 Rita Boulevard, Melbourne Beach, (Tax Account 2850125, District 5), and 5640 Brandon Street, Cocoa, (Tax Account 2304767, District 1); and if the Board were to approve this request, staff would seek



approval to proceed with foreclosure from Code Enforcement Special Magistrate on September 21, 2023.

The Board approved authorizing the County to foreclose or, in the alternative, sue to recover a money judgment on imposed Code Enforcement liens; directed staff to seek additional authorization from the Brevard County Code Enforcement Special Magistrate, as required by State law and the Brevard County Code, for 287 Myrtlewood Road, Melbourne, (Tax Account 2602194, District 4), 180 Rita Boulevard, Melbourne Beach, (Tax Account 2850125, District 5), and 5640 Brandon Street, Cocoa, (Tax Account 2304767, District 1).

**Result:** Approved

**Mover:** Tom Goodson

**Second:** Rob Feltner

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

Commissioner Tobia asked to go back to Item I.1., he has a companion motion.

Chair Pritchett responded certainly.

Commissioner Tobia stated he is in full-support of this; he inquired if there were any similar properties that meet that criteria; and he expressed his thanks to Mr. Prasad, Esquire, for answering his questions and working with him to brainstorm ways to handle advanced Code Enforcement cases like this, in the future. He went on to say some of these cases have been going on for years and staff does not really have a clear direction in which to go; the uniform parameters suggested by staff would create a streamlined process where certain properties are not singled out; some of the parameters can include homestead status, at least three months had passed since imposition of the lien, there is an active violation leading to severe blight, a lien has reached its expiration, the fine reached the maximum allowable under Code, the owner of the property is a habitual offender, and community or law enforcement requests; and that is the motion to look at other properties to meet those guideline, so the County is treating everyone equally and fairly.

The Board directed staff to review its Code Enforcement cases, on a semi-annual basis, to identify those cases where it would be in the best interest of the public to move forward with foreclosure and those factors shall include, but are not limited to: homestead status, at least three months have passed since imposition of lien, there is an active violation leading to severe blight, a lien is reaching its expiration, the fine has reached the maximum allowed under Brevard County Code, the owner of the property is a habitual offender, and community or law enforcement requests.

**Result:** Approved

**Mover:** John Tobia

**Second:** Jason Steele

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

**I.4. Legislative Intent and Permission to Advertise, Re: Amendment to Section 2-176, Brevard County Code of Ordinances, "Administrative Fines; Costs of Repairs; Liens"**

Commissioner Tobia stated after being taught by staff regarding the previous Item, at one of the properties in his District, he asked a simple question of why this even needed to come to the Board, and it does because it is an ordinance; so by removing Board approval from the process it will not bog down the Board, nor the process of moving forward with foreclosures or

derelict, or potential dangerous properties; it takes politics out of it, although, he does not think any one on this Board would do this, it would prevent Commissioners from cherry picking which properties to move forward with on foreclosure proceedings; and the cases would still be seen before a special magistrate, in fact, he attached a timeline of the Code Enforcement process from inception through foreclosure which contains 37 steps. He advised there are numerous opportunities where the property owner is notified and had plenty of time to address the issues, but does not deprive anyone of their due process; therefore, he suggested making a slight textual change to Section 2-176(c)(2) of County Code, to remove the Board from foreclosure proceedings; this would not prevent staff from seeking Board direction if they felt it necessary, it just removes the requirement to do so for every case; and the motion he would like to present is to move issue of legislative intent and permission to advertise amendment to Section 2-176(c)(2), to Brevard County Code of Ordinances to align authorization procedures to foreclose on County Enforcement Liens with those found in Florida State Section 162.09(3).

The Board granted legislative intent and permission to advertise an amendment to Section 2-176(c)(2), Brevard County Code of Ordinances, to align authorization procedures to foreclose on Code Enforcement Liens with those found in Florida Statute Section 162.09(3).

**Result:** Approved

**Mover:** John Tobia

**Seconded:** Rob Feltner

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

### **I.3. Approval of Resolution for an Economic Development Inducement for Project Topaz in Titusville**

Troy Post, North Brevard Economic Development Zone (NBEDZ) Director, stated this is a request from the NBEDZ Board of Directors that the County Commission approve a grant award resolution in the amount of up to \$1.26 million, as an economic development inducement for Project Topaz; he is referring to the company as Topaz, because it had requested confidentiality of records and non-disclosure per Florida law; Project Topaz is a qualified targeted industry sector business under the NBEDZ's Economic Development Plan, that is their strategic plan that was approved by the Commission in 2012; it involves a firm with specialized manufacturing capabilities and they would be working to fulfill a contract with the US Department of Defense (DOD); and this contract could extend over multiple decades. He went on to say to fulfill the contract, the company is looking for the placement of a production facility within a light industrial district; they are considering sites in other states; it is known that Colorado and Alabama are being considered; he had been told that the company is looking at retrofitting existing buildings; there is not anything in his area available that is a 200,000 square foot manufacturing facility; and if they chose this area, they would need to build a new facility. He noted that project would be expected to be about \$107 million; in full disclosure, the company is discussing with the US government the possibility of transferring title to the structure; if they did that, it would be off of the tax rolls; the company would still build the building, they would still have to pay for the permitting fees and the licensing; that would be several million dollars to the local jurisdiction; they would also have to pay the sales tax on the construction materials; the project would have other significant economic development benefits and would lead to the creation of 300 new jobs by the year 2033; and the average annual wage for those jobs would be \$89,466. He stated in addition to those jobs created by the company, the project would also result in the placement of 100 military personnel at the site; these would be civilian and military DOD employees; approximately 80 percent of that contingent would be permanently assigned to the facility; he believes that could induce the purchase of local housing; the source of the grant would be the money in the NBEDZ restricted account, which are monies deposited there annually under the tax increment financing district mechanism that

they use; and they can only use the funds for economic development purposes and this would be one of those eligible uses. He expressed his appreciation of the County Attorney's Office for the help in crafting the incentive agreement that was in the Board's packet; he mentioned this sets the terms and conditions for the grant; the company has accepted this document; in keeping with the practice of performance-based grants, the grants would only be issued once the jobs are created and documented to NBEDZ; the agreement has two clawbacks, one related to NBEDZ tracking the jobs to make sure they are maintained for at least three years after they are created; also there is a clawback that is based on that average annual wage; and if the wages fall below that, NBEDZ can clawback a percentage of the grant. He advised he can answer any questions the Board may have.

Sandra Sullivan stated when Erin Brockovich came to Brevard County a few years ago in response to the dump and the PFAS contamination, she said, "What I've learned in working with the communities, is they can handle the truth, what they can't handle is the lies;" in the minutes for NBEDZ, this is all very secret and it cannot be discussed in the meeting, nondisclosures, and reiterated it cannot be discussed what this is about; she commented she wants to talk about what this is really about, because when one looks up Project Topaz, it is about nuclear manufacturing; looking at recent events, it becomes pretty apparent what this is about; the title of the article is, (Defense Advanced Research Projects Agency) DARPA and (National Aeronautics and Space Administration) NASA Pick Lockheed Martin to Demonstrate Draco Nuclear Rocket, NASA and the Pentagon's DARPA have selected Lockheed Martin and BWX Technologies to move forward with the development of a nuclear thermal rocket (NTR) that could blaze a trail for future missions to the moon and Mars; this was July 2023; in 2021, the first part of this agreement was with Blue Origin as well, so they are involved with this; she read, more powerful and efficient nuclear thermal propulsion systems can provide faster transit times between destinations reducing transit time, this technology can be used to transport humans and materials to the moon; to talk about what this really is about, it is about a nuclear manufacturing facility, hence the involvement of the military because this is involving DARPA; and she thinks the people have the right to know when projects are being done. She mentioned she also wants to talk about the lease with NASA; in the lease between Space Florida and NASA, because they are really talking about North Merritt Island because no tax is on that federal property, which is why the incorporation of Merritt Island, the removal of those federal lands initiative that this Board tried to pull off; the prohibited uses, the NASA lease prohibits certain uses in Exploration Park, including highly hazardous activities and heavy industrial manufacturing; and at this point, if the Board is going to move ahead with this, it is going to have some legal issues to move through in getting that agreement with the federal government amended.

Katie Delaney stated she does not necessarily oppose Project Topaz, however she finds herself struggling with the fact that the County is distributing \$1.2 million of taxpayer money to a company that remains anonymous; the other piece that is very unclear is the location of the project; she asked if this is in the area of federal lands or if it is within the city limits of Titusville; this lack of transparency is concerning; and she would request the Board consider these issues to ensure openness and clarity in the decision-making process.

Jack Ratterman stated he is all for NASA and traveling to the outer limits, but the location of this facility is his biggest concern, on a barrier island that often floods and is very susceptible to hurricanes; he would hope the Board would look at the mainland; he is sure Chair Pritchett would enjoy having a facility like that would bring in all those jobs in Titusville, and not Merritt Island; and he would respectfully request that the location be really considered for this area that has the greatest safety for this and that is not going to be Merritt Island.

Commissioner Steele noted he is in complete favor of this grant; he does not think anyone in

the room would doubt that the United States of America needs to deal from a position of strength; this particular issue that is coming up is one of a national defense issue; he cannot disclose what he knows or where it is going to go, but this County needs all the strength that it can get; he is completely convinced that what they are trying to do is going to be safe and in the best interest of the County, State, and Country; and he would ask the Commission today to understand that when dealing with something as secretive as this, to understand that there is also a national defense issue involved. He commented as a result of that he would hope and pray that wherever the location is, he can assure everyone that the people that will be building the facility will be building in the absolute safest manner; there are risks involved in anything that is done with economic impacts and things of that nature; this is something he thinks is needed; he thinks it is something the security of the United States of America has to deal with, and that the armed forces has to deal with; therefore, he is in complete favor of this motion; and he hopes everyone on the Board votes yes on it.

Commissioner Goodson stated he was under the assumption that it was going to be built off of Grissom Boulevard in Titusville; and he asked if that was true.

Mr. Post mentioned he is not sure if he is allowed to divulge the exact location, but he can say it is not in a Merritt Island location that they are looking at.

Commissioner Goodson mentioned that is what he thought; and he asked if in the future it will be moved to Merritt Island.

Mr. Post replied by saying he does not know.

Chair Pritchett informed it is also in a light industrial area.

Mr. Post responded affirmatively.

Commissioner Tobia thanked Mr. Post for being so diligent on this one; he was almost there, but he will point out some of the positives that almost got him there; the Board just looked at L3Harris tax abatement and that was about \$6.68 million, or what would have accounted for \$33,233 per job that the County would have been paying; this has 50 percent more jobs, for a total of 300 for a fifth of the cost; in other words, the job total here is about \$4,200; this is about eight or nine times better of a deal than what the L3Harris deal was; he was very close on this one and wanted to point out some positives; and he again thanked Mr. Post for bringing this to the Board and working so diligently on it. He mention he looked up Topaz and it is the ninth cheapest birthstone, so next time Mr. Post should go higher up on that with a diamond or ruby; and he reiterated he was close on this one.

Chair Pritchett commented if it would have been project diamond, Commissioner Tobia would have been good to roll.

The Board adopted Resolution No. 23-098, approving a grant award in an amount up to \$1,260,000.00, as an economic development inducement for Project Topaz; and authorized the Chair to execute all documents in connection thereof.

**Result:** Adopted

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**Nay:** Tobia

**G.1. Ordinance Rescinding the Economic Development Ad Valorem Tax Exemption for Midwest Dental Arts, Inc.**

Chair Pritchett called for public hearing on an ordinance rescinding the Economic Development Ad Valorem Tax Exemption for Midwest Dental Arts, Inc.

Karen Conde, Assistant to the County Manager, stated this is a public hearing to consider an ordinance rescinding the economic development ad valorem tax exemption for Project Rainbow, Midwest Dental Arts Incorporated; Midwest Dental Arts was granted the economic development incentive under Ordinance No. 2018-17, for the expansion of an existing business; they were granted an eight-year, 80 percent exemption; Midwest Dental Arts is in their second year of real property exemption and first year of tangible personal property exemption; this company no longer qualifies for the County's program as they were unable to meet the established employee count for calendar year 2022; and certified letters have been sent to the company notifying them of this action.

Commissioner Tobia stated he would like to thank Ms. Conde for answering all the questions he had about this and following up with the company, which is more than a certain organization that the County pays millions of dollars to; it seems that the Economic Development Commission (EDC) attempts to help businesses get incentives, but does not follow through, monitor, or mentor their progress to ensure that those jobs are kept; he wants to make it clear that these comments are not a reflection of the individual business itself, but the EDC; the reason he is disturbed is once again the EDC has misled, or has provided misleading propaganda to the Board, just one week ago; the Board received a handout where they highlighted project announcements and they attached it to them, where they took credit for companies that they knew could not meet the job requirements by ordinance; and that was one week after the Board passed legislative intent to rescind this abatement, either they are not paying attention or they think the Board is not paying attention. He continued by saying as of January 2023, this very company that the EDC hailed as a success, when the County received Midwest Dental Arts' annual report it showed this company had only hired an additional four employees, yet they have received to date, a total abatement of \$23,513; this does not seem like something the EDC should probably be bragging about; he understands these are tough economic times for businesses, but this is not an excuse for a primarily public organization; and that being said he will make the motion.

Chair Pritchett mentioned that is something she was not ready for; if he has the votes he has the votes, but she would like to take a little extra time to look at that because if they met the criteria for the past years, if the Board does this it might be starting a whole new thing moving forward, with existing businesses; and she needs to figure out what kind of harm this is going to cause with this vote.

Commissioner Tobia advised the way the ordinance was written was different from the way previous ordinances were written for tax abatement.

Chair Pritchett interjected asking just this one.

Commissioner Tobia carried on to say his intent was exactly what Chair Pritchett was discussing, to look back at previous ones, as far as clawbacks, but he has been informed there would be many problems that he is sure the County Manager or County Attorney would be more than willing to discuss; he noted the District 3 office will not be bringing that portion back, or any of the other ones; that being said, if she would rather wait on this, whether he has the votes or not, he would certainly be more than willing to; and he advised he just wanted to provide the back-story on this one. He noted if Chair Pritchett would like to table it, he would

second that motion until the next meeting.

Chair Pritchett stated it is in Palm Bay; and she asked if that is Commissioner Tobia's District or if it is Commissioner Steele's District.

Frank Abbate, County Manager, stated this is in that District and this one will only be limited to the current, since the time they did not qualify will not go to earlier years.

Chair Pritchett responded Commissioner's Tobia's District, she is with him.

Commissioner Steele stated as everyone probably already knows and have seen in the past, he is the biggest supporter of economic development incentives, however that road goes both ways; if in fact this company did not meet the criteria, this needs to be done away with right away; he can assure people if the County is tracking this and doing it correctly, and he thinks the Chair is looking to make sure that is the case...

Chair Pritchett agreed.

Commissioner Steele continued on to say in the event that it is traced and it is determined that they have not met the criteria, he is not in favor of continuing economic development incentives to people who are not performing; and he reiterated that road goes both ways.

There being no further comments or objections, the Board executed and adopted Ordinance No. 23-24, repealing Ordinance 2018-17 and Section 102-240 of the Brevard County Code of Ordinances, granted to Midwest Dental Arts, Inc. (Project Rainbow) for certain ad valorem tax exemptions for failure to meet the criteria for such exemptions; and providing for an effective date; and authorized requiring reimbursement of those ad valorem taxes abated during the time period in which Midwest Dental Arts, Inc. was no longer compliant with the terms of the exemption.

**Result:** Adopted

**Mover:** John Tobia

**Second:** Jason Steele

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

**G.2. Public Hearing, Re: Ordinance Amending Chapter 78, Article III, Section 78-82, "Parks and Recreation, Use of Parks, Permits."**

Chair Pritchett called for public hearing on an ordinance amending Chapter 78, Article III, Section 78-82, "Parks and Recreation, Use of Parks, Permits."

Mary Ellen Donner, Parks and Recreation Director, stated this is a public hearing to determine the viability of limiting two consecutive weekends, or 15 consecutive days, for special events at Wickham Park; and additionally, for the months of January, February, March, and April beginning in 2025, there would be one weekend per month without a special event.

Commissioner Feltner stated the pavilion that was at Brevard Community College (BCC) was there before they put up dorms; that was a venue for a lot of festivals for many years; since that has gone away, Wickham Park has turned into a venue for festivals; there are many people, himself included, who live close by and feel like the park is changing from being a community park to a venue for festivals; what this seeks to do is to limit the amount of time for any one festival to 15 consecutive days, or two weekends, and to return one weekend to the residents, festival free, in the nice months, January through April; and that would be his motion.

Julie Mikolsky stated some history Commissioner Feltner just went through, when they lost the lease with the college, the County then removed the very popular and heavily used ball field to build the event pavilion, and moved all the events into Wickham Park; these events started small and have grown considerably in the past few years in both numbers and attendance; last year there was an event at the park every weekend but two, from January through mid-June; and that is only two weekends out of 24 without an event. She went on to say as far as attendance, some of these are estimated at five to 10,000; the art festival indicates over 20,000 people per day in the park; looking at the map, which is an aerial from the Property Appraiser's Office, taken in January of this year during the Renaissance Fair, the outlined area at the top is fenced off from public use for nine weeks for this event and it shuts down the entire back half of the Disc Golf Course, that has been there for over 30 years; and the parking is in the orange lettering, that is where everybody parks and it consumes almost all of the open areas of the park. She mentioned most other events are at the new pavilion which is located just about that playground place; when they are there they fence that area off and use all that other area for parking, including in the back; trying to use the park during these events is not so park-like with the traffic and the noise, is one can even get in the park; some of the large events cause traffic problems along Wickham and Parkway, as there is just no good way to get that many people into the park and off the road; the entrance line backs up and spills onto Wickham Road as they funnel all the traffic through the Wickham entrance; and they block southbound traffic from making a left into the park which causes u-turns on Wickham, chaos, chaos, and the whole area jams up. She mentioned the other issues are the wear and tear on the park, the park roads, and the restrooms; the fields used for event parking have gotten so depressed that they flood after a decent rain, creating ponds deep enough for ducks; there is a lot of wildlife in the park including Gopher Tortoises that suffer from the traffic, the noise, and the movements when the event fences and tents go up; the friends of Wickham Park fully support this ordinance that will give the people more time to enjoy the use of their park as a park, and ask that the Board pass this; and they also ask that the County consider some alternatives to Wickham for events, whether it be another County location, sending them to the private sector, or spreading them among other parks.

Monique Seaman stated Friends of Wickham Park are a group of enthusiasts who are passionate about environmental stewardship of the park's natural resources and wildlife so they remain intact for future generations; she would consider herself as a Friend of a Wickham Park; she wants to address why the current management of events is a detriment to the Park; it is not realistic to say Wickham should not have any events, but in the last several years, park management has grown the park events dramatically in number, size, length of time, space occupied, and parking areas provided, to the point where the park becomes just a space for the events and their advertising, and is unsafe for individuals and families that live in the area, use the roadways, and use the park for its intended purpose; and she assumes the park's intended purpose is to provide recreational opportunities that are in alignment with the spirit of the park, to preserve its natural resources, to provide wildlife habitat and natural beauty for all to enjoy, and to protect the State's endangered keystone species, Gopher Tortoises, which they have not. She commented park management has cost the park and local community through allowing outside agencies with sometimes no ties, to price gouge and afford their vendors and employees, free stay at the park in their vehicles, RV's and tents all over the park; these vendors have taken businesses from the local restaurants, small businesses, and their employees; and by far, the biggest event is the Renaissance Fair. She added the gentleman that runs the Renaissance Fair bragged on tape that tax payers have not given the park \$100,000 a year like he has and that he is the one responsible for installing all the electric throughout the area where he holds his Renaissance Fair and where it is now designated for staff to stay and what used to be the boy scout camping area. She asked is this true, is this just the tip of the iceberg; she mentioned the Renaissance Fair occupies Wickham Park as a 501(C)3 non-profit organization and pays for it that way; she asked if management has

determined if this is true; and she mentioned the Renaissance Fair has long outgrown Wickham Park in size, length, activities, numbers, traffic, and more, but park management tirelessly defends it taking over Wickham Park for five weekends of parties in nearly two months of occupying a large portion of the park, twenty-four hours per day, seven days per week. She stated they are allowed to park multiple RVs, buses, and tents where park goers would normally walk and enjoy nature; they have been allowed to use large swaths of land for their trailers and campers, they are allowed to stay at the stables with RVs for weeks, and they park other RVs in the middle of the park for entire weekends; they built temporary fencing covered with advertising that stays for two months; and she would ask each Commissioner to go each week to the park.

Theodore Minnear stated this caliber was established in 1990; this last year was the 33rd caliber disc golf tournament; they love the course and take care of it; they do not mind the veterans, they are great; some of the events, those who fry food, they dump their oil, there are piles of cigarette butts, and there are homeless people; the park needs maintained, cleaned, just like any other forest; there was a fire two years ago; there needs to be help, it is not designed for giant events, it is for families, parties, and birthdays; he had a custody party when he fought and got custody of his child; it has to change; and hopefully it can.

Roderick Queen thanked Commissioner Feltner for bringing this to the Board; he stated obviously he recognizes the problems that are being created in that area; obviously losing the large pavilion over at BCC is really what put the squeeze on; as he keeps hearing, just the amount of time that is taken away from everyday citizens in the area trying to use the park; it does not create a safe environment; he is a multi-user of the park; he uses the disc golf course, the mountain biking trails, and the archery range; he takes his sons there to play and run around, and they use the dark park as well; and on the weekends during snowbird season it is almost impossible. He noted he lives just off Parkway and US 1; turning onto Parkway, it was backed up almost to the railroad tracks; the high speed rail coming, is just going to cause more concerns for everyone out there; and it sounds like hopefully there will be a resolution passed today that will kind of help with some of these issues.

Commissioner Feltner stated he thinks the speakers today said many things better than he can; two things he wants to point out, first this will not take effect until 2025, it is too late to affect 2024; for all of the events coming in 2024, understand that things will be changing in 2025; in Viera, people may have noticed that Space Coast Daily Park had to move because of the building of the new middle school; the Space Coast Daily Fair was on the School Board property, but it is now next to St. Johns on Stadium; he would suggest that is a commercial venue and Giles Malone is promoting that for these types of festivals; and therefore, there is an alternative in the center part of the County to use that facility. He mentioned he would appreciate the Board's support today.

There being no further comments or objections, the Board conducted the public hearing and adopted Ordinance No. 23-25, providing for legislative findings and intent; amending the provisions of Chapter 78, Article III, Section 78-82(b)(1) - Parks and Recreation, Use of Parks, Permits - The Brevard County Code of Ordinances; providing a limitation on the length of special events at Wickham Park; providing for a limit on the number of special events each month at Wickham Park providing for conflicts; providing for severability; providing for codification; and providing an effective date.

**Result:** Adopted

**Mover:** Rob Feltner

**Second:** Tom Goodson

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



**G.3. Approval of a Rate Resolution to Impose Non-Ad Valorem Special Assessment for the State's Medicaid Managed Care for Direct Payment Program for Local Hospitals**

Chair Pritchett called for a public hearing on a request for a rate resolution to impose non-ad valorem Special Assessment for the State's Medicaid Managed Care for Direct Payment Program for local hospitals.

Jill Hayes, Budget Office Director, stated this is request for approval of a rate resolution to impose non-ad valorem special assessments against local hospitals for the State's Medicaid Managed Care Program; and it is a federally funded program and allows the State to access federal funds for managed care expenditures and offset the hospitals Medicaid shortfalls.

There being no further comments or objections, the Board executed and adopted Resolution No. 23-099, imposing non-ad valorem special assessments against private for-profit and non-profit local hospitals holding a right-of-possession and right-of-use to real property in Brevard County for the State's Medicaid Managed Care for Direct Payment Program; authorized the County Manager to execute any necessary budget change requests to implement the non-ad valorem special assessment program for the State's Medicaid Managed Care for Direct Payment Program for local hospitals; and authorized the County Manager to execute the Letter of Agreement with the State of Florida authorizing the County's participation to this program.

**Result:** Adopted

**Mover:** John Tobia

**Second:** Jason Steele

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

**G.4. Public Hearing, Re: Inventory List of all Real Property Within the County's Jurisdiction that is Appropriate for Use as Affordable Housing**

Chair Pritchett called for public hearing on a request for an inventory list of all real property within the County's jurisdiction that is appropriate for use as affordable housing.

Kathy Wall, Central Services Director, stated this is required by Chapter 2023-17, Laws of Florida; the County is required by October 1, 2023, and every three years thereafter, to prepare an inventory list of all real property within the County's jurisdiction, for which the County or any of its Dependent Special Districts within its boundaries holds fee simple title that is found to be appropriate for affordable housing; and the County is required to hold a public hearing to receive public input on the list that is attached to the Agenda Item. She inquired if there is any public comment on the Item.

Chair Pritchett advised there are no cards for public comment.

Ms. Wall continued by saying the Commission then needs to review the list and make any additions or deletions to the list.

Chair Pritchett asked if the Commission is good with the list that was provided; she noted there could be issues down-the-road on properties being landlocked; but this looks like a good list to her.

Ms. Wall added the request then is for the Board to adopt the attached resolution.

There being no public comment or objections, the Board conducted the public hearing and adopted Resolution No. 23-100, that includes an inventory list of property that is within the County's jurisdiction to which the County holds fee simple title, and which has been found to be appropriate for use as affordable housing.

**Result:** Adopted

**Mover:** Jason Steele

**Seconded:** John Tobia

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

#### **H.1. Reconsideration, Re: Tourist Development Council's Recommended Funding for Brevard Cultural Alliance**

Chair Pritchett advised that the Board does a modified Robert's Rules; the Chair sets the tone; she is fine with these being discussed again; Commissioner Tobia agreed to this in the early years, if it is something one is not sure if there is support on it then during Board reports he would bring it up to see if there was another Commissioner who would agree to it before it was actually placed on the Agenda; however, she thinks these Items are fine going out. She added Commissioner Tobia used to do that every meeting and the room would fill up and there would not be a second on the Item; and she will now move into the Item by Commissioner Steele. She noted she has cards for this Item and that this was really part of her recommendation to extend it, so she will be supporting his request.

Commissioner Steele stated he thinks everyone knows that there has been a little rush going on when the Board did away with cultural grants and brought in lifeguards; he is very happy with his vote in regards to that because of the priority of saving lives; that left a big, vacant hole in regards to cultural grants and where it would go; in addition, one of the issues that came up, and he was not on the Commission so he did not understand or hear Chair Pritchett's recommendation to Brevard Cultural Alliance (BCA) that they in fact go out and look for City funds; basically where the County is sitting right is with no cultural grants or cultural people to steer it in the right direction; and he asked the County Manager and the County Attorney if there is a way that he could bring up a conversation about providing three months' worth of funds for the BCA. He advised the only way to do that is for him to ask the Board to grant a reconsideration to bring it back before the Board; he cannot bring up the BCA until he has a vote from the Board; and he motioned for a reconsideration.

Chair Pritchett asked the County Attorney if it has to be brought back up like that or if the Board can start this as new because it is actually a change of what was voted prior; and she explained this would be bringing the BCA back for a three-month extension on the Contract.

Morris Richardson, County Attorney, stated it could be considered new business in that regard; it is obviously very related to what was considered previously; it could be considered new business the way it was brought back; but here it was brought back as a reconsideration.

Chair Pritchett stated the Board will proceed with it the way Commissioner Steele is requesting.

The Board granted a reconsideration of its action taken at the August 22, 2023, regular meeting on Item H.1., Approval for Tourist Development Council's Recommended Funding for Brevard Cultural Alliance Professional Services Contract for FY 2023-2024.

**Result:** Approved

**Mover:** Jason Steele

**Secunder:** John Tobia

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

Commissioner Steele thanked the Board for allowing the potential reconsideration of the BCA funding; he noted he hopes the BCA got the message from the last time, that they are going to need to go out and redo their financial structure and get some additional monies from a variety of other people; what he felt was not fair was he thinks the Board was about to give BCA at least three months' worth of funding so that they could get back into a position of raising money moving forward; and he is going to ask the Board today to please allow providing the BCA three months' worth of funding for the next Fiscal Year.

Chair Pritchett noted she is going to support that; but she has comment cards.

Commissioner Tobia mentioned his concern with the BCA is that it is merely an administrative entity and the money does not go directly to cultural organizations; marketing grants are a different story and there may be an agenda item coming up soon after that envisions just that and has no potential administrative component; on August 22, 2023 the Board acted in a fair and appropriate manner as Commissioner Steele mentioned, when it voted to defund the BCA, or discontinue the contract; however, the generous support and compromise offered by the Chair, and then brought up by Commissioner Steele, of putting this back on the Agenda, he can support. He continued by saying this is as long as the exit contract is immediately terminated upon conclusion of the three months; he does have a question for Commissioner Steele; he is not in favor of handing over \$53,040 to the BCA in exchange for nothing because then it is not a contract; and he asked if there is no cultural or major event grants to administer and it is unfair to ask them provide the Board with an end-of-year report since it will only be around three months, what services does Commissioner Steele envision in exchange for this three month contract, as he does not believe Commissioner Steele intends this to be a handout either.

Commissioner Steele responded he does not; he stated the services would continue on to be able to adopt economic cultural events for Brevard County; in order to do that he would think they are going to raise additional funds; they would obviously need to give the Board some sort of report at the end of the three months; unfortunately, the cart would be before the horse; he understands what Commissioner Tobia is saying, the Board not have given them the opportunity to tell it what they would be more than happy to do; however, his intent today was to be able to give this money to them so they could get back the organizational abilities to raise money from the cities and other people. He noted he does not want to see the BCA going down the tubes, he wants to see cultural things happening in Brevard County; therefore he has no direct answer for the question.

Commissioner Tobia stated as the Board goes forward he would trust either Commissioner Steele or the Chair, he just wanted to give some sort of staff direction; so this ends October, therefore the Board could potentially handle this in a more expeditious fashion, instead of having to bring that contract back; that was his only question; and he advised he plans on supporting this.

Chair Pritchett stated what she is hearing so far is that the votes are to support this, however, there are six cards; and she mentioned to the public not to say anything that would mess up the chances, but if they have something they need to say to please come up.

Mike LaFortune stated he just wanted to comment on something that Senator Mayfield,

Representative Sirois, and Commissioner Steele had spoken to about the strength of Brevard County and specifically about its ability to take small public investments and induce private investment and action for a sustainable return; visitors were talked about, families moving to Brevard were talked about, families staying in Brevard, or in his case, a family moving back to Brevard County; one of the things the BCA does for people in the form of program and capacity building and the many partnerships for art in public places, as well as art sometimes in private spaces that are used for public purposes; and for example, the Holy Trinity West Chapel, it is an example of art lifting up spirits. He went on to explain there was a process to inspire and educate children and families, and it produced a result that elevated the community and built sustainable legacy of investing in people and families; this was a project led by BCA and funded in part by the families of Holy Trinity to bring a large scale, like the size of the wall here, an angelic stained glass piece to their West Chapel; it involved students of the school and a local artist, who actually spoke at another County Commission meeting; these students learned about architecture, site, and orientation light placement; they learned about math and taking paintings from a teacher at Holy Trinity and enlarging them to make it into a very large piece; that was a mathematical exercise; and they learned about chemistry and how to make stained glass through adding metal components and other chemicals. He mentioned they learned about physics and light and how it interacts; this particular artist does not use stained glass that is like little tile pieces that people are familiar with, this particular person layers the glass and heats them all together, making the students think about the physics of how the light would change through the day and go through the glass and do different colors; lastly the physics, the glass tiles were hung, so thinking about the physics of the fact that the tiles at the lower end and the chains are holding a certain amount of weight, but at the top the chains are holding more weight because they are holding more tiles; and at the end of it all, it is this beautiful, gorgeous stained glass piece. He mentioned this program came about because of BCA's involvement and coordinating these things together on a small public investment, met by the students time, by the families of Holy Trinity, and the result was this piece that is legacy; these students when they grow up and they bring their families into town they are going to point to this monumental art that they built explaining he or she helped build it; they will have this for the rest of their lives from their participation into this program, thanks to BCA; he just wanted to share this one story of many; this result of a BCA program, funded by a small amount of money that brought in private enterprise, private money, private activity, and volunteering and made a sustainable impact in this community; and that is legacy on these families who participated. He mentioned this is just one example of many; and he thanked the Board for its time.

Chair Pritchett commented hopefully that will continue with private funding as well.

Martha Pessaro stated she wants people to remember that BCA is a legacy within Brevard County and it needs to be supported as does the arts.

Doug Taylor stated he lives in Palm Bay and is on the Board of Directors of the Melbourne Arts Festival that is held in the back lake of Wickham Park for one weekend in April; he thanked the Board for hopefully continuing the support of the BCA; he stated he hopes it will be longer than three months; as the Melbourne Arts Festival they are a 100 percent volunteer organization; they count on the BCA to help them; they need its professional guidance to help them run things; the BCA helps promote the festival as well as other organizations; and not only to Brevard County, but to the State of Florida and beyond. He noted people subscribe to their newsletter and come on their website; they should let people know what their analytics show for the number of people outside the area that they help bring in; they also recently had a marketing seminar earlier this year and it was wonderful; it really brought everyone all together as non-profits so they could network; they learned during valuable courses from professionals and it truly was a great thing that helped them; and they also helped with the grants, but not only the Brevard grant, but they helped several Brevard County organizations to get Florida

State grants. He noted the BCA is helping fund his organization through other means as well; for the first time ever his organization received a Florida grant, so they were very pleased; they would not have received it without the BCA's help; and for the reasons mentioned, he hopes the Board will continue to support the BCA, they are a great organization and this is a great Commission.

Sandra Sullivan stated as people walk through the County Commission offices, the Attorney's Office, in the hallways they will see the Art of Brevard, it is beautiful; it livens, and highlights the artists in Brevard County; and to go into other public buildings in Brevard County, people will see the same, otherwise, the walls would be very barren. She mentioned she wants to speak to Items H.1. and H.2.; the Board just discussed North Brevard Economic Development Zone (NBEDZ); the County just invested \$13 million last year and \$11 million this year on the budget, to attract and grow the space industry here in Brevard; when looking at that and trying to attract talent, one of the biggest challenges for Brevard is attracting people to come here because it is hard to get enough workers that so many industries are complaining about; and of course, the quality of life is very important. She went on to say she would suggest as people walk out to look at the walls, that is the BCA at work; and it is seen all around in ways that are not always really apparent, but this is really important in attracting the talent that is needed to grow the space industry.

Commissioner Goodson stated if the Board remembers, just the other day it cut the Economic Development Commission (EDC) about 10 percent, and Commissioner Tobia wanted to cut it by 20 percent, so the Board agreed on 10 percent; they were put on notice that they must perform better, talk to the Board more, or something; and he asked why this Board would not talk about cutting the BCA 20 percent, telling them they are going to have to perform better, giving them more time than three months for all the good they do. He inquired if that is even a consideration that this Board would want to consider, or does it just want to say three months and that is it.

Commissioner Goodson asked if there is a motion right now for three months.

Chair Pritchett advised she thinks the Board is giving them 25 percent, not 20 percent.

Commissioner Goodson pointed out he knows that, he is talking about the Board just cutting the EDC 20 percent; and he asked why the Board would not take their full budget, cut it 20 percent informing them that they have to report back to the Board for a year, giving them that option; but, there is a motion right now at 25 percent.

Chair Pritchett stated she is going to let Commissioner Steele talk, but she thinks it is because the Board was telling the BCA it needed to do something different because the Board told them one year ago that they need to go get other funding; and in the kindness of Commissioner Steele, he is coming back to try to help them out for a little while to get them on their feet, because they had already received a year notice; and that is her thoughts.

Commissioner Goodson responded the Board is full of kindness because it has cut just about everything in the last month, but it is not saying it is funding lifeguards.

Commissioner Steele stated he is happy with the motion the way it is.

Commissioner Tobia asked Commissioner Steele to repeat his motion.

Commissioner Steele stated the motion is to allow BCA to have an additional three months of funds for the next fiscal year, and at the end of the three months they will be on their own.

Commissioner Tobia asked to amend the motion and see if he can get Commissioner Steele's approval; he mentioned he just wants to authorize staff to draft that as well as execute the three month exit contract for BCA which would immediately terminate upon the conclusion of the three months after the contract goes into effect with no options for renewal; and to approve funding for said contract in the amount of \$53,040.

Commissioner Steele responded affirmatively.

Commissioner Tobia noted he is just trying to make this go quicker.

The Board authorized staff to draft and execute a three-month "Exit Contract" for the Brevard Cultural Alliance, which will be immediately terminated upon the conclusion of the three months after the contract goes into effect, with no option for renewal; and approved funding for the contract in the amount of \$53,040 for Fiscal Year 2023-2024.

**Result:** Approved

**Mover:** Jason Steele

**Second:** John Tobia

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

**Nay:** Goodson

## **H.2. Reconsideration, Re: Tourist Development Council FY 2023-24 Cultural Support Grant Program Recommendations**

Commissioner Goodson thanked the Board for allowing this to possibly be reconsidered; he made a motion to reconsider the vote for the Tourist Development Council (TDC) for 2023-2024, cultural support grants program recommendations; and he noted all of these were recommended for approval by the TDC.

Commissioner Feltner asked what that would do for the lifeguard funding that the Board had already reallocated those funds for.

Chair Pritchett noted she thinks it will depend on if it gets a vote to go through or not; and that would have to be the next discussion if the Board decides to bring it back to the table.

Commissioner Feltner asked if the Board would have to pass this today in order to discuss.

Chair Pritchett responded affirmatively. She commented if it does not pass bringing it back up then it is not going to come back for discussion.

Frank Abbate, County Manager, stated Chair Pritchett is correct.

The Board granted a reconsideration of its action taken at the August 8, 2023 regular meeting on Item I.3., Approval for Tourist Development Council FY 2023-2024, Cultural Support Grant Program Recommendations.

**Result:** Approved

**Mover:** Tom Goodson

**Second:** Jason Steele

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

**Nay:** Pritchett

Chair Pritchett asked Commissioner Goodson to start off the conversation; and she advised

she likes what Commissioner Tobia sent out as an alternative in the marketing.

Commissioner Goodson stated he would motion for approval of the 25 grants.

Chair Pritchett advised motion dies for lack of a second.

Commissioner Tobia stated on August 8, 2023, the Board was very clear on its unanimous vote to not fund the cultural grants in the same way that it had been previously funded; this idea put forward does not need to waive Robert's Rules, as confirmed by the County Manager's Office; he has an alternative option that provides for the opportunity for funding for organizations to receive grants with a reoccurring funding source; these ideas have been discussed with the tourist office Director as well as the County Manager's Office and there are a whole number of possible discussion points; if the Board decides to move forward with this plan, these points of discussion would need to be addressed by the Board to give staff direction on how to draft the guidelines; and the handout is the one that reads, "A single marketing grant program for sports, cultural, and major events beginning 2023-2024." He continued by saying as the Board can see, the funding source, as well as a potential amount, a way the awards could potentially be administered, as well as the committee that would be making that selection; he will leave this up to the Chair if she would rather discuss this at a later date, he would be more than willing to put this one up on the Agenda for the next meeting, if she would like to discuss it now, he would be willing to answer any questions, or if she would like to send this to the TDC to get it's input on it, he is more than willing to do that as option three; he commented since he was not aware that she was voting down on the procedural motion, he would not have gone against her; and he is more than willing to entertain any one of those three options.

Chair Pritchett noted she likes most of Commissioner Tobia's suggestions; whatever he wants to do; she thinks a little bit of discussion today, so the rest of the Board can get a feel of where each other is at on this would be good; she thinks it needs to be sent to the TDC to have them help with recommendations; she likes the idea of sending it back and working on a marketing subcommittee and maybe they provide guidelines for large marketing things like the air shows, boats, and the symphony orchestra; and she thinks when they market outside of the County, they are getting heads in beds and that is completely right in line with what the Board is trying to do, it is not trying to pick winners and losers, things that are already established. She went on to say she already met with the orchestra group and he even said that he would be fine if the Board allowed the marketing through the TDC to handle how they market that; those are some good suggestions and ideas; she thinks the ability to reimburse after they make the investment is probably better for these dollars; and those are her thoughts on this, but she does not know where the rest of the Board is on it. She pointed out that would have worked very well with the air show and the boat show if the Board would have just done reimbursements because they would not have gotten way down into their finances on everything.

Commissioner Steele stated he actually thinks this is brilliant; it gives him some hope that they would be able to go through with some of the grants that it needs to have and it brings some life back to the cultural grant program; he thinks that sending it to the TDC is a great idea and if the Board can fine tune it, he thinks it is a great avenue to continue cultural grants that are meaningful to Brevard County.

Commissioner Feltner stated he is going to ask the same question, what does this do to the lifeguard funding.

Frank Abbate, County Manager, stated the way it is structured and what is available in the current fund, remaining that it would have no impact on the funding level that was previously approved, if the Board so chooses.

Commissioner Steele stated he does not think it does anything to the lifeguards at all, it would have if the Board would have adopted Commissioner Goodson's particular motion; the Board would have had to reiterate and change things around, but the lifeguard funds are still intact from the original denial of the cultural grants that the Board did prior; this is a completely different funding mechanism that has nothing to do with lifeguards; and if commented if he is incorrect somebody please let him know.

Commissioner Tobia stated funding point one, this funding is derived from the remaining cost savings from the elimination and or combination of the major event grants that were done away with; both Brevard Cultural Alliance (BCA) which was done away with, 100 percent, then 75 percent cultural grants and sports grants, less the 20 percent that was allocated to lifeguard services; the amount would be dictated based on how much the Board decided to go or how much the TDC recommended for then Board to go forward; those savings combined, less the 20 percent that was going to the lifeguard, would not have an impact on lifeguard services; the amount would be dictated based on how much the Board decided to go or how much the TDC recommends for the Board to go for it; however, those savings combined, less the 20 percent that was going to the lifeguards would not have an impact on lifeguard services.

Commissioner Feltner stated that is fair enough.

Chair Pritchett asked if Commissioner Tobia was comfortable with the Board sending this back to the TDC for recommendations.

Commissioner Tobia asked if Chair Pritchett wants him to make a motion to send the single-marketing grant program for sports, cultural and major event grant sheet, Fiscal Year 2023-2024 back to the TDC for review and recommendation; he noted he did not envision this as an option; and he asked if there is a date to amend that so they can bring it back to the Board of County Commissioners.

Chair Pritchett asked if they would need a couple months, or one month.

Peter Cranis, Tourism Development Director, stated one month.

Jim Liesenfelt, Assistant County Manager, advised the next TDC meeting is September 27, 2023, therefore it could come back in October.

Commissioner Tobia advised it would bring back the recommendations by October 10, 2023.

Chair Pritchett commented she just wants to reiterate this with the County Attorney, the cards she has for rescinding the vote, how does she work that in since it did not go through to reconsider it.

Morris Richardson, County Attorney, stated this is part of the overall Item.

Chair Pritchett stated she just saw the public comment cards.

Attorney Richardson stated they can still speak to this Item, it is part of H.2. because the option being presented and considered was made part of this Item; they can speak now on it if they wish; in light of what the Board is contemplating doing, they may wish to go speak at the TDC or a future Board meeting; however, prior to the Board taking action and voting on the motion they should be afforded that opportunity to speak on the Item if they wish.

Martha Pessaro stated she is at a loss for words in many ways about the history of where the



cultural funding through the County has gone over this past decade; she has been here a little over 40 years and applying for grants and assistance with the cultural programs, for the better part of 30 years; the initial County General Fund had a bucket for cultural; they did grants through the BCA, along the lines of what was allowed at the State-level; there were really good processes for applying for these grants and being awarded through panelists and discussion with the cultural organizations in the BCA; and final approval was at the Board level. She continued by saying then it was changed to the TDC where they were allotted four percent of the collected head in beds taxes, which they generate; they are that sustaining model, all of these organizations, all of the non-profits that put on every cultural event within the County are the driving model for the economy; and that four percent is the pittance of what they have collected and brought in for everyone. She noted now that is taken away, wiped out, and the Board is talking about just going back to a marketing grant; there was 50 percent spent out of County with this last process that they all went through; everyone applied and did their due diligence and goodwill was set forward that they were on the right track for a good program for Brevard County, and now it is wiped out; there is no recourse for anything that has to do with any of the general program costs; they have to go outside of the County, they have to go to the State, the NEA, but their own County that they drive the economic model is not in support of the programs and organizations that bring culture to the citizens and visitors of Brevard County; non-profits throughout the State of Florida contribute over \$1 billion to the economic model, that was heard last weekend at a wonderful presentation; and they really want to work back to having a cultural program within Brevard County. She thanked the Board.

Doug Taylor stated he is the Marketing Director of the Melbourne Arts Festival and this is their 39th year; based on the cultural committee rankings they have scored over 93 percent on their criteria which is third overall in rankings of the 25 that were to be given money; they even started rebranding the festival several years ago as a Central Florida Art Festival, so they could help bring in and put heads in beds; according to Visit Florida each visitor spends \$754 times the 1,000 up to 2,000 that the phone tracker says; that is \$754,000 up to \$1.5 million dollars, a direct impact that visitors from out of the area have contributed to the Brevard County economy based on just the Melbourne Arts Festival in the two days that they do it, April 27 and 28; and they operate on a razor thin budget margin. He continued by says the revenues come from booth fees, vendors, patrons, beverage sales, and grants; after moving from downtown in 2018 for financial reasons, they were just starting to turn a profit when Covid hit; they slowly recovered in 2021 and 2022 but still are not full speed; they still have not added back the 5K race yet; ironically, this years' Melbourne Arts Festival was held two weeks after the Bud light boycott started, plummeting the beer sales; truly, if it was not for the grant funds that were assigned to them last year for this year, they would not have been able to maintain their mission, which is to continue providing scholarships for students in the local area who want to take classes in art and music; and he stands before the Board today to make a plea for continued funding of Brevard County's Arts and Cultural events, as these events are not just a source of entertainment, but a part of the life-blood of the community, enriching the lives in countless ways and contributing significantly to the local economy and overall well-being. He went on to say obviously it was mentioned earlier each Commissioner hands selected representatives and they unanimously agreed to fund these 25 organizations based on the fact that they do put heads in beds; the good news is the \$535,000 equals just .119 percent of the \$448 million raised by the Tourist head tax; at the August 8 meeting he believes the Board actually came up with the solution; the Chair had talked about the \$900,000 cash carryover with \$1.4 moving on to marketing of lifeguards; Commissioner Tobia mentioned that it is actually \$1.8; and that extra \$500,000 would more than fund them.

Janet Forrer thanked the Board for allowing her to speak on the issue of providing funding for the Brevard Arts organizations; she stated she is the Chair-elect for the Brevard Symphony Orchestra (BSO) Board of Directors; she also serves as the President of the BSO South Guild;

she probably should have been there before; the BSO presents classical, pops, and holiday concerts at the King Center for the residents of Brevard County; in addition, the BSO provides six free of charge, large concerts for the residents; an outdoor concert, the fourth of July concert in cocoa with thousands and thousands of attendees; and a family concert and four fifth-grade concerts. He noted both at the King Center with over 1,700 attendees at each concert; and other than the funding the Board provides, they have to raise the rest of the funds for that; and if the Board could only imagine the cost for that. She continued by saying they cannot do it alone, they need the Board's help; all the organizations need the Board's help; they rely on the annual funding received from the County to provide these free, educational, and patriotic concerts that she just mentioned; with this funding, it was already discussed, they will probably have to eliminate at least one of these concerts, if not more, and reduce its service to the community; economically, corporations can relocate their headquarters anywhere and everyone knows this; some of the criteria they consider includes the obvious, infrastructure, schools, parks, quality of life, international airports, but also on the list of criteria they have the visual and performing arts, and they check to see if that area has a performing arts hall, a symphony orchestra, the ballet, playhouse theatres; and it is not just the BSO, it is all of the arts who are reaching in their pockets, other community leaders are reaching in their pockets to make this happen. She stated in their budget they receive so little from the Board; she asked that it not take that away; she asked the Board to vote yes for all the residents and children of Brevard County, and the arts.

Aaron Collins thanked the Board for its time; he expressed his appreciation for it accepting the hundreds of emails that he has been sending over the past month, and for sitting down with him, some of the Board members on multiple occasions to talk to him on the arts funding; he stated he feels everything that has been brought up by the Board today; the direction of the grant program is a great start; and he is hopeful that he can sit down with the Board in the future and find a happy medium and a way to see that the arts, not only thrive in Brevard County, but it really does justice with tourism as well; he knows the reconsideration was a big ask and a big step, so this is a good first step; and he sincerely appreciates the Board doing that.

The Board directed staff to bring the single marketing grant program for major events, cultural events, and sporting events grants for FY 2023-2024 worksheet to the TDC for review and provide recommendations to the Board at the October 10, 2023, regular Board of County Commission meeting.

**Result:** Approved

**Mover:** John Tobia

**Seconded:** Jason Steele

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

**J.1. Frank Abbate, County Manager, Re: Board Report**

Frank Abbate, County Manager, stated he wants to let the Board know that Brevard County's Fire Rescue Engine Strike Team and K9 support came back to Brevard this past Friday after serving in Lafayette County during their hurricane recovery efforts, as well as the two employees supporting that same effort from Emergency Management, who came back over the weekend.

**J.3. Tom Goodson, Commissioner District 2, Vice-Chair, Re: Board Report**

Commissioner Goodson stated only one report, Florida State won again.

**J.5. Rob Feltner, Commissioner District 4, Re: Board Report**

Commissioner Feltner stated he is sure everyone has read in the newspaper about David Panacoa, Deputy Mayor of Indian Harbor Beach; he spent two decades in city government serving on city council since 2003; he was Mayor in 2015 and Deputy Mayor in 2019; and on behalf of the Board, he wants to say its thoughts and prayers are with his family.

**J.4 John Tobia, Commissioner District 3, Re: Board Report**

Vice-vice Chair Tobia stated he was going to skip this, but Commissioner Goodson mentioned Florida State; he would like to point out that the University of Florida was ranked number one in the Wall Street Journal amongst public universities and 15 overall; Florida State was right up there, they only fell 87 places behind the University of Florida, according to the Wall Street Journal; he is sure they moved up a couple hundred to get within striking range; and that being said, their football team is really good this year. He went on to say this is an unusual one, but today is National Report Medicare Fraud Day, according to nationaltoday.com; he noted that on the screen is Artificial Intelligence (AI), and the weirdest things one will see until the next meeting; the useless Florida fact is Florida's Britton Hill in Lakewood Park is 345 feet above sea level; this is a little weird but it is the lowest high point of any state, 345 feet higher than Space Mountain; and this day in Florida history, on this day in 1965, Vernon Maxwell was born in Gainesville and he was arguably one of the greatest University of Florida basketball players, leading the Gators to their first ever NCAA tournament appearance and still holds 15 Gator team records. He stated moving on to the most important portion of County employee recognition, and that is Brian Breslin of Housing and Human Services, as well as the Americans with Disability (ADA) Coordinator; he has 27 years of public service; he mentioned he would like to go over what some of Mr. Breslin's colleagues have said about him; and he read, "Brian has been a resident of Brevard since 1983. He graduated from Melbourne High and furthered his education at Florida State. He started his career with the County in 1996 as a Pretrial Investigator at the Brevard County Jail. After one year, he was promoted to County Probation Officer overseeing persons sentenced to misdemeanors, pre-trial diversion, community service, and probation for DUI, reckless driving, minor drug offenses, and or domestic violence. In 2001, Brian accepted a position with the County equal opportunity ADA Coordinator. In 2002 he accepted a position with Housing and Human Services Department as the Department Fair Housing Coordinator, Contract Monitor, as well as retaining any of the duties as the ADA Coordinator. As part of his work as the ADA Coordinator, Brian works closely with all departments to develop and implement Policy and Procedures to ensure that programs with facilities allow ADA regulations. He also provides direction regarding employee accessibility and accommodation. Brian has served on the United Way of Brevard County's Funding Allocation Panel, the Board of Directors of the Space Coast Center for Independent Living, now known as the Resource Center for Disability Solutions, and on the Board of Direction with the Space Coast Field of Dreams. He was also one of the United Ways, 30 under 30 Emerging Leaders. Brian enjoys going to local gyms, spending time with family, watching FSU sports, visiting local breweries with friends, and going on cruises. He recently adopted a fur-ever family member, Snickers." He pointed out it sounds like Mr. Breslin is a busy man.

Brian Breslin stated the Board is short on time, but he would like to thank Commissioner Tobia for this honor; he appreciates it; and he stated, "Go Noles."

**K. PUBLIC COMMENTS**

Matthew Nylen stated he is a resident of unincorporated South Rockledge in District 2; they call his neighborhood Bonaventure because it was named that since it was settled in 1868 by Isaac Stewart; twice before the County has come to his neighborhood to say that they want to cut

down or severely prune the live oak trees that line Rockledge Drive in his neighborhood; and twice before the neighborhood has banded together to push back against that. He went on to say his neighbors believe those trees are a beautiful part of their neighborhood, an essential part of what makes living in this neighborhood a wonderful place; those trees are not only enjoyed by the neighborhood, but by all the people who drive up and down Rockledge Drive; he reiterated the neighborhood pushed back twice before; after last time they thought they had received a promise that the County would not be back again; however, the County has come back again saying it wants to cut down or severely prune those trees. He added the neighborhood is together in opposing that; and they would like the Board to reconsider that and not do the damage to their neighborhood. He stated they will continue to push back; they hope the Board will reconsider because they love their neighborhood; and they love those trees that are a part of that.

Katie Delaney stated she is in attendance to express her deep disappointment regarding the recent decision by the majority of this Board to defund sample ballots from the Supervisor of Elections budget; during the last election cycle she had the privilege of volunteering at various polling sites across the County as a poll watcher; what struck her the most was the significant number of voters who brought their sample ballot with them as a guide; this simple yet invaluable resource proved instrumental in helping voters navigate the voting process effectively and definitely contributed to the low wait times; and it is disheartening to witness the disappointment and frustration of many residents throughout this County in response to this decision. She went on to say while the government often allocates resources to projects that many people do not use; it is baffling to her that the Board would cut funding for something that the community genuinely relies on; she firmly believes that providing sample ballots is not a frivolous expenditure, it is a vital and highly utilized tool for Brevard County voters; and she would respectfully request that both Commissioner Pritchett and Commissioner Steele reconsider their vote on this matter and support to continue funding the sample ballots. She went on to say it is critical to remember that not all members of the community have means to access digital sample ballots via email; the newspaper option also falls short by failing to provide voters with the personalized guidance that is needed to make informed choices; in closing, she would ask that the Board reconsider this decision and prioritize the interest of its constituents by continuing to fund the sample ballots; and by doing so it will ensure that every eligible voter in Brevard has the tools needed to participate fully in the democratic process.

Tim Bobanic, Brevard County Supervisor of Elections (SOE), stated he is in attendance to urge the Board to reconsider its vote from last week to defund sample ballot mailings and postage paid for vote by mail, from his budget; since the meeting last week, he has personally spoken with numerous voters who are absolutely stunned that this Board would vote on such a measure; it knows it made a bad decision when according to this morning's Florida TODAY, the heads of both political parties in Brevard agreed that this was a wrong decision; just for a reminder of how many voters this affects, there are 417,000-plus registered voters in the County; Florida TODAY's Sunday subscribership is 12,472 and email sample ballot requests are 68,000, so that is 335,962 voters, or 81 percent who will not get a sample ballot; and this is going to trigger a deluge of calls to his office from angry voters wondering why they did not get a sample ballot after having received one for the last 15 years. He noted voters without access to computers and voters without printers will not be able to print a sample ballot; he has spoken with many voters who contacted some of the Commission offices, and they are telling him that the Commissioners are telling them that their vote does not actually prevent the SOE from mailing sample ballots; while technically this may be true, he really thinks this is deceiving the voters by telling them that the SOE can still mail sample ballots, right after the Board eliminated the funds to do so; and with regard to the postage-paid mail ballot, his position has not changed, voters should not have to pay to vote. He explained many of the voters have disabilities that prevent them from voting at the polls; those same disabilities prevent them from

traveling to their local post office to purchase a stamp to mail it; he does not think voters with disabilities should have to pay to vote when nobody else does; and he stated he would urge this Board to reconsider its vote and return the money to his budget to pay for sample ballots and postage to pay for mail ballots.

Sandra Sullivan stated she wants to talk about North Merritt Island (NMI); the Board paid about half a million dollars for a hydrology study for NMI; this image is a 10-year flood map, not a 25-year flood map, not a 100-year flood map, a 10-year flood map and most of it is under water; the development in this study showed that just since 2018, there has been more flooding because of it; she wants to go back a little bit and talk about North Brevard Economic Development Zone (NBEDZ) which is a special district created in 2011; last year was nearly \$14 million, and this year was about \$11 million; when NBEDZ was created in 2011 almost 41 percent of that comes from District 2 and District 4 is 26 percent; and she thinks that is important because money is coming from all over the County for a district that was initially created to be a District 1, district. She continued by saying in 2010, there was an Interlocal Agreement between Space Florida and Titusville to provide site planning, building planning, and inspections and they referenced that earlier; people could infer from this that there was an intent thereafter to extend the control within District 2 for a District 1, special district; NBEDZ's boundaries were District 1 then; in 1989, a special district called North Merritt Island Redevelopment District (MIRA) which had the boundary map of that area for all of NMI including the federal lands; and in 2011 NBEDZ was created only for District 1, and interestingly enough, and the intent can be shown all along that in 2012 when NMI was added, phase one and phase two was added, and at this same agenda meeting the Board did an agenda to do a feasibility study for incorporation. She added in 2016, phase three was added and in 2021, Robert Jordan who has been on the Board since the beginning, proposed moving NMI to District 1; one can sort of get a theme here; the concern she has is as people go in and start doing a huge amount of development there on an area that they are going to have to fill in a lot of fill; she has been to Broad Acres and she has seen the flooding concerns and the flooding issues there; and the overall appearance is that people are expendable.

Upon consensus of the Board, the meeting adjourned at 10:57 A.M.

ATTEST:

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RACHEL M. SADOFF, CLERK

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

Approved by the Board on November 14, 2023