

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, May 17, 2022

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:03 AM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 3 John Tobia, and Commissioner District 5 Kristine Zonka

Absent: Commissioner District 4 Curt Smith

C. PLEDGE OF ALLEGIANCE: Commissioner John Tobia

Commissioner Tobia led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL: March 3, 2022 Zoning

The Board approved the March 3, 2022, Zoning meeting minutes.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

E.1. Approval of Resolution, Re: Emergency Medical Services (EMS)

Chair Zonka read aloud a resolution proclaiming May 15-21, 2022, as Emergency Medical Services (EMS) Week.

Fire Chief Patrick Voltaire thanked the Board for the recognition of EMS Week and the hard-working men and women of Brevard County Fire Rescue (BCFR); the last two years have been a true statement to the dedication and commitment that the members of the BCFR provide to the community, but its success would not be possible without the support provided by the citizens, the Commission, the County Manager, and the Public Safety Director; BCFR is an innovative organization which focuses on community health and safety; Chief Orlando Dominguez and the team work diligently for all of their success; and in fact, through the focus of high-quality CPR, the cardiac arrest survival rates in Brevard have doubled in the last two and one-half years. He added when the men and women of BCFR show up to work, they never know the kind of situation they could be facing; as was seen last Thursday, the miraculous rescue of a construction worker who was trapped in quicksand-like mud up to his chin at a construction site; he could not be more proud of the commitment and determination displayed on the scene that day, which was just a small example of what they do every day for this community; and they appreciate the continued support for the important work that they do for the community.

The Board adopted Resolution No. 22 044, proclaiming May 15-21, 2022, as Emergency Medical Services (EMS) Week.

Result: Adopted

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

E.2. Resolution Designating May 21-27 as Safe Boating Week in Brevard County

Chair Zonka read aloud a resolution designating May 21-27, 2022, as Safe Boating Week in Brevard County.

A representative for the Coast Guard expressed her thanks for supporting the Safe Boating Week; she stated this is a beautiful area and after COVID-19, the number of boats purchased exceeded what had been purchased in the past decade; with that, 85 percent of the drownings had no boating safety education at all; she hopes that people will take the safe boating class, as it will become a requirement for boaters born after 1988 to have that in order to operate a motorized vessel; and she thanked the Board for the proclamation.

The Board adopted Resolution No. 22-045, proclaiming May 21-27, 2022, as Safe Boating Week in Brevard County.

Result: Adopted

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F. ITEMS TO BE PULLED FROM CONSENT AGENDA

Commissioner Zonka stated she had comment cards for F.19. Approval, Re: Budget Change Requests and F.27. Acceptance and Approval, Re: Internal Audit Reports; and she requested a motion for Consent minus F.19. and F.27.

F.1. Natural Resources Management Department, Stormwater Program Interlocal Agreement with the Town of Grant-Valkaria

The Board authorized the Chair to sign the Stormwater Program Interlocal Agreement; and delegated authority to the Natural Resources Management Director to sign future renewals and amendments for the Stormwater Program Interlocal Agreement with the Town of Grant-Valkaria.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.2. Final Plat and Contract Approval, Re: Del Webb at Viera - Phase 2

Developer: Pulte Home Company, LLC

The Board executed and granted final plat approval for Del Webb at Viera, Phase 2 – Developer: Pulte Home Company, LLC, subject to minor changes, if necessary, receipt of all documents required for recording, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.3. Approval, Re: Disbursement of Educational Facilities Impact Fees

The Board authorized the disbursement of Educational Facilities Impact Fees in the amount of \$6,428,857.25 to the School Board of Brevard County in accordance with the terms of the Interlocal Agreement; and authorized the Budget Office to execute necessary Budget Change Requests to implement this disbursement.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.4. Acceptance, Re: Binding Development Plan with Scott Minnick

The Board executed a Binding Development Plan with Scott Minnick, for property located at a portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, of the public records of Brevard County.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.5. Approval, Re: Resolution and Easement (Business) from Brevard County to Florida Power and Light Company (FPL) for Lift Station F-01

The Board executed and adopted Resolution No. 22-046, authorizing the conveyance of real property interest by the County; and executed and granted easement (Business) to FPL for Lift Station F-01.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.6. Approval, Re: Warranty Deed, Utility Easement, Temporary Access Easement and Bill of Sale from D.R. Horton, Inc. for Crystal Bay, Phase One, Replat

The Board accepted the Warranty Deed and Temporary Access Easement; accepted the Utility Easement; authorized the Chair to execute the Acceptance page; and accepted and authorized the Chair to execute the Bill of Sale, from D.R. Horton, Inc. for Crystal Bay, Phase one, Replat.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.7. Approval, Re: Sanitary Sewer Easement from TT of Bromley, LLC for the Jaguar-Lincoln Dealership

The Board approved and accepted the Sanitary Sewer Easement from TT of Bromley, LLC for the Jaguar-Lincoln Dealership.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.8. Approval, Re: Dedication of Drainage Easement and Warranty Deed for Tractor Supply - Pineda from Primax Properties, LLC

The Board approved and accepted the Drainage Easement and Warranty Deed from Primax Properties, LLC for Tractor Supply-Pineda.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

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F.9. Approval, Re: Dedication of Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail

The Board approved and accepted the Drainage Sanitary Sewer Easement from ADI Addison, LLC for Addison Square Retail.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.10. Adopt Resolution and Release Performance Bond: Bridgewater South at Viera, Section 2 Subdivision, Developer: WCI Communities, LLC

The Board executed and adopted Resolution No. 22-047, releasing the Contract and Surety Performance Bond dated April 6, 2021, for the Bridgewater South at Viera, Section 2 Subdivision – Developer: WCI Communities, LLC.

Result: Adopted

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.11. Contract and Surety Performance Bond: Bridgewater South at Viera, Section 2 Subdivision, Developer: WCI Communities, LLC

The Board approved and authorized the Chair to execute Subdivision Infrastructure Contract and Surety Performance Bond with WCI Communities, LLC for Bridgewater South at Viera, Section 2 Subdivision.

Result: Approved

Mover: John Tobia

Seconders: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.12. Approval, Re: Purchase of Capital Outlay (Equipment and Vehicles) for Public Works Department/Road and Bridge

The Board authorized the purchase of Capital Outlay (listed Table 1) for Public Works Department/Road and Bridge, utilizing \$1,045,968.25 of the \$1,895,277 allocated in the Fiscal Year 2021-2022 Third Quarter Supplement Budget; authorized the advanced purchase of Fiscal Year 2022-2023's Capital Outlay (listed in Table 2) now for Public Works Department/Road and Bridge up to \$1,708,760.40 using the balance of the Fiscal Year 2021-2022 Third Quarter Supplement Budget and the subsequent Budget Change Request for the remaining funds; authorized the County Manager to approve any Budget Change Requests associated with this action, including the transfer from departmental reserves not to exceed \$859,452 in Fiscal Year 2021-2022 towards the purchase of the aforementioned action; and authorized purchasing the Capital Outlay utilizing the most effective means to include Public Work's Standardized Equipment List approved by the Board December 21, 2021, the Fiscal Year 2021-2022 Vendor of Record List, or by competitive bid.

Result: Approved

Mover: John Tobia

Seconders: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.13. Adopt Resolution and Release Performance Bond: Avalonia Subdivision, Phase 2, Developer: The Viera Company

The Board adopted and executed Resolution No. 22-048, releasing the Contract and Surety Performance Bond with The Viera Company, dated December 21, 2021, for Avalonia Subdivision, Phase 2.

Result: Adopted

Mover: John Tobia

Seconders: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.14. Approval, Re: Construction Agreement with City of West Melbourne for the Norfolk Parkway Turn Lane Project

The Board approved and authorized the Chair to execute the Construction Agreement with the City of West Melbourne for the Norfolk Parkway Turn Lane Project; and authorized the County Manager to approve any necessary Budget Change Requests associated with this action.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.16. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-up Grant Agreement, Re: Fiscal Year 2022 Space Coast Area Transit Bus and Bus Facilities Grant (Section 5339a) from Federal Transit Administration

The Board approved the following actions for a Fiscal Year 2022 Section 5339a Bus and Bus Facilities Grant from the Federal Transit Administration in the amount of \$641,739, as follows:

- Authorized the Chair to sign and the Board to adopt Authorizing Resolution No. 22-049;
- Authorized the Chair to sign the Grant Application;
- Authorized the Use of the Florida Department of Transportation Toll Revenue Credits;
- Authorized the Chair to sign the Designation of Signature Authority allowing staff to submit the Grant electronically;
- Authorized the Transit Services Director to execute and submit the Grant Agreement electronically, contingent upon County Attorney and Risk Management approval;
- Authorized the Transit Services Director to execute any additional follow-up documentation, resolutions, and amendments necessary to secure these funds; and
- Authorized the County Manager to execute any necessary Budget Change Requests.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.17. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credit, Execution of Follow-Up Master Grant Agreement with the Federal Transit Administration, FY2022-2023 Brevard County Transit Federal Capital and Operating Assistance Urbanized Area Grant

The Board approved the following actions for a Fiscal Year 2022 Section 5307 Urbanized Formula Program, Capital and Operating Assistance Grant from the Federal Transit Administration (FTA) in the amount of \$7,750,433, as follows:

- Authorized the Chair to sign and the Board to adopt Authorizing Resolution No. 22-050;
- Authorized the Chair to sign the Grant Application;
- Authorized the Use of the Florida Department of Transportation Toll Revenue Credit;
- Authorized the Chair to sign the Designation of Signature Authority allowing staff to submit the Grant electronically;

- Authorized the Transit Services Director to execute and submit the Grant Master Agreement electronically, contingent upon the County Attorney and Risk Management approvals;
- Authorized the Transit Services Director to execute any additional follow-up documentation, resolutions, and amendments necessary to secure these funds; and
- Authorized the County Manager to execute any necessary Budget Change Requests.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.18. Delegation of Authority for 2022 Hurricane Season

The Board, in order to facilitate prompt preparation and response to an impending tropical cyclone during the 2022 season, delegated the authority to Emergency Management, beginning immediately and ending on December 31, 2022, the following:

- Authorized allowing the current Chair or Vice-Chair of the Board to have authority to declare a Local State of Emergency for any tropical cyclone event during the 2022 season after obtaining input from the County Manager, Emergency Management Director, and/or the Emergency Coordination Group;
- Authorized allowing the County Manager, and/or his designee, to sign extension to any Local State of Emergency;
- Authorized allowing the current Chair or Vice-Chair of the Board to have the authority to order Emergency Protective Actions, including implementing any restrictions necessary to protect life and property as a direct result of storm impacts after obtaining input from the Emergency Management Director and the Emergency Coordination Group, including, but not limited to, issuing Evacuation Orders (area included, timing, effective date, and termination) and Shelter Operations decision (which shelters to open and timing); and if the current Chair or Vice-Chair is not available, this authority would then be delegated to the County Manager.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.20. FY 2020-2021 Merritt Island Public Library Tax District Board Annual Report

The Board acknowledged receipt of the Fiscal Year 2020-2021 Merritt Island Public Library Tax District Board Annual Report.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.21. Approval of an Agreement with the Property Appraiser for Development and Maintenance of an Expanded Use Code for the County's Non-Ad Valorem Assessments

The Board approved a three-year Agreement with the Brevard County Property Appraiser for development and maintenance of an expanded Use Code for the County's non-ad valorem assessments.

Result: Approved

Mover: John Tobia

Secunder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.22. Authorization, Re: Municipal Review of Local Option Gas Tax (LOGT) Percentages Allocations

The Board directed the Clerk to mail a copy of the LOGT percentage allocations to each municipality for review; and approved recommendation the Board conduct the final reviews of the allocations at the July 19, 2022, Board meeting.

Result: Approved

Mover: John Tobia

Secunder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.23. Request for Permission to Develop and Advertise a Request for Qualifications (RFQ), Seeking the Services of Land Planning Consulting Firm

The Board authorized the development, advertisement, and award of RFQ seeking services of Land Planning consulting firm to assist the County's efforts to prepare the Evaluation and Appraisal Report and related updates to the County's Comprehensive Plan amendments; approved a contract period of one-year with four one-year renewal options as necessary to ensure project completion; approved the appointment of the Selection and Negotiation Committees consisting of Darcie McGee, Natural Resources Management Assistant Director, Edward Fontanin, Utility Services Director, and Tad Calkins, Planning and Development Director; and authorized the County Manager to execute all contracts, contract renewals, contract amendments, and any necessary contract extensions upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Result: Approved

Mover: John Tobia

Secunder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.24. Resolution Approving the Issuance by Brevard County Housing Finance Authority of Multi-Family Housing Revenue Bonds (The Venue at Viera Senior Living Project), in an Amount not to Exceed \$1,990,000

The Board adopted Resolution No. 22-051, approving the issuance of not exceeding \$1,990,000 multi-family housing revenue bonds to the Brevard County Housing Finance

Authority to finance the acquisition, construction, equipping, and development of The Venue at Viera Senior Living Project.

Result: Adopted

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.26. Economic Development Commission of Florida's Space Coast, Inc. (hereafter referred to as the "EDC") Annual Audit Report and Bi-Annual Report

The Board acknowledged receipt of the EDC's Annual Audit Report for years ended September 30, 2021, and 2020, and the Bi-Annual Report for the period of October 1, 2021, through March 31, 2022.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.28. Confirmation of Thomas Mulligan, PE as Solid Waste Department Director

The Board confirmed the appointment of Thomas Mulligan, PE, as Director of the Solid Waste Management Department.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.29. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: Approved

Mover: John Tobia

Second: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

F.30. Precinct Boundaries - Altered and Added (Chapter 101.001 (1) F.S.)

The Board approved the revised precinct boundaries for changes due to redistricting and precinct consolidation.

Result: Approved

Mover: John Tobia

Secunder: Rita Pritchett
Ayes: Pritchett, Tobia, and Zonka
Absent: Smith

F.19. Approval, Re: Budget Change Requests

Phil Koechlein stated he is present on behalf of the Brevard Commission on Aging (BCOA); he knows at some point in time the Board will be discussing this subject matter, but he is not sure where it is going to fit into the situation; one of the things under discussion is changing the number of meetings per month or per year on the situation; the Board formed this body about 11 years ago and it is made up of a whole bunch of groups, such as League of Cities, Triad for the Police, medical, physicians in Brevard, the Health Department, hospitals, United Way, American Association of Retired Persons (AARP), and Senior Resource Alliance; each month they meet and go over the problems and everything else currently going on in the County; there have always been speakers there to share the information and the notes are also shared with the Board; and there have been speakers recently on guardianship. He added there is a new source in Brevard County to provide assistance for seniors with low-income having mortgage problems to try to prevent foreclosure; they do monthly new articles and have set up a program for the last four years where every month they have a section in the Senior Life, where they actually publish help articles for seniors in the area; as problems come up, they come out and speak on this; they have also put together an annual page for the last several years in the Boomer's Guide, which is put out by Senior Life and is a great resource for everything else; and they provide a page in there every year now as far as demographics relative to the County. He stated the above-60 population has moved from 25 to 26 percent, and the latest demographics from the Department of Elder Affairs (DOEA) shows that will be 33 percent of the population this coming year; this is an ongoing section of what seniors see and deal with every year; by comparison, if looking at the under 18, which are very important to us, they are moving from 26 to 25 percent; on the State level there is a much higher demographic of seniors in Brevard than the entire State and this is an impact the Board will be seeing more and more of; and they think of the importance of the economy, which the Board knows, and a lot of the money comes from seniors. He commented that they wish to continue as he thinks they are a very important resource.

The Board reviewed and approved the Budget Change Requests as submitted.

Result: Approved
Mover: John Tobia
Secunder: Rita Pritchett
Ayes: Pritchett, Tobia, and Zonka
Absent: Smith

F.27. Acceptance and Approval of Internal Audit Reports

Mari Peele, Vice-Chairman Libertarian Party of Brevard County, stated a little over a year ago, a fire assessment was passed and there was also a vote to do an audit of the Fire Department; part of the reason she had requested that is because she appreciates greatly what the Fire Department does and she feels the safety of the firefighters and of the people of Brevard County depends on there being a budget that matches what they need, that it is followed, and the spending matches; if there are issues that there is an imbalance, then that actually puts them in danger and their ability to help the people of Brevard in danger; and there is a precedent of internal audits that have come before this Board that look at the budget, spending, and practices, and give ratings of risk and recommendations based on that audit. She added what is presented today is a Fire Rescue data analysis; it is 25 pages of comparative analysis of salaries, justification for the assessment, spending deficit charts, a very broad overview of

the revenue of sources that go into the Fire Department and Emergency Medical Services (EMS), an analysis of Fire Rescue turnover, and exit interviews; while this information is very important, it is not an audit of the Fire Department; she would say, based on what the Board voted on and requested, that what was received does not match what was asked for; she reiterated that she greatly appreciates what the Fire Department does, but she wants to see that they are well budgeted and taken care of; and if they are having to go above their reserves, then maybe there is a reason, something that needs to be looked at.

The Board acknowledged and approved the Internal Auditors' Report for The American Rescue Plan Act Grant, Fire Rescue Data Analysis, Golf Brevard – Contract Compliance, Half-Cent Sales Surtax – Save Our Indian River Lagoon (SOIRL) FY2020 Audit Report – Purchasing Process Map, The Payroll Function, United States Specialty Sports Association (USSSA) – Contract Compliance, Follow-up Testing – Educational Facilities Impact Fees, Human Resources – Recruiting and Onboarding, and Library Services Turnover Audit.

Result: Approved

Mover: John Tobia

Secunder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

G. PUBLIC COMMENTS

Charles Violi stated he appreciates the opportunity to speak today regarding Ordinance 74-102, and 102.5; he is 74 years old and this one mistake is the only blemish on his record; he was arrested 22 years ago, he has no victims, served his sentence, and is not on probation; he has family and friends that have lived in Brevard County since the 70's and are the only reason he has remained here in Brevard; and in addition, he is a taxpayer, college graduate, and a veteran. He has lived in Brevard County since 2012 and for the past seven years he has lived in a home he owns in a retirement community; during this time, he has served on the Home Owners Association (HOA) and continues to serve on the neighborhood watch; he has been personally introduced to Sheriff Wayne Ivey as well as his city Mayor and all City Council members; he noted it is not easy to be present today because, not only himself, but his friends and family are intimidated by the system, making them afraid to speak up on his behalf; and when others go to work, shopping, a doctor, or church, they do not experience the same feeling of fear or anxiety as he does. He added it is an awful feeling to have to live in constant fear of violating an Ordinance and never going back home; the proximity restrictions prohibit my ability to travel within the County, as there are no maps or list of locations to tell him if he is too close to restricted areas; as for restricted areas, he has no need or interest to go to a school, playground, park, or daycare center; when he needs to travel to a doctor, grocery store, barber, or restaurant, he does not know if there are in a restricted area; and the recent amendment that allows businesses to self-certify that they are a park or playground only makes it more frightening for him to know where to go. He went on to say as an American citizen, he can only hope that more care goes into the law-making, such as do they meet the constitutional requirements, or will they violate any person's human or civil rights before they are enacted, are they using the correct data to make all these decisions; and he asked if these laws are actually producing safety or excessive punishment, as well as wasting police time and the taxpayer dollars, keeping in mind that all lives matter.

Commissioner Tobia asked Mr. Violi if he was the victim here.

Mr. Violi replied no.

Commissioner Tobia remarked that it sounded very close to him claiming he was a victim here; and he wanted to make that clear.

Mr. Violi responded that it feels that way because of the requirements, and not knowing where to go.

Commissioner Tobia commented the situation is that you feel like you are a victim.

Mr. Violi replied affirmatively

Charles Munsey Jr. stated he is present to address the Brevard County Ordinance concerning registered citizens; he is a resident of Port St. John; he wanted to thank the Board for partially restoring his constitutional rights to come and provide a brief commentary on the revised Brevard County Ordinance that restricts registered citizens which, by the way, is still based on false information; he stated this is not opinion, but facts provided by professional researchers, that were provided to the Commissioners earlier this year; he moved to Brevard County in 2003 to help his aging parents; he had his retirement home built in Port St. John; and since then he has seen both his mother and father go on to their reward. He added his son and daughter's families have now both relocated to Brevard and have their homes here; he is a registered citizen from an offense in Virginia and has never had a sexual offense in Florida, yet he is designated a predator in Florida, but not in Virginia; he is no longer registered in Florida, as his daughter, the victim long ago, resolved the situation and they get along fine now; he has been active in community affairs both here and Virginia; and he was released from probation 11 years early. He asked what must politicians do to control people and their descent, avoid abstract ideas, constantly appeal to just a few ideas, give only one side of an argument, or pick out one special enemy for vilification; this approach worked for Adolf Hitler and got millions of Jews murdered; people are still seeing a similar approach used today dealing with registered citizens; when his daughter first moved to Florida, he borrowed a recreational vehicle for her to live in; when he needed to pick up some groceries for her, she had to come out to U.S.1 to pick them up by foot because she was in Manatee Hammock Park; and while recovering from a stay in the hospital, he was trying to get his strength back by walking with crutches and his neighbors son was walking the other direction with a cello case, he congratulated him, the result of a talk he, the boy, and his dad had, and a neighborhood bitty reported him to the sheriff because he was within 1000 feet of a tot lot. He continued to say he spent four months in jail, three in Virginia for a violation of the ordinance; and during that time his mother had to be taken out of her home and put into assisted living, and while there passed away.

Abigail Jorandby, County Attorney, proclaimed she is sorry but there is pending litigation involving this individual; and she would like to bring that to the attention of the Board.

Commissioner Tobia expressed his thanks for that; and he asked Mr. Munsey if he was a victim here, in his opinion.

Mr. Munsey replied no.

Commissioner Tobia stated second of all, Mr. Munsey was very quick to point out his service to the Country but what he glossed over was what happened in Virginia; and he asked him, since he used the word registered, if he wanted to go over, and he would rather he did not, what caused him to be a registered citizen.

Mr. Munsey replied he could tell him some basic stuff; and he and his wife met in the Navy...

Commissioner Tobia interjected he did not think that had anything to do with that...

Mr. Munsey remarked it sure did; that is the problem, as that is his opinion; and if he wanted to talk to him, he would meet him in his office.

Commissioner Tobia remarked no, no, absolutely not.

Vincent Rinaldi stated he is present to talk about Section 74-102(b), more specifically, the amendment Section 74-102(b)(5); this amendment which was passed without allowing the citizens whom it affects to speak, permits any business to self-certify they are a park; this alone defies common sense since a business is not a park under any circumstances; this amendment is unfair, and probably illegal, not only to registered citizens but also to the businesses that find themselves within the 1,000 foot buffer; and after a business self-declares, any other business within that buffer zone loses potential business. He would argue that the Commission has no right to force a business in this County to possibly lose money; the Board's job is to make this County better for all; this amendment fails to do that in many ways; and in the attempt to continually punish him for a crime he did his time for, is in fact punishing other law-abiding citizens of the County. He added he wanted to come to the County offices to put his house in a trust, for estate planning purposes, which is his desire and right to do; to do this he had to obtain a notary; he could not go to his bank to obtain the notary because it is within 1,000 feet of a park; he cannot conduct normal business that any citizen of this County is permitted to do; and this is one example of many that he can offer that proves this Ordinance hurts and punishes other individuals. He mentioned there is a woman behind him in a wheelchair named Patti and he cares for her, as he is her life partner; this original Ordinance makes it difficult for him to carry-out those responsibilities and the amendment makes it impossible; not only are other businesses off limits by the 1,000 foot buffer, but there is currently no way to know where that buffer zone is; he cannot care for Patti, such as pick-up prescriptions for her, as she fears that he may be locked up if he takes her to a hospital; and it appears to him that this Commission will go out of its way to continually offer harsher and harsher punishments to registered citizens, all in the guise of protecting the public when, in fact, these Ordinances and amendments do no such thing. He went on to say Patti cannot risk spending the night alone because he is locked-up in jail; it could end badly for her, and that would be on the Board's head; and he prays the Commission will realize the burden these Ordinances and amendments put on all citizens, not just registered ones, and do the right thing and repeal them, respectfully.

Patti Panzarino stated she has spent many vacations here in Brevard County since 1997; her family lived in Melbourne Beach; she fell in love with this area and for the past six years, she has been living in Palm Bay, which is a dream come true; Vincent Rinaldi is my primary caregiver and life partner who knows her specific needs; he has been her primary caregiver for 12 years, which includes six years here in Palm Bay; and she will not talk about the fact that because of the proximity law, there are many places to visit for fun and entertainment that she is not allowed to go with Vincent as her caregiver. She noted the purposed of her testimony here is to inform the Board of the punitive nature of this law that not only affects registered citizens, but their employers, families, and loved ones; Vincent cannot bring her to medical appointments, to CVS to pick up prescriptions, he cannot bring her to her medical equipment provider because they are all within 1,000 feet of a school, playground, park, or daycare center; all of this makes her life difficult and quite limited, but there is one factor here that is potentially life-threatening for her; she is affiliated with Holmes Regional Medical Center which is also within 1,000 foot parameters which limit registered citizens; and her fear is possible illness or injury which requires her to go to the hospital and/or be admitted to the hospital. She added her disability, spinal muscular atrophy, requires specific protocols that most hospital workers and clinicians are not familiar with; she could provide data and information to prove that if the Board wishes; for example, she has very specific ways she needs to be positioned and assisted because of respiratory issues, dangers of aspiration, and acquiring injuries; throughout her life, any time she has been hospitalized, it has been imperative to have her own personal caregiver with her the whole time throughout her hospital stay; the thought that Vincent could be arrested

for being there with her terrifies her; and this is life-threatening to her, an American citizen living in Brevard County with a disability.

Commissioner Tobia asked Brian Walsh if he wanted to go on record and let the Board know that he is not affiliated with the folks that came before him.

Brian Walsh stated he had no affiliation with anyone here.

Chair Zonka remarked that is clear because they are all departing at the same time.

Brian Walsh stated he is present on behalf of his neighbors in the Villas of Suntree; about two years ago, the landscapers, who know a lot about trees, cut down a bunch of dangerous trees, maybe about 10, but he does not really know the number; they were dead, broken, breaking driveways, and damaging houses; many driveways were broken by the trees and one house where the tree roots got under the house and undermined the plumbing; they had to break through the floor in the living room to repair the plumbing; and another house, a branch fell off a tree and went through a windshield. He added these trees have done a lot of damage; somebody reported that they cut down the trees to the County and with that, they came out and put down a program that has to be implemented; he provided the Board with the basic guidelines of the program; this program, in essence, is going to cost \$165,000 plus an additional \$35,000 to put in a well; and the County is requiring them to plant 265 trees throughout the community and they already have a good number of trees. He went on to say they just removed a dozen or so of dangerous, dead trees; one tree had been hit by lightning, they were no good, and they were hurting people; his neighbor across the street had one tree fall in a storm, crash through a cinderblock wall in house, causing significant damage; and he is asking the Board to reverse this decision to impose these strict rules on the community, as they are very expensive and most of the residents are senior citizens on fixed incomes. He stated this works out to approximately \$30 per month if they are able to finance it and \$195,000-\$200,000 that has to be paid out over five years according to this plan; they were generous and gave them five years to replace the trees, but that is an abhorrent budget-kicker to these people; they are not even allowed to pick the type of tree, location, or anything else, as they are dictating the type of type of tree and where it is to be planted; in addition to that, there is a border between his community and the next community where neighbors have swimming pools and nice back yards; and it is wooded and a lot of the trees are these Australian peppers or something like that, and they are mandating that they clear cut it and rip all of these trees out. He mentioned they do not even know where the borderline is between the two communities, to be honest, which means they will have to go to the expense of an extra survey; this is a tremendous hardship on the community; and it creates an eyesore and removes a big privacy barrier.

Chair Zonka asked if he has talked to staff or his Commissioner.

Mr. Walsh replied the people in charge have basically told their board they dare not challenge them or else.

Chair Zonka remarked that is not true; she encouraged him to reach out to Commissioner Smith and she is sure the County staff would work with him; she is not exactly sure of the situation, but she advised him to get with staff and see if it could be better explained; and she does not know that there is a remedy.

Mr. Walsh remarked his hope is that the County will reverse this mandate to put in 260 trees, as that is a lot of trees; they removed 10-12 trees, but to replace 260 trees for 10 trees seems out of balance; they are looking for a tremendous amount of canopy; canopy is shade and they have grass and grass buries CO2 better than trees do; and he found that in his research.

Chair Zonka reiterated that she encourages him to meet with the Commissioner and maybe meet with staff and they can go through things; he can always talk to staff or his Commissioner; and there is never an "or else" provision.

Mr. Walsh responded this is actually his first contact and he just needs to get this stopped because they are under the thumb to get this project started; and it is an awesomely large project that the community does not want to do.

Chair Zonka asked him to give his contact information to staff and it can be forwarded to Commissioner Smith.

Mr. Walsh replied he appreciated the Board's time and hopes to get positive consideration because this is a very hard burden on the members of the community.

Victor Dodzweit stated he is addressing the sex-offender Ordinance; he has been in jail and prison ministry for about 27 years in Brevard County and Orlando, so he meets some of these sex-offenders; some of them have very minor charges, including his neighbor that lives three doors from him; his neighbor was in a situation where he had just become an adult and he was at a party in his partying days, which are now long gone; his neighbor is a very mature adult and most-trusted male friend he has; but he had sex with this girl at a party and she accused him of rape. He went on to say his neighbor could not do anything because she would have been in contempt of court if she changed his story; for all these years his neighbor has been on these tremendous restrictions, and now with this, whatever they are going to pass, it will be an even heavier burden yet; the problem with this Ordinance is it does not distinguish between serious and minor offenses; these two friends he is very acquainted with, knows their backgrounds, knows the whole story, and is convinced of their truth because he knows the men's integrity; and the problem is they are being classified with very serious sex-offenders and now have to suffer the same punishment that the other ones may justly deserve, but they do not deserve it. He commented he feels for them and his heart hurts for them; and he just wants to plead for their cause and trust that the County will make the right decision on their behalf.

Commissioner Pritchett asked Commissioner Tobia, since he was in the State of Florida government for a long time, as far as levels of what they do for the sexual offenders, if that comes from the State; and she asked if State government kind of lays out what the State does.

Commissioner Tobia replied yes, part of the time he was in the Florida legislature, he dealt with those "Romeo and Juliet" laws that looks at what it appears this speaker may have been referencing; he does not want to get too much into it because, in all honesty, he thinks he may have voted the other way on it; but it takes care of that 1917 type of scenario that is heard. He added to go off that, there was a constitutional amendment, amendment four, a few years back, he was strongly opposed to; this one was the amendment that re-enfranchised folks that had committed felonies; he was on the minority side of that; now that is in the constitution, however, even the folks who were pushing for it, people that he does not want to say had made terrible decisions, as he is probably better to say terrible people, recognized that there were two groups of people that were so heinous that they did not even want to be associated with them; those two groups of people were murderers and sex-offenders; and that one did pass. He noted he voted against that one; it is part of the constitution, so he will absolutely hold it, but he wanted to let people know that Florida has already said overwhelmingly, and they were much kinder than he would be, but those two groups of folks were so heinous that they never should have the right to vote again; also he threw in his two cents, that he thinks it is pretty unfair for decisions that people made in the past, to compare the Board to the atrocities of Hitler and blaming it for potential deaths for decisions that were not predicated by any of the Board; and he is sorry, as this was something that he brought forward, but he thinks that the children are

precious and innocent and anyone that takes that away is absolutely horrific at the time they take that innocence. He stated there are greater people with much more forgiveness than him, but that is something that he does not have that level of compassion for; the recidivism rates are through the roof; and he apologized that the Board was compared to that for an action that he brought forward.

Commissioner Pritchett noted that some of the issues with what is being discussed is allowing people to come here for public comment; the problem is that it is so close to schools that it has created some obstacles that the County Attorney has been working through trying to find ways to give notice; she stated people go in and they serve their time and they can come back out and live, but there are some things that people do where they never gain trust back; she will always err on the side of kids; and if there is ever an opportunity to protect children, she is in with Commissioner Tobia and Chair Zonka on that. She added people live their lives and do what they need to do, but the Commission is going to do its best to make sure there is not any opportunity for vulnerable population to ever become victims; she feels so bad for victims and she has lived a long life of trying to help people get better; it is very rare that people ever get completely well on the other side of that; and she feels sad for the families that have to continue to carry a lot of weight and pressure from past things that have happened.

Chair Zonka stated she was not going to say anything because she feels very impassioned about this as well and she did not want to say anything that was too harsh, but when one is released from prison, for whatever crime, there are rules of probation; she noticed how they referred to themselves as registered citizens, and she was tempted to ask them if they were commenting on their voter registration or sexual offender status; but she thinks what bothered her the most, as Commissioner Tobia brought up, was being compared to Adolf Hitler, when in actuality, for the one guy, 22 years prior, he committed a crime at 52 years old and then came up here acting like the victim, so she has little sympathy for that; and especially the guy that came up wearing a uniform, demanding these rights, and compared the Board to Hitler. She added she has a feeling had he committed those crimes while in service to this Country, he would not be up here in that uniform today; it is sad that he wore that uniform and got up here and complained that he has to be a registered sexual predator in the State of Virginia; if a little research is done, one would see that sexual predators are a whole new level of sex-offenders; she does not sympathize and she will always err on the side of caution; it is not a simple robbery, it is not a bad choice as a teenager, it is not something that one can easily recover from; and for the victims of those crimes, she would love to see those people come up here and talk about how their lives are changed forever, rather than hear somebody complain they cannot go somewhere because they are worried that they will violate the sex-offender ordinance.

H.1. Petition to Vacate, Re: Public Utility Easements - 442 Puffin Drive - “Barefoot Bay Mobile Home Subdivision Unit Two Part Thirteen” Plat Book 23, Page 29 - Barefoot Bay - Soulis Family Trust

Chair Zonka called for a public hearing on a petition to vacate public utility easements - 442 Puffin Drive “Barefoot Bay Mobile Home Subdivision Unit Two Part Thirteen”, plat book 23, page 29, Barefoot Bay as petitioned by the Soulis Family Trust.

Marc Bernath, Public Works Director, stated Item H.1. is a petition to vacate two six-foot wide public utility easements at 442 Puffin Drive, Barefoot Bay Mobile Home Subdivision, Unit Two, Part Thirteen, as petitioned by the Soulis Family Trust; this is two six-foot wide utility easements between two properties to build a new garage and a breezeway; and there are no objections or issues.

There being no comments or objections, the Board adopted Resolution No. 22-052, vacating a portion of two public utility easements in Plat "Barefoot Bay Mobile Home Subdivision Unit Two, Part Thirteen" Subdivision, Barefoot Bay, as petitioned by the Soulis Family Trust. Said Resolution has been recorded in ORBK 9524, Pages 2543 through 2547.

Result: Adopted

Mover: John Tobia

Secunder: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

H.2. Public Hearing, Re: Brevard County HOME Investment Partnerships Program Consortium Five Year Consolidated Plan Fiscal Year 2022-2026 and the Fiscal Year 2022-2023 Annual Action Plan

Chair Zonka called for a public hearing for Brevard County HOME Investment Partnerships Program Consortium Five-Year consolidated Plan, Fiscal Year 2022-2026 and the Fiscal Year 2022-2023 Annual Action Plan.

Ian Golden, Housing and Human Services Director, stated Item H.2. is the first public hearing for the consolidated five-year plan and annual action plan which covers the Community Development Block Grant (CDBG) Program and the joint Home Consortium Program with the Cities of Palm Bay, Melbourne, Cocoa, and Titusville; there is no vote for this first hearing; this is an opportunity for the public and for the County to input into the planning process; the final version of which will be brought back to the Board on August 2, 2022; and there is another public meeting that will take place May, 19, 2022, in the Space Coast Room in this building, on the second floor, at 4:30 p.m. He added this is basically to provide the framework for the activities that are going to be done through those two programs and funded through those programs; and he mentioned Joe Warren, with the consulting group Cloudburst, is present to answer any process questions.

Robert Klimkowski stated he is present to talk about the Community Block Grants and the Community Land Trust; here in the Brevard Charter right now, there is a proposal for a trust for receiving Federal and State subsidies and funding to retain the land value of the community; the Community Land Trust (CLT) would set up a Program that would retain a 99-year lease, Brevard County would retain the land, but either the recipient of either the ship or the Housing and Urban Development (HUD) funding would gain equity of the home and improvements; they could sell in a year and Brevard County would win and the person receiving the subsidy would win; and he was wondering if the Board had heard of CLTs and if it could play into this proposal at all.

Mr. Golden remarked he was not sure if the Chair wanted him to respond because this is just the solicit input; he stated the Affordable Housing Council is looking at a number of different types of activities to expand what is currently being done; and Community Land Trusts are a part of that discussion.

Kristin Lortie stated she was not planning to speak today, but because there was so little public input, she wanted to add on this; she plans to come back on Thursday; she likes that the HUD program requires public input and participation, and is done as a requirement of the funding; she would like to see more public input into the process; she sees very little public input into the process, as it seems to her more like it is a checkbox in order to obtain funding; she would like to see more outreach and goals and more people weighing-in on this; and in particular, there is wording in some of the HUD background about reaching-out to vulnerable populations, as she is in a non-vulnerable population and she finds it very hard to get the

information. She added for example, the former plan is not available online; someone came onto the Cocoa Cares Facebook group and asked where the former plan is for reviewing in order to plan for a meeting like this; she went and looked at the Brevard website and it is not there; she asked why citizens cannot easily find information; and there is also a Brevard County Public Participation Plan and that should be available on the website so the public could at least know about it and have more opportunity. She would also like the public to have more opportunity to review the materials; she was able to obtain the Request for Proposal (RFP) that she requested in conjunction with the Block Program after getting the invoice for \$159, which she spoke of previously; while she was glad to get that information, she really thinks it should be easy to obtain; if the public is interested enough to look into these Programs, do some of the research, and show some interest in it, she thinks it should be easy; and she would like to give a positive commendation to the Cloudburst representative who did spend some time with her. She went on to say she really thinks that all of the municipalities involved and the County, could do a lot more to include the public; she would like her comments included in the plan and she will be looking for the plan when it comes out on June 6, 2022, as that is when it is supposed to be released for the 30-day period; and she plans to be present on Thursday, as it is a real opportunity to put the citizens back into the community and invite their input.

Mr. Golden remarked there are multiple opportunities for public input throughout the course of the year; this is a five-year overarching plan, but an action plan is done every year; there is every public meeting through the CDBG advisory committee, through the affordable housing committee, meetings in the communities, as they have seven identified strategic areas throughout the County where community meetings are held; in addition to that, while the Plans are not on the website, they are available electronically; and they are HUD forms, so they do not quite meet the requirements for Section 508 compliance, so they make those available when requested.

Chair Zonka asked Mr. Golden to explain that Section.

Mr. Golden remarked it is a requirement that documents meets a certain guideline for Americans with Disability Act (ADA), so they are readable.

Chair Zonka interjected it is not because the County does not want to put them online.

Mr. Golden replied correct; they are also available on the HUD website, so HUD has the County plans available; there are multiple opportunities such as the Citizen Participation Plan which is also available upon request; and the Plan guides the County in the number of public hearings it has and all of these other opportunities for input.

Commissioner Tobia asked Mr. Golden about a public records request for \$107, which is quite a bit of money, that was brought up; and if a member of the public was to ask for one of these Plans, which he explained why it was not online, would there be a public record charge for the Plan or could that be done in the 15 minutes.

Mr. Golden replied he did not want to speak to that because he is not 100 percent certain that it was this case, but that was brought to his attention; there was actually no charge that was given for that records request; he does not know if it was this same one; and if staff has the documents electronically, there typically will not be any charge.

Commissioner Tobia asked how many pages that may be; and he asked if this does come up, would he mind scanning those for his office so that there would be no public records request fee.

Mr. Golden stated he would say that every time staff has brought those Plans to the Board attached to the agendas, so they are also available through that process; and when he brings this plan back to the Board, it will be attached to the agenda.

There being no further comments or objections, the Board discussed and conducted the public hearing to solicit input into the Consolidated Planning process, as required by the United States Department of Housing and Urban Development (HUD), prior to the proposed Consolidated Plan and Annual Action Plan being published for final comments.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

H.3. Development Agreement - Cedar Lakes, LLC

Chair Zonka called for a public hearing for a Development Agreement for Cedar Lakes, LLC.

Edward Fontanin, Utility Services Director, stated Item H.3. is the second public hearing for the Cedar Lakes Development; the rationale of this is that due to the capacity at the St. John's Wastewater Plant being over 85 percent, it triggers an ordinance; so as a result, in order to work with the developer and having what would be a three-phase project by ordinance being completed as one, is the driver of this Agreement.

There being no comments or objections, the Board of County Commissioners, in regular session on May 17, 2022, conducted the second of two public hearings; and executed and approved the Development Agreement with SCS Cedar Lakes, LLC.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

I.1. Discussion: Cocoa West Recreation Complex Advisory Committee

Commissioner Tobia stated at the March 8, 2022, Regular Board meeting, the Board voted to consolidate five Brevard County Parks and Recreation boards into two advisory boards; those were the newly-titled North Brevard Commission on Parks and Recreation and the South/Central Parks and Recreation board; on May 3, 2022, Commissioner Pritchett raised some valid and helpful concerns regarding the Cocoa West Recreation Complex Advisory Committee, which was previously voted on to consolidate into the new South/Central Parks and Recreation board; at the last meeting, he brought forth several options to address the concerns that he spoke about on the May 5, 2022 meeting; those options have not changed; and he will be more than willing to go over them should there be any questions. He added his office did go a little bit further by emailing, calling, and sending letters to each of the five members of the Cocoa West Recreation Complex Advisory Committee to hear what their input was; his staff spoke with five members, one was traveling and did not have any of the hard copies; he heard very similar things from four board members, Ms. Sharon Spikes, Ms. Leartis Brothers, Ms. Betty Wells, and Mr. Izeal Battle, who expressed no issues with becoming part of the larger committee but preferred to remain the responsible voice for decisions made for the Cocoa West Recreational Complex; and Pastor Jessie Guest was going to get back with him with his opinion. He stated if this is to take place, option one probably does not work, but option two or

three would work for four and potentially five of the committee members; it would work for the plan that he had initially put forth to consolidate; he thinks either plan two or three would work; and it is just a new development on what transpired at the last meeting. He went on to say he would like to hear any input and make a motion to accept either Option two or three.

Sharon Spikes stated she is addressing the same issue, the Cocoa West Recreation Complex Advisory Board which she serves on; and their board would like the Commission to continue to allow them to make the decisions in that area.

Commissioner Tobia mentioned option two and option three and asked if Ms. Spikes had a preference for one or the other; either way, her board would have the ability to dictate what happens to the facility they are currently in, as it would give them five votes, the super majority; in fact, this plan would provide them with more voting power because now they can vote on other things that were outside their facility, but important to their larger community; the question is for it to go forward, would she like a simple majority of the five members or for it to be unanimous; and he has not followed her board so he does not know if they normally make collective action as five members. He stated the majority may be easier, but it is completely up to her; he also thanked her for her service to not only her board but also for getting back with the Commission on her opinion; and he just wants to make sure that whatever is best for them, that it happens.

Ms. Spikes remarked she would like all five members to be able to make a decision.

Commissioner Tobia replied in either choice they would be making the decision; one choice is a unanimous vote and the other one is just a simple majority vote; and he does not care which one.

Ms. Spikes responded she believed it would be simple; and after she heard what he said, she thought she did not have to say anything, as he already cleared it up.

Commissioner Tobia remarked it is his fault for not calling and reaching out to her board first, but Commissioner Pritchett saved the day by bringing this forward; and now their vote will expand to other facilities, not just this one.

Commissioner Pritchett thanked Commissioner Tobia for doing the extra leg work, as he helped with a lot of things; she mentioned she had a recommendation since the Cocoa West will be voting on just the Cocoa West without the others, maybe they should meet 30 minutes early, before the rest of the board shows up, so they can do their business and the rest of them can join them; and this way they are already at the facility and the other ones are not here.

Commissioner Tobia stated that is okay; and he would like their input on the larger board as well.

Commissioner Pritchett commented they could stick around for that part.

Commissioner Tobia mentioned he never thought about that; and he thinks that is a wonderful idea; and he made a motion for Option number three, with the amendment provided by Commissioner Pritchett for the board meeting 30 minutes prior to the meeting of the larger board.

The Board discussed the three options and selected Option 3 for the Cocoa West Recreation Complex Advisory Committee; adopted Resolution 22-053, creating the South/Central Brevard Parks and Recreation Advisory Board, consolidating the Cocoa West Recreation Complex Advisory Committee, the Central Area Merritt Island/Beaches Recreation Advisory Board, and

the Parks and Recreation Department South Area Advisory Board into the newly created South/Central Brevard Parks and Recreation Advisory Board, and setting forth membership and terms of appointments; and authorized the Cocoa West Recreation Complex Advisory Committee to meet 30 minutes prior to the meeting of the South/Central Brevard Parks and Recreation Advisory Board to vote on specific Cocoa West items with a simple majority vote.

Result: Approved

Mover: John Tobia

Seconded: Rita Pritchett

Ayes: Pritchett, Tobia, and Zonka

Absent: Smith

K. PUBLIC COMMENTS

Anita Killen stated she was not planning to speak today but there was so much misinformation going around that she felt compelled to address some of that misinformation; first of all, when the Board was having a conversation about registered citizens, there are a few points that she would like to correct; it was addressed that there is a Romeo and Juliet clause, which is true, if the individuals are four years apart; the problem is there are many people that are still on the registry because that amendment was passed after their conviction and either they were unable to pay for court costs to have it changed again or for whatever reason, maybe they moved out of the State and Florida, which keeps them on the registry for life, even if they move; and there are still a lot of individuals that are on the registry for Romeo and Juliet cases. She added the second thing is the Board mentioned that the State statute influenced the Ordinance here in Brevard County, which is actually an exclusion zone ordinance which prohibits people that are on the registry from living within 1,000 feet of a school, park, playground, or daycare center; the State has nothing in it for an exclusion zone, as that is strictly Brevard County; the Board mentioned the individual wearing a uniform which, by the way, was his work uniform and he was going back to work; the Board mentioned that a predator has a more severe/serious label than offender; and she stated there are many, many stories that she would be more than happy to share at a later date. She mentioned a more recent one was the individual who was working on International Drive, on probation; he lived close to the Brevard and Orange County line past the University of Central Florida and he was 20 minutes late getting home from work; he was violated and they changed his status from offender to predator for being 20 minutes late from work; she addressed the registered citizen versus sex offender, as a sex offender sounds like somebody who is currently offending at this time like a Commissioner, a teacher, a police officer, which are present roles that they are in; and these individuals are not offending, they are not offenders, they are not predators in many cases. She went on to say the term registered citizen barely even sums it up, because they are registered, that is a true statement, however, they are barely citizens, particularly here in Brevard County; the last point is this one size fits all that Florida has does not work any more than saying every politician is crooked, or every doctor practices voodoo; people cannot make blanket statements about individuals; and she is there to educate.

Chair Zonka exclaimed that the speaker's time was up; and she mentioned there are rules in place so that favoritism is not given to other people who want to speak longer.

The outside attorney did not show up for the Executive Session.

Upon consensus of the Board, the meeting adjourned at 10:13 a.m.

ATTEST:

RACHEL M. SADOFF, CLERK

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