

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

9:00 AM

The Board of County Commissioners of Brevard County, Florida, met in regular session on May 17, 2016 at 9:01 AM in the Government Center Commission Room, Building C, 2725 Judge Fran Jamieson Way, Viera, Florida.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Robin Fisher	Commissioner District 1	Present	
Jim Barfield	Chairman/Commissioner District 2	Present	
Trudie Infantini	Commissioner District 3	Present	
Curt Smith	Vice Chairman/Commissioner District 4	Present	
Andy Anderson	Commissioner District 5	Present	

INVOCATION

The invocation was given by Pastor Steven West from Graceway Church, Melbourne.

PLEDGE OF ALLEGIANCE

Chairman Barfield led the assembly in the Pledge of Allegiance.

MINUTES FOR APPROVAL

The Board approved the March 29, 2016, Regular Meeting Minutes and the May 5, 2016, Zoning Meeting Minutes.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.A., RESOLUTION, RE: PROCLAIMING MAY 15, 2016, THROUGH MAY 21, 2016, AS EMERGENCY MEDICAL SERVICES (EMS) WEEK

Chairman Barfield read aloud the resolution.

A representative expressed appreciation to the Board for the Resolution.

The Board adopted Resolution No. 16-069, recognizing the week of May 15, 2016, through May 21, 2016, as Emergency Medical Services Week.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Trudie Infantini, Commissioner District 3
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.B., RESOLUTION, RE: CONGRATULATING THE SEA PARK ELEMENTARY SCHOOL ODYSSEY OF THE MIND TEAM

Commissioner Infantini read aloud the resolution.

The team expressed appreciation to the Board for the resolution and provided explanations of their projects.

The Board adopted Resolution No. 16-070, congratulating the Sea Park Elementary School Odyssey of the Mind Team.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.C., RESOLUTION, RE: CONGRATULATING THE DELAURA MIDDLE SCHOOL ODYSSEY OF THE MIND TEAM

Commissioner Infantini read aloud the resolution.

The team expressed appreciation to the Board for the resolution and provided explanations of their projects.

The Board adopted Resolution No. 16-071, congratulating the DeLaura Middle School Odyssey of the Mind Team.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM I.D., RESOLUTION, RE: RECOGNIZING THE STEPPING UP INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAIL

Commissioner Anderson read aloud the resolution.

Representatives from the Stepping Up Initiative expressed appreciation to the Board for the Resolution.

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The Board adopted Resolution No. 16-072, recognizing the Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.1., APPROVAL, RE: CONTRACT FOR SERVICES BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) AND BREVARD COUNTY

The Board executed the contract with Florida Department of Environmental Protection (FDEP) to provide petroleum contamination site clean-up related services in Brevard, Indian River, St. Lucie, Martin, and Okeechobee Counties, upon County Attorney and Risk Management approval; authorized the waiver of legal venue to be in Brevard County, as the current agreement indicated legal venue to be in Leon County; authorized the County Manager, or his designee, to execute future contract amendments and annual renewals; authorized the Local Program Manager, to execute task assignments consistent with the contract; and authorized any necessary budget change request to provide adequate staffing, operating budget changes, and acquiring the necessary capital items to meet contractual obligations.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.2., APPROVAL, RE: BREVARD COUNTY SHORE PROTECTION PROJECT NORTH AND SOUTH REACHES, STATE GRANT 15BE4

The Board executed the Shore Protection Project North and South Reaches, State Grant 15BE4 with Florida Department of Environmental Protection (FDEP), and with approval by the County Attorney and Risk Management to accept funds; authorized the waiver of legal venue to be Brevard County, as the current agreement indicates the legal venue be in Leon County; authorized the County Manager, or his designee, to execute future amendments to this Contract, as well as task orders or contracts as required and in excess of \$100,000, to accomplish the work approved under State Contract; and authorized any necessary budget change requests.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM II.A.3., FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AGREEMENT NO. LP05111, RE: SOUTH PATRICK DRIVE BAFFLE BOX WITH DENITRIFICATION BIOREACTOR

The Board executed the FDEP Grant Agreement No. LP05111 for South Patrick Drive Baffle Box with Denitrification Bioreactor Project; approved the legal venue to be Leon County; authorized the County Manager, or his designee, to execute future contract amendments, subject to the approval of County Attorney and Risk Management; authorized the Chairman to execute Project easements from Patrick Air Force Base (PAFB), subject to approval by the County Attorney and Risk Management; and approved the associated budget change requests.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.4., FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION COST-SHARE AGREEMENT, RE: THE FOUNTAINHEAD ADVANCED DENITRIFICATION SYSTEM PROJECT #LP05115

The Board executed the FDEP Cost-Share Agreement No. LP05115 for the Fountainhead Advanced Denitrification System Project, after review by County Attorney and Risk Management; approved the legal venue to be Leon County; authorized the County Manager, or his designee, to execute future contract amendments, subject to the approval of the County Attorney and Risk Management; approved the associated budget change requests; and approved Bid, Award, and Construction of the Project, with a 21-day bid opening.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.5., FINAL PLAT APPROVAL, RE: HOUSTON LANE ESTATES SUBDIVISION

The Board granted final plat approval; and authorized the Chairman to sign the final plat for Houston Lane Estates Subdivision, subject to minor engineering changes as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.7., BINDING DEVELOPMENT PLAN, RE: SOUTHGATE INVESTMENTS, INC.

The Board executed Binding Development Plan with Southgate Investments, Inc. for the property located on the southeast corner of Pioneer Road, and North Courtenay Parkway in Merritt Island area.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.8., SLOPE AND DRAINAGE EASEMENT AND DONATION OF EASEMENT TO THE COUNTY FROM CROSS BRIDGE CHURCH OF THE NAZARENE, INC. FKA ROCKLEDGE CHURCH OF THE NAZARENE, INC., RE: CONVEYANCE OF EASEMENT (#835) NEEDED FOR THE BARNES BOULEVARD WIDENING PROJECT

The Board accepted the Slope and Drainage Easement and Donation of Easement to the County from Cross Bridge Church of the Nazarene, Inc., fka Rockledge Church of the Nazarene, Inc., for Conveyance of Easement (#835) needed for the Barnes Boulevard Widening Project.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.9., WARRANTY DEED WITH EVAN RETAIL, LLC, CONVEYING ADDITIONAL RIGHT OF WAY, RE: SAN PEDRO DRIVE IN MELBOURNE

The Board accepted a Warranty Deed from Evans Retail, LLC, conveying additional right-of-way for San Pedro Drive, Melbourne.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.10., SANITARY SEWER EASEMENT FROM BREVARD MEDICAL CITY, LLC, IN FAVOR OF BREVARD COUNTY, RE: PROPERTY LOCATED ON WICKHAM ROAD (13-SP-00362)

The Board accepted a Sanitary Sewer Easement from Brevard Medical City, LLC, in favor of Brevard County for the property located on Wickham Road (13-SP-00362).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.11., UTILITY EASEMENT AND DONATION OF PROPERTY TO THE COUNTY FROM HARLAN PROPERTY DEVELOPMENT, LLC, AND RHONDA BABB, RE: CONVEYANCE OF EASEMENT # (801) NEEDED FOR LIFT STATION W-09

The Board accepted the Utility Easement and Donation of Property to the County from Harlan Property Development, LLC, and Rhonda Babb for conveyance of Easement # (801) needed for Lift Station W-09.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.12., RESOLUTION AND EASEMENT WITH FLORIDA POWER AND LIGHT COMPANY, RE: SOUTH CENTRAL WASTEWATER TREATMENT FACILITY TO IMPROVE SERVICE TO THE SURROUNDING AREAS

The Board adopted Resolution No. 16-073; and authorized the Chairman to execute an Easement to Florida Power and Light in order to provide upgrades to the County facility to improve service to the surrounding areas.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.13., PERMANENT UTILITY EASEMENT AND DONATION OF PROPERTY TO THE COUNTY FROM BEACHSIDE DOUBLES, INC., RE: CONVEYANCE OF EASEMENT (#803) NEEDED FOR THE S-15 LIFT STATION/OARS AND PADDLES PROJECT

The Board accepted the Permanent Utility Easement and donation of property to the County from Beachside Doubles, Inc.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM II.A.14., CONTRACT FOR PURCHASE OF EASEMENT RIGHTS AND ACCEPTANCE OF PERMANENT UTILITY EASEMENT FORM ZON LIVING CONCEPTS, LLC, RE: S-15 LIFT STATION/OARS AND PADDLES PROJECT

The Board executed Contract for Purchase of Easement Rights and acceptance of the Permanent Utility Easement from Zon Living Concepts, LLC.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.15., WATER LINE AND INGRESS/EGRESS EASEMENT AGREEMENT, RESOLUTION AND BILL OF SALE WITH THE CITY OF COCOA, RE: CONJUNCTION WITH THE CENTRAL DESPOSAL FACILITY/LANDFILL IMPROVEMENTS IN COCOA

The Board authorized the Chairman to execute a Water Line and Ingress/Egress Easement Agreement and Bill of Sale in favor of the City of Cocoa, and adopted Resolution No. 16-074, authorizing conveyance of real property interest by the County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.16., RENEWAL, RE: STANDARDIZED PURCHASING OF ROAD AND BRIDGE EQUIPMENT

The Board renewed the standardized purchasing, as required by BCC-25, approved by the Board on February 8, 2011, for the equipment noted on the attached list, with the understanding that an existing State, Sheriff's Association or other Florida Public Entity government contract pricing will be sought specific to this equipment with the intent of purchasing from the low bidder.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.17., SUNSET REVIEW, RE: BCC-38, DELINQUENT UTILITY ACCOUNTS

The Board retained Policy BCC-38, Utilities Delinquent Accounts.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.18., FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) JOINT PARTICIPATION AGREEMENTS (JPA), RE: FUNDS RELATED TO THE CONSTRUCTION OF ADMINISTRATION BUILDING/PILOT SERVICES FACILITY AND HANGER-F COMPLEX AT VALKARIA AIRPORT

The Board authorized execution of Florida Department of Transportation (FDOT) Joint Participation Agreements (JPAs) for funds related to the construction of a new Administration Building/Flight Services Facility, and a new Hanger-F Complex; authorized a Commercial Paper Loan or best available financial mechanism to fund the non-reimbursable portion of the JPAs or the Airports' share to construct the projects; and authorized the County Manager, or his designee, to make related budget changes contingent upon Legal and Risk approval of JPA.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.1., REAPPOINTMENT, RE: COMMUNITY ACTION BOARD (CAB)

The Board approved the reappointment of **George Allen** to the Community Action Board.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.2., ACCEPTANCE OF PLAT DEDICATION, RE: HOUSTON LANE ESTATES

The Board accepted the Plat Dedication for Houston Lane Estates; and authorized Chairman to execute the dedication.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.3., APPROVAL, RE: REPLACEMENT OF LAKE WASHINGTON PARK AIRBOAT LAUNCH RAMP AND IMPROVEMENTS TO THE PARKING AREA

The Board approved the construction project for the replacement of the air boat launch ramp and the improvements to the associated parking area at Lake Washington Park; authorized negotiation and award of contract for construction utilizing previously Board approved continuing contracts for construction management; authorized Chairman to execute contract; and approved all budgetary documents, as necessary.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.4., APPROVAL, RE: \$150,000 TO THE BREVARD COUNTY VETERANS MEMORIAL CENTER MUSEUM EXPANSION PROJECT

The Board approved \$150,000 to the Brevard County Veterans Memorial Center Museum expansion; approved all budgetary documents to be approved by the Chairman for processing; and approved the transfer of the funding from Tourism Development to Parks and Recreation (Project Account-Fund 1700).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.5., MEMORANDUM OF AGREEMENT, RE: COMMUNITY TRANSPORTATION COORDINATOR DESIGNATION IN BREVARD COUNTY

The Board authorized Chairman to execute the Memorandum of Agreement with the Florida Commission for the Transportation Disadvantaged, authorizing Space Coast Area Transit (SCAT) to continue as the Community Transportation Coordinator (CTC) in Brevard County.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.6., RESOLUTION AND GRANT APPLICATION WITH FLORIDA COMMISSONER FOR THE TRANSPORTATION DISADVANTAGED, RE: TRIP AND EQUIPMENT GRANT

The Board adopted Resolution No. 16-075; executed the Grant Application for the amount of \$1,649,524; approved all budgetary documents; and authorized the Chairman to execute the Joint Participation Agreement (JPA) upon County Attorney and Risk Management approval.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.B.7., APPROVAL OF NOTICE TO PROCEED WITH TINDALE-OLIVER AND ASSOCIATES, RE: MAJOR UPDATE OF THE 10-YEAR TRANSIT DEVELOPMENT PLAN

The Board approved the Scope of Services for Space Coast Area Transit major update of the 10-Year Transit Development Plan with Tindale-Oliver and Associates in the amount of \$160,742.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.1., APPROVAL OF TASK ORDER NO. 12 WITH BUSSEN-MAYER ENGINEERING GROUP, RE: LIFT STATION M-16 REPLACEMENT

The Board executed Task Order No. 12 with Bussen-Mayer Engineering Group in the amount of \$59,800 for Lift Station M-16 replacement; and authorized any associated budgetary changes.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.2., APPROVAL OF TASK ORDER NO. 13 HONEYCUTT AND ASSOCIATES, INC., RE: LIFT STATION N-04 DEMOLITION AND EXTEND GRAVITY SEWER

The Board executed Task Order No. 13 with Honeycutt and Associates, Inc. for Lift Station N-04 Demolition and Extend Gravity Sewer.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.3., PERMISSION, RE: REJECT ALL BIDS RECEIVED IN RESPONSE TO BID #B-7-16-53/ CATERPILLAR ROAD GRADER

The Board authorized Purchasing Services to reject the sole bid submitted for Bid #B-7-16-53/Caterpillar Road Grader; and authorized staff to purchase equipment utilizing the Florida Sheriff's Association (FSA), Bid #B-15-13-0904, effective through September 30, 2016.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.4., PERMISISON, RE: DESIGN AND CONSTRUCTION OF THE NEW MIMS PUBLIC LIBRARY

The Board granted permission to negotiate and award contracts for the design and construction of a new Library in Mims utilizing the Facilities Department's current Board approved continuing contracts for design and construction management; authorized staff to process any budget changes necessary to implement and/or complete the project; and authorized the Chairman to execute all associated contracts for design and construction of the new facility.

RESULT: ADOPTED [4 TO 1]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS: Trudie Infantini

ITEM II.C.5., AUTHORIZATION, RE: RENEWAL OF PROPERTY INSURANCE PROGRAM EFFECTIVE JUNE 1, 2016

The Board authorized Frank Abbate, Human Resources Director, to bind and secure placement of the County's Property insurance coverage with an effective date of June 1, 2016.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.C.6., AUTHORIZATION, RE: NONCOMPETITIVELY AWARD TELECOMMUNICATIONS MAINTENANCE CONTRACT

The Board authorized the non-competitive award of Telephone Maintenance to AT&T in the amount of \$129,648.28.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.1., APPROVAL, RE: BUDGET CHANGE REQUEST(S)

The Board approved the Budget Change Requests.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.2., AUTHORIZATION, RE: MUNICIPAL REVIEW OF LOCAL OPTION GAS TAX (LOGT) PERCENTAGES ALLOCATIONS

The Board directed the Clerk to the Board to mail a copy of the Local Option Gas Tax (LOGT) percentage allocations to each municipality for review; and approved the Board conducting the final review of the allocations at the July 12, 2016, Board meeting.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.D.3., APPROVAL, RE: STATE LOBBYING SERVICES

The Board executed a two year contract with a one year renewal option with Ronald L. Book, P.A. and Spearman Management Inc. to continue providing State Lobbying Services.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Robin Fisher, Commissioner District 1
SECONDER: Curt Smith, Vice Chairman/Commissioner District 4
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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

The Board appointed **Pastor Jessie Guest** to the Cocoa West Community Center Advisory Committee, with term expiring May 17, 2017.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM II.A.6., BINDING DEVELOPMENT PLAN, RE: RALPH & CYNTHIA PERRONE

Commissioner Fisher expressed that he did not see anything in the Binding Development Agreement in reference to an extension of a fence, or wall, for the resident that was at the end of the block, and he thought it was included in the motion that the resident's feelings would be taken into consideration.

Robin DiFabio, Planning and Development Director, stated that the record does reflect that the Board did approve the request with a Binding Development Plan (BDP); at that time the Board did question the applicant regarding extension of the wall, and the applicant responded that he would be glad to work with the neighbors in any way appropriate in order to comply. She added it was left up to the applicant and the neighbors to resolve the issue, and staff is unaware of any communications between the applicant and the neighbors; however, the BDP in its conform does not provide for an extension of the wall.

Commissioner Fisher requested for Kim Rezanka, representing the applicant, to address this issue.

Ms. Rezanka recalled that this issue was discussed, in depth, at the Planning and Zoning meeting and that is where this condition came in, to add an additional 30 feet of landscape buffering along the corner to the north; and at that time there was also a landscape architect and a planner who believed that would sufficiently buffer the sound. She added that Mark Homer, Developer, agreed to work with the neighbors, however, she does not recall any motion or further discussion regarding an extension of the wall because it was believed that the landscape buffering would cure any of the noise that was coming from the property; and she does not understand the need to go back and discuss whether the neighbor preferred landscaping or a wall; however, it is the opinion of the experts that the landscaping would do better than a wall because sound bounces off the wall.

Commissioner Fisher recalled this issue being part of the previous discussion and simply wished to make sure that the neighbor's concerns are addressed and that she is comfortable with the outcome, because he approved this based on addressing those concerns. He suggested tabling this Item to the May 26th, 2016, Board Meeting.

Chairman Barfield stated he opposed this.

Commissioner Smith recalled that the applicant was not here to create enemies and would be willing to do anything to satisfy the neighbors; and that Commissioner Fisher's request was to extend the wall.

Ms. Rezanka requested that the Board table this Item so that she may contact the neighbors to inquire about their preferences and contact her client to come up with a solution.

The Board tabled consideration of the BDP for Ralph and Cynthia Perrone, to the May 26, 2016, Board meeting.

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Ms. DiFabio noted that the May 26th meeting will be the last meeting date before the recess and this matter needs to be resolved before the recess, because there are only 120 days for this document to be recorded and the Board will not be reconvening until after the 120 day period has lapsed.

RESULT:	TABLED [4 TO 1]	Next: 5/26/2016 5:00 PM
MOVER:	Robin Fisher, Commissioner District 1	
SECONDER:	Andy Anderson, Commissioner District 5	
AYES:	Robin Fisher, Trudie Infantini, Curt Smith, Andy Anderson	
NAYS:	Jim Barfield	

ITEM II.D.4., RESOLUTION, RE: RECOMMENDING PROJECT MARATHON, BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS

Commissioner Infantini stated that this Item is allowing a tax exemption to a company that is currently located in Brevard and if this company does not receive a tax exemption they have expressed that they will relocate to California. She pointed out that she does not know the name of the company and is uncomfortable granting a tax exemption; and she does not believe the company will leave Florida to go to California where the taxes are higher. Commissioner Infantini stated she is not in favor of granting this exemption.

The Board approved Project Marathon as a Qualified Targeted Industry Business pursuant to F. S. 288.106, and providing local financial support in the form of an Ad Valorem Tax Exemption.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Andy Anderson, Commissioner District 5
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM III., PUBLIC COMMENTS

Sara Ann Conkling requested that the Board direct County Management to put more money in this year's budget for public transportation. She went on to state that there have been extensive discussions during the advocacy for the one-cent gas tax and she wishes to continue that discussion; and to let the Board know that since 1995 the rate of public transportation growth, that means people using public transportation, has exceeded both the growth of highway travel and the population as a whole; and the trends in rider-ship show a steep upward climb, this year it has been down a little bit because gas prices have been cut in half, however, it will be up again with the increase of gas prices. She stated that she is in favor of the discussions about road improvement and the need to take care of the roads, however, in the long haul there is a need to provide better alternatives to driving. She continued on to say Brevard County has a system where too many of the routes have very little frequency, there are several routes with a one hour wait or longer, which means if the bus is missed, the riders will be waiting in the hot sun or rain without shelter; and she feels this will put heat intolerant residents at risk, and will only be resolved by the one-cent gas tax and asked that the Board include this in this year's budget. She added the overcrowding of some routes cause a severe risk management issue;

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because some of the routes go at highway speeds, meaning over 55 mph, with people standing in the aisles; if a collision were to occur at that rate of speed there would be serious injuries; to protect the citizens, more busses should be put on the road so that people can actually have a seat, some of the people in the aisles are mothers with baby carriages and the elderly, and their safety is a real concern; and she asked the Board to do what it can in this year's budget to give the citizens what they need. She noted that she knows it is always a challenge to find money in the budget and everyone wants it, however, please find some extra money for public transportation to protect the people.

Commissioner Infantini pointed out that she and Ms. Conkling have discussed this issue many times and she believes there needs to be an increase in the bus services; there has been a number of times when she has witnessed individuals arriving at a bus stop literally two minutes late and they have had to wait for an entire hour to catch the next bus; a majority of the frequent bus users are trying to get to a second job; and that the number of routes needs to be doubled and she understood that does not come without costs; therefore, adjusting the bus rate that people are being charged to help subsidize the increased availability of buses, will provide people the ability to get back and forth to a second job; and she does not know if you can increase one without the other.

Ms. Conkling stated that there has been a fairly recent .25 cent rate increase on public transportation, however, the issue with that is, many people using the bus are low income so it may not sound like much to go up from a \$.25 To \$2.00 a ride, but to somebody who is living on \$800.00 a month, it does make a difference; fare revenue is the tiniest part of the money coming in, in terms of revenue streams, although still significant, but any dollar that the Board puts in, is funding and immediately doubled by State and Federal funding, so the \$1.00 that would come out of the County budget money is a much more important dollar, in terms of securing a Federal dollar. She pointed out that fare income is important and the steps taken to cut down on fraud has helped, however, she would like to ask the Board to think, before increasing the rate as this would hurt some economically vulnerable people.

Commissioner Infantini expressed she would like some kind of plan to allow for people who do not have the financial resources to ride the buses and for the financially stable individuals, who should have to pay a bit more than \$1.25 for the benefit of using public transportation, and that there should be a happy medium, to increase the availability of the transit.

Sara Ann Conkling proposed that disabled veterans and those riders who are receiving consideration in fare increases now, could be exempt and this would be more equitable.

Commissioner Smith agreed that the Board should be doing what they can for the less fortunate, unlike those who are lazy and just sit home and collect government welfare, these people want to be contributing to society, they want to work and because they want to work and they care, now they have the duty and the expense of public transportation, because they do not make enough to have their own car. He recommended the Board consider supporting this request.

Commissioner Barfield suggested the Board make a note of this issue, to be discussed at the next budget meeting.

Amy Tidd stated she thinks it should be a wonderful opportunity to increase the bus services now that the economy is turning around; it could make a large impact; she has served many years looking at the millions of dollars put into the roads, and when looking at public transit it is in the thousands. She went on to say, she worked with Space Coast Area Transit (SCAT) to receive a grant to run an express bus into Orlando, all of the other counties surrounding Orlando run a bus in to the city where citizens can go in to work, shop, get to the airport, whatever they

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desire; however, Brevard is the only county that does not run a bus into Orlando. She explained she helped lobby a \$70,000 grant for SCAT, when funding was really low in the county, and stated if Brevard had that \$70,000, there could be a bus running twice a day from Brevard to Orlando. She recommended the Board look at the millions of dollars going into the roads and think about adding thousands of dollars to public transit for the needs of veterans and college students to get to their destinations.

Commissioner Infantini asked what Ms. Tidd believes is more important; increased funding for the buses, a Speculation building in North Brevard, or tax incentives to lure more business to this area, because those are the choices the Board continually has to make.

Ms. Tidd stated she brought this issue to the North Brevard Board because they had the money and it would have helped the entire county; it was an infrastructure improvement, however, it was declined.

Commissioner Infantini stated that Ms. Tidd is on the same side in trying to get funding out of the North Brevard Economic Zone.

Ms. Tidd replied she had worked 20 years to bring down the power plant and bring clean air to the community and ended up receiving extra funding in the amount of \$70,000 and asked that the county put in for that grant, if it still exists.

Commissioner Smith inquired if that \$70,000 would create bus trips twice a day to Orlando and if that \$70,000 was once a week, once a month, or once a year.

Ms. Tidd responded the money would fund a year and it was used for the bus to go from Brevard to University of Central Florida (UCF), so that those students going to UCF could get there, then into Orlando to the main transit hub; once people get into Orlando, they can get anywhere using Lynx transportation. She stated this was the missing link in getting citizens from Brevard to Orlando.

Commissioner Smith added for the record that Brevard does not have a Speculation building.

Commissioner Infantini stated that the Board did put it in the budget for 2016/17 and it is \$6.5 million.

Commissioner Fisher added there is probably \$500 million in the budget that has not been funded; and he is glad to see that Commissioner Infantini is now interested in funding transportation; however, the board has to vote on a budget before funding a bus route.

Charles A. Tovey, Jr. stated people come up with the best solutions for his problems because of their outside perspectives and the more input, the better rational decisions can be made. He apologized to the Cocoa Beach Mayor and stated he did not mean any harm or disrespect to his passion and interest in the Lagoon; one Lagoon, one community, and everyone lives here together. He added another issue was the card mishaps; sometimes it is the speaker cards and sometimes it is the public's agenda, and if there were white cards for public speakers that would help, and asked if it has ever been considered to re-evaluate how the cards are presented, maybe there is a more effective way to visibly present the information provided; he then spoke of the inability to read the street signs and how they look like palm trees with blurred letters when going by at 60 mph, tax dollars hard at work while the community is suffering; he added that more transportation, more people with jobs, more benefits instead of sitting around, there is a way, if someone sees somebody who needs a ride, offer one, help any way possible, that would alleviate a lot of problems. He pointed out, sometimes he refrains from exposing some of his information, he only reveals it to some people, because he does not want it to be abused

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and used against him; and he made a motion to dismiss all of his fines and fees. He pointed out, from the Board's photographs, that the fire damage was outside, not behind the dresser where he was told the fire started, and anywhere the door aperture is, is where the diesel fuel and lit cigar was thrown; that is where the fire damage is, it is all surface fire damage, all the rest is smoke and heat damage, and he requested a fire investigation. He concluded it was arson; he is looking for more time and a way out of it, stating the Board did it to him and could undo it to him; and concluded his statement with this is his life and his community.

Pam LaSalle stated she would like to make a note for people to observe that today's consent agenda has tens of millions of dollars in it, many of which were tied to contracts. She admitted she is advocating for ethics regulation in Brevard County with the Inspector General stating it creates efficiency and finds fraud, waste, and mismanagement; she has submitted this to the County Manager's Office on Thursday May 12, 2016, to be on today's agenda and was informed that it will added to the Zoning meeting on May 26, 2016; therefore, she is requesting that the citizens look at today's consent agenda and review it for efficiency and contract oversight, and that this will help in locating money for transportation in the current budget.

Julia Savage stated she is with the Melbourne Space Coast Chapter of the National Federation of the Blind and commented that the visually impaired and the blind are at a disadvantage with the transportation issue. She came to Melbourne, Florida from Atlanta, Georgia, where transportation is excellent, and as a visually impaired person, although she still has some vision, she uses a cane, and her dilemma consists of job prospects; a lot of employers want to know how she will get to work if she does not have someone drive her there, the fixed route does not include stops to these job interviews where she is seeking employment; and she cannot provide the employer with an answer. She understood the budget is limited; she is new to all this; and wanted to share her views of the public transportation system. She pointed out that public transportation is not adequate for the needs of the visually impaired.

Patricia Moynihan revealed that she has been in the area for over two years; is a person with a disability; and that public transportation is very important to her now that she will be looking for work again. She expressed that the wait is sometimes over an hour, is rough on her because of the heat; by the time the bus arrives, she is usually exhausted; then there is the seating issue and as a person with Multiple Sclerosis (MS), an invisible disability, not many people will offer up their seat. She advised if there were more busses available, with more seats, it would be a tremendous help to her, therefore, she asked the Board to consider increasing the budget for public transportation.

Commissioner Barfield added he believes the Board will address this issue.

ITEM IV.A., RESOLUTION, RE: PETITION TO VACATE PART OF A 15.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT - MOLAKI DRIVE - "CATALINA ISLE ESTATES-UNIT FOUR" - MERRITT ISLAND - SCOTT RAIT

Chairman Barfield called for a public hearing to consider a resolution for a Petition to Vacate part of a 15.0 ft. Wide public utility and drainage easement in "Catalina Isle Estates-Unit Four", Merritt Island, by Scott Rait.

John Denninghoff, Public Works Director, stated that this Item is a public hearing for a Petition to Vacate a portion of a utility and drainage easement in a rear lot line on a single family residential lot in Merritt Island, and staff has not received any objections to the request.

The Board adopted Resolution No. 2016-077, vacating part of a 15 foot wide public utility and drainage easement in "Catalina Isle Estates-Unit Four", Merritt Island.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Curt Smith, Vice Chairman/Commissioner District 4
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.B., RESOLUTION, RE: PETITION TO VACATE PART OF A 5.0 FT. WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT - CENTRAL AVENUE - "SURFSIDE ESTATES UNIT NO. 3" - MERRITT ISLAND - JOSEPH KOVAC

Chairman Barfield called for a public hearing to consider a resolution for a Petition to Vacate part of a five foot wide public utility and drainage easement in "Surfside Estates Unit No. 3", Merritt Island, by Joseph Kovac.

John Denninghoff, Public Works Director, stated that this Item is a public hearing for a Petition to Vacate a portion of a utility and drainage easement in Merritt Island, and staff has not received any objections to this request.

The Board adopted Resolution No. 2016-78, vacating part of a five foot wide public utility and drainage easement in "Surfside Estates Unit No. 3", Merritt Island.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.C., APPROVAL, RE: WICKHAM PARK PEDWAY CONSTRUCTION

The Board approved Wickham Park Pedway Construction to be completed by Road and Bridge.

Commissioner Infantini commented that she feels that a Pedway is not necessary at Wickham Park. It is a huge, beautiful, natural park and to place concrete everywhere, that actually hurts individuals when they fall, breaks up the beauty of the park; and the funds could be better utilized by placing protective covering over some areas of the playground equipment; however, she respects the Boards decision to move forward.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

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ITEM IV.D., PUBLIC HEARING, RE: FY 2016-2020 BREVARD COUNTY HOME CONSORTIUM FIVE YEAR CONSOLIDATED PLAN AND THE FY 2016-2017 ANNUAL ACTION PLAN

The Board approved HOME Investment Partnership (HOME) Consortium's 2016-2020 Five Year Consolidated Plan, and the recommended HOME and Community Development Block Grant (CDBG) funding priorities set forth in Brevard County's 2016-2017 Annual Action Plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.E., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION FOR WAL-MART STORES EAST, LP

Stockton Whitten, County Manager, stated this is an economic development tax exemption ordinance for Walmart stores and it is a proposal for the company to create 239 jobs over the next three years, with an average wage of \$42,421.00, an investment of capital expenditures of \$96.2 million; he stated he spoke with each commissioner about the circumstances regarding the recommendation so the recommendation presented to the Board was for an 80 percent tax abatement for eight years and his recommendation is for an 80 percent tax abatement for ten years.

Gregory Weiner, Economic Development Commissioner Director, confirmed that this Walmart store is a distribution center, a fairly coveted project, as much as Target and Amazon distribution centers in other parts of the country, and that it is significant not just in that way, also because distribution is one area where Brevard does not have many sectors; he hopes the success of this project, if it moves forward, will break the ice for new activity, and will be a signal that Brevard is, in fact, a good location for distribution. He advised distribution does a couple of things, it broadens taxpayers, opens up jobs for Brevard residents that are unemployed, and the wages are above average and the employment density is higher than you normally receive in distributions.

Commissioner Infantini outlined that there was previous discussion on the deficiency of funds for public transportation and if Brevard County was to pull in an extra \$3 million in the next ten years from Walmart, a very large corporation with sufficient means to pay, to come into our location, that would provide an extra \$300,000 per year. She reiterated Ms. Tidd's previous comment on how \$70,000 would provide two routes and \$300,000 is a current funding source that would put in unlimited busses and bus shelters around the County. She stated that if Brevard added \$3 million to the bus system, then matching Federal and State grants would come in, and that would mean an extra \$6 million to be added to the transportation system; she is all for tax abatement when companies want to locate in Brevard, however, when organizations, as large as Walmart, are requesting a \$3 million tax break or they will not come, she disagrees with it. She added Brevard County is centrally located within the State, and very well situated geographically; therefore, if cargo needs to be moved from a ship, it can be put on a truck and transported anywhere in the State and Brevard County is in the best proximity, aside from Jacksonville, if they wanted to reach the west side of Florida. She commented that she does not believe that the \$3 million is going to make the difference in Walmart's decision and is willing to take that chance because, if Brevard keeps giving away corporate welfare, it is going

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to be putting more tax burdens on residential homeowners and existing businesses that do not receive the tax breaks. She concluded that she is not in favor of this motion.

Commissioner Barfield mentioned that this property is currently owned by the Port, and Brevard County is not currently receiving taxes from it; however, once the building is sold, and Walmart or whomever comes in, the County will be receiving money at that time. He stated that this is a tax abatement that was approved by the voters and the voters did this for a perfect reason so Brevard County could bring companies like this in, therefore, he is completely for this motion.

Commissioner Fisher commented that the important thing to realize is, other communities would love to have a distribution center like Walmart; if another community were to make that decision, Brevard County would be giving away 362 jobs in this marketplace; for people to have an opportunity to work and \$14.8 million in wages, and if there was \$14.8 million in the community, that would allow people to do things that they currently cannot afford to do; and when looking at the contributions, this would be an \$18 million deal for Brevard County which is considerably higher than \$70,000 for a bus. He continued, that it is very important that the Board realize, the voters want it, especially those looking for work, because it is a great opportunity for above minimum wage jobs, and at the end of the day the County would receive some money on revenue and taxes that it currently does not have.

Commissioner Anderson pointed out the irony that Commissioner Infantini had discussed public transportation for those individuals who needed to get to a second job, and that these are the kind of jobs that one can consolidate to have one job and may be able to purchase their own vehicle and not have to rely upon the transportation system. He also pointed out that the competitive bidding on this went from St. Augustine all the way to Fort Pierce, a five county area.

Mr. Weiner clarified that they looked from South Georgia all the way down to Fort Pierce.

Commissioner Anderson stated there were several sites and two or three were in Brevard.

Mr. Weiner stated that he was unaware of the Port acquiring the property, so they were unable to submit on the first pass, but when that property closed, they subsequently submitted and received a second look. He added, one problem with the site was that it was not immediately ready; he also commented that there is a certain logic to what Commissioner Infantini stated, and is sympathetic to her logic; however, the facts and premises for what her argument is built on, the assumption that these projects happen anyway, is completely untrue; it is never one thing that wins or loses a project, it is always a combination of things and cost mitigation is always one of those things, so to say, "it would happen anyway," is an assumption that in his experiences do not happen. He commented that Walmart would probably make a contribution on this project between real and personal property over the ten year period in excess of one million dollars, and at the end of the ten year period, this whole project hits the tax rolls and chances are, over time, the company will make additional investments which would be a significant contributor of General Fund revenue.

Commissioner Smith expressed his delight, because if the land stays vacant, if that company decides not to come to here, Brevard County is not receiving anything; that land will sit there and yield no tax revenue at all; however, if the Board gives this tax abatement, it will get the employees, the salaries, the capital improvements, and roughly \$80,000 a year in taxes, so in ten years that is over \$800,000 in taxes; and at the end of ten years Brevard County will receive the whole bundle going forward, and we still continue to get the jobs, the salaries, and the income.

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Commissioner Infantini stated that using Commissioner Anderson's logic perhaps the Board should just give a tax exemption to every new business that wants to come and build; because Brevard is not generating any tax revenue from them anyway; after ten years, while watching other states in which businesses have left, once their abatement period is over, any business can just up and leave once they have received all of their incentives; and she is fully aware that the tax payers voted 70 percent in favor of tax abatement; however, they did not say give it to every single company, what they said was, use your discretion, as educated individuals, and decide whether this company is absolutely needed and this is a welcomed company. She commented, if this is the only way to get them, then she desires to wait for the companies that are going to be paying taxes into the system, because they are certainly going to be draining a lot of our resources; she inquired if they were not draining any of the resources, then why not give tax exemptions to all businesses.

Mr. Weiner noted there are three on the agenda today; one is ten years and 100 percent and a very large project, the two others are something less than 100 percent; one of them is seven years and 60 percent; therefore, he hopes that one can appreciate, even though philosophically, there may be a difference; and that these things are negotiated. He stated that businesses are trying to close competitive gaps with other locations and that is just the reality of it.

Commissioner Infantini replied that she will not have the supported knowledge until there is a full audit with all the facts and circumstance of the Economic Development Commission (EDC); she is aware of an audit going on now however, they are not allowed to go into back emails and documents; and that this is not the scope of the current audit.

Commissioner Anderson clarified, the referendum that was passed and any abatements or incentives given, are strictly guided by Florida Statutes, and the Board must abide by those statutes; if the Board were to give a small restaurant a tax abatement, they would be in violation of the Florida Statutes; and the Board has no flexibility on who qualifies and who does not. He stated that distribution centers happen to be part of the qualified target industries, as outlined in the Florida Statutes.

Commissioner Infantini replied that the Florida Statutes do not approve giving up-front cash incentives.

Commissioner Anderson stated the Florida Statute does spell out that the Board is allowed to give out up-front cash incentives for qualified targets.

Commissioner Infantini explained that the voters did not approve that one, they only approved the tax abatements.

The Board adopted Ordinance No. 16-06, granting an Economic Development Ad Valorem Exemption to Wal-mart Stores East, LP. Specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(16) F.S.; providing for proof of eligibility for exemption; Wal-mart Stores East, LP.; providing an effective date.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

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ITEM IV.F., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION FOR PROJECT MARATHON

Stockton Whitten, County Manager, noted a slight discretion to the transit numbers provided by the public, and outlined that it takes \$140,000 annually to put a bus on the road for 2000 hours and Jim Liesenfelt, Transit Director, receives approximately \$1.7 million transferred from the \$210 million budget from the General Fund; it is not taken out of the billion dollar budget. He continued, the public and those listening are led to believe the transit system is inefficient; and clarified that the transit system runs at maximum efficiency and maximizes every dollar given to them; and offered praise to the transit system for their ability to so.

Commissioner Infantini advised, not one person mentioned or felt that Mr. Liesenfelt was doing anything other than a stellar job with the resources he has, and that is why the citizens are requesting more resources for him.

Mr. Whitten replied that there was a transit discussion and never once was Mr. Liesenfelt called upon to relay the real numbers; therefore, he is present to provide the numbers. He commented that those listening from home would be led to believe otherwise; and it appears that any time someone that walks up to present numbers, that Mr. Liesenfelt does not get the chance to present the actual numbers.

Commissioner Fisher talked about the transit to UCF and stated there was a lot of discussion by the Zone Board, who felt like the primary benefit of students attending UCF is UCF campus and that UCF should assist with the cost of that transit. He closed with the idea that a six percent gas tax could also help with the transit.

Commissioner Infantini opened the discussion on Project Marathon, by stating this is the company that currently has 250 jobs already in Brevard County and they are talking about moving operations to California, where the taxes are ten percent in some areas, while Brevard's taxes are currently fluctuating between six and seven percent. She pointed out that California has higher property tax, higher cost of living, higher cost of operations and a state tax, and that California must be offering an excellent package deal. She remarked that she cannot keep supporting this and that it was stated in earlier discussions that it would not always be 100 percent and ten years, well here is another at 100 percent for ten years; and the Board keeps saying there is not enough funds, and Commissioner Fisher cited revenue problems, yet the Board keeps giving away future revenue. She advised the tax abatements were approved so that if the Board thought it was necessary and were able to meet all the budgetary needs, then they could give away tax abatements, not just give them away all of the time.

Gregory Weiner stated that this company was not thinking about picking up and going to California, the company already has a fairly sizable operation in California; what has happened here, is the company out grew its capacity in Brevard County and was faced with a choice, move some of that capacity and existing jobs to an already existing operation in California, build a new building in Brevard, or build it in Orlando. He added there was a genuine competitive quandary that the company still has not resolved; and the issue of taxation, taxes do matter, but interestingly enough California has a pretty bad rap on taxes; however, when it comes to corporate income taxes, they also have a 100 percent sales factor, which means that to manufacture something in California, regardless of the capital investments and payroll, there is no corporate income tax; and Florida does not score as well, it has a double weighted sales factor. Mr. Weiner explained that the only disadvantages this company would face in California are slightly higher payroll tax and marginally higher wages; however, they would have a corporate tax advantage and an already existing space to utilize. He concluded, if this goes forward it will not all be in Brevard County, it will be split between Brevard County and Orlando.

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Commissioner Anderson added that he often hears comments about why anyone would go to New York or California when Florida's cost of living is less expensive; there is another competing factor right now that is becoming almost a crisis for tech companies and it is the recruitment of young engineers and high tech people; the millennial generation prefer to live in New York City or California, so a lot of the decision points that are being found on tax abatements and incentives, are based on the facts that these companies have pay a little higher than normal wages to a new engineer to get them to relocate, compared to Florida standards.

Commissioner Fisher expressed that it will cost \$1.4 million over the next ten years, for a lifetime income of \$205,000 a year for forever and that number will climb, the company is making a \$32 million investment, putting \$52 million into the economy and employing over 700 people; and he feels this is an excellent investment.

Commissioner Smith interjected that it is an ongoing thing and there are set parameters, whether a company is going to California, Georgia, or anywhere else is not one of the issues, this company qualifies and he approves.

The Board adopted Ordinance No. 16-07, granting an Economic Development Ad Valorem Exemption to Project Marathon, specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(16) F.S.; providing Stockton Whitten commented that the Board was presented with for proof of eligibility for exemption; Project Marathon; providing an effective date.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Robin Fisher, Jim Barfield, Curt Smith, Andy Anderson
NAYS:	Trudie Infantini

ITEM IV.G., ORDINANCE, RE: ECONOMIC DEVELOPMENT TAX EXEMPTION FOR CROSS-BRAND MANUFACTURING

Stockton Whitten, County Manager, stated Cross Brand focuses on manufacturing, distributing, and designing of sun care products. He added the company is considering a location in the City of Cocoa and plans to create 70 jobs in a three year period, with an average wage of \$45,000 annually, and an investment of \$2 million in new capital expenditures; this recommendation is for 70 percent exemption for 7 years.

Pam LaSalle stated her issue with government is the lack of transparency of the Economic Development Commission (EDC); the lack of the public's knowledge of the money, up to \$25,000, paid to EDC, and the influence; those people paying the money, have a way of directing where the tax dollars go. She revealed that she has sat in on the internal audits, in which the EDC was a part of this year, one of the members of the committee was concerned that the secret aspect of the EDC is not conveyed to the entire board; only the Chairman of the Board is included in the confidentiality of the information; and, not everyone gets to be Chairman of the Board. She noted she feels that if the EDC is going to be giving away a lot of money, then there needs to be more transparency and accountability.

Stockton Whitten, County Manager, mentioned that the audit committee has explained that each Commissioner does have an opportunity to sign a nondisclosure agreement to be briefed on the

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items; and he advised that the Chairman of the audit committee is the only one briefed on IT audits, due to their sensitivity.

Commissioner Infantini stated that Mr. Whitten is incorrect, she had been denied information that other Commissioners were given, during a briefing and has had briefings where she was told "I cannot tell you that, it is confidential information." even though she had signed the nondisclosure agreement; and that she was unaware that the information about the companies, that come before the Board, were available to her. She inquired whether every one of the Board members have the ability to know about every single company that goes before the EDC, as long as a nondisclosure agreement is signed, and that the Board makes all of those decisions.

Commissioner Barfield announced that he refrains from asking questions about proprietary information, such as every little detail of the brands and different things to be sold, because he does not think it is appropriate.

Commissioner Infantini replied that she was asking for the company name, and questioned if the company name is included in the proprietary information; and if she is permitted to know every company that comes before the Board.

Commissioner Fisher informed her that some companies include in the nondisclosure agreement to not mention the company name.

Commissioner Infantini stated if that were true then Mr. Whitten's information was not factually accurate; she does not know what Project Marathon is, and that the Board does not actually have all the information; and questioned how anybody can make a decision to give tax abatements or jobs credits, if the company's name is confidential.

Commissioner Anderson pointed out that they know who the company is, before they make their final vote.

Commissioner Infantini added that she was unaware and uninformed.

Commissioner Anderson announced that the company name is always on the agenda before they do the final vote and Commissioner Infantini will know the name of Project Marathon before the final abatement vote.

Commissioner Infantini inquired why she would vote on something, prior to knowledge of the company name.

Commissioner Anderson relayed that the final vote, in the past, has always had a company name with them.

Commissioner Infantini further inquired why she would vote on something prior to knowing who it is.

Commissioner Anderson advised Commissioner Infantini to contact the EDC for a nondisclosure agreement.

Commissioner Infantini stated she has contacted the EDC, and that if he is allowed to have the information and she is not, then that would be discrimination.

Commissioner Anderson stated he has signed nondisclosure agreements that just have the project name on them; however, in his other job he probably does sign a lot of nondisclosure agreements that she will never see.

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Commissioner Infantini replied, she is curious if this is a boy's club.

Gregory Weiner, Economic Development Commission Director, commented that any Commissioner can find out the name of a project, if they ask and are willing to sign a nondisclosure agreement; and it has been that way for a long time; he continued, there was one briefing that Commissioner Infantini brought to his attention and he was not able to give out that information; however, no one on the Board has any more information than was provided to Commissioner Infantini; and there have been times when the Board have signed nondisclosures and have received the briefing information, therefore, it is not a boy's club.

Commissioner Infantini inquired, if going forward, she will be permitted to know the company name, after a nondisclosure agreement is signed.

Mr. Weiner stated that Commissioner Fisher's point is, sometimes the company does not want the name disclosed; he noted that he does understand Commissioner Infantini's question; however, there needs to be some faith that the safe guards that are in place, are strong enough that the company gets nothing, if they do not do what they said, it takes care of itself.

Commissioner Infantini stated she had asked whether or not the EDC had reviewed the financial statements and that she would not ever give a tax credit to any company that she could not find or review their financial statements, whether public or private; she is aware when a company does not perform, there is no money given out, however, that was not the point; and she is concerned for Brevard County's reputation, as a community, when in the past a tax abatement was given to Sun Energy and they went belly up.

Mr. Weiner commented that Sun Energy did not go belly up, they just did not go anywhere, there is a difference.

Commissioner Infantini advised Sun Energy was upside down in revenue; and the Board offered a tax abatement to a company that was not paying their employees, even after disclosure.

Mr. Weiner pointed out there is a lot of criticism of the EDC, it goes two ways; the only people that get the incentives are the companies that do not need them, and they do not do anything for the small companies and entrepreneurs; therefore, the EDC tries to provide them with operating cost incentives, should their projects move forward. He continued that the idea that whatever Brevard County does, in terms of giving an abatement, will make it to the mouths on wall street's analyst is incorrect, they do not care, they make a lot of money to do their own analysis and it has nothing to do with the incentive; and that receiving a tax abatement taxes are only paid when the investment and profits are made, and the investment community understands that, they are not hurting the reputation of Brevard County.

Commissioner Fisher asked Mr. Weiner if he recalled the amount of jobs that were created in the last seven years.

Mr. Weiner stated there were 3,800 jobs for Northrop Grumman, 1,000 for Embraer, 350 for Blue Origin, and 100 jobs for Harris Corp; Brevard could have lost jobs over time, with the first Harris deal when they acquired that company in Virginia, and thought about moving the corporate headquarters up there; but they made the investment of the High Tech Technology Center which turned the jobs around.

Commissioner Anderson questioned that the 100 jobs Mr. Weiner was talking about was just headquarters; however, Harris Corporation just had a job fair in Palm Bay for 300 openings.

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Mr. Weiner commented that they are not taking credit for that 300 jobs, Harris only committed to 100.

Commissioner Fisher stated his point in asking the question is to show had the Board turned down those opportunities, there would be 5,000 less jobs in Brevard County; along with the loss of the shuttle program; the Embraer deal was a 3/2 vote to get it approved and he believes that Embraer has been a great corporate addition for Brevard County. He stated had the Board consisted of three Commissioners, who felt the same as Commissioner Infantini does, with no disrespect to her thought process about tax abatement and creating jobs, that Brevard County would have lost jobs and the millions upon millions of dollars of investments that have been made in Brevard County.

Commissioner Infantini replied having her name invoked so many times, she would like to see proof of the 5,000 jobs that would not be here right now; when she has never seen a single shred of evidence that Harris was going to leave, and that Embraer would not have come without the tax abatements; because they received a ton of money from the State and then they received more money from the County to expand, so they may or may not have come and stayed. She went on to say there is not one ounce of evidence that they would not have come, had they just been offered the tax abatements, she calls the question as to how long Mr. Weiner and herself are going to be debating this; because she actually made the motion to approve this one and yet there has been a half an hour debate on it.

The Board adopted Ordinance No. 16-08, granting an Economic Development Ad Valorem exemption to Cross-brand Manufacturing. Specifying the items exempted; providing the expiration date of the exemption; finding that the business meets the requirements of Chapter 196.1995(16) F.S.; providing for proof of eligibility for exemption; Cross-brand Manufacturing; providing an effective date.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM IV.H., ORDINANCE, RE: RESCINDING SELECT COMPANY FOR ECONOMIC DEVELOPMENT TAX EXEMPTION ABATEMENTS

Stockton Whitten, County Manager, stated this is a culmination of the annual review of the performance of those companies participating in the tax abatement program and this ordinance is rescinding those companies who no longer qualify under the program guidelines.

The Board adopted Ordinance No. 2016-09 repealing ordinances granting certain Ad Valorem tax exemptions for failure to continue to meet the criteria for such exemptions: repealing Ordinance No. 2007-41 relating to the economic development Ad Valorem exemption granted Spilker Roofing & Sheet Metal Company and providing an effective date.

Commissioner Fisher questioned if this company did not meet the expectation and now the Board is taking the exemption away.

Commissioner Barfield replied that no money was given.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM V.A., FINAL SETTLEMENT OF WAGES, RE: JEFFERY W. PICCOLELLA V. BREVARD COUNTY, FLORIDA, CASE NO. 6:15-CV-01610-ORL-41DAB

The Board approved the final settlement in the amount of \$96,000 for settlement of all pending claims for Jeffrey W. Piccolella v. Brevard County, Florida, Case No. 6:15-cv-01610-Orl-41-DAB.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.A.1., FINAL PLAT AND CONTRACT APPROVAL, RE: MATANILLA REEF AT AQUARINA

The Board granted final plat approval, and authorized the Chairman to sign the final plat and Contract with Armada US, Inc. For Matanilla Reef at Aquarina, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.C.1., PERMISSION TO AWARD AND EXECUTE CONTRACT, RE: REQUEST FOR PROPOSAL NO. P-4-16-04 VOICE COMMUNICATIONS TO BRIGHTHOUSE NETWORKS

The Board granted permission to negotiate and award Request for Proposal P-4-16-04 for Voice Communications to Bright House Network; authorized the Chairman to execute the resulting contract upon approval by Risk Management and the County Attorney's Office; approved the Inter-Developmental/Fund Loan Agreement to fund purchase of the phone equipment; and approved all applicable budget adjustments.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Trudie Infantini, Commissioner District 3
SECONDER: Andy Anderson, Commissioner District 5
AYES: Fisher, Barfield, Infantini, Smith, Anderson

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ITEM VI.E.1., RESOLUTION, RE: APPROVING THE ISSUANCE BY BREVARD COUNTY HOUSING FINANCE AUTHORITY OF MULTI-FAMILY HOUSING REVENUE BONDS

The Board adopted Resolution No. 16-079, approving the Authority to apply for an allocation with the Florida Division of Bond Finance, and to allow the issuance by the Authority of multi-family housing revenue bonds to finance the acquisition, renovation, construction, and development of Trinity Towers South Apartments.

The Board recessed at 10:47 a.m. and reconvened at 11:03 a.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trudie Infantini, Commissioner District 3
SECONDER:	Robin Fisher, Commissioner District 1
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VI.F.1., CITIZEN REQUEST BY REVEREND JOHNNIE B. DENNIS, PRESIDENT OF N.A.N., RE: MOVING OR ENCLOSING SHERIFF'S TRAINING RANGES

Reverend J. B. Dennis stated that it is an act of discrimination by elected officials, to take a 99 percent black community back to 1816; it will be treated as a hate crime. He advised that many complaints to remove or enclose the Sheriff's Training Range have been made to the Commissioner's office and to Commissioner Robin Fisher, who serves District one, fell on deaf ears. H added a suit was filed and a hate crime investigation into this matter has been given a case number as of April 29, 2016, by the State Justice Department; they are going to investigate this matter about the continuing lease agreement, which is called Resolution No. 108-2015 to wit; the signatures are Wayne Ivey, Sheriff and Robin Fisher, County Commissioner. He added they went behind closed doors on July 20, 2015, recreated the lease after hundreds of complaints have been made; also dated April 25, 2014, he sent in an Intent to Sue to Commissioner Fisher about the noise nuisance and that the resident's rights continue to be violated as if they do not matter. He went on to say they are voters and taxpayers, they have the right to the 14th amendment, they cannot enjoy their property through the gunfire, seven days a week, morning, noon, and night; Florida Statutes 823.16(5), states a range that has no regard for others does not have statutory immunity; and thanks to the fix it jail that was placed in front of the range, the case was dismissed. He noted the case against the Brevard County Sheriff's Department (BCSO) has been transferred to the 5th District Court of Appeals and he will be asking for \$1 million for each year that their rights, to enjoy their property, have been violated; in 1964 a residential area was built in West Cocoa, a 99 percent black community of homeowners and renters, and in 1985 the Board, and then Sheriff, Jake Miller, went behind closed doors and made an agreement for an outdoor training range, without the consent of the home owners association or the community. He explained in 1988 the Sheriff made a covenant with Brevard Junior College, and the covenant has spread to everybody in the State of Florida who can hold a gun; in the court system all the residents asked for was to move the site to a non-residential area or close it in; and Governor Scott has passed and signed into law where there can be no back yard ranges at residences, and the residents were there first and the gun range should never have been placed there. He noted he moved to West Cocoa in 2010 and in 2013 he was asked to investigate the range, as a member of the National Association for the Advancement of Colored People (NAACP); Brevard County Sheriff's office invaded a residential community, oppressed the noise and were disrespectful of the 14th Amendment right of the 600 residents; the Board aided in this injustice, by granting a ten year lease in a residential area; and in 2013, when he tried to negotiate a peaceful solution, all talks failed. He advised complaints were made to the County Manager's Office and Commissioner Fisher; and in 2014, he served an Intent to Sue to the Sheriff and Commissioner Fisher's office; then in 2015, several complaints were filed

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and another closed door deal was made where the lease agreement was renewed again; he placed the law suit on hold, however, the no shooting at night deal failed and in February 2016, a Petition for Injunction was filed and once again the residents asked for a simple resolution to move the range to a non-residential area or close it in. He added that BCSO do not have to have a building, just run a wall around the range and the judge ruled against it; therefore, there will be an appeal by an attorney, and both signers of Resolution No. 108-2015 will be the defendants, unless the property owners fix the injustice done to the 600 residents of this community; and he asked that the Board fix this resolution. He stated the Sheriff's department has been to the homeowners association meetings, and on February 15, 2016, Major Barnett and Mr. Dunn were told about the problems with the drug epidemic and the BCSO has done nothing to serve and protect, so he feels the range is not in the best interest of their community.

Leartis Brothers stated that many Sheriff's Department deputies have attended some homeowner's association meetings and the homeowners were told the gun range was going to be relocated. She added, the homeowners have tried to work with the BCSO for many years; she is responsible for a quiet and peaceful community in West Cocoa that was there long before I-95 and at that time, the BCSO had a work farm that raised livestock and chickens. She informed now it is a gun range and training facility and for many years the residents have listened to the shooting Monday through Sunday, morning through evening, and that It is not normal for children to grow up listening to gunfire all day; for the seniors with health problems to have to cope with restless days and nights, and the veterans, some who suffer from Prolonged Duress Stress Disorder (PDSD) and Post Traumatic Stress Disorder (PTSD), to have flashbacks, due to the gunfire; and she has witnessed this first hand with her son, who would jump out of bed and huddle down on the floor, and that it is emotionally draining for her. She stated the community needs a change, the residents been listening to this noise for over 30 years and it is time to give the children a future, the senior citizens some rest, and the veterans some peace.

Chief Doug Waller, Brevard County Sheriff's Office (BCSO), stated that as law enforcement officers they understand the responsibility to maintain an awareness and a positive relationship with the community; and that BCSO truly understands the importance of a positive County, and community relationships and their concerns, even if it is a single citizen that may be upset. He added that the BCSO initiated the range activities in 1985 and have maintained them, as they are critical to their training needs and to have a location and facility available for that high liability training; the range hours are from 8 a.m. to 9 p.m. Monday through Saturday and no operational range hours on Sunday; and over the last fifteen months the BCSO has received 12 complaints related to noise activity, of the 12 complaints, eight were from the initial speaker and 4 were anonymous and all occurred on the same day. He noted, the BCSO does value their relationships with all communities; they do meet with the homeowner's association monthly to represent BCSO in anything they can do to support their neighbors and good citizens; unfortunately, in this circumstance, there is no other location to move to, there is no other opportunity to conduct training and BCSO has made every effort possible to try to maintain a positive relationship while conducting the needed training.

Commissioner Infantini inquired if it would be possible to stop at 7:00 p.m., and stated she understands the range is needed; and if it would be possible to change the hours from 8:00 a.m. to 7:00 p.m.

Chief Waller replied that the problem with that is, the Florida Department of Law Enforcement (FDLE) mandated qualifications, some are days and some are nights; for night, it must be dark hours; and then there is daylight savings that throws everything off; and they try to have everything completed by 9:00 p.m. There are 11 other law enforcement agencies who use the range and the college uses it for their night academy classes, because it is difficult for them to get their training and qualifications done before 9:00 p.m.

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Commissioner Infantini stated there is a really good gun range in Titusville and asked if it were possible to do the evening training at a side location.

Chief Waller explained that he was unsure of the range in which Commissioner Infantini was suggesting, however, BCSO has approximately 900 sworn officers and between the other agencies and academies there are 2000 people that need to be run through for multiple qualifications per year; not just for qualifications but, for maintaining training as well and then there are also citizens that use the range for training and weapons retaining policies and procedures. He went on to state that he does not know where the range could be moved to; however, if the Board is suggesting that they will build them a new facility, BCSO would love that.

Commissioner Infantini inquired if BCSO took custody of the Prison, and questioned if there was a gun range at that prison; and she is just looking for ideas.

Chief Waller apologized for sounding sarcastic on the building of a new range and stated that the range is in a good location that it meets the needs of their training, however, the county did receive the Department of Corrections (DOC) property back and there is a gun range in that location; however, there is also a community next door to it, but, the community was not there before the range was established. He concluded that the range has been closed and deemed unhealthy, it has an environmental issue due to lead.

Commissioner Infantini stated that when moving into a community that already has a gun range, that is one thing; however, this one did not start until after the community was there and she feels much more sympathetic to these residents.

Chief Waller stated that there is no lack of sympathy here and that the issue is to find an available location; this location has been used for 30 years and great effort has been placed to try to ensure a very positive relationship with the community and to be good stewards and good neighbors. He advised those efforts continue, even if there is one citizen who is upset, BCSO is concerned; but they feel they have made every available adjustment they can to the schedules, to assist in that endeavor.

Commissioner Infantini stated she understood and that anywhere there is a gun range, there is going to be feedback.

Commissioner Fisher stated that he has been on the board since 2008; this range was created in 1985, so he does not know what backdoor deals were made; and has never heard this Board come forward to say they would be funding a new range. He noted that in his research he found out this range is not just shooting into dirt mounds as he first thought; there are pop up figures and machines that move things, with training exercises to go with it. He stated that it cost between \$10 million and \$20 million to build a new range according to the Sheriff, which the Board does not have. He went on to state he has only received calls from Mr. And Mrs. Brothers and Reverend Dennis to complain about the range in the last eight years in office, therefore, he is unsure where the race issue is coming in. He added that he has the same problem with Knight's Armament in Titusville; the residents in Windover and LaCita, where they complain to him, although not near as much, about Knight's Armament firing their weapons and testing their guns in those communities; so it does not matter if it is in a white or black community, no one wants a gun range next to them. He commented that he understands why they don't like it, but realistically it is going to happen; it is for the safety of the residents and for law enforcement training, they have modified the hours of operation, and made sure they did not exceed the sound barriers. He mentioned he is sympathetic with the Brothers family, however he does not know Reverend Dennis and he assured them that there were no back door deals made, the

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BCSO needs a place to train, and unless this community, or the Board is willing to spend \$15 million to \$20 million to relocate the range to another area, then it is one of those things that unfortunately have to be worked around their schedules. He noted the Sheriff believes that this is what he needs to train his officers and that he has done everything he can do to meet his requirements from a training standpoint; and he has assured these residents, if they think this a legal issue, they are more than welcome to take it to the court system.

John Britt stated that he does not remember receiving a letter from the Sheriff on what was going to be transpiring in that area; the Board back then, helped the residents shoot down the proposal by the Sheriff to have inmates working at the farm because they did not feel that it would be safe for the community; and how years ago some residents met with BCSO in Titusville and were told that BCSO had property in West Brevard County where they could put in a work farm. He added that this community has senior citizens and sick church mothers, in their 80s and 90s, living near that range, while people are shooting AK-47's; it is devastating to hear that noise all the time, day and night, and he feels that something can definitely be done; if there were some prominent people in that community, they would not put up with it; and that he knows money is important and the BCSO can find excuses to continue to do what they are doing and he feels that this continuation is a disservice to the community. He stated that it is devastating to be questioned about gunfire by his grandchildren; when his friends, with (PTSD), come to visit and start ducking from the sound of gunfire; and he is not saying that everyone is not trying to do everything they can do, however, he feels something can be done.

Dexter Bray stated he lives in the community near the range and there are things that can be done by both sides; there can be shrubbery and trees put up to reduce the noise, at a low cost to the community; there are no compromises and no middle ground; and something has to be done. He pointed out that it is not normal to have gunfire in a residential backyard; there are things that can be put into place to make everyone comfortable; the residents want BCSO to do their job, however, they also want peace and quiet; and that is their pursuit of happiness, and their constitutional right. He added there is talk about transportation, talk about beautification, and now he wants to talk about noise, trash, and sidewalks, the things that make communities better; everyone has to pitch in, the residents of the community do their part; the Board needs do their part; and BCSO needs to do their part. He noted that some of the issues this community has consist of torn up roads caused by increased traffic and delivery trucks; a community park that everyone in the County uses except the for those in the community because there are no activities for the children; the Board wants everyone to pay taxes and continue to struggle; and to keep allowing the County to do whatever they feel is necessary to make the County better. He inquired at what cost, what people, and to what communities, Paula shores, Canaveral Groves, Sharpes, Mims and Micco. He stated that the benefits all go to the Board and the BCSO; their budgets, their schools, their training, and their K-9 units, it does not help this community.

Commissioner Infantini commented that she was shocked at the noise reduction due to the sound walls that have been put in place in the neighborhoods that back up to I-95; that perhaps placing a sound wall in this community would be a benefit; and that a sound wall is certainly within the Board's budget parameters. She inquired if John Denninghoff, Public Works Director, would know how much it would cost for a sound wall; and that she would not want to hear gunfire going off at 9:00 p.m. She noted at the same time she does want BCSO to be trained in their after dark qualifications because that is when crime usually occurs. She went on to say that a sound wall should be discussed at the Budget Workshop on May 26th, 2016 as an Item; and if Mr. Denninghoff would be the correct person to ask how much a sound wall would cost and relayed that the State would know and Stockton Whitten, County Manager, would get her the contact numbers.

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Commissioner Anderson stated that his suggestion would be to have an acoustic sound study done; sound walls are very ineffective, after the first 1000 feet; and the further away from the wall, the louder it gets. He explained the Palm Bay, Port Malabar Gun Club, is six miles from his home and every Saturday morning he can hear them shooting; and that there are a lot of trees and houses in between.

Commissioner Fisher stated he is more than supportive of facilities looking into it and working with the Sheriff. He added he and Commissioner Nelson worked with the Brothers' family in the past on a sound wall being put in place due to the noise that came with the widening of I-95; since the family was there first, there was conversation with Knight's Armament, and it was brought up that the sound did not hit the wall and stop there, it bounced over the wall. He noted he is for the study and figuring out solutions for this community, and it is a cheaper solution than a new range. He stated he believes the County should do something, and wants the residents to be aware that if a wall is put in place it may not stop the sound.

Commissioner Smith added that trees and shrubs would grow and help as a sound barrier, and even though Commissioner Anderson said he can hear the gunfire six miles away, he believes that it could help relieve some of the sound to an extent; and agreed with the other Commissioners that a study should be completed.

Commissioner Fisher indicated that the Knight's Armament situation has the residents of LaCita complaining that they can hear the shooting coming from state road 405; he did not believe it until he heard it himself; and with the pleasure of the Board, Mr. Whitten is going to get with the State of Florida, who does the criteria for sound wall studies, and see if a sound wall is warranted; and get a quick number on the price per foot.

Commissioner Barfield directed Mr. Whitten to get the information and bring it back to the Board on May 26, 2016.

Stockton Whitten, County Manager, agreed to the request.

Commissioner Smith inquired if Mr. Whitten could look into the cost and effectiveness of shrubbery in this type of situation.

Commissioner Fisher stated that Sheriff, Wayne Ivey, is a Constitutional Officer and the Board has no power over his training schedule; and that Sheriff Ivey has informed Commissioner Fisher that his schedule is as tight as it can be to make sure his officers are properly trained. He added the residents can have this conversation with Sheriff Ivey as he answers to all of the citizens of Brevard.

The Board reached consensus to direct Stockton Whitten, County Manager, to contact the State of Florida regarding the criteria for the sound walls and what it would cost for a wall, and to look at the cost and effectiveness of shrubbery to help with the noise in the area in Cocoa near the Sheriff's Training Range.

ITEM VIII.A., STOCKTON WHITTEN, COUNTY MANAGER, RE: CANCEL MAY 19, 2016 WORKSHOP

Stockton Whitten, County Manager, stated that the Chairman is unable to attend the Workshop Meeting scheduled for May 19, 2016; and requested the Board cancel the meeting and add all the items to the May 26, 2016, agenda.

The Board approved the Workshop, scheduled for May 19, 2016, be cancelled and all items to be placed on the May 26, 2016, agenda.

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Commissioner Infantini questioned if the meeting was going to be a full four hour budget review and that Mr. Whitten needs to know if the \$500,000 for non-profit is going to be funded in this budget year, so that they can make their plan; also discussion on the sound wall and if it is viable, that is \$2.3 million; and transportation.

Mr. Whitten reminded the Board that the May 26, 2016, meeting is a Zoning Meeting and the intent was to bring back the listing from Commissioner Smith and get direction going into the preparation of the budget. He added he knows the Board has talked about transportation funding, non-profit funding, and Veteran's Services; and staff will give the Board their standard presentation and ask for direction.

Commissioner Infantini suggested that each Commissioner come up with a priority list of what each one thinks is a critical need for the County; so the tax payers do not get a surprise after the budget has been passed, other than mandated items such as funding the Sheriff's office, the Supervisor of Elections, and the Property Appraiser.

Commissioner Fisher stated they might need a ten hour budget meeting, and added the core function, is what the three Commissioners voted on and approved at the last Budget Workshop; and going forward, unless someone no longer wants to fund something, then it is the same exercise that they went through with the six-cent sales tax. He added the Board knows the number, knows the revenue, and can give Mr. Whitten direction right now; and inquired if anyone was interested in un-funding anything that was voted on last year in the Budget Workshop.

Commissioner Infantini requested a copy from Mr. Whitten, of the priority list Commissioner Fisher stated had already been approved.

Mr. Whitten stated that it is last year's budget.

Commissioner Infantini commented that is not a priority list, it is a budget.

Commissioner Fisher added that it is a priority list, because the Board budgeted and funded it.

Commissioner Infantini argued, that does not make it a priority.

Commissioner Fisher inquired what part of it is not a priority list, if it has been budgeted and funded.

Commissioner Infantini stated that she funds a lot of things in her personal life that are not priority, they are choices at that time; now that there are new items that may need funding, perhaps the Board should re-evaluate where they are spending the money; not everything on that list can be a priority, as Commissioner Fisher stated earlier, the Speculation Building is not a priority and has not been funded, however, it is in next year's budget, so maybe it should be taken out of the budget.

Commissioner Smith reminded the Board that three months ago he had suggested that each one of the Commissioners make a list of items that are on the budget that they think they could live without; he thinks it would behoove the Board to go through those lists, he came up with 16; and determine what is important and what is not, and that what may be

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important to one, maybe not be important to another. He added Commissioner Fisher often reminds the Board, if there are three people who agree then the Board can agree to fund it or agree not to fund it; he encourages the Board to see what they can live without; and see if they can come up with some monies for transportation, roads and go forward; and if they cannot then that is the communities answer.

Commissioner Infantini discussed she thinks there should be line item approvals on the budget because it is such a sticking point for Commissioner Fisher, that she does not approve the budget. She stated she does not want anyone thinking that she does not approve anything in the budget; she approves a lot of things in the budget such as paying their staff salaries and medical insurance, but there are so many large items that she does not approve of; and perhaps the budget should be gone through department by department and the Board can decide what items they agree to fund. She went on to state she obviously approves spending, she just does not approve the spending that she has not voted on all year long; and she has a list of suggestions that she has had for the past six years.

Commissioner Fisher stated he thinks everyone can come up with suggestions; there will be three votes to approve or not approve those suggestions; and unfortunately, the Board is a Democracy, and it is only going to take three Commissioners to approve what gets funded. He stated there is a revenue problem and Mr. Whitten should probably bring the gas tax back to solve the road issues; it is amazing to him that some might want to cut \$2 million or \$3 million after it has been brought to his attention by two new commissioners that Brevard County has a \$400 million problem with the Lagoon and the roads. He went on to say the Board can't fund those things with the minor cuts that the Board is talking about; therefore, the real conversations should be about increasing the revenue to fund those things or they are not a priority.

Chairman Barfield stated he also reviews the line item on the budget to decide what he feels is appropriate; it is easily available and leads one through everything; and he requested the Board move on to the next item.

Commissioner Fisher stated they could move on; and inquired if everyone was in agreement that there is a \$400 million problem that is not funded.

Commissioner Infantini stated that she does not agree with that, but does agree that there is a spending problem; today alone the Board is giving away millions of dollars in the name of economic development; and if they do not stop giving away future streams of revenue, there will be a revenue problem. She continued on that the Board earmarks all the property tax revenue that the power plant brought in, so when that is siphoned right off the top, then no one is aware of where it went and that is why she is requesting prioritization.

Commissioner Fisher replied the Board cannot cut themselves to greatness and every one of those examples are investments; during break it was figured out that the last deal was a 4.6 percent return for life and the Board received its money back in seven years with a tax abatement and he guarantees that anyone who runs or operates a business, would take those returns, all day long.

Commissioner Infantini stated if that is his way of letting go, she does not know what holding on to it means.

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Commissioner Barfield explained that the Board needs a consistent sustained revenue source for the Lagoon and roads.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Trudie Infantini, Commissioner District 3
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ITEM VIII.A., STOCKTON WHITTEN, COUNTY MANAGER, RE; NATIONAL HURRICANE PREPAREDNESS WEEK

Stockton Whitten, County Manager, pointed out that this week, May 15, 2016, through May 21st, 2016, is National Hurricane Preparedness Week and that the Emergency Management Department requested he remind everyone that they should determine their list, develop an evacuation plan, secure an insurance check-up, assemble disaster supplies, strengthen their home, identify their trusted sources of information, and complete a written hurricane plan. He added to help the community prepare, a weather ready expo is being held on June 4, 2016, at the Rockledge Police Department, co-hosted by Brevard County Emergency Management, the City of Rockledge, and the National Weather service; and there will be free family activities such as public safety, touch a truck, and becoming a television weather forecaster. He advised there will also be presentations on the four hazards of hurricanes, myths and misconceptions about hurricanes, lightening safety, storm surge, and building a comprehensive disaster kit; and as a reminder, hurricane season starts June 1st.

ITEM VIII.F., CURT SMITH, DISTRICT 4 COMMISSIONER/VICE CHAIRMAN, REPORT, RE; LETTER TO FISH AND WILDLIFE CONSERVATION COMMISSION TO MODIFY PROCEDURES PERTAINING TO MANATEE SPEED ZONES

Commissioner Smith stated that back in January, the Board unanimously petitioned the Fish and Wildlife Conservation Commission (FWC) to re-evaluate and modify rule making procedures pertaining to the manatee speed zones; as of March they had not heard anything; therefore his office requested that Natural Resources send a follow up letter to FWC, and still no response. He expressed his displeasure of FWC to completely ignore the letters; therefore, he has composed a letter to the FWC to be approved by the Board, from the County Commissioners.

The Board approved the letter to FWC referencing the manatee speed zones.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Robin Fisher, Commissioner District 1
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

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EXECUTIVE SESSION, RE: BREVARD COUNTY SOLID WASTE MANAGEMENT DEPARTMENT V. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, OGC CASE NOS. 16-0038 AND 16-0039

The Board temporarily adjourned to Executive Session being held in The County Manager's Office in the case of Brevard County Solid Waste Management Department v. Florida Department of Environmental Protection, OGC Case Nos: 16-0038 and 16-0039.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Curt Smith, Vice Chairman/Commissioner District 4
SECONDER:	Andy Anderson, Commissioner District 5
AYES:	Fisher, Barfield, Infantini, Smith, Anderson

ADJOURNED

Upon consensus, the Board adjourned at 11:50 p.m.

ATTEST:

SCOTT ELLIS, CLERK

JIM BARFIELD, CHAIRMAN
BREVARD COUNTY BOARD OF
COUNTY COMMISSIONERS
BREVARD COUNTY, FL