

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, October 10, 2023**

**5:00 PM**

**Regular**

**Commission Chambers**

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

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

**C. PLEDGE OF ALLEGIANCE**

Commissioner Feltner led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL**

The Board approved the August 8, 2023, Regular Meeting Minutes, and the August 22, 2023, Regular Meeting Minutes.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Rob Feltner

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

**E.1. Resolution, Re: Recognizing the Retirement of Christine Schverak**

Chair Pritchett read aloud, and the Board adopted Resolution No. 23-121, recognizing the retirement of Christine Schverak.

**Result:** Adopted

**Mover:** Rob Feltner

**Second:** Jason Steele

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

Ms. Schverak expressed her appreciation to the Board; she stated it has really been a privilege to work with the Board; by the time she added it up, she served under four different County Attorneys; providing legal advice to this Board is a team effort; and she thinks there are outstanding Assistant County Attorneys as well that were always great to bounce ideas off of them. She pointed out she would not have been as productive without Calvin Khan as her Administrative Assistant helping her; the County staff were just phenomenal; everybody that she had to call or work with about issues, would always go the extra mile; and it has been a privilege and honor to serve Brevard County and its people.

**E.2. Resolution, Re: Acknowledging October 2023 as Domestic Violence Awareness Month**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 23-122, recognizing October 2023 as Domestic Violence Awareness Month.

**Result:** Adopted

**Mover:** Rob Feltner

**Second:** Jason Steele

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

A representative of the Domestic Violence Task Force stated she is here with State Attorneys, the Women's Center, Sheriff's Office, different law enforcement agencies, and of course

Serene Harbor, and they all work together to try to stop the violence; and she expressed her appreciation to the Board.

Chair Pritchett asked if the Board had any Items to be pulled from the Consent Agenda; and hearing none to be pulled, she advised Richard Heffelfinger had quite a few speaking cards, and she will let him speak on his Items, and then go through the other Items.

**F.1. Permission to Competitively Procure, Award, and Execute Contracts, Task Orders, Change Orders, Grant Agreements, Modifications, and Amendments for the Construction of Several Stormwater Improvement Projects and Seagrass Planting, Under the Following Awarded Florida Department of Environmental Protection (DEP) Grants: 22FRP97 - West Cocoa Stormwater-Flood Protection and Infrastructure Upgrades; 22FRP98 West Crisafulli Road Drainage Improvements; 22FRP96 Restoring Seagrass and Oyster Habitat**

The Board approved and authorized the County Manager to execute all contracts, amendments, and modifications for the Florida Department of Environmental Protection Resilience and Coastal Program Grant numbers 22FRP97, 22FRP98, and 22FRP96, upon review by the County Attorney's Office, Risk Management, and Purchasing; approved waiver of environmental site assessment report requirements, unless deemed necessary by department(s); approved Land Acquisition to offer appraised values for land easement purchases; approved necessary property and easement purchases; granted permission for advertisement, award, and execution of construction contracts and requests for qualifications for Grant-related projects after review by County Attorney's Office, Risk Management, and Purchasing Services; approved and authorized execution of Task Orders and Change Orders; and approved any necessary Budget Change Requests (BCR).

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.2. Approval, Re: Advertise Request for Proposals for Stormwater Outreach and Education, Stormwater (SW) Outreach and Engagement Campaign, and Save Our Indian River Lagoon (SOIRL) Outreach and Engagement Campaigns and Select, Award, and Execute Contracts with Selected Vendors**

Richard Heffelfinger stated it is approved all in one wing; he figured he would give the Board the opportunity to brag about how much work it has done to make all of this stuff happen; and he has a couple of questions he hopes the Board can answer. He went on to say this is a proposal for an outreach and education on stormwater; he guesses the background on the Legistar says this was done a while back; he wants to know where that money is coming from; he asked if that is all Save Our Indian River Lagoon (SOIRL) money; and he asked if the Board can answer that.

Chair Pritchett advised on the Public Comment part, the Board typically does not do that; if he sends his questions ahead of time . . .

Mr. Heffelfinger pointed out she does not give him a lot of time; it is published on Friday; there was a holiday on Monday; he did send one question in; hopefully, there can be a conversation about that; but just before the Board votes, that is a lot of money that is not put in septic systems, not put in drainage culverts, and to advise the community the County is great with what it is doing, and do not throw trash in the side; and he thinks the community all got that. He

noted SOIRL has been around a long time, they know the stormwater issues; that is a lot of money being spent on a Public Relations (PR) campaign; and he just wants the Board to think about that before it votes, because there is not one septic system getting installed with that as far as he knows.

The Board approved and granted permission to advertise RFP for the Stormwater Outreach and Education Program, the Stormwater Outreach and Engagement Campaign, and the SOIRL Outreach and Engagement Campaigns; approved and authorized a selection committee with representatives from the County, two or three of the partnering municipalities, and the SOIRL Citizen Oversight Committee; approved and authorized negotiation and award of contracts; and approved and authorized execution of related contracts, modifications, amendments, task orders, change orders over \$200,000 by the County Manager, all other in accordance with signature authorities outlined in Administrative Order 29 and BCC Policy 25, after necessary reviews and approvals by the County Attorney, Purchasing Services, and Risk Management.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.3. Approval, Re: Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District Project Funding Recommendations**

The Board approved the Brevard County Public Works and City of Rockledge Project funding recommendations as prepared by the Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District on September 20, 2023; and authorized the Budget Office to execute any Budget Change Requests (BCR) necessary for implementing these appropriations.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.4. Royal Palms Senior Apartments, L.P. - Subordination Agreement**

The Board reviewed, considered, and approved the Subordination Agreement; and authorized the Chair to execute any documents necessary to subordinate the Notice of Restriction for the Royal Palms Senior Apartments, L.P., property, including, but not limited to, the Subordination Agreement.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.5. Approval, Re: Florida State Courts System Office of the State Courts Administrator Agreement for Moore Justice Center Improvements**

The Board approved and authorized the Chair to execute Agreement with the Florida State Courts Systems; authorized the Chair to execute any necessary supplemental agreements (amendments/renewals), contingent upon review by the County Attorney's Office, Risk

Management, and Purchasing Services; and approved any necessary Budget Change Requests (BCR) associated with this request.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.6. Approval, Re: Execute an Encroachment Agreement with the Florida Gas Transmission Company, LLC for the Viera / I-95 Reuse Transmission Line Project**

The Board approved and authorized the Chair to execute the Encroachment Agreement between Florida Gas Transmission Company, LLC and the Brevard County Board of County Commissioners, granting Brevard County conditional permission to work within the area of the easements shown in the attachment, within the I-95 right-of-way, north of Viera Boulevard.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.7. Emergency Construction Contract for the Replacement of the Adamson Road Force Main**

The Board approved the finding that emergency replacement of the force main is necessary to avoid an immediate danger to the public health and safety, other loss to public property, and further interruption of the essential governmental service; approved a construction contract for the Adamson Road force main replacement in the amount of \$657,744.20; authorized the County Manager to execute the construction contract and any change orders, if needed; and approved any Budget Change Requests (BCR) associated with this action.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.8. Construction Change Order Approval, Re: Lift Station V-03 Replacement**

The Board approved Change Order No. 2 for the Lift Station V-03 Replacement Project, currently in construction; authorized the County Manager to execute the Change Order; and authorized the County Manager to execute any necessary Budget Change Requests (BCR).

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.9. Approval, Re: Memorandum of Understanding with the City of Palm Bay for a Dedicated Veteran Service Officer**

The Board approved the County Manager executing the Memorandum of Understanding (MOU); approved Housing and Human Services Director to approve future renewals upon approval of the County Attorney and Risk Management; approved the Housing and Human

Services Director to terminate the MOU, if it becomes necessary, due to breach of the MOU or for the best interests of the County; approved creation of a Veterans Service Counselor position; approved all travel, training, and capital expenditures to support the new Veterans Service Officer position with the Housing and Human Services Department; and authorized the County Manager to execute any necessary Budget Change Requests (BCR) during the initial period of performance and future periods if renewed.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.10. Interlocal Agreement with the School Board of Brevard County, Re: Community Recreation Programs**

Janice Scott stated she is speaking about the Interlocal Agreements; as the former mayor of Cocoa Beach, she has been exposed a lot to these agreements; she asked why is there no trust in taxation; she stated for example, she served on the Central Parks Advisory Committee, before it was changed; now they cannot get a quorum, so they have not really met in years; and she is assuming, per F.15., the County does not find that it was very helpful. She commented back to the Interlocal Agreement with the School Board, the School Board has several line items of taxation on her property tax bill; as a city resident, she pays taxes to Brevard County also; she pays three or so line items to Brevard County schools; she asked why Brevard County schools are not paying for their own school property; and she asked if the Brevard County taxpayers own the County School Board properties as well. She explained Cocoa Beach has a taxing authority, just like the School Board, and just like the County; it is like a shell game; Cocoa Beach taxes her, then they go and pay to maintain a huge sports complex, the sports fields, the tennis, the golf, or whatever; they pay that for the residents, but also the school kids have priority over using it, so a taxpayer cannot use it until the school is finished using it; she just thinks it is a big shell game; and she would like it to specifically be mentioned in every taxing authority's line items what other taxing authorities are paying.

The Board approved and authorized the Chair to execute Interlocal Agreement with the School Board for joint use of facilities and real property for the purpose of enhancing public recreational facilities within the County.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.11. Approval, Re: Florida Department of Environmental Protection Grant NF120 - Brevard County Parks and Recreation 4 Parks Septic-to-Sewer Projects**

The Board approved Florida Department of Environmental Protection (FDEP) Grant NF120 – Brevard County Parks and Recreation 4 Parks Septic-to-Sewer Projects; authorized the County Manager to approve and execute the Grant Contract upon Risk Management and County Attorney approval; authorized the Parks and Recreation Director to sign future agreements, amendments, and modifications upon Risk Management and County Attorney approval; and authorized the County Manager to execute necessary Budget Change Requests (BCR).

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

**F.12. Board Approval, Re: Confirmation of Two (2) New Members to the County Emergency Medical Services Advisory Council**

The Board approved the appointment of two new members, **Erika Jacobs** and **James Schindler**, to the Emergency Medical Services (EMS) Advisory Council, as per Ordinance, to serve on the Council, beginning October 1, 2023, and ending on September 30, 2025.

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

**F.13. Establishment, Re: Sign-on Bonus for the Fire Medic Classification**

Richard Heffelfinger stated this is establishment of a sign-on bonus for the medics; he thinks the budget was just approved; this is a \$7,000 a pop bonus for these guys to try to retain them; it has some caveats that would hold them to that, in other words, he or she has to pay it back if they bail early; he likes it; and he hopes that is coming out of the Fire Rescue budget and not coming out of taxpayers additional dollars, because he thinks they just received a pretty good sized assessment increase coming up. He commented he has not paid that bill yet, and if the Board makes him mad, he may not send it, so think about what they as asking for additional money; he does not know why this was not funded in the original proposal, he just does not, so think about that; he likes the idea; the firefighters, back when former Commissioner Lober was here, he said the County has to work on retaining people, try to get the union to incentivize the young guys; he sees it as that; but he sure hopes they use the money they are already taking from him, and not asking him to give another \$7,000 a pop, because he does not know how many people they get a year, so \$7,000 times X; and he reiterated he does not even know how big a number that is a year. He asked the Board to think about where that money is coming from.

The Board approved the establishment of a sign-on bonus program for Brevard County Fire Rescue to utilize specifically for recruitment of fully-certified Fire Medic candidates, in the amount of \$7,000, and would require a commitment to the organization for three years; approved and authorized the County Manager and Fire Rescue the ability to utilize authorized means to collect funds from employees who receive the sign-on bonus but leave before their three-year commitment period; and approved this program be effective upon Board approval for the Fire Medic recruits beginning in Fiscal Year 2023/24.

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

**F.14. Approval, Re: Budget Change Requests**

Richard Heffelfinger stated this is for the Sheriff; he was wondering, the information that was provided does not say why the Sheriff is getting more money or if he is not, so there is not enough information there for him to even think about what was going on; he thinks it had

something to do with Titusville-Cocoa (TICO) Airport; he hopes the Board watches where the money is, because he got his money; and he does not even know if that is a 23 Budget Change Request, or if that is an amendment for 23-24, so a little bit of information in the future might be helpful.

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

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.15. Report, Re: Non-Ad Valorem Assessments**

Richard Heffelfinger stated it looks like the County is taking a hit; he assumes the budgets were already done since this is just showing up now; the Board counted on that money that the agricultural people are now exempt from; he guesses there are some words in there that say the Board is going to look at that, so the County is losing some money; and he was just wondering what the public is going to see come down-the-road because of losing some assessments. He noted he does not know why that was not picked up, if that law changed, why the Board did not fact-find and not account for the loss of revenue in the budgets; if someone asked him, it sounds like a miss on the Board's part; but he is worried when the Board does not get that money, it will be asking him for more; it is kind of not big money when talking about the size of this budget; the Service Non Ad-Valorem took a \$40,000 hit, Brevard County Stormwater took an \$80,000 hit, and Tillman Water took a \$6,000 hit, so maybe that is in the noise for the Board, he does not know; the County has lots of money laying around; and he asked if all of those are losses due to that Agricultural exemption. He asked if the Board can say yes or no to that, that the County is down those numbers, because they did not collect taxes.

The Board reviewed and accepted the Report on Non-Ad Valorem Assessment Agricultural Exemption Impact.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.16. Approval, Re: Advertise Request for Proposal for a Financial Advisor**

The Board authorized Purchasing Services to solicit and award Request for Proposal (RFP) for a Financial Advisor; and authorized the County Manager to establish a Selection and Negotiation Committee and to execute all associated contracts once approved by the County Attorney's Office, Risk Management, and Purchasing Services.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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



**F.17. Adoption of a Resolution, Re: Amending the Membership of the South/Central Brevard Public Library Advisory Board**

The Board adopted Resolution No. 23-123, amending the membership of the South/Central Brevard Public Library Advisory Board.

**Result:** Adopted

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.18. Legislative Intent and Permission to Advertise, Re: Ordinance Amending Chapter 82, Brevard County Code of Ordinances, to Mandate Criminal History Record Checks for Specified Positions of Employment**

Richard Heffelfinger stated ordinances are being advertised; he assumes it is because there are hearings; he hopes so, because the County does not have any of the language there; usually the citizens want to know what is being changed in the law before it is changed, so it can be read and people can come down here and complain to the Board; and maybe that is why there is no language. He went on to say Legistar is beautiful, the language can be posted that the Board wants to modify, and put it up there; the public can then look at it and say the County did a good job, and they are all for that; it is true for this Item and Item F.19. both, there is no language on the legislation or the laws the Board is wishing to change; and hopefully they are coming up for a hearing if the County advertises them.

The Board approved legislative intent and permission to advertise an ordinance amending Chapter 82, Personnel, of the Brevard County Code of Ordinances, to create a new section 82-17, mandating State and Federal criminal history record checks for specified positions of employment.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.19. Legislative Intent and Permission to Advertise, Re: Ordinance Amending Chapter 14 - Animals, Article III. - Animal Care Facilities of the Brevard County Code of Ordinances.**

The Board approved legislative intent; directed staff to prepare an ordinance amending Chapter 14 – Animals, Article III. – Animal Care Facilities for the Brevard County Code of Ordinances accordingly; and granted permission to schedule and advertise the ordinance for public hearing.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.20. 2023 County Advisory Board Annual Written Reports**

Richard Heffelfinger stated this is 23 County advisory board annual written reports, 76 pages; he expressed his appreciation to Commissioner Tobia because he worked hard at streamlining

that stuff; the public has good website visibility, great job; he was hoping the Board Members had a chance to read that stuff and whether he or she has some recommendations to streamline next year, because it looks like they are pretty thin; and he asked if the Board received any recommendations. He continued by saying he knows Commissioner Tobia complained he never got recommendations; the boards met, they got together, they looked at stuff, and they never fed anything back; he commented maybe the Board can give a presentation later on what it thinks the status of the advisory boards is; he would like to see the written reports, and he would like to thank Commissioner Tobia for making those changes; some of the stuff he does not know if they were doing anything; and if they are not doing anything now, it probably needs to be addressed again, and he would like to see the Board follow that up.

The Board acknowledged receipt of the 2023 County Advisory Board Annual Written Reports; and approved the requests for excusal in the Excusal from Dismissal request.

**Result:** Approved

**Mover:** Jason Steele

**Second:** John Tobia

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

#### **F.21. Appointment(s)/Reappointment(s), Re: Citizen Advisory Boards**

Richard Heffelfinger asked if the Board can tell him how often those advisory board positions are filled; is that monthly where vacancies are looked at, because he knows Commissioner Tobia and others, he thinks, said there are openings and no one even applies; he stated they cannot get citizens as no one applies, citizens are not filling them; and he asked why does the County have boards if no one is interested. He pointed out there are openings on the Citizen Budget Review Committee; he thinks there are applicants, he is not sure; but he does not know when the Board does that review process and when it fills them; and at some point in the future, he would appreciate the Board addressing that.

The Board appointed/reappointed **Stephen Holmberg** to the Board of Adjustment, with term expiring October 9, 2024; and **Winifred Paauw** to the Brevard County Library System Advisory Board, with term expiring October 11, 2025.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

#### **F.22. Acknowledgement, Re: Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.23. Requisition of Fiscal Year 2024 Budget - Brevard County Sheriff's Office**

The Board approved the requisition of one-twelfth of the Fiscal year 2024 budgeted funds at the first Board of County Commissioners' meeting in October 2023, one-sixth of the budget in January 2024, and equipment (capital) budget.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.24. Requisition of Fiscal Year 2024 Budget - Supervisor of Elections**

The Board approved requisition of 25 percent of the Supervisor of Elections' Fiscal Year 2024 budgeted funds at the first Board meeting in October 2023, and 6.82 percent of the total budget each month thereafter.

**Result:** Approved

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**F.25. Adoption of Resolution, Re: South/Central Brevard Parks and Recreation Advisory Board**

The Board adopted Resolution No. 23-124, amending the members and composition of the South/Central Brevard Parks and Recreation Advisory Board.

**Result:** Adopted

**Mover:** Jason Steele

**Second:** Tom Goodson

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

**H.1. Staff Direction, Re: Investigation Screenings for Parks and Recreation Department Recreation Partners and Their Associated Volunteers and Recreation Instructors**

Mary Ellen Donner, Parks and Recreation Director, stated with her she has Melissa Powers, Human Resources (HR) Assistant Director, and formerly of the County Attorney's Office; this is a request from a year ago to bring this Item back; she is looking for direction regarding background screenings of Recreation Partners and their volunteers, as well as recreation instructors; they are looking at a different avenue with recreation instructors; they are looking at working with HR with having them screened through FL9; and that was the ordinance the Board just previously passed legislative intent on its Consent Agenda. She went on to say the second part to this is the Recreation Partners and their volunteers, so staff was looking for direction as far as background screening.

Commissioner Tobia advised this is for the benefit of some of the new Commissioners who are well-aware of all of this stuff, but he wants to go over where the Board is, where this came from, why it is here, and where it potentially needs to go; currently, the County Recreation Partners are required to undergo a level two, high-level background screening, which includes fingerprints being submitted to the Florida Department of Law Enforcement and the National Federal Bureau of Investigation (FBI) for a criminal background check and a background investigation from the Brevard Electronic Court Application; these are required for Recreation

Partners and their associated volunteers and instructors, so here is the timeline; and in the past the County paid for these background screenings. He went on to say in November 2016 the Board unanimously voted to require high-level background screenings of its Recreation Partners, coaches, instructors, and volunteers; in July 2021, again unanimously, the Board required that the Recreation Partners pay for 50 percent of these screenings; that was beginning July 2021 through July 2022; the beginning of August 2022 the Recreation Partners would pay in full; however, the Board did a little bit of a reprieve; and in September 2022 the Board voted to require that Recreation Partners on pay \$22.13, half the cost of a one-year, high-level check regardless if the Recreation Partner chose a one-year or a five-year, high-level screening for any one additional year, and the Recreation Partners pay the difference, so that was beginning October 1, 2022. He asked why the Board is here; he stated as the Board Members read in the Agenda Report, the results of an audit from Florida Department of Law Enforcement (FDLE) by the FBI, the County has been advised it can no longer use its Volunteer and Employee Criminal History System (VECHS) numbers to obtain criminal history of Recreation Partners, employees, coaches, and volunteers; therefore, the responsibility must be passed on to the Recreation Partners; the County must still require the same level of high-level background checks with fingerprints as it has been performing since 2016; the County should require through amending its agreements that the Recreation Partners alert the County should they receive a ping regarding one of their coaches or volunteers within 24 hours as updated by the background screening system; and in conclusion, there really is no change in the level of screening required by the County, just who administers the checks. He stated the screening needs to be kept at this high-level as this involves the most precious resource, children.

Chair Pritchett asked if Commissioner Tobia is really going with Option 1, and they are relaying to the County within 24 hours.

Commissioner Tobia responded yes, but a little bit more detailed of Option 1.

The Board directed staff to inform the Recreation Partners that moving forward they will be responsible for conducting and paying for a level two, high-level background screening, including fingerprinting, of their Recreation Partners and their associated volunteers and recreation instructors as a requirement of their agreement with the County, and to include an additional requirement in the Agreements in which they must notify the County within 24 hours of any arrest or change in criminal status, as updated by the background screening system, regarding any of their coaches, volunteers, or instructors.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Jason Steele

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

#### **I.4. Brevard County 2024 Legislative Program**

Chair Pritchett commented she is going to start with Item I.4., Brevard County 2024 Legislative Program, so that can be moved along; she thinks the Board needs to pick somebody who will represent it to the Florida friends it has.

Commissioner Feltner stated he nominates Commissioner Steele.

The Board appointed Commissioner Steele to present the Legislative initiatives at the October 25, 2023, Legislative Delegation meeting.

**Result:** Approved

**Mover:** Rob Feltner

**Second:** Tom Goodson

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

Chair Pritchett stated if the Board has any concerns with this Item or it wants to make any changes, this would be a good time with this conversation; she asked does any Board Member want to make any additions or subtractions; and she noted these have been tweaked before in the past.

Commissioner Tobia stated he has a Board Report at the end, and part of that Board Report is going to be asking to amend this; he sent out a copy to the Board; and he asked if the Chair would rather him address this now. He continued by saying this project was just brought to his attention by a constituent last week, and a conversation he had with Chairperson Randy Fine today; he expressed his appreciation to Mary Ellen Donner, Parks and Recreation Director, for her hard work and the information that she provided in just a few days; he stated this project would include a purchase of approximately 2.5 acres of land in Micco, that is in the District he currently represents, and development of a public boat ramp, parking lot, and bathrooms; this location would allow access to the Indian River and the ocean via Sebastian Inlet; Chairman Fine agreed to put this in as an ask for the Legislature; and this is conditional on the support of the Board as a whole. He commented the request of the Legislature would be for approximately \$1 million for the purchase of the land; of course, it would be at market value, and roughly another \$2 million for the engineering, permitting, and construction of the boat ramp and amenities; Ms. Donner estimated approximately \$21,000 a year in County costs for the maintenance activities; and he wanted to bring this potential project before the Board for any support prior to making any recommendations. He explained to be clear, the County's portion would be the maintenance costs of \$21,000, plus a loss, he did this for Commissioner Feltner, of approximately \$9,700 in ad valorem taxes and assessment revenue per year. He advised the motion would be to move to give Brevard's support to Chairman Randy Fine to seek funding from the State of Florida with Brevard County as a requesting agency for the purchase, design, and construction of a boat ramp at 4100 Main Street, Micco, FL; and to direct staff to add this to the 2024 County Legislative priorities. He advised he would be more than willing to answer any questions, but again, the County's costs on this would be \$21,000.

Chair Pritchett advised the Board has been trying for a while to get that cleaned up, so good work.

Commissioner Steele asked if Chairman Fine is going to handle it in the House and who is going to handle it in the Senate.

Commissioner Tobia replied he thinks Chairman Fine was waiting for direction to see if the Board was interested; he was looking at this from an environmental prospective to see if there was a house, no sewer lines, that this probably would be a better Lagoon purchase; they only get a few dollars up there; he gets a few more dollars than normal being the Chairman; but he was willing to put his name on this.

Commissioner Steele commented he is betting Chairman Fine will get it through.

Commissioner Tobia stated he would not doubt it.

Commissioner Feltner asked if that is a member appropriation that Chairman Fine is going to do.

Commissioner Tobia responded yes.

Commissioner Feltner asked if Commissioner Tobia has a letter that the Chair will sign tonight that will go in Chairman Fine's paperwork he has to send off.

Commissioner Tobia advised no, but he would be more than willing to amend the motion to give the Chair the ability, or he would be more than willing to write it on behalf of the Board requesting it to be the requesting agency for the appropriation.

Commissioner Goodson asked if the \$2 million for the construction would come two years from now, or after the Army Corp of Engineers permit, which takes two years.

Commissioner Tobia pointed out it would all be at the discretion of the Legislative expenditure; he does not know if this will be a one-year appropriation, a two-year appropriation, but he was very clear that all of the permitting, construction, and development would have to come from the State; he certainly would not want to encumber Brevard County any more than the maintenance cost on it, so he cannot give Commissioner Goodson an answer on that; and it would be dependent on the appropriation from the State.

The Board authorized Commissioner Tobia to create and execute a letter on behalf of the Board to Randy Fine, Florida House of Representatives Chairman, providing him Board support to seek funding from State of Florida, with Brevard County as the requesting agency, for the purchase, design, and construction of a boat ramp at 4100 Main Street, Micco, FL.

**Result:** Approved

**Mover:** John Tobia

**Secunder:** Jason Steele

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

Richard Heffelfinger stated he did manage to get a question written in an email to Chair Pritchett, although it was this morning; but, again, the time is pretty limited; he noticed something on there that raised his eyebrows; State Road 524 looks like it is going to get fixed to a four-lane, maybe; he was not sure what the County was asking for, for the, he thinks it was the right-of-way access on South Friday Road and Industry; and he asked if that is the case why it did not make a priority list, does the Board know something the residents should know over there in Cocoa about what is going to happen to that road, other than there are a lot of apartments. He noted all that it says was the County was looking for a right-of-way on South Friday Road, so if the Board can answer that, he would appreciate it; and maybe an email can be sent to him with whatever, because there was not a lot of information in that little document.

Commissioner Steele asked the County Manager to send him the list he would appreciate it very much, so that he is able to make sure he is up to snuff.

Frank Abbate, County Manager, asked if Commissioner Steele is talking about the items that are on the recommended Legislative Initiatives; staff does have that; the County will probably only have about three minutes if it is lucky to speak with the Delegation, so there are a lot of items on that list; there are several projects that he knows Board Members have indicated are very important; and if he could just indicate with those three or four to make sure those are the priorities this Board wants Commissioner Steele to bring forward. He commented the first one deals with the advanced wastewater treatment plant, the regional plant that the County is trying to work with the Department of Defense on for the Port St. John area that would be an important one; the Ellis Road widening is a very important project in the County; a third one would be a muck dredging in the Merritt Island area, which is an important issue; and of course,

the boat ramp in Micco. He pointed out that would be four that, from a staff perspective, that will be given to Commissioner Steele; staff wants to make sure that those are the four the Board wants to be prioritized to the Delegation; and then if there are any others that the Board would want to add or to pull away from those four, staff would appreciate any input it may have to offer, so staff will be ready to assist Commissioner Steele when he makes the presentation.

The Board reached consensus after discussion, and identified the following as its legislative priorities for the State Legislature's 2024 session: support fixed capital outlay funding for a new advanced wastewater treatment plant to serve the growing population of Port St. John and the economic development associated from the space industry at NASA and Cape Canaveral Space Force Station with funding being used for the construction at a new 1.5 million gallon per day (MGD) advanced wastewater treatment plant, funding for construction and widening of Ellis Road to four lanes for the Space Coast Transportation Planning Office's (TPO), and Central Florida Metropolitan Office Alliance's number one transportation priority and is a critical component for the continued growth and economic expansion of the community, \$3 million in State funding for canal/channel muck dredging in the Merritt Island area, and the Micco boat ramp project.

### **I.3. Approval, Re: Funding Recommendations for Three (3) FY 2023-2024 TDC Capital Facilities Grants**

Peter Cranis, Tourism Development Commission Director, stated this is a recommendation coming from the Tourist Development Council (TDC) for three Capital Facilities Grants; one is for the U.S. Law Enforcement Foundation in the amount of \$5 million, it would be \$1 million a year for five years upon groundbreaking; the second is \$250,000 for Palm Bay Sacrifice Park; and the third is \$349,213 for the Valiant Air Command event center.

Chair Pritchett advised she is on that board, and this week when they had some conversations, they went ahead and tried to grant more money to Palm Bay; they had to give back a project very shortly that is going to refund \$1.7 million back that was approved like six years ago with a group of things that the County was trying to put off at that time; District 1 had to put back a \$7 million project when COVID hit so it ended up not being a good project spending all of those funds; and there was a 7:0 vote from the TDC, and it was unanimously to go ahead and approve these items that were brought forward.

Juliet Misconi, City of Palm Bay, stated she appreciated the opportunity to talk about their project Sacrifice Park; Sacrifice Park was borne from a tragedy that most long-time residents from Brevard County remember; April 23, 1987, in what may have been the earliest mass shootings in the State, a lone gunman came into two Palm Bay plazas, killed two officers, Officers Johnson and Grogan, and four civilians; out of that came a need for a memorial, so what she has for the Board is a rough map of where Sacrifice Park sits right now; and it started as a partnership from the beginning, because as the Board can see, it crosses the Franklin T. DeGroot Memorial Library, the County's parcel, and the City of Palm Bay City Hall. She went on to say she also has a purple call out that shows the current memorial, and it is a pyramid structure; what she wants to note on there is this is a Countywide park; they do not just recognize the ultimate sacrifice of Palm Bay officers, but any first responder who died in the line of duty is recognized on this memorial; they have eight agencies represented right now; and there is a lot of information on this slide, but what she wants the Board to come away with is the City of Palm Bay is ready. She explained they have \$261,000; they are over 100 percent match for this project; they have State appropriation funds; they have over \$100,000 from private donations; they have architectural designs almost complete and structural and engineering is in process; and they believe this project can be delivered in 2024. She noted if the grant funds are received from the County this evening, they can perform everything she is

going to show the Board in the conceptual; that includes a three-sided obelisk that represents fire, police, and Emergency Medical Technicians (EMT); it has a thin, blue light feature; there is a flagpole and there is a wall with the Pledge of Allegiance engraved into the wall; and they also have engravable donor pavers to fund on-going maintenance. She stated the next slide shows the Board can see the view from the Franklin T. DeGroot Memorial Library; the Board can see the thin, blue light fixture coming from the flagpole up the obelisk; this is an aerial, but what is not shown on this aerial is the remaining green space, which they plan to use for special events using their existing mobile stage, tents, tables, chairs, and they might be able to bring in a mobile amphitheatre for larger events; they already have two existing events in the City that they plan to move to Sacrifice Park once the construction is complete; one of them is the Patriot's Day Ceremony; they already have over 200 people attend that event; and they do come out-of-County, many of them, and they do stay overnight in one of their five hotels. She continued by saying they also have their Veterans Day Parade; right now it starts in front of City Hall, but it can easily be moved to start in front of Sacrifice Park; their law enforcement personnel generate out-of-County tourism; one of them where people stay overnight is the Law Enforcement Memorial Bicycle Tour; and the other one is the Tour de Force. She stated she wants to talk about their Range facility, which is 3.9 miles from Palm Bay's Regional Emergency Response Training Facility, "The Range"; they already have multi-day, overnight training exercises, and they hope to utilize Sacrifice Park for additional events; they have ample parking, outdoor restrooms, multiple access points, and they are the County's largest municipality at 132,000 residents; and they have not had a Capital Facilities Grant since 2017.

Commissioner Steele asked if she would consider changing the name to the Grogan/Johnson Sacrifice Park.

Ms. Misconi replied it is an interesting perspective, and certainly one she would be glad to bring back to her City Council.

Commissioner Steele pointed out they actually deserve it, it was one of the most horrific days, and he can just about cry now about it; he thinks everybody in Brevard County was paralyzed by that horrific thing; and so many law enforcement officers get to go down there and train so things like that will not happen again.

Jeff Strine, Police Hall of Fame, stated his card is really to answer questions only, he did not come to make another presentation; but he did pass out ahead of time their case for support if the Board wanted to read some additional information about the project; and it is a national project, it is a good project for the law enforcement, and they hope to have the Board's support.

Chair Pritchett stated she was blessed to sit in on the presentation a few times, and the structures that are being built to help facilitate all this; she has been to a couple of the fallen officer events; she is always amazed there are over 2,000 people who show up; they all come in and fill up Brevard County's hotels; and the facility also collects nationwide gifts to give to all of their children at Christmas. She went on to say it is quite a facility, and the ability to grow this, because this is not just going to be the State, this is a national Police Hall of Fame once all is done; she loves this project; she even said at the Tourist Development Council (TDC) that she would even support this project even if it was not in her District, it is just that good; and she is thankful for it.

Commissioner Goodson stated if he is not mistaken, someone said 900,000 people go to the NASA Space Center; and he asked Mr. Strine if he would say over a year that would be a fair number.

Mr. Strine replied he thinks that is a low number from what they have heard.



Commissioner Goodson stated someone said that 30,000 go to his place in a year; and he asked if that is correct.

Mr. Strine responded yes, currently.

Commissioner Goodson asked how many of the 30,000 go back and forth every week to the gun range.

Mr. Strine advised he does not know.

Commissioner Goodson asked if Mr. Strine counts them as they come in the door.

Mr. Strine responded affirmatively.

Commissioner Goodson asked being the only gun range in North Titusville they could go a lot, right.

Mr. Strine replied sure.

Commissioner Goodson stated Mr. Strine put out some numbers that he is projecting 250,000 people a year after this is done; and he asked if that is correct.

Mr. Strine responded that is right to the new Immersive Experience.

Commissioner Goodson commented he wishes Mr. Strine all of the luck in the world, and he is all for it; and he expressed his congratulations.

Chair Pritchett stated there is one more item, it is the Valliant Air Command; and she asked if the Board has any comments on that; she stated the Board supported them in the past; she liked the project with the group that was there; they came asking for more funds; and she thinks the TDC board agreed to give them the amount of the first TDC recommendation. She advised she does not believe they are here tonight as she does not have a card for them.

Commissioner Tobia stated this is a request that the Board can vote on these individually instead of collectively.

Chair Pritchett asked the Board if that was good.

Commissioner Goodson replied no, that is not good.

Commissioner Feltner noted he is for voting for them individually.

Commissioner Steele stated individually.

Commissioner Goodson stated he would like to make a motion; he is supporting these two; and Palm Bay has some other issues that need to be answered.

Chair Pritchett asked which two.

Commissioner Goodson replied he is supporting the Valliant Air Command and the Police Hall of Fame; he supported the funding of the cultural grant program and the Brevard Cultural Alliance (BCA); he thinks these programs are just as deserving as the Police Hall of Fame and

the Valliant Air Command; he wants to see all good things happen; but he cannot support these capital projects at the expense of the cultural items being cut.

Commissioner Goodson motioned to fund the Police Hall of Fame, capital project for \$5 million, for five years, at \$1 million a year, fund the Valliant Air Command at \$349,213, fully-fund BCA for the amount of \$212,160, that the TDC recommended in August, not just the three months exit deal the Board recommended last month, and fully-fund the cultural support grant programs this year for \$530,000 that the TDC recommended.

Chair Pritchett stated she will call a five minute break so the Board Members can look at it and digest it.

\*The Board recessed at 5:48 p.m. and reconvened at 5:53 p.m.

Chair Pritchett advised Commissioner Goodson that she asked the County Manager a couple of questions if it would affect the lifeguard situation, and he said it would not because staff has not moved those funds yet, because she was trying to figure out where to get the money if the Board did this; she wants to hear from Commissioner Steele about the other project, because it is in his District; when the Board Member have items specifically in his or her District, she would like to hear those; and one other thing, she does not mind funding the BCA this year, but she would like to do the original amount and not the raised amount, so the \$202,000 and not the \$212,000.

Commissioner Goodson commented that would be acceptable.

Commissioner Steele explained this puts him between a rock and a very hard place, but he guesses that is what the cost of being a County Commissioner is; he can tell the Board that Palm Bay has gotten the short end of the stick for a long period of time; he can also say they absolutely need that training down in the south end of the County; they need the law enforcement officers that go down there; he has gone down with law enforcement officers and shot many, many times, and the expansion of that range is important to him and to the City; and to him, Officer Grogan and Officer Johnson are saints, along with all of the other police officers that have lost their lives. He continued by saying he could go along with Commissioner Goodson's wish today if he eliminated the Valliant Air Command project at \$349,000, and he added back in the Palm Bay project.

Chair Pritchett pointed out both could be done.

Commissioner Steele noted he is confused about what Chair Pritchett is saying.

Chair Pritchett stated the Board can do both the Palm Bay and Valliant Air Command projects; and what she would like to do is to do the TDC's original recommendation for the three projects, Palm Bay, Valliant Air, and the Police Hall of Fame.

Commissioner Steele inquired if the Board does that, then is it still going to fund the BCA and the cultural grants.

Chair Pritchett responded affirmatively; she stated just another thought, they had ideas on how the large grants in the marketing section were being done, but that is going to move over to the cultural now; and she asked the County Manager if there would be any issues trying to find those extra funds.

Frank Abbate, County Manager, replied there would be no issues.

Commissioner Steele advised he would be like the happiest man on Earth then.

Chair Pritchett stated she really believes in the equity situation of trying to get it out Countywide as much as possible; Palm Bay and Commissioner Tobia's District is very low on funding, and North Brevard is as well, which is going to bring North Brevard right up to the competitive level now, so if it is moved from the capital projects to build solid projects that are going to increase tourism, she thinks it is a good idea; and that way she can understand moving some of the marketing around to be heavily, more concentrated in those Districts right now that are collecting more of the funds, so she likes that equity solution here in her head as it helps her out tremendously when the Board starts looking at changing the marketing funds.

Commissioner Steele asked if the amended motion would be that all three capital projects would be funded, fully-fund the BCA this year for \$202,160, and to fully-fund the cultural support grant program this year in the amount of \$530,000 that the TDC recommended at the August 8th meeting.

Commissioner Goodson asked the County Attorney if that is the correct motion according to his own notes.

Morris Richardson, County Attorney, replied yes; and he added, with any motion of the Board, it can also make the appropriate legislative findings from both this Agenda Report and the prior from the cultural and BCA grants as part of the motion.

Commissioner Goodson stated his understanding is the City of Palm Bay for \$250,000, the Police Hall of Fame for five years at \$1 million a year, the Valliant Air Command at \$349,213, the fully-funded BCA is \$202,000, and then the fully-funded support grant program at \$530,000; and that is his motion.

Commissioner Steele seconded the motion.

Commissioner Tobia stated he hates to be the voice of reason, but he has to be a little bit of it; he did not want to, he did not see any of this stuff coming; that is why he wanted to tackle these individually; and apparently so did Commissioner Goodson as he wanted to tackle them collectively and throw in other stuff.

Chair Pritchett commented this sort of reminds her of a Commissioner Tobia thing here.

Commissioner Tobia stated he will take these individually here with some legal problems that the County may run into with this stuff; he will start with the City of Palm Bay capital grants; he spoke with Deputy Mayor Kenny Johnson, or former Deputy Mayor, current Councilman, City Manager Susan Sherman, and Mayor Rob Medina; he informed them that question eight in the application reads, "Please attach a third-party economic and fiscal analysis for a reputable firm that includes 1) impact on local activities, 2) project demographics, 3) room nights, 4) tax revenue to include tourist development tax, property tax, sales tax, 5) attendance visitation for the next five after completion, including the percentage of in and out of County visitor attendees, 6) or 7), wages, and finally new and additional paid for, full-time employees. This is a requirement for the application outlined on page 4 of the Brevard County Capital Facilities Grant Program Guidelines." He went on to say the City attached an economic study that did not satisfy any of these requirements; in fact, the economic impact study that they put on there did not even mention the word 'sacrifice' once; Brevard County Code Section 102.119, Section 3C1, states that to qualify for the tourist tax collection funding, the project must fully fall under a specified category, which are convention centers, sports stadiums, sports arenas, colosseums, auditoriums, museums, zoological parks, aquariums, fishing piers, or nature centers; the City of

Palm Bay in their application, selected that their project is, "none of the above;" and he asked the County Attorney if he believes this project falls under one of the categories outlined in Brevard County Code Section 102.119, Section 3C1.

Attorney Richardson replied without more information, and given what the applicant indicated, it would not seem to do that.

Commissioner Tobia asked if the County Attorney believes that it is the burden of the City of Palm Bay to provide a third party economic and fiscal analysis specific to the project, which confirms its eligibility to be able to approve this grant.

Attorney Richardson responded that is a requirement of the grant funding, and there is another provision of both the budget plan and Statute that might allow a public project like this, but it would certainly require that independent financial analysis.

Commissioner Tobia advised that is not from him, it is from the County Attorney to be clear; he is not trying to sink this project, he certainly is not trying to sink this project, in fact, quite the opposite; the reason he wanted to handle these individually is he just uniformly votes no on this stuff, because it is garbage; it actually became even more garbage just piled up; he thinks there is some merit to some of these; but he would like to see it go through the correct process, and it clearly has not. He went on by saying the commitment he made, and the Board can overrun him on this one, but there may be some legal issues, to Deputy Mayor Kenny Johnson, the City Manager who got with him really quickly, Susan Sherman, and Mayor Rob Medina was that he would move to continue the City of Palm Bay's Sacrifice Park's Capital Facilities Grant application for six months or until sufficient documentation, as outlined by Brevard County Capital Facilities Grant Program Guidelines, Section 5.0, to include a third party economic and fiscal analysis specific to the project and confirmation of eligibility as provided by the City of Palm Bay, whichever comes first; then to direct staff to bring the item back to the Board at that time; during this period, that requested \$250,000 shall not be allocated to another project; he is afraid though that the Board might allocate it to something tonight if someone has another project; but his intent was to hold it until the Board has that documentation.

Chair Pritchett noted she does not think that is unfair; it got approved by the TDC, so she was assuming that all of those markers lined up the first time through for the percentage; she asked what if the Board goes ahead and does that; and what if the Board did six months or less if they get that data, they can bring it back in six months or less, and the Board holds that money.

Commissioner Tobia pointed out that is what his motion was, was that the Board holds that; he is not saying that he will vote for it; but he does not want the Board Members to vote for something and go out on a limb for something and then find out this has nothing to do with tourism.

Chair Pritchett commented she thinks the Board will find that it is, since he just named the six items, and it did not fall into it; the TDC advisory committee did find it in market, so she hears Commissioner Tobia on that; she asked the rest of the Board what the thought is on that, does it just want to put a little breather on this until all of the data is received to be sure, and then come back; she advised she is going to support it; she knows Commissioner Tobia is not going to support it then either; but he has caught something he has a concern with.

Commissioner Steele explained he thinks the shooting range could certainly fall underneath a sporting event; shooting is a sport; and it is recognized in the Olympics as a sport, so he thinks it could fall into that very easily.

Chair Pritchett asked the County Attorney if a sporting event fall under the capital grant projects.

Attorney Richardson replied sports stadiums or sports arenas.

Chair Pritchett asked Commissioner Steele what if the Board brings this back in a meeting with that information.

Commissioner Steele advised he is good with that; he would like to get it passed tonight; but he does not want it to be bogged down; he thinks Commissioner Tobia has a very valid point so he does not want to get back into a big mess, and then have some sort of lawsuit filed over it; and if in fact the Board can get it back faster than that, it will get it back faster, but the economic stuff needs to be done.

Chair Pritchett asked Mr. Cranis if there was one that was turned in as the project from Palm Bay, was there a criteria it fit under; she noted they checked 'none of the above'; and she asked what it was that made them eligible to go ahead and go through the process.

Mr. Cranis replied he thinks it is up really to the County Attorney's Office to weigh in on that; but he thinks under a park, it could have possibly fallen under that category; also he thinks the sports arena idea, it could fall under there; but again, he is not the legal expert on that.

Chair Pritchett asked the County Attorney if it went through as, because it is called a park, is a park eligible for those funds.

Attorney Richardson responded not under this specific grant in this provision, zoological parks; but this is funded under the capital fund of the first two pennies, which is an up to 35 percent; there are ways to get creative and maybe move that, say to the other part that is about promotion and advertising of tourism; there are things that can be done; and it is obviously a good project that the Board supports, so there are ways to get there even if it does not necessarily fall into one of these categories for this particular grant program.

Chair Pritchett asked if it would be good to do due diligence and then find another category that the Board would be able to give them the funds with; and she stated she thinks it is a good project.

Attorney Richardson advised that is probably the best option.

Commissioner Steele stated it is the safest one.

Attorney Richardson stated he will certainly work with them and with Tourism to help get it back to the Board in a form it can consider.

Chair Pritchett commented she is going to let Commissioner Tobia finish before she goes back to Commissioner Goodson for an amendment.

Commissioner Tobia pointed out again, this is a large change with quite a bit of money, so he is just going to jump to question three; fully-fund the BCA for the amount of \$212,000, or whatever, \$202,000, either way; he asked if there is a contract or is the Board just going to hand them \$202,000; he noted he is uncomfortable handing them \$202,000 without a contract; secondly, the County has a contract with them for three month; and this does not do away with the current contract, so in other words, they would be getting a three-month contract on top of a 12-month contract. He stated he thinks this was well-intended, but extremely poorly written,

with very little thought; and he asked how that would be handled, and what the contract would look like.

Chair Pritchett asked if she can jump in for a second; and she asked the County Manager would the Board be able to take the three months that is there and then prorate this for three-quarters of it to fulfill the one year.

Mr. Abbate replied yes, that is his understanding, and it will be built on the framework of the prior contract, which was an annual contract in the amount of \$202,000, so staff would look at that as a framework; there were some adjustments that would have been made because of the Cultural Grant Program; but if the Board puts that back in, then it would be very similar to that prior contract; and as he reads this, it is saying that it is a full amount that would be for this year, so full amount would be the three months subtracted from the \$212,00, because it is already there. He noted the \$212,000 just represents the full year, the full 12-month period.

Chair Pritchett stated that is what she would assume as well; and she asked the County Attorney if he would make sure that was worded correctly.

Attorney Richardson responded yes, and that is how he understood the motion was that it would be to deduct the three months that was awarded; and the \$202,000 is the total year amount, it is not \$202,000 plus.

Commissioner Tobia stated that would make sense if the provisions in the three-month contract mirrored the provisions in the 12-month contract, but they do not; and in fact, he still has not even seen the three-month contract.

Chair Pritchett asked if staff has done the three-month contract.

Attorney Richardson replied he is not sure, he will have to check on where that is at; he believes so; but he does not know if that has come back.

Commissioner Tobia asked if the Board has been furnished with a copy of the three-month contract.

Chair Pritchett responded no, she thinks the Board laid down a little bit of guidelines.

Mr. Cranis stated he believes the Contract has been signed; but he would have to check; he does not have a copy in front of him, so he is not 100 percent sure; but he believes it has been.

Chair Pritchett stated she thinks what she would like is for them to agree to cancel that Contract and get the full contract of what the Board expects their scope of work to be; and she thinks if the Board does this, maybe make it the end of the month that the three-month Contract is void, and then start into the new one to finish out the full year so that they are going back to looking at the projects, because that was cut out of their Contract.

Commissioner Tobia asked to let him get this straight, would the Board be voting to expend the money before it was agreeing to the terms in the contract; and he stated that does not put the Board in a very good negotiating position.

Chair Pritchett commented what she believes Commissioner Goodson is asking is to go back to the Contract they were in last year; and she asked if that is correct.

Commissioner Goodson advised he does not think that is a big deal; the money can be held until they sign the contract or until it is approved; he knew Commissioner Tobia would not be happy with this; he asked how much does he want to see of the contract; and does he just want to see the contract or does he want the County Attorney to view it and then he look at it.

Commissioner Tobia commented he just likes to see what the taxpayers are getting in return for the \$202,000, that is what he is looking for.

Commissioner Goodson noted he thinks the Board can trust the County Attorney and County Manager to get the contract to Commissioner Tobia.

Chair Pritchett stated she thinks no less than the Contract they were in previously.

Commissioner Goodson stated correct.

Commissioner Tobia stated he is going to pass for time on the Valliant Air Command; he was honestly going to be a silent no on the Police Hall of Fame; but he knows how Chair Pritchett is, he saw it with the Weston project; the Board tied the grant, or the people who voted for it tied the grant to the additional funds; and he asked if the Board is going to do this, can that million dollars be tied to the study about either the attendance or the room nights created, the same way the Board did it for the Weston, or the majority of the Board did it for the Weston.

Chair Pritchett explained she would rather not because this is more of a public purpose; it is going to be for law enforcement and military, so she believes it has a little different flavor than an area that is for profit making a lot of money; and she thinks this is more of a service for the area.

Commissioner Tobia asked if this is tourism dollars.

Chair Pritchett stated yes, she does not doubt that they are going to be bringing people from all over the nation, she sees it already when the County has the events and when the facilities' are noted for that purpose; she thinks they are busy working on acquiring a lot of funds; she thinks the overall project is a lot of money; and there is a lot of money coming in from all of the law enforcement.

Mr. Strine advised they are a national organization; they funded themselves with national donations, they are a non-profit; they fund their programs all across-the-country; and this particular project is very important to them, because it allows them to take advantage of this particular geography where they sit. He went on to say they have been told three million people passed by them this year on their way out past the bridge to Kennedy Space Center; that is the number they have heard from Delaware North who has helped them with those numbers; they have given them the third parties that they have used to corroborate the numbers; and they are matching against real world-class experiences, like the International Spy Museum. He pointed out there are organizations that attract lots of tourism to these types of immersive experiences, so in addition to the traditional tourism that a person may be thinking about, they also have four million people that are current family members across-the-country of law enforcement, 4,000 agencies, Federal, State, local agencies, that come and will come more and more to their campus for training and education; they will stay multiple nights, they do now; the events they hold for law enforcement, they come and they fill the hotels that surround them; they see this as something that they can scale; they have been told the numbers are the right numbers, whether people believe them or not, they use third parties; and they are matching themselves against world-class operations and operators. He stated they think the plan is pretty credible. Chair Pritchett commented she thinks in that area that the County has more hotels going

in, in that area than in any other part of the County right now; her husband and she were remarking on that the other day; and part of that is from YouTrip as well, because they are close on the Interstate to fill up those hotel rooms.

Commissioner Tobia stated he did not catch Mr. Strine's affiliation; and he asked if he was one of the board members.

Mr. Strine replied he is the Chief Development Officer or Chief Advancement Officer.

Commissioner Tobia asked if Mr. Strine believes, he is looking at page 11 of an economic and fiscal impact analysis that has a total of 153,885 room nights, 246,425 by 2025, does he think that number is achievable.

Mr. Strine responded that is their plan.

Commissioner Tobia stated his understanding is United States Specialty Sports Association (USSSA) does about 95,000 room nights.

Mr. Cranis advised somewhere in that range, yes.

Commissioner Tobia inquired what the likelihood that 153,885 room nights per year is achieved by, as he has on page 9 here, by the year 2025.

Mr. Cranis replied that is a hard thing to say, it is a prediction in the future, and he does not know if he can make that prediction.

Commissioner Tobia asked if that was his job, he does predictions, or he hires people to do predictions.

Mr. Abbate responded he does not think he can give an off-the-cuff guess on that to be honest with him.

Commissioner Tobia noted for 18 reasons he is going to be against all of this; but let him tell the Board why; the most important reason why everyone should be against this, whether he or she emotionally loves this stuff or not, the Board Members are up here for a period of time; that period of time comes to a conclusion through election or terming out; the Board is literally turning around stuff the Board just passed weeks ago; and he would be leery to have this \$1 million per five years if the Board cannot keep its word on something for two weeks. He commented he cannot find one good reason to support any of this stuff; but he reiterated he does not think any Commissioner should be supporting this stuff, as this is a full turnaround of the way the Board had unanimously voted on a couple of occasions; the documentation is not here; the numbers are sophomoricly put together at best; the fact that the organization is not willing to tie the grant to the numbers is probably a pretty good indication that they do not even believe the numbers; he stated he appreciates all of the work that was done on this; the motion is going to win on this one; and he appreciates the Chair giving him his five minutes to vent on this.

Chair Pritchett stated she always knows where Commissioner Tobia is going to land; he is always honest and never lies about things; and she appreciates it and she respects that in him tremendously.

The Board approved funding the Police Hall of Fame capital project for \$5 million over five (5) years, at \$1 million per year; approved funding the Valiant Air Command capital project at



\$349,213; approved fully-funding the Brevard Cultural Alliance (BCA) for the year in the amount of \$202,000 that was recommended at the August 8, 2023, Board of County Commissioners meeting, with a contract to extend their responsibilities for that year; approved fully-funding the Cultural Support Grant program this year in the amount of \$530,000 that the Tourist Development Council (TDC) recommended on August 8, 2023; approved making the appropriate legislative findings based on the Agenda Reports from August 8, 2023; and requested the City of Palm Bay return within six months with financial analysis and eligibility information, or to otherwise establish the eligibility, to receive funding for the project, with the \$250,000 to be left in the TDC fund, and not to be spent.

**Result:** Approved

**Mover:** Tom Goodson

**Second:** Jason Steele

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

**Nay:** Tobia, and Feltner

**I.2. Approval, Re: Tourist Development Council (TDC) FY 2023-2024 Marketing Event Grant Program Funding, Guidelines and Application**

Peter Cranis, Tourism Development Office Director, stated this Item is the recommendation coming from the Tourist Development Council (TDC) regarding the marketing event grant program that they were asked by this Board to look at and develop guidelines and application; and they did do that, and have now provided guidelines and an application for the Board's review.

Chair Pritchett advised the TDC did so much work on this; there has been a lot of activity and conversations about what to do with the marketing funds; she was going to be a real stinker about how much was going into District 2; but she decided to leave it alone as it seems like a good thing since the Board just evened out some of the capital, so Commissioner Goodson has her support.

Commissioner Tobia stated he thinks this just got flushed down the toilet; this combined a whole bunch of stuff, and used, he does not know, conservative philosophy, to market stuff instead of hand it out for administration; this got rid of two committees and required less staff time; there was so much good stuff in here; but the Board just threw a hand grenade in it.

Chair Pritchett noted she just jumped to the wrong number; Commissioner Tobia should have told her; and he just missed that one.

Commissioner Tobia asked if he could have a second of personal privilege here.

Chair Pritchett replied please, as she just realized she had her head totally in another Item.

Commissioner Tobia pointed out he knows he gave Mr. Cranis a hard time for not reviewing the submissions; he wishes Palm Bay would have gotten the feedback that their economic study was not appropriate, so he was not very kind to staff on that one; he wants to take a second to say Mr. Cranis, as well as the leadership above him, did an extremely good job on the marketing event grant; he did some talking points here and laid out some decision-points; they were very sophomoric at best; and it turned into an 18-page document that was well-written and a fabulous job was done on it. He expressed his appreciation to staff for their hard work; he stated it is useless at this point; but he would be remiss if he did not thank Mr. Cranis for his time and effort that went into putting that together.

Chair Pritchett stated she agrees with Commissioner Tobia that staff really listened to the Board and put together what it requested, so this does go away now because the Board is going back to the cultural; and this Item is just going to go away.

The Board discussed the TDC FY 2023-2024 marketing Event Grant Program funding, guidelines, and application, but took no action.

**I.1. Approval, Re: Tourist Development Office (TDO) Proposed FY 2023-24 Marketing and Media Plan, approval for the TDO Director to make Vendor Selections, Negotiate and Execute Agreements with Media and Advertising Vendors**

Peter Cranis, Tourism Development Office Director, stated this Item is a recommendation coming from the Tourist Development Council (TDC) and approval of the Tourism Development Office (TDO) proposed FY 2023-24 Marketing and Media Plan in the amount of \$15,343,555, as well as disaster funds in the amount of \$1,313,687.

Commissioner Steele stated the Board is funding the entire amount on the cultural grants; the Gay Pride Parade has already taken place; and he asked what is going to be done about that, is the Board just going to fund them the money.

Frank Abbate, County Manager, replied this is for next year.

Chair Pritchett explained what the Board is doing now is the marketing outline, and she asked if that is correct.

Mr. Abbate advised this is the marketing plan for Fiscal Year 2023-24; it is much more limited in terms of the ability of the Tourism Development Office Director; he is going to have to negotiate and execute contracts, and go through the normal marketing and procurement processes that is in place in the County; in the past, the Board will recall in prior years that marketing, he was given the sole discretion to do that; the normal process will be gone through as it is selected, so the scope has been narrowed in what the County is doing; and staff spent considerable time in trying to put this package together for the Board's consideration.

Chair Pritchett noted staff did a great job and put a lot of work into it; and it is giving Cocoa Beach a lot of extra marketing dollars, so everybody should be happy.

Commissioner Feltner stated he thinks the Cocoa Beach Hotel Association will ultimately be a little more satisfied with this product.

The Board approved the proposed FY 2023-2024 Marketing and Media Plan for the Tourism Development Office (TDO) in the total amount of \$15,343,555, including the selection of the media vendors listed in the 2024 Marketing Plan presentation; approved for the Tourism Development Director to negotiate and execute contracts, contract amendments, and any necessary contracts for selected marketing, media, and advertising firms with the Board-approved FY 2023-2024 Marketing and Media Plan, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services in accordance with Administrative order AO-29, "Contract and Grant Administration", up to and exceeding \$100,000, the total amount not to exceed \$15,343,555.00; approved the ability for the TDO to receive and accept revenue from cooperative advertising partners and grants from organizations (such as the Florida Sports Foundation); authorized the Tourism Development Director to be able to access Disaster Funds (Fund 1444) in the event of a State or local emergency declaration, natural, or man-made disaster for the purposes of advertising/marketing/promotional costs of up to and exceeding \$100,000, the total amount not

to exceed \$1,313,687.00; and approved the focus of advertising and promotions for FY 2023-2024 will be the following priorities in listed order: 1. Beaches, 2. Space/Launches, 3. Cruise, 4. Nature/Outdoors, 5. Attractions/Culture/Events, and 6. Shopping/Dining/Downtowns.

**Result:** Approved

**Mover:** Tom Goodson

**Second:** Rob Feltner

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

Janice Scott stated she was leaving because she did not hear the word 'lifeguard', and she wanted to comment; one of the hot topics around Cocoa Beach, a community geographically 3.9 square miles, 12,000 residents, and they voted for Commissioner Goodson; she made sure everyone went out and voted for Commissioner Goodson; and she was hoping they would get some support about paying for these lifeguards, unanimous support. She went on to say Mr. Cranis has already gone to the back of the room or somewhere, but in September the Tourist Development Tax (TDT) was \$24.1 million; they say that they collect 37 percent of that money in Cape Canaveral and Cocoa Beach; she asked why anybody is willing to say that four out of the six locations are in Cocoa Beach; she noted maybe the Board does not realize that Lori Wilson Park, which is quite a large beachfront park, and Murkshe Park, that Cocoa Beach provides security, 24-hour security, safety, police, and fire; and if it were not for being clogged, and she says that very nicely, with tourists every day and even more so on weekends, they would probably only need one-third less police and fire than they have to help protect the public that come there, the day trippers, and the people that come for the weekends. She commented she is a beach goer, and it is her 51st year in Cocoa Beach; and she asked nicely if the Board is really going to fund lifeguards, it really makes more sense to do a seamless service down-the-coast.

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

Frank Abbate, County Manager, stated the East Central Florida Regional Planning Council (ECFRPC) has a meeting scheduled for November 15th in Silver Springs; the Board does not have a representative yet who is going to be able to go to that meeting; and he does not know if the Board wanted to address that this evening to see if it wants to send someone or not.

Chair Pritchett stated she knew the member on that cannot go or the alternate; she teaches school that day; and she asked Commissioner Steele would he be willing to go.

Commissioner Steele advised he cannot make a commitment to go to that until he talks with his wife.

Chair Pritchett asked if the Board should just come back the next meeting, because she thinks Commissioner Tobia teaches as well.

Commissioner Tobia replied on Wednesday's he does.

Chair Pritchett asked Commissioner Steele to just get back with the Board.

\*Chair Pritchett passed the gavel to Vice-vice Chair Tobia.

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

Commissioner Tobia stated he received a request for an employee recognition in December, that can be discussed later, but his staff mentioned that he may not be Vice-vice Chair at that

point; he certainly hopes the position of Vice-vice Chair is a position that never goes away; and he would like it in perpetuity. He went on by saying that today is World Plant Based Burger Day; he does not support this; the Useless Florida Fact is the world's first passenger flight occurred in Florida; it happened on January 1, 1914, and flew from St. Petersburg to Tampa; and the 18 mile flight, which was 11 hours quicker than traveling between the cities by train, safely transported 1,200 passengers across the bay in a Benoist Model XIV aircraft with a 75-horsepower engine. He explained this day in Florida history, on October 10, 1865, the Constitutional convention met in Tallahassee to nullify the ordinance of secession of 1861 and adopt a new Constitution for the State of Florida; the new Constitution went into effect November 7, 1865, without being submitted to the people for ratification; the Constitution of 1865 was never fully effective; Federal military forces remained in command of the State until 1968 when a new Constitution was written; and he thinks Florida is on its fifth or sixth Constitution. He commented employee recognition is for Tom Horton, Facilities North Supervisor, Public Works; he has seven years of total services, and two years as a supervisor; he started from the very bottom as a GRT, he is not sure what that means, and worked his way up to North Shop Supervisor; he is a native Floridian, he grew up in Orlando, worked for Home Depot for 11 years, and the City of Cocoa before coming to Brevard County; and he was also a U.S. Army Veteran with six years of service as a Crew Chief on the UH1 Iroquois helicopter, otherwise known as a Huey or Slick. He stated Mr. Horton was deployed at one point as a peacekeeper to Cairo, Egypt; while there he was able to tour some of the local historical sites like the Great Sphinx; he enjoys saltwater fishing, but when he is not fishing, he is an avid stained glass craftsman; he has made everything from windows to Tiffany-style lamps; and he expressed his appreciation to Mr. Horton for his service not to only his country but to Brevard County.

#### **K. PUBLIC COMMENTS**

Mark Strucher stated he moved to Merritt Island in 1970; if the Board recalls, it used to be called Merritt Island the Beautiful; but he does not know if any of the Commissioners have been around Merritt Island lately; Merritt Island is far from beautiful anymore; overall road maintenance are below standards; and driving over here today, through Viera, seeing how well the roads are maintained, mowed, edged, and manicured, and in Merritt Island, a person does not see that. He went on to say the causeways are overgrown; at one point a person could drive all over Merritt Island and see water; today the only time water is seen is when a person is on a bridge; he lives off of North Banana River Drive; they came up and this last week they moved; and looking at the mowing job that was done, the County would not pay these people. He pointed out they just put a sidewalk on Sykes Creek Parkway, they mowed the grass, and they did not even blow it off of the sidewalk; Sykes Creek Bridge has not been mowed in years; he would be happy to take the Commissioners around Merritt Island to see what it looks like; it is not attractive anymore; and the drive around Merritt Island is depressing, buildings torn down with rubble still there, building started but not completed, and it is very unattractive. He commented this is the first time he has been here, but he hears so much about Palm Bay, Titusville, Melbourne, but he has not heard one thing about Merritt Island; and he thinks Merritt Island is the unwanted step-child of Brevard County.

Chair Pritchett stated just so Mr. Strucher knows, usually the Board spends a lot of time talking about Merritt Island when the people show up in droves.

Charles Tovey stated he refrained when former Commissioner Smith was onboard because he lives right down-the-street from the Mayor, and he has enough problems; it was a truce, and he got to finish saving the Lagoon and helping out his parents; microplastics, and maybe it can be tied in with the lifeguard thing, the riptide, and this is what he was relating to; they have robots that do cleaning of the microplastics on the beach; and the lifeguards can just monitor while

they are saving people's lives. He noted what he has to say is about public speaking; he never had a problem; he did elementary schools, prison ministry, churches, detox, and all kinds of mentorships and things; it was never a problem until he went to Town of Palm Shores and spoke about the environment; in any government building he seems to go to, they no-trespass him or they play with the public comment, because as repeat officials they learn these tools of how to mess with the public and get what they want out of things; but he relates it to, they cut his brake lines, his steering wheel on his car come off of his car, tried to burn him out of his house, shoot at him, beat on him, and that is okay. He pointed out that is the same thing they did to Jesus, public speaking, they ran him out of the synagogues, the churches, everywhere, and they no trespassed him in Town of Palm Shores; the same with Jesus; and he had to go out on a mountain to preach and way out in the Sea of Galilee so he could speak in peace without intervention because of Pharisees, Sadducees, and Publicans wanted to kill him for public speaking.

Melanie Weber stated it seems to be a little silly being here speaking when there is a new war going on overseas; she is here with Space Coast Bunnies Rescue, and they are here because they need the Board's help; they see numerous rabbits dumped daily; and there are many reasons why that happens. She went on to say they cannot change some of those reasons, nor do they have the power to; they cannot prevent people from impulse buying; they cannot stop parents for saying yes to get a bunny for their child; they cannot force a child not to lose interest; they cannot force adults to provide care and to prevent them from putting an unwanted rabbit outside, because they do not have time or they think they will just be fine; they cannot prevent people from having financial hardships where they have to make hard choices; and they cannot prevent people from having changes in their daily lives, whether it is being deployed for military duty, becoming homeless, or escaping domestic abuse. She commented there are a few things that can be done to help the issue of bunnies being abandoned; one, she will not discuss, because euthanasia should not be an option; two, neutering and spaying, these rescues are already doing that, and it is not making a difference; and they are here for option three, an ordinance to prohibit a sale of rabbits in Brevard and prohibiting backyard breeders, at least until the situation is effectively managed. She noted other surrounding counties are also pursuing this and she hopes Brevard County will do the same; by stopping the sale of rabbits in pet stores, at flea markets, or in people's backyards will prevent the impulse buys, which prevents the child from losing interest, which prevents the adult from putting it outside, and hopefully terminates this never ending cycle, so they are here humbly asking for the Board's help; they do not have the power, but the Board does; and she asked the Board to please consider an ordinance as there are animals suffering that do not deserve to, and rescue groups that are exhausted and financially broke. She asked the Board to please give them some hope to keep going; and she stated if the Board Members have time Friday afternoon to drop by the Viera Community Center to see some adoptable bunnies and to learn more from Space Coast Bunnies Rescue.

Richard Heffelfinger stated he titled his comment card 'What did we learn today'; the people get the public comment, Commissioner Tobia's wonderful stuff; some of the things he did not think was worthless, he thought the planes were cool; he does not understand things about the government that he wishes someone would explain; there is a Tourism Development Office (TDO) and a Tourist Development Council (TDC), they take all of these grant applications, and they get to use the money; they then submit the items to the Board; and the Board just does whatever it wants to do. He asked if the TDC and TDO are a wasted element in this, because they are the ones who know how to manage the tourism; if they are not doing what they should do, give the Board crappy proposals, and the grants are not properly applied for, that should be intercepted; but the Board spends a whole lot of time talking about these grants; and he does not care because he does not spend his money here since the hotels here are too expensive. He commented the Board spends a whole lot of time just nitpicking through their

stuff; why have a TDC if the Board is not going to do what they recommend; he thought they were supposed to be the experts; if they are not, they should be fired; he does not know if they are paid; and he asked if they are staff. He noted he hears some people say they do a great job, and others say what they are doing is bogus; he stated regarding Merritt Island, they are not a city; if they incorporate, they receive more money, and they get their yards mowed; he does not know if the County is intentionally not mowing their grass just so they will incorporate; but that is an interesting question.

Gwen Burley stated she has been researching the rabbit dumping situation for five years; in 2019 when this County Commission was doing a dog and cat ordinance, she was getting one done for rabbits and other animals in Indian Harbour Beach; since 2019, there have been five to seven other jurisdictions in Florida that have gone ahead and done a retail/pet sale ban for rabbits; she has helped provide documentation for the people who are advocating for that; and she is really disappointed that over that five years they have received nothing from this Commission. She went on by saying it is time for the Board to sit down with a charity that is providing a service for its animal services basically; and somebody either needs to come up with an exotic vet at Brevard County's animal services facility that will provide free spay and neuters for this charity, or it needs to expand its animal services shelter to intake, because the charity that is providing a free function for Brevard County cannot keep up.

Katherine Zeringue stated she is here asking for an ordinance for prohibition against the sale of rabbits by pet stores and backyard breeders in Brevard County; rabbits are the third-most abandoned pet behind cats and dogs, yet County resources that handle this issue are practically non-existent; shelters cannot or will not provide for the rabbits; there is only one low-cost spay or neuter program which can deal with rabbits, but it cannot begin to even address the need or demand that there currently is; this shifts the burden of dealing with the abandoned rabbit population to the citizens of Brevard County; Space Coast Bunnies receives approximately two to three requests per day regarding the rescue of a dumped rabbit; in 2022, they rescued 151 rabbits; in 2023, they have rescued over 75 rabbits, with the numbers increasing every day; rescues out number adoptions; and the cost to run this non-profit far outweigh what they receive in donations. She explained when rabbits are rescued they are often abandoned in or on the grounds of vacated housing; they have been hit by cars; they have been left next to trash receptacles with broken limbs; they have been attacked by other animals; and they often have other illnesses or are malnourished. She noted this equates to animal abuse that is going unaddressed in the County; as prey animals, domesticated rabbits cannot survive in the wild, but they can certainly breed; with the rise in dumped rabbits, Brevard County should anticipate issues seen in other parts of the State; in Orlando's Azalea Park, a colony of 26 rabbits was removed at a cost of \$10,000; in Wilton Manor, a colony of 100 rabbits has cost the city \$40,000; and this ordinance is precedent in other counties.

Michael Bramson stated there has been a lot of great, positive energy in Brevard County towards public safety in the past couple of months; they wanted to make sure they took the opportunity to address the civilians, community, the Board, and staff for some of the out-of-the-box thinking trying to get them to the place where public safety is where it needs to be here in the County; and they look forward to furthering their relationship and getting to a better place in 2024.

Annabelle Bourque stated she is currently a senior in Bayside High School, and she is supporting Space Coast Bunnies and the prohibition of rabbit sales in pet stores and backyard breeders; she is a bunny owners and action needs to occur; she cannot imagine dumping a poor, defenseless bunny into the wild; yet this occurs far too often due to the pet store sales and backyard rabbit breeders; and the numbers of rescues this past year have nearly quadrupled. She went on by saying sadly, this is not including the number of deceased, not found, or

rescued rabbits; too many rabbits have died, and too many rabbits have suffered directly due to backyard breeders, lack of education, and impulse buying from pet stores; she fell victim to misinformation and impulse buying; and it is becoming far too common. She pointed out a first-time bunny owner would not know if a bunny is a boy or a girl, a 10-year commitment, or is more work than expected; when they realize the work that they require, they turn to dumping; she has two rabbits; opposite genders are dumped after the owner realizes the amount of work involved; and they can possibly breed and form up to three million rabbits in four years. She noted not only are the three million rabbits in danger, suffering, and dying, but it is also a growing challenge for their rescue to keep up with this exponential number for resources and costs; she will not just be a bystander; she knows this is possible to be regulated as it is for cats and dogs; but unlike cats and dogs, there is no shelter to turn to; rabbits are domesticated just like they are; and she asked the Board to please take this into consideration and take action before it is out of control, as she does not want to see another rabbit suffer.

Megan Waryk stated today she would like to discuss why the sale of rabbits of pet stores and breeders need to be prohibited; when a person walks into a pet store the first thing he or she sees is a cute, little bunny rabbit; people think it could not be that hard they can get them some carrots and cage; when a person gets them home, a person realizes the rabbit poops, pees, it stinks, and it needs a specialized vet, which she cannot pay for; they belong in the wild, right, they can frolic with the birds and bees; but domesticated rabbits do not know how to survive in the wild. She commented all of this causes over-population because before they die, they will breed, because that is what bunnies do; this can be avoided by simply banning the sale of rabbits from pet stores, which is where people primarily get bunnies as impulse purchases; and by adopting bunnies from rescues instead, not only can the over-population issue be helped, but it can actually be reversed.

Ashley Berke stated she wants to applaud the Board for its support of the new animal services facility; this County has a reputation for looking out for animals; she is hoping it can continue to have that good reputation for the County; she wanted to share that in the last few weeks they have been featured twice on Fox 35; and on their Facebook posts they had more than 35,000 reactions when normally they get a couple of dozen reactions on their posts. She went on to say the reactions were overwhelmingly in support of getting something for rabbits, because people care about animal issues; they know that pet stores and backyard breeders are directly responsible for this; they know they create a nuisance and it is going to be another costly nuisance as others have pointed out; and there are three Pet Supermarket's in Brevard County that currently sell rabbits, and one other privately-owned pet store that sells rabbits that has been responsible for a number of litters according to people who have reached out to her for assistance. She explained doing nothing would be to protect that one business owner at the expense of the rest of the community; doing nothing is not the fiscally responsible choice; nature will not take care of this problem; as mentioned, Wilton Manor in Fort Lauderdale had over 100; and the situation in Rockledge is actually what started this rescue, because a homeowner started out with three bunnies that they thought were cute; and it turned out to be over 100 over a nine-month period. She advised inaction is complicity with cruelty and neglect.

Jessica Graham stated day after day she sees in Facebook of people finding domestic rabbits outside, and asking if they are wild or not; many animal rehoming groups post that if no one is going to help them with their now unwanted rabbits that they will set them free outside; backyard breeders are asking what is wrong with their rabbits and their box is outside with their head tilted, not realizing they are all infected with Encephalitozoon Cuniculi (EC); and the pet stores are selling rabbits that are too young to gender them correctly giving them to an unknown customer who thinks they are getting an easy starter pet a boy and a girl, and end up with not two rabbits but 11. She mentioned now not knowing they have to separate the dad and the mom immediately after birth, and now they end up with nine more rabbits 30 days later;

rabbits can become pregnant 30 minutes after birth, and can get pregnant as early as four months old; by doing the math, a colony can start very fast; Space Coast Bunnies and other rabbit rescues in Florida have been doing their very best to stop colonies from overtaking neighborhoods like it did in Wilton Manor; she understands that bunnies or even animals in general are at the lowest of the totem pole when it comes to comparing it to other things going on in the County, which she gets; but this is going to be a big problem, as big as even those problems, if ordinances do not get put into place for domestic rabbits. She pointed out the County needs to learn from Wilton Manor and it needs to do something before it gets that bad; there are already neighboring counties with ordinances for domestic rabbits; if other counties are able to take action, then she is confident that Brevard County can accomplish this; and she wants to show her son that Brevard County can and will make them proud.

Upon consensus of the Board, the meeting adjourned at 6:57 p.m.

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RACHEL M. SADOFF, CLERK

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

As approved by the Board on December 5, 2023