

# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way  
Viera, FL 32940



## Minutes

Thursday, February 17, 2022

1:00 PM

Budget Workshop

Florida Room

## I. CALL TO ORDER 1:00 PM

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

## II. BUDGET PRESENTATION

### a. Budget Overview

Frank Abbate, County Manager, stated he is going to start by giving a brief overview of what they are going to do today and try to go through it fairly quickly to allow the opportunity to ask questions after each presentation, starting with Jill Hayes, Budget Office Director, who is going to give some historical information on the Consumer Price Index (CPI) and new construction, and those two items are the heart of the general revenue and they will be for the upcoming budget; they are going to do things a little different than they have done in the past years, they are not going to go through all the buckets of money because they have seen that for the last several years; they are going right into the heart of some things will and start with tourism, which they have not had in front of the Board, the reason they are doing that is because he really believes they have some good news on the economic recovery that they have had from the pandemic and quite honestly, he believes they are going to be able to show the Board what is happening with them has cut across other sectors of the economy as well in Brevard, where they were during the pandemic, and where they are now; and what he would submit from their perspective and what they are looking at revenue in other areas is that the same kind of thing is happening across other sectors of the economy in Brevard. He advised from there they are going to move to Human Resources; one of the big items in Human Resources which it has been an important item for a number of years is group health insurance, it is one of the largest employee benefits costs, it is a large component combined with the Florida Retirement System (FRS), the pension related costs which they really do not have any control over in any way shape, or form, but they are going to talk about those areas; and in part of Human Resources presentation when Mr. Visco, Human Resources Director, speaks he is asking that they pay particular attention to certain items; One, is the vacancy rates that they have in departments and that is because it impacts not only the workforce but the services they provide, also those vacancies are impacting this year especially the cost and overtime and Mr. Visco, will talk about that and that will then play into the issue of compensation; they have talked and some may remember briefly in the past they have talked about minimum wage requirements that is going to be an issue for the upcoming budget and what compensation efforts have been in the past, and where they are now; and he is going to close the meeting discussing where they are hoping to go and looking for Board direction as they do that. He went on to say they will talk about what they have done, what the Board has done, what Fire Rescue has done, what the Sheriff will be looking for, and what needs to be done in the rest of the organization; they will be listening very intently to see where the Board is on each of those things, in terms of the feedback they choose to provide them with; then moving into an area that he thinks is a critically important part of the presentation from staff's perspective when Tom Mulligan, Solid Waste Management Interim Director, speaks about Brevard's Solid Waste disposal fees where they are and where they need to go because of things they have to do at the Central Disposal Facility, US 192, and costs that relate to capital needs and construction needs and what they do in a five-year plan; he will be speaking about that planning for the future some recommendations from staff and then listening for Board direction on that. He added they are going to talk about planning into the future Environmentally Endangered Lands which some

may know they have been talking to him about it, it ends in 2024, for what they currently have in terms of the millage rates; the Board is going to have the options and Mike Knight, Environmentally Endangered Lands Program manager, is going to talk about where they have been, what they have done with those resources what they have purchased, what they are maintaining, what the future looks like, and what they need to do with continuing maintaining to get an idea in terms of where the Board wants staff to move in that area; and Mr. Knight will have a rather short, but comprehensive presentation on that as well. He stated they are going to talk about American Rescue Plan Act (ARPA) very briefly there has been new treasury rules that had a distribution of ARPA funds last year, they are going to get another one in May, and Kathy Wall, Central Services Director, is going to be talking about that and talking about economic development incentives because the Board is going to have to think about do they want to re-up it that has to be done every 10 years by referendum the Board has done it twice so she is going to talk a little bit about that and they will get some direction on that. He mentioned once that is done he is going to give the Board some brief closing thoughts especially as it relates to employee compensation and the other things that will be heard in the presentations, he is now going to turn it over to Ms. Hayes to let her get started; and staff will be going through one presentation right after the other and they should be able to get through it fairly expeditiously.

Ms. Hayes stated the Brevard County Charter limits the growth in property tax revenue to the lesser of three percent or the change in the CPI and they also have many other revenue sources including non-Ad Valorem assessments and user fees that are also tied to the CPI; this chart illustrates the history of change in CPI since 2012 and this year they are looking at a change of 4.7 percent when comparing 2021 to 2020; as many of them may know this increase is continuing to rise and the most recent data comparing January 2022 to January 2021 indicates an increase 7.5 percent but for the purposes of the development of next year's budget, they are looking at the 4.7 percent which is for the first time since 2008 are over that three percent limit; in addition to showing the change in the CPI, she also wanted to highlight the cumulative comparison of other price indices which they have reviewed in prior workshops, and this is important because local government's experience with inflation can differ significantly from the national average; in Brevard County they have a lot of Capital Improvement Projects, they also offer many programs and services that require the procurement of governmental commodities, and contracted services; as illustrated in the chart being shown over the past 10 years, the CPI has grown by 25 percent, while the municipal cost index is at 31 percent, and the construction cost index is up by almost 40 percent; as they work to develop the Fiscal Year 2022-2023 proposed budget and millage rates, and in accordance with the Charter cap limitations, they will be looking at that three percent cap which will be the increase in the Countywide property tax revenue; this chart shows what that looks like for the general Countywide Ad Valorem revenue or the General Fund.

Commissioner Lober asked if the Chair wanted questions at the end or in the middle as the pertinent slide.

Mr. Abbate replied anytime.

Commissioner Lober asked if the Chair has a preference.

Chair Zonka replied it is fine as long as it does hinder the presentation if it is a quick question.

Commissioner Lober asked on the 10-year comparison why was the initial year starting other than zero, it starts around four percent depending on the baseline being looked at.

Ms. Hayes responded that when they looked at the baseline year for that year in 2011, it went up in that year by that particular amount.

Commission Lober stated it is the proceeding.

Ms. Hayes responded correct. She went on to say back to the General Fund Countywide Ad Valorem projections, if they are looking just at that three percent increase they are looking at \$5 million in general Ad Valorem revenue for an increase, and that excludes new construction which they will talk about on the next slide; she also wanted to illustrate again, since this the first year where the actual change in CPI has been over three percent, what that would like in terms of if the Ad Valorem revenue were to grow by that amount and; if they were to increase revenue at the 4.7 percent rate that would be equal to an additional \$2.8 million in General Fund Property Tax Revenue for the next Fiscal Year.

Mr. Abbate added two things that they are going to be talking about a little differently, the way the Board sees these numbers this year; he knows in past years they really have not seen projections, in terms of what the potential revenue growth was, but he wanted staff to give that so it would have an idea of what the potential was and staff is also going to give the Board what potential they expected expenditures to be so they can see what is relative; he explained he wants the Board to be very aware that these are very preliminary best professional guess estimates and they can vary very substantially from what they ultimately get to, but what they do know is that they do not intend and obviously the Board did something that went with a critical need that needed four votes they cannot go higher than the numbers that they are talking about, at least with the General Fund Revenue projections; and Ms. Hayes will talk about the complimentary aspect of growth which is going to be the new development.

Ms. Hayes stated while they will not have the preliminary new construction numbers from the Property Appraiser's office until June, they do develop the budget based on historical data and they use tools to forecast what that new construction revenue might be, also keeping in mind as those property values rise because of the Charter cap they lower the millage rate in order to stay within those revenue limitations, and because new construction can fluctuate significantly every year they looked at a moving average to project and using this data they can reasonably project what new construction revenue will look like for next Fiscal Year; Mr. Abbate mentioned they are going to look at that a little bit later on when they discuss the overall impacts to the budget; but at this time she is going to go ahead and turn the presentation over to the Tourism Development Director.

Mr. Abbate mentioned two things first, they have no input from the Property Appraiser yet and secondly, they are using a rolling average over the past which is fairly conservative; so the Board knows that on the frontend.

## **b. Tourism Development**

Peter Cranis, Tourism Development Director, stated that he is going to spend a little time looking at Tourist Development Tax (TDT) collections as well as activities that impact that, starting with a historic slide going back to 2010 to see TDT collections have fluctuated between \$8 and \$10 million until about 2014 and 2015 when they really went on a fast upward trajectory; in 2019 hit a previous high of \$16 million and then it dips in 2020, that was the impact of COVID and they lost about \$3 million in TDT; they calculate that and it, represents about \$250 million in lost visitor spending that year, a lot of the industry as well as jobs were impacted tremendously by that year; last year they had a very interesting year a bit of a roller coaster and he will show on the next slide what happened; they landed \$16.9 million; \$900,000 ahead of the previous high only two years earlier and it was a pretty incredible turnaround; and he is going to talk

about what led to that. He went on to say in Fiscal Year 2021 it was really a tale of two years from October of 2020 to February of 2021, they were down about 28 percent and that matched the previous year pretty well, as far as being down about that much; but starting in March of 2021 all the way through September, they had an incredible growth of revenues over 90 percent so 92 percent revenue increase and a lot of the factors that led to that are thought a heavy desire for people to have outdoor experiences, return to traveling a lot of people had not taken trips the prior year, they ran a significant marketing campaign last year, and they believe from all the tracking numbers that had an incredible impact. He added they also had another factor and they are continuing to see this 16 percent increase in hotel inventory so as more inventory is added that certainly adds to the base of TDT, and they will see that continuing probably for another couple of years actually; for this Fiscal Year 2021-2022 they budgeted \$15 million, certainly they are not sure at the time when they are doing the budgeting where they would potentially land but they do think there is a good likelihood that they will not only exceed the budget but exceed the prior \$16.9 million actual; they think they are on track to do that; the only concern right now that they are tracking is with all the new other states and other destinations that are opening up, are they going to have as strong summer as they had last summer; and he does not know if it will be quite at the 2022 level and that is the only cautionary right now. He stated the next chart is interesting because it breaks down how TDT gets allocated and he is looking forward to the potential for a \$17 million budget in 2022-2023, they can see how all the five pennies breakdown; the first section is the first two pennies and it is about \$3.4 million per penny, \$6.8 million per penny for the first two pennies, advertising represents 25 percent of that which is \$1.7 million, beach improvement is 30 percent that gets about \$2 million, capital facilities just under \$2.4 million, and then cultural and each penny from there can be seen; the third cent includes additional beach revenues, the zoo gets a percentage, tourist information center gets a percentage, the fourth penny pulls some money from there to cover needs for the United States Specialty Sports Association (USSSA) contract that is a contracted amount that they have to keep in reserve, and then the rest goes to marketing; and the fifth cent is 100 percent to marketing, they can see how they break out if they end with a \$17 million budget there. He added looking forward for future projections, he mentioned 16 percent growth of having nearly another 1800, hotel rooms projected through 2023 that is another 16 to 17 percent growth on top of the base, that would bring them over to 12,350 hotel rooms; and additionally, there is about 3,900 vacation rentals that they track and that has grown, that used to be about 25 percent of the total TDT collections, now it is representing close to a third of collection, and that is an area that has grown significantly as well and they can see that in consumer travel patterns. He explained some of the other areas that he thinks will contribute significantly to the growth is Port Canaveral which is the second largest cruise port in the United States by the end of this year they are expecting a home port 13 ships, there is a couple more ships coming in and that will generate in excess of \$2 million passengers every year; the airport has done a nice job of bringing in some outside operators United Kingdom Tour Operator (TUI) they own airlines, cruise lines, and resorts all over the world, they are bringing in direct service from the UK about 150,000 passengers this year but he expects the seven-year contract to significantly grow; Allegiant Air is one of the new domestic carriers they just added three new markets and they have been talking with them about potentially adding more to that; he thinks the future is bright, but if there is a pullback in the economy they will be impacted just like every other destination; and but he believes they are well positioned as a destination to weather any storm.

### **c. Human Resources**

Mr. Visco, Human Resources Director, stated he wants to give an organizational overview of some of the key areas in the Human Resource world and give situational awareness on some of the key components that they are having to deal with these days; he is going to start by giving a little bit of history with the group health plan and end with some discussion about the

trend where he thinks group health is going to be going over the next couple of years; then he will move into the personal management area and talk about vacancies, overtime, and the compensation issue; and lastly, he will wrap-up with a conversation about recruiting and retention efforts with some of the things that are trying to do to address the issues that they are going to be brought up this afternoon. He stated he will start with group health and show a little bit of history of the employer premiums over the last several years even with the two percent increase in employer premium they took this year 2022 they are still 6.5 percent below the premiums that they were generating in 2017; if they look back one more year to 2016 they are 10 percent below where they were at height in 2016; the numbers for right now is \$918 per employee, per month and generating about \$11,000 per employee per year an employer premium, it is a fair amount of money and what that is fairly consistent funding levels over the last several years and they are in \$50 million range for premiums there are fluctuations based upon rebates and recoveries, some of this changes in time when they are pharmacy rebates that accounts for some of the change. He mentioned looking at the premium line very consistently, because looking at that while the premiums have been consistent, expenses have not, the trend at the bottom of the page show where they have moved from generating positive revenue to starting to run losses over the last two years; they just ended the Fiscal Year 2021 with a \$4.2 million expenses over revenue deficit; they are seeing a trend on this chart of blue bars line is representing membership, there is a slight decrease in the membership; the red bar line is a reflection of the expenses medical and pharmacy; the green represents the premium; he pointed out the obvious gap between revenue and expenses that is fairly obvious but the startling component of this is the dramatic move in the red claims line in the latter half of last year and to date that is a significant bump in expense, and that has significantly driven the trends; right now trends is running at about eight percent a year, significantly higher if looking at the last couple of months. He stated he is not entirely sure what they are looking at here, that it could be the result of delayed care, the care that is being put off during the pandemic, it could be COVID related bounce, the expenses they are seeing in COVID is more than likely a combination of the two of those that are driving the numbers for the last 12 months; in looking at dollars in regards to a calendar year or in the plan year basis they can see the revenue, there is some minor fluctuation in the revenue as he explained earlier that is a result of some of the recoveries; the component that he wants to focus on is making projections for the current year 2022 based on a couple of factors. By projecting a 4.5 percent increase in revenue in the fourth quarter of this year October, November, and December if they get a premium increase equal to that they will realize those dollars in the latter part of this year; for the claim side they are using a six percent trend and that is a fairly conservative estimate; right now Pricewaterhouse, a national firm is projecting 6.5 percent, and like he said earlier they are running about eight percent right now depending on how claims play out positively or negatively the projections can change dramatically but based on a six percent trend they are looking at almost a \$10 million expense over revenue deficit by the end of this year. He added the good news is they are still financially solvent, they have a lot reserve, they are able to absorb that, and try to use some of that; reserve the philosophy has been to use that reserve to offset some of the increase, sort of dampen the blow so they did not have to come forward; and ask for a huge rate increases they will continue to erode reserve on a gradual basis and hopefully it will stem that trend with modest premium increases as they move forward that is the plan; he hopes that they can maintain that as they move forward into the next couple of years; but he wished he could project that further out than that but given the volatility and claim is very difficult to get beyond a year or two with those numbers.

Mr. Abbate commented going back two slides, in terms of things that have happened from 2017 and what is seen, especially when looking at the expense numbers is what has happened over time, and the medical trend has been rather good when they were spending close to \$40 million in Fiscal Year 2017-2018 and it is 43.5, in 2021 that is really a modest trend over that

period of time; during that same period of time the administrative costs, because of efforts that have happened went down significantly and they can see that there by almost 50 percent; the pharmacy costs which has been happening to other employers as well went up very significantly higher on a percentage basis and that is something that Mr. Visco talked about; while they got rebates that offsets a little bit of it but the overall expenses were significantly higher; it is an area they have to pay particular attention to because of where they were over a number of years when they go back to what Mr. Visco was talking about in terms of the analysis that is done by paid claims and where they were for the last few years and the reserve balance; they needed \$14 million they have this past year \$33 million, and that has given the flexibility not to do what would otherwise be a much greater increases, but that cannot last indefinitely and that is really why they have to go at the least the 4.5 percent. He advised they will wait to see what the Board has to say in terms of needing more time to do more than that; they will not need it for next year, but laying the ground work for how much of a loss they are going to take the following year and eventually if they have to make up \$12 or \$14 million in a year, that is not going to be possible to do; one of the things they will have to do is look at the plan design and other alternatives, as shown earlier very steady from an employer and employee perspective; they were able to do that for a variety of reasons and one of them was also the shift because of things they did differently that the Board did, as it relates to retirees and the burdens that they carry in terms of fully insured programs that are available, in a nutshell that is really where they are where they are with the health plan now.

Commissioner Lober stated he is concerned in terms of the ending reserve balance that they have had over the recent past; he appreciates the thought that they can use a portion of that to dampen the increases that they have to pass along, but his concern is that is not sustainable indefinitely; it is hard to analogize Solid Waste, Fire Rescue, and Utilities to this, but in some ways he does not want to perpetuate a trend that is going to saddle folks that come after them to have to do something even less popular, disruptive, and hurtful because they did not do the right thing on the front end; he does not know as what degree to be mindful of that going into this coming year; he thinks there needs to be some plan moving forward and he would be receptive to that so, that they do not drive that into zero; and the other thing that goes unsaid, at least as far as this particular slide is concerned is the value of \$23 million or \$37 million, any of those numbers as they move down the line keeps getting eroded by inflation and costs going up; \$23 million in 2011 is not \$23 million in 2022, and it will not be \$23 million in 2033; it is a concern; and he thinks they should have some sort of plan moving forward whatever staff has as far as thoughts on that whether it is appropriate for today or down the road he would very interested in them.

Mr. Visco stated he agrees with Commissioner Lober; he added as Mr. Abbate has illustrated, they know that this is not sustainable and there is a definite need to generate additional revenue to offset that trend; they can hope that the medical trend turns, but they know the dynamics in the marketplace right now; and they talked about pharmacy for example biosimilar medications, specialty medications, and genetically engineered medications that is only going to continue and continue to drive the costs, and make up a more significant portion of their spend year after year.

Mr. Abbate stated for purposes of the workshop is really what is critical for staff, is to understand where the Board wants them to be going because like the one thing that he mentioned earlier is they are going to be talking about projections of what they think the potential revenue increases are and what they are anticipating the growth of what the expenses are going to be and when he gives those numbers to the Board at the end of the day, they are going to be trying to do what they have done in the past several years which is no tax increase that is statutorily defined as a tax increase unless the Board tells them otherwise; they are

going to give the numbers today to tell the Board exactly where they anticipate things would be if they address the things that staff think, and Board agrees if it does are the most important things to fund and hearing what it has to say if they have to make alternative changes to how they are going to fund services, programs, or dedicate whatever resources are available they are going to have to figure that out between now and when they submit the budget based on the input given today; and that maybe one of the considerations they will hear today which is dampen what is going to happen most likely in group health insurance moving forward and they will make the appropriate adjustments.

Commissioner Smith stated that was his thought when talking about what they are anticipating this year, he would think it would be prudent for them as a Board to encourage staff to decrease the losses in the first year, as opposed to trying to hold the cost in the interest of the employees, and they can either rob Peter this year or they can rob him next year; if they do a little bit this year then next year they do not have to do as much; and of course next year they will have a better picture of where they are going to be going forward; and that would be his suggestion to moderate that upwards.

Mr. Visco understands; he stated that is staff's thought as well; and moderate with increases over a period of time and using the buffer that the reserve affords them to allow that to happen as opposed to what Mr. Abbate was mentioning is they had to make up a 20 to 30 percent deficit at one time, that is way too big of an ask on both the employer of the employee side.

Commissioner Smith remarked he agrees.

Commissioner Pritchett suggested as she knows they are still settling in from the after COVID effects which she is guessing they had less expenses as far as surgical procedures, the medications that had to be given out to probably more people and she would like to see how this settles later but, a thought might be working on increasing employee salaries instead of doing that maybe start covering this and keeping this reserve at a good spot because this is a non-taxable benefit.

Mr. Visco replied to Commissioner Pritchett that there has always been a trade-off there between the they put on the benefit side versus the they put on the salary side.

Commissioner Pritchett thinks that would be a good solution, to cover more of this because then they will have more disposable income, and that might be something as they move forward; she would be open to that thought but they already come up with these ideas anyways. She mentioned remembering when she first got on and Mr. Abbate was giving this presentation, he said they have a lot in reserves, but they are going to have to end up using them later; she is not shocked with this number; and she thanked staff for all it does because she knows they are really on top of it.

Chair Zonka stated that as part of their job and part of Mr. Visco's job is to make sure that the employees are aware, it is one thing to put out a spreadsheet or look at total cost of employer costs for benefits, but maybe explanation, this is what the plan is costing the County and they are providing as the employer of what the employee cost is; it is very black and white, two numbers, and they understand that there is cost; it is not the County saying they cover more than they do; it is the County saying this is their total contribution because of the value of a paycheck she thinks that would help people understand; and she thinks people are really surprised because a lot of people do not know what the cost is per employee for health coverage.



Commissioner Lober stated something to be mindful of potentially is folks that go into the government line of work as opposed to private industry, knowing that the average salaries are somewhat lower, but understanding that there is a benefit associated with that as well in the form of in this case subsidized health insurance; over and above what is already been said by the other Commissioners, he believes apples to apples if he were working any of a variety of different jobs here, from his perspective he would rather have the health insurance be easier to afford even if that means he had a lower salary as a result.

Mr. Visco understands; he stated that is great feedback; he discussed personal management and he reminded staff of the makeup of the workforce; they are just under 2,400 employees at the moment, over 600 is what they consider the blue-collar workforce, another 560 in the Fire Rescue, and the remaining 1,200 employees make up the balance of the workforce; what is being seen inside that workforce is vacancies; it is interesting when they looked at establishing an average monthly vacancy count and they see significant consistency from 2019 and 2020; but then the movement was seen and it was very significant in the latter part of 2020 and throughout 2021. He mentioned the current average is 348.8 vacancies per month through 2021, it is very significant; they can see where they blew up the trend just a little bit for 2021, the increase in the latter half of the year is a very disturbing trend; to put some perspective on this historically, and they have data going back 15 to 20 years, historically the County's vacancy trend has been running at around 10 percent; they are running a little bit above trend and the impact is significant in several departments and they wanted to focus on those departments that are seeing the most significant vacancies, the number can be seen on the board with Public Works leading the pack at the moment with almost 22 percent vacancy rate; and they have a nice cluster in the 17 to 18 percent range with Transit Services, Parks and Recreation Planning and Development, Utility Services, and Solid Waste comes in at 15.6 percent, after that then Housing and Human Services, and the good news is the bottom of the page with Fire Rescue coming in at about 8.3 percent which is a significant turnaround from where they have been in the last couple of years.

Mr. Abbate pointed out this impacts a variety of different areas that they are going to be talking about; he wants the Board to be very clear on one point, which is if they looked over historically what happened over time, there was vacancies that occurred where departments tried to keep positions open because they had to, because the lack of funding; none of this is because of lack of funding or not available resources; but it is inability to fill the positions with qualified people, which is a different reasons and is more disturbing because they cannot provide the service, and it is taxing the other employees who are here because they cannot fill the vacancies. He mentioned it is for a lot of different reasons than when they had that 10 percent in the past; was it really 10 percent or were some departments trying to save some money in the personnel side to use for other things that they had to do where they did not have the resources, where resources were somewhat more limited; and here it is because there is actually the departments in a lot of areas, some of the ones seen here are struggling to fill what are otherwise fairly critical positions, and the Board is going to hear more about that as they move along,

Chair Zonka if they thought about doing a career or job fair.

Mr. Visco replied several; and he stated he will get into that in a few minutes.

Mr. Abbate stated there are slides on that because it is an important aspect.

Chair Zonka state she would be happy to push it on her social media as well.

Mr. Abbate stated absolutely and they have several slides on that.

Commissioner Lober asked Mr. Visco with respect to these vacancies whether it is across the board in particular departments or are they tending to see that they are spread fairly evenly throughout the Districts across the 72 - plus miles, or are there clusters whether in Merritt Island or Mims or having more issues in particular areas.

Mr. Visco answered that he honestly has not done that deep of a dive to break it down geographically but his gut tells him they are across the board.

John Denninghoff, Assistant County Manager, stated how it works in Utility Services it is across the board, there is fluctuations of course but it is pretty much across the board; with Solid Waste those are very centralized, it does not really apply there; but it is definitely just all over the place.

Mr. Abbate added not only geographically but also interestingly across the organization from blue collar right through professional positions; it is cutting across and not only in one area geographically or type of position, and they see that when they are going out to stores; he mentioned he went the other day and saw how many restaurants are closed because they do not have the staffing for it, so it is cutting across a variety of sectors; but it is hitting them across a variety within all skilled craft positions, professional engineers, and administrative support which they have seen it in a variety of different areas.

Commissioner Smith concurred that with his contacts in the community of business that it is across the board, he does not care if it is waitresses, cooks, engineers, construction supervisors and construction workers; it is like they are not out there; he does not understand it; but he went through the same thing he thinks it was back in 2008/2009 when people could not find employees and he does not know what the solution, is they are just not out there.

Mr. Abbate stated that he does not want to steal the thunder, but staff spent a lot of time on this presentation and there are several slides coming up that Mr. Visco will address all the issues just talked about in the last three to five minutes.

Commissioner Pritchett stated not that they have read ahead and know that stuff but she thinks of an interesting phrase that was pegged out there that 2021 was the great year of the resignation; and she thanked staff for finding competitive ways to create and to be competitive for the workforce because it is definitely a lot of work right now to get people back to work.

Mr. Visco stated they wanted to touch on one of the more significant impacts of these vacancies, it is the impact on overtime; they looked back over the last five years and it is interesting the departments that they singled out here with the exception of Mosquito Control, every one of these departments showed as the leaders on the vacancy report, and there is a correlation there; they can see the dollars there have been averaging \$9.5 million a year in overtime; and as a result they can see where the breakdowns are and who the big players are, these are significant dollars that if not spent in overtime could be better used elsewhere, and it is a question for them to answer. He continued with the conversation about compensation and he wanted to remind them of all the conversations they had last year on minimum wage compliance and giving some updated information from where they were a year ago; they have a year in under the new statutory requirements for minimum wage and they have given four options to consider as they go forward; if all they do is meet the statutory requirements for minimum wage and nothing else, the investment is very minimal in the in the nears years, but looking towards getting point of full compliance in Fiscal Year 2026/2027 they will need to have

invested another \$2.1 million just to meet statutory minimums and in doing so if that is all they accomplish they will have significant wage compression and maybe even some wage inversion as those minimum wage jobs overtake some of the other positions in the organization, so to combat that staff will give three other options. He went on to say if they met the minimum wage requirements and proceeded with a two percent Cost - of - Living Adjustment (COLA) for example, they would need just over \$2 million next year and over \$11.5 million to get to full compliance if they maintain that approach; that does a lot to meeting compression but they are still going to have some significant compression in the later years a few will have to address; to avoid compression entirely they will give everybody the new minimum wage and a dollar an hour to every other employee, that was one of the options he thinks the Board had asked to see the last time they had this conversation; and they can see the investment that needs to be made to accomplish that. He explained they came up with a final option to say what if they just did the greater of a dollar an hour or three percent to employees, that would clearly take care of any compression issues get them to meet all statutory requirements, but the investment is extremely significant.

Mr. Abbate pointed out a couple of things; first, this does not include Fire Rescue because they are under a contract so they have already received what they had going, it is not for the 2,400 employees, it is minus those 500 it is for 1,900; this does not address the charter officers and this is not just the General Fund cost, employees, and this is for those 1900 employees of what would happen; as they develop the budget and do other things, but they had to give some kind of benchmark to the Board to give them an idea and he will tell them that option number four is where they are trying to go, because it is important for a variety of areas and things when they have across the board problems of getting to that three percent; they can see the difference, between a dollar an hour and three percent, there is very little difference, but he can the Board tell the Board filling positions at the professional engineering, the Director Level and Assistant Director Senior which they are going to hear a lot about succession planning today, finding people for positions, and the salary scales; they cannot go out in the market they are really struggling to find people who are willing to come within the organization; not doing as much as they can do and that is where they have to balance what they do on the benefit side with the compensation side, because if they do not have them here, they will not come with the compensation keeping them with the benefits, and they cannot get there; and they have to balance it in a way so they are going to be listening very intently to what they have to tell them as they go through those numbers.

Commissioner Smith stated that he does not disagree and obviously they have to be competitive in the marketplace with what they are paying; he does not think there is an easy answer; and he is not sure that they could not put a bigger number on this and still solve the lack of employee.

Mr. Abbate agreed; he stated Commissioner Smith is absolutely right because he is not so sure that salary in itself would solve the issue, wherever they go with the salaries, because it is not necessarily that; they dealt with that with Waste Management when they were dealing with issues with drivers and what they were willing to pay, etcetera, which is way above where they could ever be with comparable positions of that nature; and they still struggled for a significant period of time.

Commissioner Pritchett stated she thinks to help them make this decision, they are going to need that four-year trajectory because every year for the next four years this has got to bump up; the minimum is going to hit \$15 soon; and her question would be if they keep doing three percent with the dollar, she needs to know in another four or five years it is even affordable.

Mr. Abbate informed the Board it is the second number on each one.

Mr. Visco indicated it is roughly \$4.5 million a year and that will call out to that.

Commissioner Pritchett stated then her other questions will make her sound smarter; she asked if they were going to be able to sustain this because with this, she knows they have to do the Florida Retirement System (FRS) matches and all the other things, but just moving forward into the years she asked Mr. Abbate if he thinks in the budget they are going to be able to make this sustainable, she stated she knows there is a service organization and people are number one of importance; and she asked what is the amount of increases they have been able to give employees since they got on.

Mr. Abbate stated that is in a future slide and they have that for Commissioner Pritchett.

Mr. Visco continued to say with regards to compensation and how that affects the retention efforts, as a reminder a couple years ago they engaged in an Evergreen Salary Study where they targeted key positions in an effort to become more competitive in specific areas and job descriptions; there was also some fallout from that, they dealt with compression that came as a result of the Evergreen Study, there has been some movement there; in addition, they have done a number of reclassifications and they have been pushing the notion of career ladder development so they can afford some vertical movement for folks in lieu of waiting for vacancies to get promotions; he is going to discuss career ladders in a minute, but to show them how they have been unable to keep up with inflation just looking at it they are looking at a 12-year history of COLA it is worth pointing out Fiscal Year 2011/2012 with the negative numbers there; and they actually gave a 2.5 percent COLA in Fiscal Year 2011/2012, but that was the same year FRS took three percent from employees. He went on to say the net result of that was a loss of one-half percent to actual paychecks over the 12 years; they can see the numbers there at the bottom of the page, they are looking at a cumulative 22.86 percent CPI against the 17.3 percent COLA; if they look back another two years because they went without COLA's for quite some time; and if they look back to Fiscal Year 2008/2009 to date the deficit is even more significant and they are looking at almost a 29.5 percent CPI against that 17.3 percent COLA, roughly a 12.6 percent deficit and they have not been able to keep up.

Mr. Abbate stated the Board remember what happened during 2008, that is why they did not go back that far with the economy tanking and everybody was struggling they had to have furloughs and did a lot of things to try to keep things going; on the benefit side they have tried to leave things and not increase the cost during these years for employees; the Board had been very sensitive to that, when they were looking at what happened and what is happening with health insurance as benefit; the Board outside of the three percent which the State put on in FRS in Fiscal Year 2011/2012, they have not increase anything for employees in terms of the premiums they pay for themselves or their families; they have tried to maintain that as best they can, they did have some adjustments to the health insurance program, but in terms of the premium increases they tried to leave it flat, especially as they went through this period; and they can see the Board has done a lot, in terms of the COLA and they really have not kept up with it in the 12 year for the reasons that Mr. Visco has spoken about.

Commissioner Pritchett asked if they only gave the COLA amounts; she stated she thought they did a little bit better than that last year; and she ask if these amounts are what they actually gave as Commission.

Mr. Visco replied yes; and he advised they worked very hard to be sensitive to the fact that they did not want premiums to erode the little bit of COLA they were able to give.

Mr. Abbate mentioned that employees did get last year the Coronavirus Aid, Relief, and Economic Security Act (CARES) funding for certain things but those were one-time dollars, so they did not include that.

Mr. Visco stated as long as they are talking about recruiting and retention, he wants to take a quick snapshot of what has been going on there, clearly as they have recognized recruiting talent today looks very different than it did one year and one-half to two years ago; they have had to resort to a lot more virtual recruiting, in part because of COVID, and in part because they had to reach a little bit further afield to find talent to try to entice people to come to the area; the labor markets expectations were touched on already, it is just not about salary and benefits anymore; the current labor market is looking for other things, one of those things is telework, and it was known that it was a trend coming, it was accelerated as a result of COVID and people have gotten accustomed to employers being able to accommodate telework which is the demand right now; and they are losing people to other organizations who cannot afford telework, it does not work for the County in all of its organization, so it becomes problematic in their recruiting and ability to attract that next level of talent. He mentioned they talked about the labor market and he wanted to share some comments that were made in the media last month first; one, was from a local construction company that employers in every job sector are seeing challenges with hiring and retaining workers construction, education, and engineering; the blue-collar workforces technicians are particularly difficult to find employees; Career Source Brevard, employers may have to lower their qualifications than they have required in the past in order to attract more talent; they have asked themselves where all the people who have left the labor market, what are they doing, well there is a couple of thoughts on that in Human Resource world, and it believes that previously two income families have opted to become one-income families; some of that was driven by COVID and the need to maintain some presence at home to deal with school and child care issues people have become accustomed to that and they are working on the one income; second, the great resignation is a real thing, when they start talking about the Baby Boomer Generation employees in their late 50's early 60's opting to leave the workforce now and not return; the ZipRecruiter, a national online recruiting firm has thrown some numbers out there to demonstrate that in their opinion the record low ratio of unemployed people to vacancies has created probably the tightest labor market that they have ever seen; this is not just local this is all over the country; the Florida Department of Economic Opportunities (DEO) Chief Economist, said "there are more job openings than there are people looking for work". There is a lot of churn with people moving from one job to another; in the market; and it is indicative of employees' belief that they can find that next job and get a better position than the one they are currently leaving. He stated as the Board can see, he found the most recent unemployment numbers for them when looking back at the start of the pandemic, when they were starting to see the shutdowns 13.2 percent unemployment in Brevard County is now down to 3.2 percent at the end of December, and that is a significant number of people no longer in the workplace looking for employment, it is a job seekers market which is probably the understatement of the year; he questioned what are they doing about that now that they have addressed that as a particular problem; he stated they have engaged in significantly more targeted recruiting than they had done in the past; they are reaching out to the Veterans community, particularly they are working with Patrick Space Force Base in their career transition office trying to take advantage of a Department of Defense (DOD) program where the DOD will pay six to nine months of salary for a service member transitioning from active duty to civilian duty work; they have been able to attract at least one individual through that type of program; they are participating in military job fairs both virtually and in person, they were in Tampa last month then, and they are headed to Jacksonville in March to go face to face and try to find that those transitioning service members who can fill a lot of the positions that the County has its greatest need in; they are emphasizing the use of internships with the workforce through student programs at the high school and college level, in addition to trying to work very closely with the vocational certification programs, at the high

school to fill our programs and he will discuss that more on the next slide. He added career ladders and succession planning are the other tools they have available to them in an effort to retain talent and keep good people here; he also talked about the relationship they have been developing with Brevard Public Schools in their Career Technical Education (CTE) through vocational studies, they have 50 different vocational programs to get certifications for students, they can put them right to work after high school they have been reasonably successful in placing some of those students in Public Works, Central Services, and Planning and Development both in volunteer and internship positions, and in one of two occasions they have turned them into full-time employees; they are looking to move the needle forward on that a lot more this school year; they are also very proud of the movement that help them create the Brevard Public Schools Fire Academy, they have been working on this for several years in partnership with Brevard County Fire Rescue and the school system in Eastern Florida State College to create a Fire Academy at the high school level; and the goal is to attract high school students to the fire service, get them trained up and provide them scholarship opportunities, put them in a position where they can try to generate some brand loyalty, and get local high school kids to consider Brevard County Fire Rescue as a primary employer at graduation. He mentioned he is happy to report that they targeted August of this year to start their first class at Palm Bay High School and the interest so far at the student level has been exceptional, and they are very pleased at the moment; hopefully that continues and they get a moderate amount of success they hope to expand that program through central and north County as well. He explained succession planning has always been important to them and has always been critical to the organization's future success, creating an effective process for recognizing, developing it, and enhancing talent, and moving folks into position where they can fill the positions internally; however, this year they spent some time creating a task force that was led by two Lean Six Sigma Black Belts to look at what they are doing with succession planning and that group came up with the Brevard County Succession Planning Tool Kit; they have developed a succession planning matrix where the department directors have been asked to identify their key critical positions and the individuals they believe will be in a position to step up and fill those roles; once they have identified those individuals they need the departments to then work on individual development plans with specific criteria necessary to move those people from the planning stage, to make them successful when they ultimately assume the roles that were key in identifying them; the tool that he thinks is most exciting is the transitional knowledge plan; and he asked for all to think about this as the letter he or she would leave their successor for what he or she do they needed to know to be successful in this job, what do they need to do tomorrow and the next day to keep the ball moving forward to the projects he is working on today, the critical components, the staff, the contacts, and everything they needed to know to hit the ground running, to develop a formal knowledge plan and that ready to go is going to be really important and very useful to those people when they assume their successor roles.

Chair Zonka stated that she assumes they would have enough leave time to prepare for that and they are retiring and not leaving them to go somewhere else.

Mr. Abbate remarked as a matter of fact they have developed that matrix exactly with that, they have it from people who are leaving in one to three years, three to five years, and which ones they are focused on; they have been getting the transition plans and then identifying the people to see how staff makes sure they have the opportunity to do the things that the transition plan says they need to be doing, so that he or she are ready if they choose to apply; and staff can put them in that position. He stated that they have been focused on that since late summer early fall of last year and they are staying on top of it exactly, because there is a lot of transition that they anticipate will be happening in the next few years.

Mr. Visco added in part, how they are staying on top of it is the County Manager and the Senior Management team are going to be providing high level insight and feedback to the departments; they are doing this on a regular basis, they have the Career Development Manager coming to Senior Management meetings every two to three weeks to give an update on what the departments are doing with this; the Career Development Manager will continue to meet with those departments and continues to push the ball forward a little bit, by asking where are they on the transition and, what about the individual development options; and this is getting a lot visibility from senior staff and they hope to make a difference down the road. He stated lastly, he wants to mention briefly about the career ladder program that they have been implementing career ladders for some time; and it is an opportunity for them to recognize the additional value employees bring to the table when they acquire additional skills, certifications, and tenure, positive performance evaluations so that they can create an environment where they can recognize and reward financially those employees as they bring more value to the organization.

Commissioner Lober asked in terms of across the organization not specific to any particular department but have they really pushed much in the way of cross training; and he understands they are basically shifting the problem by means of cross training, but if it is so hard to get these individual vacancies filled, he proposed maybe if they have some flexibility as to what the existing workforce can do then maybe they are able to advertise for two different spots, fill one of them, and then leave the person shifted or return them to where they originated.

Mr. Visco replied they have a component on the succession planning matrix, where they ask about the ability to deploy a talent outside their particular department; they are looking at that to see where that is transferable for skills; he cannot remember what it was called on the matrix, but it was basically to say they have talent and they recognize that there is a need organizationally, to spread that talent around; and if there is not an opportunity within the department then step up, identify that individual, so senior management can identify maybe another opportunity elsewhere in the organization.

Commissioner Lober remarked good to know.

Mr. Abbate informed Commissioner Lober that they are struggling and does not want to give him a false sense that they do not have challenges and how significant they are; as they are doing the succession planning, they are looking at the depth of the bench strength that they have organizationally, and they are trying to get people for succession planning; he will tell him three people that were among what he would say in the next three to five years should have been key people moving up in succession plan, have found alternate employment in the last 30 days; this is a very significant issue for them to have to deal with when they have such a high vacancy rate and they lose those individuals, and cross-training is where they are trying to keep the organization going; they are trying to do what they can in that area and that is a very good point; they do have a lot of challenges that they are trying to deal with; and that is really why Mr. Visco's presentation was the longest one that they are going to hear today.

Commissioner Lober stated that is fair.

Mr. Abbate stated they put this on first so that Mr. Visco can go give the bad news and Tom Mulligan, Solid Waste Management Interim Director, is going to try and sneak through, and talk about the challenges they have in Solid Waste; and hopefully they will get the Board's support for what they think the recommendations that are going to be necessary to move the Solid Waste disposal program forward.

#### **d. Solid Waste Management**

Mr. Mulligan, stated that they are going to basically concentrate on the five-year Capital Improvement Program; he will talk about the projects that are in that program; the effects that current conditions have had on the programs, and the resulting funding needs; from there they will take a look at the disposal assessment and compare it to the Consumer Price Index; and finish it up with some items that are for Board consideration. He advised in April 2021 in conjunction with the Budget Office they conducted a financial analysis for the future to determine their budgeting and financing needs; the following projects were in the five-year program; and he will explain them. He went on to say think of a gas header like I-95 of landfill gas that is the main conveyance to get gas from the south expansion landfill into the existing system and over to the gas energy plant; the cost for that was determined by an engineer's estimate of costs, then it was locked in through competitive solicitation, and is currently a project in progress; the gas system expansion is the actual gas wells installation of those wells and the piping that would go to the header and the cost from that was an engineer's estimate of costs; the U.S. 192 facility is a replacement Class III facility, its scale house entrance and crew quarters is a Class III landfill Cell, plus leachate collection and containment, and the cost for that was an engineer's estimate of costs; Titusville Transfer Station is a replacement for the 45 year old existing transfer station with something that is less maintenance intensive, it will be located on the Mockingbird Way Facility on some undeveloped land that is there, and that cost is from an engineer's estimate of costs; Central Disposal Facility (CDF) cell two is a 41-acre class I landfill Cell that will be located west of cell one at the south landfill in Cocoa and those costs of \$25 million was an engineer's estimate of costs; and the CDF Cell three is a 53-acre landfill that would be located south of Cells one and two and the cost from them were derived by taking a per acre cost of Cell two and multiplying it out. He added in January they did an update on all this and what affected the cost for these especially was the rising inflation, related construction cost increases, and another thing that had to be adjusted was the schedule for Cell three for two different reasons; it needs to be moved up to years and the increase in the upcoming waste in the incoming waste stream; they have had a 12 percent increase in waste, not only from clean outs and projects from COVID, but also the new construction that has happened in the County; the majority of what is coming in right now ends up being new construction and renovations as well as roofing; another thing that has increased is since the ban on land application of biosolids, they have seen a 19 percent increase of that coming into the facility; that coupled with the anticipated impact of the Sarno Road landfill reaching full capacity; and the amount of waste that is disposed right now on Sarno Road landfill represents 20 percent of what is disposed of the CDF so once all the waste that would have gone to Sarno is diverted to CDF that is an instantaneous 20 percent increase in waste. He referred to the chart as the first two columns are the projects they just went over; the next column over is the adjusted cost for gas header it is a reduction in cost because it was a project in progress, and they have already expanded some of the funds in Fiscal Year 2021; the expansion system cost did not change because they did some value-added engineering to try to keep materials and construction cost from rising; the US 192 facility is from an updated engineers estimate of costs and he is anticipating an additional updated engineers estimate of costs at the end of this week, and he does not anticipate it to include a reduction in cost; the Titusville Transfer Station was another engineer's estimate update; cell two was the result of competitive solicitation, that is the cost of the actual construction and engineering oversight and certification, and that was somewhat of a shocker to staff he can tell the Board that it was also a shock to every County Solid Waste Department in the State of Florida; and Cell three is just breaking down Cell two into a per acre basis and getting that cost. He reiterated what Jill Hayes, Budget Office Director, was saying with the Construction Cost Index being up 40 percent since a certain time, they have seen that basically in less than a year's time, and they have almost seen a 40 percent rise, they are subject not only to the increases in construction costs, but a lot of the materials that are used to build these landfills are from petroleum-based products and they are



also tied to the cost of oil; the next column over represents the available funding this year; what that will do effectively exhaust the capital outlay that they have right now minus what is necessary to leave in the reserves; then the next column is the \$21 million representing the capital outlay that they will be able to accumulate and use for these projects over Fiscal Year 2023-2027 with the main source of that revenue of course is disposal assessments and the gate charges; and that leaves them with the final column that shows what the outstanding funding gap is for these projects that are necessary for expansion and operation of the system. He explained the next slide is just a graphical interpretation a comparison of the disposal assessment with the impact of the CPI for garbage and trash; he is only going to use residential and disposal commercial disposal assessments are just a multiplication factor of residential they would track up and down the same and would just clutter the graph, but what they are looking at is the solid blue line represents the disposal assessment history starting in Fiscal Year 1991-1992 and it was \$61; it ends up in Fiscal Year 2022 at \$57; the dashed blue line representing one of the items that is up for Board consideration, he thinks this serves as a good visual in Fiscal Year 2022 to compare with the red line which is what the assessment would have been had it been tied annually to the CPI for garbage and trash starting from the Fiscal Year 1993 on; and looking at Fiscal Year 2022 they can see a good gap between where they are and where they might have been. He continued to say the next slide is basically a numerical table of the same data; the upper rows represent the assessment history again going from \$61 in 1991 to being reduced in 1995, reduced again in 1998, increased to \$57 in 2005 which is where it remains today; the final column for Fiscal Year 2022-2023 represents the item up for Board consideration which is 20 percent increase in the assessment rates; the lower rows represent if they had applied the annually CPI for garbage and trash from Fiscal Year 1993 on; if looking at Fiscal Year 2021-2022 they can see that basically right now residents would be paying \$104 more than they are now if they had been keeping up with inflation; one thing to look in it for perspective as well is the \$68.40 for residential assessment, that potentially is asking for; if looking in Fiscal Year 1995, that is still less than residents would have been paying 26 years ago if they had been keeping up with inflation; and now what that brings them to are some items for Board consideration. He stated the first is an increase in the residential and commercial disposal assessment that is 20 percent increase, plus tying future annual assessments to the CPI; second is authorizing staff to look at the most efficient financing method for that funding gap, that was demonstrated of the \$105 milling funding gap, and that is \$65 million in the immediate future to cover US 192, Titusville Transfer Station and CDF Cell two, and another \$40 million in the future for CDF Cell three; is to authorize staff to do a third-party engineering study, their consultant would work in combination with Finance and the Budget Office; that study is required for financing of this magnitude; fourth is not on this slide, but if they were to move forward with this they would also need authorization for the printing and mailing of the notice of public hearing that would have to go out to every owner of improved properties in Brevard County for them to have a public hearing on the rate increase; and staff is not to be presumptuous that the Board is going to move forward on anything, but it is prepared with an aggressive timeline to tackle this if it does make that choice.

Frank Abbate, County Manager, stated what the Board has heard is really what their needs are for them to take care of the disposal needs and this is not really wants this is what they need to have, because if they do not have that Cell expansion they have nowhere to put the garbage for Class I is in Cocoa; it is very necessary for them to be able to transfer in Titusville and they need that facility, they will not have the ability to do anything at Sarno, and they have to be able to move something to Class III and not use the most valuable Class I facility in Cocoa for any time longer than what they need to; what Mr. Mulligan is asking for is the Board's consideration compared to what is happening in other areas looking at the rates, they went from \$61 back in 1991, and they actually lowered it over time because they did not move forward on US 192 at that time, and lost all that ground; the Board has been extremely supportive of doing CPI and

realizing that they have to have a tie-in there; and they are not even coming close to that tie-in, they are asking for one-fifth of what that would have been.

Mr. Mulligan added that is also the Cell expansions because of the regulations between the time they had the original slurry wall landfill which they started with 192 acres, with a clay wall around it that only cost a couple of million dollars; after that there is a 192 acres to just pile garbage on top of; now every time they do a new Cell they must have a double liner with 60 mil liner they have got to do the leachate collection system and the cost for each that are much more than they have invested in the original landfill itself.

Mr. Abbate stated they are looking for the Board's input on if it would be supportive of staff trying to move forward and authorize for the ability to come back to the Board proposing something that would go to a public hearing, by bringing an agenda back to the Board early in March to look at a proposed increase of that 20 percent, which they saw one-fifth of a fraction of what it would have been with the CPI increase.

Commissioner Lober stated first his preference, rather than saying one, two, three, a,b,c is whatever the least expensive sustainable option is; he thinks with something like this he is not trying to be distrustful of what they are telling him in the least; he believes everything that staff is telling the Board right now, but he thinks when talking about an increase that is that significant, and following other increases that they have necessarily had to make; he asked when the most recent time was they had a third party look to determine, or has there been third-party look to determine specifically what the least expensive sustainable numbers would be for them; he stated they could simply verify the work product and methodology and say yes, they are exactly correct; and he would feel more comfortable with that.

Mr. Mulligan responded that is something that he has a task order being made to do as well.

Commissioner Lober advised not so much for staff, but for his colleagues on the Commission; if the third party comes back and is consistent with that, he understands this and may be drawing a line in the sand, but unfortunately, this is one of those instances in which that may be appropriate; he is not going to vote for anything along these lines, even if that is what the third party says, unless it is agreed to have some funding set aside to do a feasibility study looking at bringing in waste collection in-house because he thinks that will put them in the position where they can stem the overall increases, that people relying on the system face; he deferred to staff in terms of what the cost is; he knows some high numbers were floated for feasibility study when he had some informal conversations with them in the league of maybe \$200,000 and maybe that has gone up or down; but he thinks this is something where they really need to have a long-term approach as opposed to just doing this piecemeal every single year.

Mr. Mulligan stated actually the funds for doing the study for bringing waste in and municipalizing the waste collection would come out of the collection funding and not the disposal.

Commissioner Lober stated if that is made part of a motion later, he would be far more inclined to support it.

Mr. Mulligan advised he has asked the consultant to give him a task order to do that, so that he can get one at least started in this Fiscal Year that does not necessarily mean it will be finished by the time they want to make a decision on this, but he does intend to start one this year.

Commissioner Smith remarked that he is in agreeance with Commissioner Lober, not that he thinks it is going to be appreciably different, but he thinks it is worthwhile that they offer their constituents the opportunity to know that they did that; he is concerned that they are trying to compete with somebody that knows what they are doing, meaning that they are, not in the trash collection business, Waste Management and companies like that are and they are probably a little bit more streamlined as to what they are doing and can do; they are having a terrific time, as the Board already knows getting employees, so there is that issue also; but at the same time if there is a possible savings maybe a study would show that and if not they can just leave that behind.

Mr. Abbate assured that there will not be a savings, there is tremendous capital costs that are needed on the front end which would come in on any study that they are looking at long term; he asked the Board to understand too, that they want to do it in a timely manner; they have heard Mr. Mulligan talk about what costs have changed just in the last 12 months; the contract with Waste Management is a seven-year contract and they have to be careful how early it is done for feasibility; a lot of planning will be needed for that and it is going to take a lot of time if the Board chooses to move forward, so they want to do it early; and how early and how valuable, is something that would have to be measured.

Commissioner Smith stated he has his doubt that they can compete with them, but at the same time just for curiosity's sake and to educate the public that this is not feasible or this is a diamond in the rough that they should pursue; and he highly doubts it.

Commissioner Pritchett stated she thinks they are talking about two different areas right now; her guess on this is the upfront capital cost is going to really bite at first, so there is going to be an increase to do that; they probably will have to get the analysis of how much more they are going to pay up front to cover that or pay with loans; she knows interest rates are about to get four pots this year; and trying to get loans and bonds are going to be very expensive unless they have a lot of cash sitting around. She asked how is the reserves they have been kind of kicking this around for a while and she remembers they found a way to find some more reserves; and she asked if reserves are still taking a bunk down or if they are stable.

Mr. Mulligan replied that the reserves are stable and they have eaten into little of the capital reserve because of the increased cost that they have right now; he stated the amount of vegetative waste that is coming in and the cost of processing has pretty much gone over the budget for this Fiscal Year and they are not even halfway through at this point, but they are fairly stable; there are reserves that are required by law to be held back which are reserves for closures, reserves for operating, and other reserves that they need to have reserves set aside for the first three month of the next year because they need that money to operate before the new tax money keeps rolling in there are certain reserves they need to keep behind; and they need reserves for equipment which is the depreciation of all rolling stock. He indicated the reserves right now are in decent shape; it is just the capital reserve that they had for projects like this is nowhere where what they need for the expenses that they are seeing.

Commissioner Pritchett stated she went back and looked at the 1991 numbers and like Mr. Abbate mentioned, they actually did a decrease; that probably was not the best move they did back then because she knows they had to make some changes here recently, as far as some charges for reserves; she took that number and the change is \$68.40 and that is only a 12 percent increase instead of 20; she thinks from cutting it back they hurt themselves; and if they go back and look at the numbers at a time when they were \$61 to now is only a 12 percent increase. She added for the new construction, maybe they need to go back and examine the impact fees and see if they need to make a little bump there to help with these types of costs;

and they are going in the hole and that is probably why they are having to do this; she is going to support this moving forward; they still will need to have a lot of conversations; but they do have her support on this today.

Mr. Mulligan stated with the impact fees right now they receive about \$1 million somewhere between \$900,000 and \$1 million a year in impact fees; and if they multiplied them by 10, it would not change the amount of money that they need for these necessary expansions.

Commissioner Pritchett stated she knows; and she was just saying if they increase the impact fees.

Chair Zonka stated she does not think Commissioner Pritchett was suggesting he fund the entire Solid Waste with impact fees.

Commissioner Pritchett stated no, unless he can pull it off.

Mr. Mulligan remarked no, but they can do a study on that as well; he does not think a study has been done on impact fees since 1991.

Chair Zonka stated her largest concern is that they are playing makeup for all of these departments that have not had increases over the last 10, 12, 14 years and how many departments are they going to say sorry, there is a 20 percent increase in the bill, but not a 20 percent increase in wages; they can talk about what people making and then what their households can afford she is not comfortable at 20 percent even though it is a few dollars; he or she might be able to afford it, with that and their utility increases; she is not comfortable with that and they already know how she feels about the landfill on US 192 and that was a huge part of the Solid Waste cost; and she is not going to support a 20 percent increase.

Commissioner Lober stated he would like to throw a couple of other thoughts that he has not brought up or heard at least thus far he does not like a 20 percent increase; he is just throwing these numbers for hypothetical sake, if it is 20 percent now or 33 percent next year, it may be better to split it over a period of two years because they are essentially delaying the pain, and delaying a more severe pain if they do not keep up with what the costs are; obviously, they have to balance at the end of the year, not factoring in the reserve either replenishing it or depleting it, and they do not have an option but to balance out. He stated as far as the comments have come up both from staff and from Commissioners with respect to the potential thought of bringing in waste collection in-house, like for instance Rockledge or Titusville do; there are at least a couple of different, perhaps harder to quantify benefits that may be associated with that apart from just the numbers they have now versus the numbers that it would cost; first, they have a potential to stem future increases because they have to put that out to bid, or they have historically put it out to bid every seven years; he does not know about the other districts as much as he knows about his own but he can tell that over the past couple of years and admittedly it is gotten a lot better in the past few months; they had terrible service for a long period of time, so in a sense if they can guarantee decent service he would be happier to pay a little bit more to get far better service, if that is the choice; if they really are going to pick up when they say they are going to pick up; lastly he would just point out even if they do not go forward with bringing something in-house over and above the benefits that Commissioner Smith talked about, by way of being transparent with the public and letting them know, they really are not really getting ruined to the extent that they may think they are with what they are paying; the fact that they are willing to expend some funds and doing a feasibility study, he thinks will serve, if nothing else to indicate to the folks that may serve to bid or may choose to bid down the road in the next seven-year contract cycle, it may sort of indicate to

them that if it really does come back ridiculously the County has expressed some level of interest in bringing this in-house, so it may stem those bids down the road even in a way that they cannot necessarily tie back to the feasibility study; but he thinks there is a lot reasons to consider going in that direction, but for reasons different than Chair Zonka, he is not going to support it today.

Chair Zonka stated she would agree with him, but she does not want this Commission to spend \$200,000 for a talking point because in reality if the professionals in the industry and their Manager is saying they have looked at this and they know that the capital cost is exponential, and they know that companies like Waste Management; she does not mean to say their name publicly but companies like them provide service to multiple municipalities, so that capital investment for them is spread over the cost of doing business all over the entire County and all surrounding counties.

Commissioner Lober stated that he does not disagree with Chair Zonka, he thinks there is an offset to that, but the counterpoint is essentially that they do not exist for altruistic proposes they exist to have a return for the stock payers to what degree one counter balances the other he does not know.

Chair Zonka stated but one grows government and provides a lot of jobs, which she gets because they cannot even fulfill now, and at a higher cost as opposed to letting the private sector do it and holding those private sector companies accountable when they are failing.

Commissioner Lober stated if they are confident, it is a higher cost; he would be 100 percent on board with it, he just wants to see apples to apples; but if that ends up being a higher cost relative to what they will be paying now then he agrees with Chair Zonka.

Commissioner Pritchett asked if they do not find some kind of increase what are they looking at in the next year.

Mr. Abbate replied what they would be looking at is the Board has seen an Agenda Item they are going to see another one Tuesday about the challenge of getting and purchasing equipment having, and having truck drivers to drive that equipment; very recently they went out on a special contract so that we could transport waste from the Sarno Transfer Station up to Cocoa and use the landfill space; all those costs are significantly higher than what it would be whenever they are able to start bringing Class three to the US 192 facility; that would be an increased cost which they have shared with the Board in the past, but they can update numbers if that is what the Board would like to see what those additional costs are because the bottom line is they have to be able to dispose of all that trash and their option is they are either going to bring it to the Class I facility, and have those additional trucking cost during; but they do not even have the trucks. He asked Mr. Mulligan how many days' time to get those.

Mr. Mulligan responded it is a 480-day build and deliver turnaround time for semi-trucks.

Mr. Abbate asked how many trucks are coming up on that Agenda.

Mr. Mulligan replied that they are asking for the purchase of seven that are slated for replacement in the proposed 2023 budget; some trailers that are slated for replacement in the 2023 budget; but they would have to start the purchasing process now for them to be able to receive and utilize those trucks in the next Fiscal Year.

Commissioner Smith asked what kind of trucks are they.

Mr. Mulligan replied Mack semi-truck tractors, they are basically the transfer trucks that they use to go from Titusville to Melbourne to the Central Disposal Facility.

Chair Zonka stated in fairness they do not know what the landscape is going to look like in 18 months with construction costs and build manufacturing because they could not have predicted this what they are experiencing now; and she understands the caution.

Commissioner Pritchett asked if it is possible to do maybe 10 percent use and reserves, and then they can look at it again in six months.

Mr. Abbate responded yes, because as Mr. Mulligan had shown in that prior slide there are two; he stated he was looking at the second Cell where there was \$40 million and there was one bond issue that would be \$60 to \$65 million would be for the first one; one of the questions was for staff to really evaluate what the most efficient financing needs are; the answer is if the Board does not want to go with it at 20, could it do it over a period of a couple years, and he thinks the answer is yes; they still need to get moving on the Fiscal Year 2022 \$65 million one and they can figure out what that would be and what would be needed to do that if that is something that would be more in the Board's interest; and they will prepare something and bring it back to the Board on something that they would be more comfortable with.

Commissioner Pritchett stated she does do they have a concern because of that one in Cocoa; that is the only one they have in the County that is able to take those items; if they start filling it up because they cannot use Sarno, they are going to be in a bigger predicament of trying to figure out where to put those items; and she thinks they need to be real cautious of what they put in that one because of the items they can put in.

Mr. Mulligan stated they were already in somewhat of a predicament because of the cost of Cell two that they do not have right now the reserves to pay the full cost Cell two if they cannot get that, Cell one only has so much capacity left; and once they run out of capacity then they are trucking all the garbage out of the County, which would be a bottleneck because they still do not have the transfer fleet to be able to do something like that.

Mr. Abbate mentioned that is the \$65 million issue.

Commissioner Pritchett stated they are going to have to figure something out here or maybe they can do something gradual.

Mr. Abbate advised he thinks the Board has given enough time to come back and do something the Board will be able to consider; staff really wants to bring it back to the Board in March, for it to consider; but they will modify what they were going to do based on the input from today.

Commissioner Lober stated he is looking at the chart that has the impact of the CPI, the garbage and trash specific CPI on the assessment; and he inquired about the past year of what the actual CPI percent within that particular index, is whether that number is seven percent, or twelve percent or some other percent because it is hard for him to look at this graphically, and have a good idea.

Mr. Mulligan responded between last year and this year it was 4.7 percent; but he stated he can get those numbers to Commissioner Lober because he does have them going from each year all the way back to 1991.

Commissioner Lober stated he appreciates that; he will throw out there as well, even without any of the conditions that he laid out before, he would support a 4.7 percent, and just to tie in with that index this year; and he knows that is not going to resolve the problems, but he thinks another option for folks to consider, if they need an additional vote, he would support either what he proposed before or a 4.7 percent increase now.

Commissioner Pritchett asked if he could bring this back at a meeting, because her question would be if they only did a 4.7 percent how much of the reserves do they have to use up, and how long will they last. She added that they are going to need more data by these questions, unless they can get residents to start a fire in their front yard, and they cut down on trash.

John Denninghoff, Assistant County Manager, explained the plan that was spelled out assumes the reduction of the reserves down to what they cannot go below in order to operate from one year to the next, as far as tax collections and the legal requirements to maintain reserves for the closure of the landfill in the future; that is kind of what they can do and what they cannot do as he sees it; and when Cell one is full and if they do not have Cell two ready to go, the consequences of that are going to be very severe.

Commissioner Pritchett asked if they have time to look at impact fees a little bit for the commercial, that would cover these costs since there is so much of a cost, and do that analysis before time.

Mr. Denninghoff replied they can get started on that but he does not know how long will take do an impact fee study, a targeted one just for Solid Waste; but he thinks the real key is going to be what Mr. Abbate was talking about trying to come back and show if they just did the \$65 million what would they have to do and what would that look like, in terms of an increase; and that will buy some time for the Cell three which would not be ready to start until 2025.

Mr. Abbate advised staff he will see if there is any way to do anything with impact fees that could offset what would otherwise be that increase. they will try to look at that.

Mr. Denninghoff stated there is no doubt it would help it is not going to make a substantial difference it is a small amount compared to their collections for the assessment.

#### **e. Environmentally Endangered Lands Program (EEL)**

Mike Knight, Environmentally Endangered Lands Program Manager, stated his presentation should be fairly short first, he is going to touch on referendum history, program, structure, general facility and land inventory that they currently have, land management activities, program expenses, revenue history expenses, and options for the future; he explained there have been two referendums, the first one in 1990, and the second one was in 2004; the first referendum sunsetted in 2011 at the end of that 20-year cycle; bonding for the referendums respectively was \$55 million and \$60 million and not all of that was bonded, as they can see on the slide about \$45.6 million was bonded of the \$55 million and \$45 million, was bonded of the \$60 million millage rates were a little different from the two referendums; and the first one was a quarter million, the second one was .2085, and the yellow highlighted areas were intended to highlight the basic language within each of the two ballot languages, which are presented here focusing on acquiring, maintaining the land, and making improvements as necessary. He discussed the programs that are essentially structured into four components they have the management of the lands, environmental education, passive recreation, and land acquisition; the inventory of land, as far as the lands that they are responsible for managing is 19,000 acres that represent about 29 different Sanctuary sites around the County; about 12,000 acres of that

are owned by the State of Florida because they were within the Florida Forever project boundaries; about 600 acres are in County ownership, about 1,600 acres are in both County and State ownership, but they are the result of private development develop mitigation projects for offsetting impacts and development projects; some of that was also U.S. Air Force for scrub habitat impacts on the U.S. Air Force Station; and about 340 acres were under Florida Communities Trust Grant which represents Thousand Islands Primarily. He continued to say from public use and facility resources they have three Environmental Education Centers that is the Enchanted Forest in Titusville, Sams House in Merritt Island, and Barrier Island Center in South Melbourne Beach; visitation in 2019 was about 71,000, and in 2020 was about 53,000 that largely had to do with COVID impacts because, centers were closed for some period of time; they also have the EEL Administration Office in Melbourne; they have a maintenance and caretaker house at Maritime Hammock; they have a small Field Station at Hog Point Cove where they have an agreement with Florida Institute of Technology on research primarily out of that site with about 75 miles of terrestrial trails meaning just trails that are on the ground rather than in the water; they have done some camera data analysis on trails and they believe conservatively that there are 150,000 visitors just on the trails by themselves excluding the education centers annually; and about six and one-half miles of paddling trails just primarily Pine Island Conservation Area Thousand Island, and he thinks Crane Creek. He added Land Management primary efforts are fire they have about 158 fire management units and those units are burned on rotation usually anywhere from a three to 10-year cycle; they have about 102 miles of fire line maintenance and those are maintained two to three times a year with a disc harrow tractor, just to keep the lines in a dirt state so fire does not cross them; they have a variety of restoration, and whether it is scrub restoration or hydrologic restoration which usually is ditch restoration where they can do so without causing issues for other people; and they have 75 miles of trails, 49 miles of maintenance roads that they to maintain, 61 miles of fence line, 33 trailheads, and they are also dealing with a lot of exotic species. He stated looking at the expenses this is a quick look at the actual expenses, for 2021 Fiscal Year, and is broken down by administration, education and trails and mitigation/acquisition; they really are not doing any acquisition the only cost here had to do with the Florida Inland Navigation District (FIND) exchange that they did and general land management; there is within that 29 staff overall, 22 are full-time, seven are part-time, 18 of those are field staff, and the rest will be education and administration; and the debt expense for 2021 was the a little over \$3 million. He talked about millage history, the 1990 rate compared to the 2004 rate and what the current rate is now, and a graphical look at how that overall millage has fluctuated over the years; he went over a couple graphs that show a comparison between debt and operations revenue and debt operations expenses, the most significant thing is the sharp spike on the bottom graph represents the development of two education centers back at that time that was the Barrier Island Center and the Sams House Education Center, which he believes contributed to that spike; the EEL Referendum is cycling around here in 2024, ending in its second 20-year cycle; options that are available for the Board to consider could be putting a new referendum on the ballot that could take two forms, it could be just a referendum that deals with the maintenance of the lands, and then there could be a scenario where they have additional land acquisition associated with that as well; it could be funded under Parks and Recreation in theory, under its budget, or it could also be funded with additional General Fund which judging by the other presentations would be challenging; and not exploring further options is certainly an option as well.

Mr. Abbate stated the reason they brought this forward to the Board is because it ends in 2024; staff would like some planning so it has some opportunity if it was going to go through a referendum and there was some kind of millage for either maintenance or preservation which they just continue doing what they are doing then to do it constantly over time with the millage staying in place year after year they have to do it this year in 2022, because if they do it in 2024



which is when the next general election would be they are going to lose a year; if the Board has no interest in doing referendum then does it want staff to continue maintaining it, they have to figure out where is that going to come and they have to build a budget, that deals with the fact, that Parks and Recreation is going to have to fund it, or when they balance everything else that they were talking about like the General Fund and whatever those additional dollars are, he asked if a portion of that is going to have to come out of the General Fund which then changes the equation for what they would do in all those other areas where there is compensation, employed benefits, and the officers may need, or any other program services that the Board thinks are critical that they want them to be moving on; he advised if none of those three options are there then basically they would be looking to shut down the program and not exploring future funding would mean there is no resources for continuing everything that Mr. Knight was talking about earlier in the slides; and that is why they gave the slide so the Board could see what they are doing, what they are maintaining, and what they are trying to preserve.

Commissioner Lober stated as it is written either for the 1990 or the 2004 tax, he does not support either of them; he is not saying he would love anything but he will tell what really is a non-starter for him, as far as the language in those; first, as far as acquiring new land, he does not think his constituents by and large want them spending money doing that; as they have seen cost go up he does not think that is something else that they want to absorb so, if there we are something, again, he is not sure if he would support it or not, but he will not support anything that involves acquisition of additional land; if there is something for him to even consider supporting, it would have to be maintenance only; other than that, he thinks given the issues that they have in the recent past with one of the municipal partners over the last several meetings when they have had the Malabar Scrub issue; he thinks they need to have some better wording if they put this back on the ballot; for instance, when they are talking about the goals of it, depending on whether they are using the 1990 or the 2004 language as the basis, when they are talking about acquiring, protecting, and maintaining; obviously, they get rid of acquiring, so it would be protecting and maintaining EEL; when it goes on it and says and making improvements is appropriate for passive recreation and so forth, he thinks before the word making, and after the word and, throw a comma in there or throw in the terms and when not in conflict with these goals, and then throw in passive recreation because he does not think that folks in his district, with all due respect to everyone wants to subsidize passive reaction in each district, and the constituents do not want to subsidize passive recreation in his district but in EEL, if some species that happen to be in another district or someone else district they may be okay with that; and he would look at whatever is brought back but those are few things that he really feels strongly about.

Commissioner Smith stated that he has seen people who are very adamant in their support of purchasing and protecting these EEL; he would be in favor of the language if it included purchasing more lands; he thinks that it is really up to the people and that is why they put it on the ballot, let the people decide; they can each have an idea of what they think their people will support, but until they get in the voting booth they really do not know; and given that they have passed with 60 to 70 percent approval in the past, he thinks it is a little presumptuous to assume anything at this point that people would not be supportive, but it all depends on the wording and how it is put on the ballot.

Commissioner Lober stated he does not know that there is ever an opportunity to give them necessarily a choice among two options, where one involves acquisition and the other does not; he was not in Brevard in 1990 he was in Seminole County at the time; he does not think they were given a choice between just protecting and maintaining because there was nothing required to protect and maintain at that point; but at this point, since they have it, he has no problem looking to see what their preference is, but again, anecdotally, he has seen what he

has seen.

Commissioner Pritchett stated she would in favor of trying to get the funds to keep it maintained, they have a lot of acreage right now; her concern is watching this over the years the incredible cost it takes to maintain these lands once they get them and it is on Board, so even if they did not put it back on the ballot, now they have to come up with General Fund funds to try to support the properties; she would have to have someone come up and show a real need of an endangered property right now, with something specific for her to want to pick up more property at this point, just because of the expense they are seeing right now, and especially with the property they are having to fix with the Scrub Jays; it is a good thought and feeling, but when she looks at the numbers of how many acreages they already owned, she thinks it is kind of substantial; but if somebody came up with something and said they have something, she would really have to be sold on specific place right now to try to get them more inventory that they have to maintain.

Chair Zonka stated she thinks she has been very vocal on the acquisition and the maintenance being the priority; however, her concern is and maybe the compromise with where Commissioner Lober and Commissioner Smith are sitting, and assuming is that the maintenance is being kept up and then they can acquire, if it is feasible that those costs will not exceed that or make it, or not make them be able to maintain what they have; she does not know how to put that in legalese because people do overwhelmingly support the EELS program, they support what they are doing, and whether they are passive recreation fan or a Scrub Jay fan it does not matter; she thinks that it is up to people and they will have the opportunity to vote on it, but she thinks there could be some language assuming they can find a way to balance the budget before being able to do the maintenance before acquiring; additional property, which she would be okay with; she would hate to close that door only because they may have an opportunity to acquire some land at a very good rate or to even accept donated land; that is concerning to her; but she believes they definitely needs to put it back on the ballot and she is all for that, because she believes that people feel very strongly about it.

Commissioner Smith stated the key is in the wording to cover the cost; maintenance is extremely important because he remembers back in 1990, it did not provide for him maintenance, and they were trying to take the maintenance out of the cost of the purchasing; and he thinks the wording has to include maintenance.

Chair Zonka mentioned the Malabar Scrub Jay issue has been sort of unique; they have not run into a problem like this before; she reminded the Board that their argument may be passive recreation and they are not denying anybody passive recreation, they just want a certain type of passive recreation; hopefully, they can come up with a solution and maybe moving the trail works; but she thinks that will open up another can of worms just speaking on that item for people that do not want that trail moved. She reiterated as long as they are not denying that passive recreation then they do not have to worry about that in her opinion, it is always going to be up to the EELs Committee, and it will always be up to the Board; that is sort of where the buck stops; she would definitely want to make sure that it is up to the Board, as far as direction goes; she has always said she wants maintenance, she wants to be able to maintain what they have so they can protect that land, and protect the species that are designed with some of those protected lands; and she definitely wants it back on the ballot. She explained that she does have public comment cards, but it is about what has been previously discussed; they are not permitted speak in front of other Items because they have other departments to go through; and they will have to wait until public comment.

Mr. Abbate stated there is going to be a variety of things that the Board is going to want to consider depending on what the language is and whether or not it is just a millage and it is not related to debt, and it is going to impact whether or not it is going to fall under the charter cap and whether that millage is going to be impacted overall; there is going to things that they are going to want to consider because if it is millage for maintenance, it is going to impact other millages, because it is going to be part of the overall cap of where they could be unless they wanted to show it as a tax increase, which the Board has historically told them to present a budget that does not do that; they have the critical need issue out there and other things, so it is just a factor that all comes into play because if it is not debt related to a bond and they cannot bond out maintenance; and they are not bonding out for maintenance; he is not trying to make it more complicated, but this is not just easy and let them just do it that way.

Commissioner Pritchett stated that she likes Chair Zonka's suggestion; there may be a way of phrasing it, that if they put it on the ballot the primary purpose of this is first to take care of maintenance; and then however, they want to word it about what other properties they do acquire, and what the criteria on that as well would be good.

Commissioner Lober stated he will look at whatever staff brings back.

Jill Hayes, Budget Office Director, clarified by saying for the operating and maintenance that would be part of the aggregate millage rate, so that would impact whether or not they would advertise a tax increase; however, if the existing operating EELs millage rate sunsets that will go away from the aggregate, so it would kind of offset that; but in terms of the charter cap, the voter approved referendums and millages are not subject to the charter cap but, again it does impact the aggregate rate.

Mr. Abbate stated what she is really saying is if they want to do it and do it in a substitute kind of way where it is not going to hurt other areas then it really needs to go on the ballot in 2022 when they still have it, for when that 2024 that conversion occurs.

#### **f. American Rescue Plan Act (ARPA)**

Kathy Wall, Assistant to the County Manager, stated the United States Department of Treasury issued their final rule last month for the ARPA the changes may make some changes to the County's plan for the next tranche; one of the changes that were made is they improved the revenue loss formula; before last summer staff gave the Board an estimate for a 2020 revenue loss of \$18.5 million; the actual revenue loss based on this new formula was \$21.7 million which means there is a difference of \$3.2 million that were not allocated; the County will have another opportunity to look at revenue loss for the Fiscal Year ending September 30, 2021; they will be able to do that as soon as the financial statements are finished in March; and staff will get back with the Board when they get the second tranche. She added this will impact the second tranche and as said before, the revenue loss calculation and the revenues that they can get from the ARPA funds are more flexible than the other funds that are available through that fund. She mentioned another change that has been made is to the water and sewer projects which includes culvert repair, resizing and replacing stormwater infrastructure; another item that was added to the list was for capital expenditure was the Emergency Operation Center (EOC); another category that was added was to restore public sector capacity, by providing worker retention incentives, administrative costs for hiring support, and retention programs as well as the continuation of assistance for the impacted communities that had been provided in the prior ruling; and she asked if there were any questions about the ARPA.

## **g. Tax Abatement Program**

Kathy Wall, Assistant County Manager, talked about the economic Tax Abatement Program that will expire November 2024; this program comes back every ten years and is approved by the voters; the abatement program has been in existence for close to 30 years, it started in 1994; this program has assisted both large and small businesses, new businesses coming into the County, as well as expansion of existing businesses within the community; based on the 2020 annual reports for the businesses, that have been granted for abatements for, and these businesses were abated \$1.2 million in 2020; however, they actually paid \$6.3 million in taxes because the abatement is based on what they add to the property role once approved for the abatement plan; also in the 2020 annual reports they created 6,200 jobs with an average wage of \$85,559; and that will have to be approved by the voters in 2024 if they decide to put that back on the ballot.

Commissioner Smith stated he is in favor.

Chair Zonka stated that was overwhelmingly supported.

Commissioner Lober stated as with anything, he thinks the specific language used is going to be important on that so the sooner they get it the better.

Chair Zonka asked Commissioner Pritchett if she supports it.

Commissioner Pritchett replied yes.

Frank Abbate, County Manager, stated he wanted to close very quickly on anticipated General Fund impacts; staff spoke to the Sheriff's Office, they have come in and tried to be a great partner with them over the last several years, and asked them what they thought was going to happen this year; he was reminded that some of the increases that they thought were important in the past that they have foregone and waited so the Board could do certain things like in the area of Fire Rescue, like it did last year with the assessment; and he thinks specific words were used last year to make sure the Board understands that by doing that they are digging a hole, in terms of capital needs that they had and they did indicate that they have transferred a lot of their capital needs utilizing what was previously General Fund dollars, and that is how they have been trying to balance their budget in the last few years, by using dollars that were originally from the Coronavirus Aid Relief Economic Security Act (CARES) dollars that were Public Safety dollars that they had and the Board gave them a certain allocation; they have been using that to fund some of the capital needs but that is creating a bigger hole not for this year maybe not even for the next year; but it is going to be there in the future. He added other things that they indicated that are significant for them are contract negotiations, they are struggling like they talked about very generally in their own Human Resources presentation with competing with surrounding departments, and filling holes; they are looking at significant increases during the ongoing contract negotiations that they have right now with the deputies, especially where Palm Bay and Titusville having higher starting salaries than the Sheriff has for his deputies; the Sheriff said that is an issue that he feels he needs to be able to address; they talked about what is the General Fund impact on that; and the Sheriff said if the Board goes to the maximum on the three percent that can do in the General Fund, he would need about \$4.4 million, and they looked at putting that together with the General Fund impact of what he would need. He went on to say that would have included going at three percent on health insurance, which they told the Board four and one-half percent; after today's discussion they are going to look at whether it is higher, there is a corresponding increase for the Sheriff for every percent

and one-half it is about \$300,000, and he will be looking for the General Fund contribution of that; that is something they will have to look at and they wanted to give the Board what the General Fund impact compared to the numbers they showed the Board, compared to the numbers shown of doing certain salary increases; and staff has provided that for the Board a three percent Cost of Living Adjustment (COLA) would have been \$1.74 million, \$1 an hour across the board is significantly higher at \$2.7 million, and if they did one percent for every one or three percent whichever is higher is incrementally only \$100,000 more the General Fund impact because most people at \$1 an hour is more than three percent for most people, because most of the wages are at that lower level and that is where the majority of the employees are; a four and one-half percent increase on the General Fund side for Board employees would be \$643,000; that is the General Fund impact, obviously Enterprise Funds and other budgets are going to have other contributions; and here he wanted to give the Board an idea of what the General Fund impact against the revenues told could generate. He asked the Board to remember what he said about Ad Valorem, if they went to the full three percent Consumer Price Index (CPI) increase would give them \$5 million; on the conservative approach to new construction would be \$2.7 million, that gives them \$7.7 million; if looked at with what the Sheriff had indicated that he is going to need; and one thing the Sheriff also said was that if they did this on the General Fund, the Municipal Service Taxing Unit (MTSU) he would live within the three percent and they would not be looking for a critical need there. He went on to say that other charter officers, assuming that the Board is going to want to do that, he is just using the three percent number as a factor that would be \$920,000 would be the General Fund impact on that; for COLA if the Board was going to try to build the budget, the General Fund impact of that while it was \$5.1 million would be about \$2.7 million because it does not include Fire Rescue and includes everything else; with the health insurance premiums, as he indicated four one-half percent; they need \$8.7 million they are anticipating \$7.7 million, and they are going to have to figure it out; staff does believe these are conservative numbers and there are other aspects to it, new construction might come in better they do not know; but looking at everything they are talking about today in terms of shifting EELs program in the future, what it is going to involve they just want to give the Board some kind of feel for where things are going, and he thinks it has given staff a lot to think about and realize. He concluded by saying that is what they are looking at as they are moving forward in light of what the Board has said; and staff is available to answer any questions it may have.

Chair Zonka stated she is going to do public comments now because Vince Lamb has been standing there for a while.

### **III. PUBLIC COMMENTS**

Mr. Lamb stated he could not figure out what the public comment arrangement was under this workshop, but he should have assumed the budget workshop would allow for public comments; he will be very brief and what is going on here is the Board requested a poll to be conducted by The Nature Conservancy (TNC) regarding answering questions like Commissioner Lober's comment about whether the public wants additional conservation land and is willing to deal with the cost or not; they are all set to go with this, but about a month ago the TNC came to him and asked him what he wanted to use as the draft ballot language, because as part of this poll they are going to use the ballot language and say would he or she vote for this; his thought is he wants to be as close to the 2004 as they can because that passed and it withstood the scrutiny at that point in time; and he requested some help in terms of trying to figure out what exactly the millage cap number needs to be for this. He continued to say he had a meeting set up by the courtesy of Commissioner Smith on this, but he broke his hip and messed things up; TNC wants to kickoff this poll in the next week or so, so that it would be ready in May and then in June or July the Commission would vote on whether or not to let the voters decide to put this

on the November ballot; as far as all of this is concerned, he wanted to point out to the Board that all the voters are doing with this is basically enabling the Board to do their job, hopefully with a little direction of letting them know that the public wants the Conservation Land Program, and certainly wants the conservation lands managed; everything the program does comes to the Board for a vote; to buy a single piece of land goes through a very detailed procedure of appraisals and everything, it comes to the Commission, and if they are buying it for less than the State assessed value it takes three votes, if it is anything more than that it takes a super-majority, if there is a decision that the voters want to vote to have a conservation land purchase edition in there; he personally thinks that more conservation land would probably help with focusing on protecting the Indian River Lagoon, and what more can they do that would protect the Indian River Lagoon; and there are some things that can be done, but as far as that is concerned the Board gets to decide on individual properties and gets to decide on control with the specifics of issuing the bonds, it gets to decide how big of a bond issue, what are the terms that are available from the bond market, how they do that, and that is all controlled by the County Commission after the vote occurred. He pointed out to do this successfully, there are well recognized dedicated private citizens, and they have a group of Keith Winsten, Jim Swann, and Laurilee Thompson.

Sandra Sullivan stated she has a couple of points to make while she was listening to the presentation, she had her husband look up what they pay on their property in South Florida for garbage, it is \$25.48 for garbage, \$3.51 for recycling, and a total of \$28.99 for Solid Waste fee; by comparison it is \$57.60 here, considerably more expensive here already, and they are talking about another increase; they had 39 percent last year with a three percent per year; she looked up the CPI average over the last 10 years and even with the jump this year it would be 1.884, and they are throwing around a three percent number a lot; she also talked about the garbage facility because she attended more than three years' worth of County Commissioner meetings, more than any other topic this has been discussed the most; she thinks it is reasonable to consider the alternative and put it on the table of the dollars for Florida recyclers which per the May 18 meeting, that would extend the Sarno facility by 19 years and with the increases in what they are talking about down on US 192 looks like it would be a whole lot more cost effective as an alternative; she believes that the number they threw out which was a number in the ballpark of \$10 million which basically they are told to sharpen a pencil at the time, but she does not know what happened there on May 13 that meeting said that they were going to run out of Sarno space during the summer, she was looking all summer for the budget to come up looking at it, and US 192 is not on it; but it was approved to build in the May meeting and then the meeting on October 26, they were looking at hiring, they approved three trucks and transferring garbage, and it just raises the question why after three years they have left this to the last minute and now they are going to put it on the taxpayers. She strongly advised the Board to look at impact fees; in 2016 there was an impact fee study that the Commission rejected after a moratorium between 2009 and 2016, which is a loss of approximately \$53 million; impact fees have not been updated in 15 years or more; a lot of the costs that they are talking about have to do with growth and the developers that are developing should be paying a fair share of that, and not putting the burden on the taxpayers who are not getting a three percent increase in their wages every year; and they have across the Board three percent increase on this and three percent increase on that, she understands they need to keep up with CPI, but the CPI is 1.884.

Bo Platt stated he is there representing two groups the Brevard Indian River Lagoon Coalition and the Conradina Chapter of the Florida Native Plant Society; the members love Brevard for a lot of things, but mostly for the its natural features, the beaches, the beauty of the natural areas, the abundance of wildlife, and so much more; as it has been previously stated at the center of our natural beauty and he thinks Brevard trademark is the Indian River Lagoon, it

bisects the County and while only about half of the Lagoon's length is in Brevard, and 70 percent of the water is here; Brevard residents acknowledge their love of the Lagoon six years ago when they voted overwhelmingly to pass a sales tax devoted to the Lagoon improvements; now they have a chance to reinforce the previous actions by extending funding for the Environmentally Endangered Lands and preservation and conservation of lands serves several purposes, it provides habitat for native plants and animals, provides areas for enjoying the natural beauty, provides passive recreation, bird watching, hiking, biking, kayaking, horseback riding, and more; it also serves integral function of the Lagoon Environmentally Endangered Lands also serves an integral function related to the Lagoon, the natural areas mitigated stormwater impacts; and these lands provide for natural filtration or rainfall so that the water is naturally cleaned and filtered before making its way to the Lagoon. He added the natural shorelines promote Lagoon health; 70 years ago when he arrived here this was taken for granted; Brevard's population was a little over 20,000 and natural areas were abundant with very little well it was developed now, 70 years later there is over 600,000 that is a 3,000 percent population increase; he asked where else has that happened; he continued to say it is conditioning to grow and they are not going to slow down; they have the opportunity now to continue the maintenance of the natural areas, as well as to purchase more; and he knows the land is expensive nobody will argue that. He went on to say that he will remind the Board of a quote from over 100 years ago by Will Rogers, "Buy land. They ain't making any more of the stuff", nowhere is that more true than here; they should continue the actions of the past in promoting the natural beauty of Brevard for generations to come; and his groups and members support continuing funding of the EELs program both maintenance and acquisition, and they ask that the Board allow Brevard's voters to make the decision.

Craig Wallace stated he is also representing the Brevard Indian Lagoon Coalition and he mainly wanted to talk about the Environmentally Endangered Lands; he is from South Florida and has lived there most of his life, he moved here because of the Lagoon and the natural beauty of the land areas around here; and he thinks if they have talked to most of the residents, they would find the same reaction. He advised he is really pleading with the Board because he feels like trying to hold off on purchasing land is going to burn them in the future, because there is no more land that they can create here in Brevard County; as they develop more, they have to offset that somehow, they have to let the water percolate through and get into the aquifer and clean water into the Lagoon; the only place to really do that is with undeveloped lands; they have not quite figured out a way to both develop land and preserve the water quality; he is pleading with the Board to try to keep as much funding as possible; he understands that the budget is limited; but whatever they can reserve for purchasing additional lands, he thinks is ultimate and critical going forward, even if they cannot do it today it should be kept on the ballot so people can have a say.

Chair Zonka thanked staff for another amazing presentation, she cannot believe that John Denninghoff, Assistant County Manager, has not spoken this entire meeting, she asked if he would like to talk about roads; and she explained the reason why she asked that is because they usually need his expertise and they need him to talk.

Mr. Denninghoff answered no.

Chair Zonka stated she was speaking at an Eastern Florida State College class and she mentioned knowing this is not going to get them excited; it was a younger crowd with some middle aged like herself there; she talked about having a lot of roads done and the class just looked at her with a blank stare; and she was actually impressed by the gentleman who invited her there and the interest the class had about the County's budget and the process, and it was actually a really good experience.

#### IV. BOARD DISCUSSION

Chair Zonka asked if anyone has anything to add.

Commissioner Lober responded he has a couple of thoughts on the public comments that they have received.

Chair Zonka advised to keep it brief.

Commissioner Lober stated he just wanted to address primarily the comments from Vince Lamb, there are a couple of topics that he would like to address with it, first polls, and the second, the concept of bundling; with respect to polls, he thinks that is important to be mindful that polls are truly only as meaningful as the verbiage used allows, so to give them a ridiculous example, but to give one that certainly illustrates the point, if he puts a poll out that says John can either eat his firstborn or kill an endangered animal, John, is going to vote kill an endangered animal, and it entirely depends on the verbiage; with respect to bundling they have about the constitutional amendments, he despises bundling because it does not give the voters the choice, but people say the voters voted to do x, y, and z; they really may have wanted to do one or two of those things but they were forced because they did not have the option only to support that one thing; people want to simply maintain, just to bring it home to the issue at hand if they just want to maintain EELs land, but that option is not available unless they also have to vote yes, to acquire and maintain, they may have no desire whatsoever to acquire it; but they may vote do that because they have no choice just to maintain it. He went on to say he is going to give another extreme example if someone has a terminal illness like metastatic cancer and the doctor says they are going to go ahead and give them chemotherapy and radiation and they will do the surgery, but has to buy a Lexus in order to do this; they may not want to buy a Lexus but if the money is there do it, or if they borrow, beg, plead, or steal then they are going to get the Lexus so they can get the metastatic cancer addressed; he advised his issue is they have numbers north of 20 percent today, in terms of proposed increases; money is tight, they have Enterprise Funds that have to zero out and have to balance out at the end of the year; most of them sitting up there and in the audience are fortunate enough that they can afford the additional increase in millage or the maintenance of that increased millage, but not everyone is in the same boat that they are in; and he can tell them that the real estate market is disgustingly inflated, in terms of what costs are; for them to talk about buying new land now when they have not given the voters a real poll that addresses that is an option, separate and apart from simply maintaining it, is not going to tell them what they need to know. He added for the Lagoon if they look at the ballot language from 2004 or from 1990, he does not know if the Lagoon was necessarily even referenced in there; if they want to talk about the Lagoon as a motivating factor for doing anything with respect to EELs, EELs, may be great or terrible on its own merits, but he thinks to throw in things that are at best tertiary to the overall goal of EELS does not leave him feeling warm and fuzzy; when they are looking at the Return of Investment (ROI) they could have; as an example, not to pick on District one, it was not the County's system but was in the Titusville system, and they just had seven-million-gallon leak; he is going to do some rough math in his head and it has been a while since the 90's that he has taken a math class, so bear with him if he is off a little bit; he knows from having a monster triple digit gallon reef tank in his house with a ton of filtration, that is on battery backup and generator power, a gallon of freshwater without salt weighs about 8.4 pounds; when salt is added or any kind of particulate whether it is something that gets flushed out a toilet or otherwise they are adding to the weight, but conservatively say about eight and one-half pounds per gallon; by taking seven million gallons they are in the ballpark of 60 million pounds for one leak; if they prevent that one leak and what he remembers from the numbers before, if staff has a better idea, God bless them and fill him in, and before all the crazy cost overruns they were looking at



spending up to \$1,500 a pound to remove nitrogen containing chemicals or organics from the water; if two percent of that 60 million pounds qualified as organic; and if they are spending \$400 a pound, not \$1,500 a pound to remove it they are right in that ballpark of probably \$480 to \$490 million, and if he is off a little it is because he is doing it in his head.

Chair Zonka interrupted by saying could he get to the point.

Commissioner Lober stated his point is if they want to spend money to help the Lagoon, do it in a way that has the greatest ROI and he thinks throwing the Lagoon in with EELs, to him is such a red herring, because the ROI is essentially minuscule compared to actions that actually stand to resolve it; he does not have a problem looking at ballot language and he has no problem with folks doing polls, but he thinks it is important to give the voters a choice between maintaining and maintaining and acquiring to see whether they really do have a preference to simply maintain it or to maintain and acquire; and if he is wrong, in terms of his anecdotal observations with what it is that his constituents want it is not that he is inflexible, but he thinks it is important to do it the right way if they are going to do it all.

### **Rita Pritchett, Commissioner District 1, Re: Report**

Commissioner Pritchett stated she has a couple items; she has been dealing with an email chain that came and she thinks the thing they have to consider is that there is a communication issue; she is sure that would have been within the parameters of what they were doing; and she thinks they need to work on the communication of how they are using Purchasing cards. She suggested an idea that she talked with Abigail Jorandby, County Attorney, about doing for a Board policy for Purchasing cards, that they work on a policy that they will not do third party transactions on their Purchasing cards which they most do not; that would have sent the CARES funds to the right area and finance to where they would have been categorized, because right now she does not know what went to Humane Society, and all those things are important to her to see; Commissioner Lober is a lawyer and she is an accountant, so there are things that she needs; she thinks if they do no third party Purchasing cards and from now on when they do the Purchasing cards, she thinks they are being responsible with them; but when sending it to bill finder, staff cannot look over these things. She would not have known to ask to figure it out when they get questions, when they have to defend what they do; if they just throw the Purchasing card into bill finder it will not be a big deal at the end; she thinks if the Board thinks about what they think is appropriate for things to be put on their Purchasing cards and then they can get it set for future commissions because right now it is one of those things they do not have any regulation on; and she thinks this is the best thing to do, she read about going to the Administrative Orders, but thinks their own Board policy is better with this, because it is going to take a lot of pressure off the staff, and is something she is going to ask Attorney Jorandby to do at the next meeting, as they would think through that.

Commissioner Lober asked if that is for the meeting this week or the following week, because he is planning on bringing on that same sort of vein for the following meeting.

Commissioner Pritchett stated she wants to get ahead of Commissioner Lober on it for the Board; she mentioned the other things is she had been reading some of these Save Our Indian River Lagoon (SOIRL) emails; she asked County staff to give her all the emails for the last couple weeks because she does not know if they are getting all the threads running through but she is really picking up an agenda from a group, she would like for the Board to get them and read them because her concern is, Virginia Barker, Natural Resource Management Director, is really getting a lot of push on something; and she thinks this needs to come before the County Commission before she has to start responding to some of the things they are

calling her to do as action items. She stated she believes that Ms. Barker has done a great job and she thinks the emails are beating her up a little bit, and she does not like them; she would like for the Board to get those as well and read them; and she is noticing some people sending them in, and there is no way they can write them on their own.

Chair Zonka asked who is sending them just so she knows because then she will know where to request them.

Commissioner Pritchett replied she just asked Attorney Jorandby.

Attorney Jorandby explained her office can send them all to her if that is what she wants.

Chair Zonka replied that would be great; and she stated she thinks she knows what Commissioner Pritchett is talking about, because she received one.

Commissioner Pritchett stated she went ahead and got all of them, she thinks if they would read them because she does not want Ms. Barker feeling so pressured with this, because she is doing a great job, and the nature of them are starting to concern her.

Commissioner Lober stated he thinks he is familiar with what Commissioner Pritchett is talking about but he may not be and he does not want to be on a different page and thinking he is on the same page; there were two separate general groups of emails that he has either seen or was told about or a combination; one of them was from a Board appointee who is serving on a Committee and another was from someone who is not a Board appointee, and it did look like there might have been some overlap, in terms of what they were both asking about; but from his perspective, as far as staff going above and beyond the public records policy, if the Board has essentially elected to put a particular individual in an Advisory Board to report back to them and do exactly what an Advisory Board does; he thinks it is totally appropriate for staff to go that extra mile for them, where they are not necessarily charging them for public records; if they have someone who is not on an Advisory Board whoever that is, whether it is this instance, or another instance that is where he starts to have concerns about staff's time; if it is something that is public record obviously they have to produce it; but when it comes to the cost, he has much more concern and equivocation waiving them for someone that they have elected to do a job for them.

Commissioner Pritchett stated she is not concerned about that at all, she just thinks it needs to come on Tuesday so they can all read through this before Ms. Barker tries jumping through all these hoops, challenging if she has done correct procedures; and she wants the Commission to hear it.

Chair Zonka stated she thinks everybody should pay for public records because she thinks it is abused; and she asked if Commissioner Tobia pays for his own public records when he does a request.

Frank Abbate, County Manager replied yes, he does.

Chair Zonka stated if it is easily accessible through an email or something but if their staff is spending time and they are an appointee, she is not responsible for anyone else who ends up on a Board because they could lose their mind and ask for five hours of Jill Hayes, Budget Office Director, time because they want to dig into something; Ms. Hayes would have to take her time serving the rest of the County doing her job by going a goose chase for public records request; and she thinks anybody requiring that kind of time should definitely pay public records.

Frank Abbate, County Manager, stated if there is an Advisory Board whatever that Board is from staff's perspective right now, if it were coming from the Advisory Board to a staff member to do something and it came from the Board as a whole on a vote or whatever, of course they would comply; but is different from what he thinks he heard Commissioner Lober saying any Advisory Board member that makes any kind of public records request, that is not treated as staff he does not believe they have been treating that differently than any other public records request.

Commissioner Pritchett stated she just wanted to make sure right now until they get to Tuesday that Ms. Barker is not having to do anything outside of her typical parameters until they have a discussion with this and are able to read them; she thinks there is a lot of pressure being put on her as far as the public records; it does not matter and she spent a lot of time trying to answer a lot of stuff right now; and she thinks that after they have a Board discussion that will narrow it down to what the Board is wanting to do at that time.

Commissioner Lober stated just a couple of thoughts with respect to that, he understands where Commissioner Pritchett is coming from; and he is not trying to be contradictory at all, because when he is she knows it. He agreed with her concern, but he just wants to be careful because as a Board, they do not give staff, the public, or anyone else the impression that they are suggesting that they do not want to comply with public records disclosure; if someone is asking them to do things and they want to have a discussion about it, he is totally good with that; but if someone has made a public records request and the records that they request are something that they have or foreseeably have, if they were given a quote, and they paid the quote, he does not think they should hold up producing it, unless there is some reason to think that they do not have a complete production or some other extenuating circumstances.

Commissioner Pritchett stated she is not saying public records, they are giving her action items; some of those things are going to get her sidetracked right now and she thinks if they have a discussion on Tuesday and all this comes out, and they read this; she believes there is a definite agenda here and if they read them it is going to be decided by the County Commission; they are not trying to withhold any information at all, but she thinks it is outside the scope of what she typically does because she thinks there is an agenda on it; and she wants to get together on Tuesday after they have had time to think through it, so that Commission staff that works hard really having to do things that just probably is not very appropriate.

Chair Zonka stated that she is a little lost and she would like to read through them.

Commissioner Lober stated he, too, and the only other thing with respect to it is if he understands where Chair Zonka is coming from with respect to treating everyone the same with that, but he would just say there is another argument to be had not that either is necessarily right or wrong, that if they as a Board elected to put someone whether it is District four appointee that they all had to vote on or a District two; he does not think they should be able to create a thousand hours of work for staff; but if they have something that takes more than 15 minutes and it is an hour and it relates to their service on that board, he does not have a problem with staff weighing the cost on that.

Chair Zonka stated if that is his appointee and he is certain that they are not wasting staff's time or that they ought to do free public requests, maybe he ought to request those public records.

Commissioner Lober remarked that is an interesting way to do it.

Commissioner Zonka opined there could be possible Board members that are running for office and they are going to allow them to abuse that position.

Commissioner Lober stated he thinks that will do it; and they at least have to have one of them vet it to say.

Chair Zonka stated that she has seen Commissioners overcharge for public records from their own offices, so she thinks they just need to be very careful and need to make sure they are treating everybody the same; and she tries not to charge anybody if it is quick and findable and does not take a bunch of staff time, they just produce them.

Commissioner Smith stated he thinks she makes a good point that is fair, just because if it goes through the filter of the Commissioner then it adds some legitimacy to the request.

Chair Zonka stated they are sort of validating the request if they want it for free, if they want that information for free then the Commissioner is making it their priority, too; but if they have an agenda, she does not like them abusing the free public records option for their agenda, she thinks that is wrong.

Commissioner Lober agreed.

Chair Zonka advised she is happy to read through those emails; she asked what Board Member; and no name has to be mentioned.

Commissioner Pritchett replied all the ones she sent to Attorney Jorandby will help her.

Commissioner Lober asked if they could at least let whoever it is know that it plans on being brought up, so if that person is available and wants to show up at the meeting to defend themselves he or she has the ability to do that.

Commissioner Pritchett stated she does not think it will be an individual personal attack on anybody; and she thinks it is just overlooking the items and making a decision.

Abigail Jorandby, County Attorney, stated just for the record the emails that her office collected from Commissioner Pritchett involved SOIRL and any emails that have been exchanged with County Attorney's office and with Ms. Barker within the last three weeks; and the search terms used were SOIRL, Ms. Barker, and anybody in her office about that topic

### **Curt Smith, Commissioner District 4, Vice Chair. Re: Report**

Commissioner Smith stated before them is an updated spreadsheet for the rates for towing and Kendall Moore was before the Board several meetings ago and his client had a few issues, but the main issue was there is an Ordinance in place from 2008 to current; the tow companies or the wrecking companies were supposed to get three percent or Consumer Price Index (CPI) whichever was less; it was not done, so his staff has gone through the trouble of actually doing each year, whether it was three percent or CPI whichever was less, and came up with what the numbers should be currently; and he just wanted to bring that to the Board's attention. He mentioned he met with Florida Highway Patrol and they have looked over the broad language that he put together for a future tow ordinance; it would be an ordinance so that they would have to adhere to it; he has a meeting this week with the Sheriff; he will be bringing back an ordinance for the Board to look at, comment on, and maybe make some changes; they will have something in place that he thinks is very fair to the towing and wrecking companies; it will

be more than protective of their constituents because he really had a lot of heartburn having observed that business model that they have been working on for a lot of years; and a lot of things go under the radar that people get charged for and he has given some examples, and the constituents are being abused so this will prevent that, he thinks..

Chair Zonka stated what is great about him bringing this forward is and it actually brought all these things to light because, them asking for those crazy increases actually brought some of the problems forward; and she really appreciates the work he put into it.

Commissioner Pritchett stated that he was competing with Commissioner Tobia on the spreadsheet.

Commissioner Smith stated that he can incorporate whatever he is doing, he is totally fluent on this, and he just wants to do what is best for the people.

Upon consensus of the Board, the meeting adjourned at 5:57 p.m.

ATTEST:

\_\_\_\_\_  
RACHEL M. SADOFF, CLERK

\_\_\_\_\_  
KRISTINE ZONKA, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA