

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, December 19, 2023

9:00 AM

Regular

Commission Chambers

A. CALL TO ORDER 9:02 AM

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

C. PLEDGE OF ALLEGIANCE

Commissioner Pritchett led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the November 21, 2023 Organizational meeting minutes and the December 7, 2023 Zoning meeting minutes.

Result: Approved

Mover: Tom Goodson

Second: John Tobia

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

E.1. Resolution: National Homeless Persons' Memorial Day

Commissioner Tobia requested Commissioner Pritchett allow him to co-sponsor this resolution as it would be her 13th and he unfortunately voted this one down last time and he does not want to do it this time; if she would be willing to place him as a co-sponsor it would give him an extra one and keep her at the 12 limit; of course she has done all the work and she could go ahead and read this one and do all that stuff; and he noted he is just trying to avoid a no vote here.

Commissioner Pritchett stated when the Board did this, he voted that the Chair was able to have unlimited resolutions.

Commissioner Tobia pointed out she is no longer the Chair.

Commissioner Pritchett noted the Board stuck it on her all year because they just kept saying no; but she loves that he is willing to do that because she knows he has a heart for the homeless and helping to solve the problem.

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 23-146, recognized December 21, 2023, as National Homeless Persons' Memorial Day.

Liz Alward, Chairman of the Brevard Homeless Coalition, expressed her appreciation for the Resolution, stating the Coalition is the lead agency for Brevard County, Continuum of Care with a mission to prevent and end homelessness; as December 21 approaches, the first day of Winter and the longest day of the year, she would remind all that nighttime is not a time of peaceful rest for those currently un-housed; nighttime is the coldest, loneliest, and for many, the most dangerous part of the day for those with no home to retreat to; and fortunately the Brevard Homeless Coalition has a continuum of care of providers that brings hope to those facing unfortunate circumstances. She noted these organizations that are behind her are just a small snapshot of those providing a welcoming place of refuge to all no matter where they spend the night, the street, a shelter, the woods, these providers are there to help; even as they hold the memories of those who have passed; and they also know many that have survived the night and found a better life.

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

E.2. Resolution Honoring Jim Hunt upon His Retirement

Commissioner Tobia read aloud, and the Board adopted Resolution No. 23-147, honoring Jim Hunt upon his retirement.

Jim Hunt stated he just wanted to thank the Board for keeping the parks open during COVID, everybody was allowed to take care of their families; there were a lot of good feelings from people from out-of-state that come to the parks; people are surprised that there are such good parks in Brevard County; and all of his years with the department, he always tried to pump up the Parks so that everybody who comes from out-of-state or other counties know how Brevard feels about its parks. He expressed his appreciation for the Resolution.

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

F. CONSENT AGENDA

Sandra Sullivan stated this Agenda Item is about affordable housing and giving the projects exemptions on impact fees, particularly transportation fees; regrettably, it is a shame that this Board does not attend the Transportation and Planning Organization (TPO) meetings to know what kind of dire circumstances this County is in; according to the Board's own budget, there is an unfunded \$699 million deficit in unfunded capacity needs; last week's TPO meeting on Thursday they had talked about how the budget from Florida Department of Transportation (FDOT) is only going to provide five percent of the District 5 budget to go toward capacity needs; therefore, there is a definite problem there. She went on to say in talking about the costs, just this year the cost of resurfacing has gone up 26.6 percent; the cost of materials for new construction is at 17 percent; this County is under a mandate right now, SB102, that the County has to give property tax breaks for middle America housing; there are going to be problems with meeting this problem, and then it will be compounded with giving tax breaks on property tax for 30 years; she wants to go back where this Item started in 2007, the Ordinance that passed on impact fees for affordable housing and she wants to note what the Board learned from history, and asked what was happening in 2007, there was a market-high on real estate, there is a market-high right now in real estate; and that does not mean it is going to stay. She continued by saying she is thinking with all the different impact fees, there is a very large fiscal impact, but she does not see any fiscal impact analysis on this; she thinks they are getting enough with property tax breaks that the County should join Pasco County and other cities that are now suing the State Government over the constitutional violations under the State Constitution for local rule on these mandates; and the whole real estate issue in the first place, was compounded by the mandate for corporations being able to buy-up single-family housing that created an inventory shortage that drives the prices up. She noted today she is asking that the Board, in light of the crisis the County has on impact fees, to not approve waiving impact fees. She added one more number she will throw out there is Port St. John, it is out there begging to get money to pay for a new sewage plant; in 2018, it was \$50 million to replace a plant; and it is \$170 million now, for fiscal responsibility to the tax payers, the taxpayers are who is going to get taxed much higher because of these free rides.

Chair Steele pointed out each and every Commissioner gets every report from TPO; they

recognize them and read them constantly; and just because they are not at the meeting does not mean they are not informed about what TPO is doing.

Katie Delaney stated she is also concerned about the density issues that this is going to bring; the County has a major deficit when it comes to infrastructure; there is no money for it because it is being spent elsewhere; like Chair Steele just stated, the Board saw all the documentation from the TPO meeting, so she does not know if the Board saw the \$653 million that is going to Space Florida for transportation; it does not really make sense; and she does not know where the County is going to find this money if it does not start spending differently. She commented last time she was there she asked the Board to be the people's lobbyist and she does not see that happening; the people of Brevard County need the Board to be their representatives and to fight for them, to fight for their homes, to fight for their County; and she asked if the Board will join the lawsuit that is going against the State for breaching these constitutional issues. She asked if the Board would even look at it or consider it; she mentioned this is home rule and one would think the Commissioners and the City Council members would have that as their number one thing to protect, home rule; this is a major crisis and is really serious; 2008 has nothing on what is coming if the Board does not step up and fix this; once again she asked that the Board please consider looking into this lawsuit that is going on because the County needs some help, otherwise, the everyday American, the everyday Floridian is going to have major consequences due to the Board's inaction, if it does not do this.

Chair Jason Steele mentioned this is the taxpayers opportunity to lobby the Board; the Board understands what Ms. Delaney is trying to say; however, each Board member has taken a position on it so they appreciate her comments.

Ms. Delaney inquired what is the Board's position.

Chair Steele noted she will hear it in just a few minutes.

Ms. Delaney advised what she meant was on SB102.

Chair Steele commented they are finished, he just wanted to let her know it was her opportunity to come lobby the Board members and she has done that; and that is what pulling the Consent Items is about.

Ms. Delaney thanked Chair Steele.

Rick Heffelfinger stated he is not a lobbyist; he sent an email yesterday and apologized for the short notices, but noted there is not much time to look at the Agenda; he is going to read what he sent to the Chair, but not everyone else because he thought the Chair might have the authority to take some action; he asked that he please pull Item F.13. so that there could be a little discussion; the reason he wanted it pulled is because there was not enough information provided to the voters to properly evaluate the action being voted on; on Legistar, three documents were posted, but none of them actually stated or explained how the transfer of this dock is going to happen over there at the park down in Cocoa old town; and none of those documents are going to explain how or why that is being transferred. He noted there was an Interlocal Agreement, it was the first time he read one of those and it was interesting; some of it has already been transferred; there has been problems in the past of Interlocal Agreements where if one wants to say, they set up restrictions on what the property can be used for; he does not know if that is still an Interlocal Agreement or if it is going to be redone; he does not know if the Interlocal Agreement previously was paying money to Cocoa to help pay for the park because it is shared, it is an asset; but that is not in there so he does not understand how he is supposed to figure this out. He continued on by saying he knows Commissioner Goodson and Parks and Recreation has talked with Cocoa's Manager, so he hopes that the Board is

aware of it; maybe the Board should take the opportunity today to explain some of that; if it is the right thing to do then it is the right thing to do; but he has no idea; and he is afraid if the Board transfers that asset, if it will prohibit Cocoa from deciding that people cannot park there any longer. He commented he does not know that, but there are people online and he goes online to get his information, but he tries to check it as well; there are a lot of people that do not know what is going on with the parks because they seem to be a County asset that people have access to, then they get transferred to a city and then it becomes a park that people cannot enjoy any longer; it becomes a hassle, people start getting charged for parking; he knows at any time the County could charge for parking, and if it needs to do that it can go ahead and do it, but the people have no idea as voters, of what this Board is doing here; and all he is asking is for the Board to stop and talk about it so when it votes the people will know what it is thinking about it, and he would like to hear the story as well. He reiterated that is all he is asking for, to pull it and talk about it; and if there is not time to talk about it, it could always be put off onto the next Agenda next year.

Chair Steele asked if there are any comments from the Board in regards to this.

Commissioner Goodson stated he would like it to be known that he referred to the dock; if this is referring to the old bridge, 520 which is chained off, it is his understanding it would take about \$1 million to get it up to standards to fish off of it; now the Lee Wenner Park was given to the city but they can only use it for municipal use or parks and recreation use, they cannot use it for anything else; therefore, the same covenant would apply to this fishing pier; that is what the Board is voting on today, it is giving them the old bridge which is blocked off and people cannot use now; and what they intend to do with it is their call. He noted yes the County pays for the parks in Cocoa; the County pays about \$800,000 to maintain the eight city parks; all that being said, the Board has reviewed it; and to his knowledge the County is not going to spend \$1 million on that old bridge for people to fish off of it.

Chair Steele advised he did receive Mr. Heffelfinger's email; he obviously cannot answer all the questions for staff; he was in briefings and received all the information on it; it looks to be in the best interest of the County to move forward with this; it is going to be used by Cocoa at this particular point in time, at their expense; and they are going to have to fix up that dock.

F.1. St. Johns River Water Management District (SJRWMD) Cost-Share Grant No. 38828 for Brevard County Sykes Creek Muck Removal Project Phase 2B

The Board executed and approved the SJRWMD Cost-Share Grant No. 38828; authorized the County Manager, or his designee, to execute all grant contract amendments and modifications upon review by the County Attorney's Office, Risk Management, and Purchasing; authorized the County Manager to execute competitively procured construction contracts, task orders and change orders, as needed, including in excess of \$100,000, to accomplish work approved under this State Contract; and authorized necessary Budget Change Requests.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.2. Florida Department of Environmental Protection Grant LPA0472 - Micco Zone B Septic-to-Sewer

The Board executed and approved the FDEP Grant LPA0472 – Micco Zone B Septic-to-Sewer; authorized the County Manager to execute any future amendments to this contract; and authorized the County Manager to approve related Budget Change Requests.

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

F.3. Permission to Accept a Grant from the Florida Fish and Wildlife Conservation Commission and Matching Fund Donations for Artificial Reef Construction

The Board executed and approved the Artificial Reef Construction Grant Agreement between Brevard County and the FWC; accepted matching fund donations; authorized staff to competitively bid and the County Manager to execute a construction contract with the lowest responsive and qualified bidder; and authorized associated Budget Change Requests.

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

F.4. Final Plat and Contract Approval, Re: Armen Groves Developer: K. Hovnanian at Armen Groves, LLC

The Board in accordance with Section 62-2841(i) and Section 62-2884, granted final plat approval; and authorized the Chair to sign the Plat and Subdivision Infrastructure Contract for Armen Groves – Developer: K. Hovnanian at Armen Groves, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

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

F.5. Approval, Re: Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District Project Funding Recommendations

The Board approved two Project Funding Recommendations in the amount of \$4,527,000 total as prepared by the Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District on December 7, 2023, for \$4,300,000 to the City of Cocoa for design of the Florida Department of Transportation State Road 524 Widening Project, and \$227,000 to Brevard County Public Works for the construction of South Burnett Sidewalk Project; and authorized the Budget Office to execute any Budget Change Requests necessary for implementing these appropriations

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

F.6. Approval, Re: Resolution Designating a Portion of State Road 518 as “Deputy Sheriff Barbara Ann Pill Memorial Highway”

The Board executed and adopted Resolution No. 23-148, authorizing the designation of State Road 518 between Wickham Road and John Rodes Boulevard as the “Deputy Sheriff Barbara Ann Pill Memorial Highway”.

Result: Adopted
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.7. Approval, Re: Resolution Designating the State Road 405 Bridge as the “Dr. Sally Ride Memorial Bridge”

The Board executed and adopted Resolution No. 23-149, authorizing the designation of the State Road 405 Bridge as the “Dr. Sally Ride Memorial Bridge”.

Result: Adopted
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.8. Approval, Re: Resolution Designating State Road 3 Over the Canaveral Barge Canal as the “Christa McAuliffe Bridge”

The Board executed and adopted Resolution No. 23-150, authorizing the designation of the State Road 3 Bridge as the “Christa McAuliffe Bridge”.

Result: Adopted
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.9. Approval, Re: Resolution and Underground Easement (Business) from Brevard County to Florida Power and Light Company (FP&L) for the benefit of Fire Station 21

The Board executed and adopted Resolution No. 23-151, authorizing the conveyance of real property interest by the County; and executed and approved the Underground Easement (Business) to FP&L for the benefit of Fire Station 21.

Result: Adopted
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.10. Adoption of State Housing Initiatives Partnership (SHIP) Incentive Strategies Evaluation and Recommendations Report for 2023-2024

The Board approved the SHIP Incentives Strategies Evaluation and Recommendations Report for 2023-2024.

Result: Approved
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Goodson, Tobia, Feltner, and Steele

F.11. Approval, Re: Underground Utility Line Easement for BellSouth Telecommunications, LLC at the Micco Scrub Sanctuary

The Board adopted Resolution No. 23-152; and authorized the Chair to execute Easement with

BellSouth Telecommunications, LLC, for Micco Scrub Sanctuary.

Result: Adopted

Mover: Rita Pritchett

Second: John Tobia

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

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

The Board approved and authorized the Chair to execute a License Agreement allowing Warren Kries to access his property through the EEL Program managed Grant Flatwoods Sanctuary.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.13. Approval, Re: Written Notification to the City of Cocoa of the County's Desire to Convey the Pier Located in Lee Wenner Park and Approve the Conveyance of the Lee Wenner Pier to the City of Cocoa

The Board approved and authorized the County Manager to provide written notification to the City of Cocoa of the County's desire to convey the Pier located in Lee Wenner Park; and, if accepted, authorized the Chair to execute all documents and resolutions to convey Lee Wenner Pier to the City of Cocoa.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.14. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-Up Master Grant Agreement with the Federal Transit Administration, FY2024 Brevard County Transit Federal Capital and Operating Assistance Urbanized Area Grant

The Board approved the following actions for the FY2023 Section 5307/5339 Urbanized Formula Programs: Capital, and Operating Assistance and the Bus and Bus Facilities: Titusville, Palm Bay/Melbourne, FL, Grants from the Federal Transit Administration (FTA) in the amount of \$8,488,274, as follows:

- Authorized the Chair to sign Authorizing Resolution No. 23-153,
- Authorized the Chair to sign the Grant Application,
- Authorized the use of 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 Master Agreement electronically, contingent upon the County Attorney and Risk Management approvals,
- Authorized 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

(BCR).

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.15. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-Up Master Grant Agreement with the Federal Transit Administration, FY2024 Brevard County Transit Federal Capital

The Board approved the following actions for the FY2023 Section 5307/5339 Urbanized Formula Programs: Capital and Operating Assistance and the Bus and Bus Facilities: Titusville, Palm Bay/Melbourne, FL, Grants from the Federal Transit Administration (FTA) in the amount of \$3,198,503, as follows:

- Authorized the Chair to sign Authorizing Resolution No. 23-154,
- Authorized the Chair to sign the Grant Application,
- Authorized the use of Florida Department of Transportation (FDOT) 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 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 (BCR).

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.16. FY 2022-2023 Merritt Island Public Library Tax District Board Annual Report

The Board acknowledged receipt of the Fiscal Year 2022-2023 Merritt Island Public Library Tax District Annual Report.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.17. Approval, Re: Budget Change Request

The Board approved the Budget Change Request, as submitted.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.18. Acknowledge Receipt of the Economic Development Commission of Florida's Space Coast Bi-Annual Report and Metrics

The Board acknowledged receipt of the Economic Development Commission of Florida's Space Coast's Bi-Annual Financial Report for their expenditures from October 1, 2022, through September 30, 2023, and the Fiscal Year End 22/23 Economic Development Metrics.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.19. Appointment(s) / Reappointment(s)

The Board appointed/reappointed **Ron Bartcher**, **Ian Golden**, and **Henry Minneboo** to the Planning and Zoning Board with said terms to expire December 31, 2025; **Jeff Gray** to the North Brevard Economic Development Zone Special District Board, with said term to expire December 31, 2027; **Carol Mascellino** and **Adrienne Schmadeke** to the Employee Benefits and Insurance Advisory Committee, with said term to expire December 31, 2024; **Edwin Pete Poole** to the Brevard County Library System Advisory Board, with said term to expire December 31, 2025; **Sonya Mallard** and **Chelsea Partridge** to the Board of Adjustment, with said terms to expire December 31, 2025; **Holly Carver** to the Economic Development Commission of the Space Coast, with said term to expire December 31, 2024; **Roz Foster** to the Historical Commission, with said term to expire on December 31, 2025; **Patrick Mulligan** to the Marine Advisory Council, with said term to expire December 31, 2025; **Christopher Reynolds** to the North Brevard Commission on Parks and Recreation, with said term to expire December 31, 2025; **Sue Price** to the Personnel Council, with said term to expire December 31, 2025; **Rodney Honeycutt** and **Adam Kohler** to the Transportation Planning Organization Citizens Advisory Committee, with said term to expire December 31, 2024; **Michael Williams** to the Building and Construction Advisory Committee, with said term to expire December 31, 2025; and **Nick Galluzzi** to the South/Central Brevard Parks and Recreation Advisory Board, with said term to expire December 31, 2025.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.20. Bill Folder

The Board acknowledged receipt of the Bill Folder, as submitted.

Result: Approved

Mover: Rita Pritchett

Second: John Tobia

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

F.21. Resolution Recognizing the Growing Problem of Antisemitism in the United States and Adopting the Non-Binding International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism

The Board adopted Resolution No. 23-155, recognizing the growing problem of antisemitism in the United States, and adopt the non-binding International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism.

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

F.22. Resolution Establishing Application Fees for Animal Care Facilities

The Board adopted Resolution No. 23-156, establishing an initial registration application fee of \$200 to operate an animal care facility in Brevard County, and a re-application fee of \$150 in the event of revocation of authorization for violation(s) of the Code.

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

G.1. Ordinance Rescinding the Economic Development Ad Valorem Tax Exemption for Dark Storm Industries, LLC

Commissioner Steele called for a public hearing on an ordinance rescinding the economic development ad valorem tax exemption for Dark Storm Industries, LLC.

There being no further comments or objections, the Board conducted a public hearing and adopted Ordinance No. 23-34, repealing Ordinance No. 2021-10 granting Dark Storm Industries, LLC, certain ad valorem tax exemptions, for failure to meet the criteria for such exemptions, and providing an effective date.

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

H.1. Approval, Re: Tourist Development Council FY 2023-24 Major Event Grant Program recommendations.

Peter Cranis, Tourist Development Office Director, stated this is for three major event grants coming back before the Board at its request; two of the major events provided updated expense and revenue sheets, the Space Coast Fair and the Thunder on Cocoa Beach; and the Renaissance Fair did not provide anything.

Commissioner Pritchett advised she would make the motion to approve the Thunder on Cocoa Beach races and the Space Coast Fair grants.

Commissioner Goodson asked if Commissioner Pritchett did not approve the Space Coast Fair.

Commissioner Pritchett noted not the Renaissance Fair because they had not returned the data.

Chair Steele clarified the Renaissance Fair, according to Mr. Cranis has withdrawn their application for funding; and he asked if that is correct.

Mr. Cranis noted they just opted not to provide any additional information at this time.

The Board approved the Tourist Development Council's recommendation to fund the FY

2023-2024 Major Event Grant Program applications for Thunder on Cocoa Beach Boat Races for \$50,000 (May16 - 19, 2024), and Space Coast State Fair for \$25,000 (October 27 - November 12, 2023); further, based on the facts specified for each grant, by approving this Agenda Item, the Board makes legislative finding that Tourist Development Tax (TDT) funds are authorized for cultural grants pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)d, of the Brevard County Code of Ordinances and each of the tourist-oriented cultural and special events have as one of its main purposes, the attraction of tourists and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to Tourists; and additionally, authorized the Tourist Development Office Director to negotiate and sign all necessary grant agreements, Budget Change Requests, and related documents to support the grants.

Result: Approved

Mover: Rita Pritchett

Second: Rob Feltner

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

H.2. Approval, Re: Funding recommendations for listed FY 2023-24 Cycle 2 Sports Grants

Peter Cranis, Tourist Development Office Director, stated this Item is for the eight sports grants; all of them have provided updated expense revenue sheets; and they have all basically done what was asked of them at this point.

Commissioner Tobia stated everyone has this email, but there was just one part of the email that was a little troubling; first of all, he wants to acknowledge that the requested budget corrections were made consistent with the format requested by Commissioner Pritchett; the basic math was completed; his issues still lay with the USA Beach Running Championship and the Cocoa Beach Triathlon and Duathlon applicant, Mitch Varnes, who previously declined to provide revenue stating that they were proprietary; this is hogwash, he knew it at the time and now clearly Mr. Varnes does too, as he turned over those requested numbers; and he thinks he would have let it go there but unfortunately, it continues. He went on to explain one of these lines excluded was for sponsorships in the amount of \$3,000 for the Beach Running Championship and \$5,000 for the Cocoa Beach Triathlon and Duathlon; the idea of a sponsorship is to get the name out not keep it hidden; his organization is losing money so obviously, he has not figured this portion out; here is his issue and what he has passed out to the Board, and he does not know what is more ignorant here, intentionally sending an email to four of the five Commissioners, admitting in writing, and that is what was just passed out, that he sent an email to four of the five Commissioners, or thinking that the fifth Commissioner would not become aware, as it is public record; this Board operates in the Sunshine; and he despises this type of poor behavior. He continued by saying if the Board votes down USA Beach Running Championship, \$6,000, and Cocoa Beach Triathlon and Duathlon for \$12,000, he is willing to do something he has never done before and vote for every other sports grant; and that is how bad he thinks this behavior is. Commissioner Tobia mentioned that is his comment and the Board has the email with the applicant leaving out a Commissioner and yet asking the Board for more than \$10,000.

Commissioner Goodson asked if that was a motion

Chair Steele asked if Mr. Varnes is in attendance today; and he asked if Mr. Cranis had any other comments in regards to that.

Mr. Cranis advised he is not aware of anything else.

Commissioner Tobia stated he did not expect this; and he made the motion to approve all sports grants minus the USA Beach Running Championship and Cocoa Beach Triathlon and Duathlon.

Commissioner Steele asked if there is a second.

Commissioner Goodson stated he has a comment; and he finds that motion to be excellent, he will second it.

Commissioner Pritchett stated she really does not like the email that went out excluding a Commissioner because the Board has to come together and make decisions on these things; she does not necessarily think they are not good events, but she thinks the Board is trying to get this a little tighter on how it gives out taxpayer dollars, as far as these grants; they are large grants so she is going to support Commissioner Tobia on this today; but she wants to make a statement that these events are good running events and they do put people in beds. She went on to say the way people are putting in for these funds actually could be better by the people asking for funds.

The Board approved funding the following FY 2023-2024 Cycle 2 Sports Grant applications:

- Moon Golf Junior All-Star Golf Tournament (4/18/2024 – 4/21/2024) \$5,700
- Space Coast Spring Games Softball Tournament (2/27/2024 - 3/17/2024) \$25,000
- NJCAA Division 1 Women's Golf National Tournament (5/18/2024 – 5/23/2024) \$9,000
- Space Coast Clash Soccer Tournament (4/6/2024 – 4/7/2024) \$12,000
- ESA Southeast Regional Surfing Championships (4/12/2024 – 4/14/2024) \$18,000
- Hurricane Classic Soccer Tournament (8/17/2024 – 8/18/2024) \$15,000

Further, based on the facts specified for each grant, by approving this Agenda Item, the Board made legislative finding that Tourist Development Tax (TDT) funds are authorized for sporting grants pursuant to Section 125.0104(5)(a)3, Florida Statutes, and Section 102-119(3)a, (5)a, and (6)a, of the Brevard County Code of Ordinances and each of the tourist-oriented sporting and special events have as one of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists; additionally, authorized the Tourist Development Office Director to negotiate and sign all necessary agreements and related documents, upon County Attorney's Office, Risk Management, and Central Services approval; and authorized the County Manager to execute any necessary Budget Change Requests.

Result: Approved

Mover: John Tobia

Second: Tom Goodson

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

H.3. Approval, Re: Funding for Palm Bay Sacrifice Park Improvements

Juliet Misconi thanked the Board for allowing her to bring back the project at Sacrifice Park; she stated they have done their due diligence and tried to find a firm to do the economic study that the Board requested, but because of the park and the events that they have planned and the timeline, they were not able to do that within the six months that had been allotted, so they wanted to return right away; that being said, they do understand that this project must be tourism-focused and must draw out-of-County visitors to this area, and have that as its primary purpose; and they have actually revised their plans, changed the scope to add either an event pavilion or an amphitheater, they are still working that out. She added they have worked with their law enforcement and community partners to do some event planning so they can ensure

they are bringing large events to Sacrifice Park, to Brevard County, attracting out-of-County visitors, and generating overnight stays, which is all in the Board's packet. She continued on to say they are really proud of the partnerships that they have had, to make this a remembrance destination; they will be marketing the Park and these events to out-of-County visitors to attract them as tourists; although the new Sacrifice Park will be a tourism destination, it will remain a poignant memorial for the eight Brevard County agencies that have heroes represented on it; she has been joined in this chambers today with many of the local First Responders as a show of support on how important Sacrifice Park is to the community; she was also moved by the letters of support that have been received from supporters around the Country; and she thinks the Executive Director of the Florida Police Chiefs Association said it best, and she read her statement, "While I have no doubt that these Sacrifice Park improvements will serve Brevard County well, providing a destination for tourism events, affiliated training, and remembrance of the ultimate sacrifice of our First Responders, I am supportive of these improvements because it is an investment in the future of our First Responder Community. Too often, the selfless commitment to public service, the daily rigors of the job they all face, goes unrecognized. I hope that Sacrifice Park can become a place where current First Responders and future recruits to the First Responder field can go to be reminded of their purpose, a place for First Responder families to go and feel supported by their community, a place for the public to visit and be reminded that there have been and always will be distinguished heroes willing and ready to sacrifice themselves to protect and serve others. Our First Responders struggle with trauma and they need public places that provide recognition and support for what they do, of which there are too few. Sacrifice Park is one such place." She thanked the Board for its time and consideration; and advised she is available for any questions.

Chair Steele inquired with the County Attorney if there is a specific request.

Morris Richardson, County Attorney, advised the request remains to be the \$250,000 amount the was initially applied for in the form of a capital facilities grant request; it is requested that the Board make certain findings necessary to approve the funds through the marketing fund; and that the Board authorize staff to negotiate and sign necessary agreements and to transfer the \$250,000 from the capital facilities grant fund into the marketing fund.

Chair Steele asked the Tourism Development Office Director if he has any additional comments.

Peter Cranis, Tourist Development Office Director, stated not at this time.

Commissioner Tobia stated he would like to thank the City of Palm Bay, namely Ms. Misconi, for reaching out to his office to discuss the project before the meeting; he greatly appreciates the time, effort, and response that his office received; Ms. Misconi supplied additional information that he thinks was important to know moving forward; however, he would like to make some points as to why this marketing is not fair, and he would go so far as to call it a loophole. He went on to say he certainly has nothing against the City of Palm Bay or the police officers; in fact, he is sure the numerous law enforcement officers in the audience are looking to be treated fairly and equitably, and that does not come out of this; he will go into detail exactly how; the original proposal did not qualify for a capital grant according to Florida Statute 125; to qualify, the project must fall under one of the following categories, and he could go over those, but needless to say, it did not meet that as Attorney Richardson had pointed out; now the City is looking for a loophole to get their grant approved under marketing; the only other time Brevard County has granted this loophole was to a small company called Driftwood, which ironically started as a capital grant, but changed to marketing; and in speaking with the City over the last week, it was brought to his attention the City modified their site plan to include either an amphitheater or pavilion. He continued by saying in 1983, in an Attorney General Opinion (AGO), it determined that an allowable definition of a coliseum is an amphitheater; if

the proposed amphitheater consists of a building or structure with a ring of seats, it would then qualify for a capital grant after all; at the October 10, Board meeting, he asked for the economic impact study as required in the guidelines; the City responded that they would look into that; he appreciates Ms. Misconi reaching out to a couple firms; the difference is his office reached out to seven firms that were provided by Mr. Cranis, and did in fact find a couple firms that could perform an economic impact analysis without survey data; Revpar International conducts their own research in addition to other sources and data; North Brevard Economic Development Zone, which he did not know did these things, was able to perform in District one as another example of a third party that does not require survey data as they conduct their own research; and additionally, over the past five years, the Board has seen applicants from other capital grants that did not run into these same issues with obtaining such an analysis. He mentioned Lori Wilson Park in 2021, which is also an existing park that is free and open to the public, yet the applicant provided economic impact documents to provide visitor estimates from a third party data source, that would be AirSage; Merritt Island Wildlife Refuge in 2018, which is also an established refuge, open to the public, was seeking further funding as a new nature center, and they have a 114 page analysis that drew visitor numbers; and in conclusion he is concerned about creating a loophole, which is not fair to other applicants such as the Valiant Air Command, the Police Hall of Fame, and others who received money from the Board, yet still provided an economic analysis. He noted this is where it gets pretty important; if the Board approves this, it creates a wide enough loophole that there is no need to have a capital facilities grant program whatsoever; if the Board is allowing this organization to get away without providing such an analysis, then again, there is no reason, going back to marketing grants, which this would fall under; the County has a cap right now that is \$75,000; this organization is asking for multiples of said cap; he has no problem with the \$250,000, as it may be a wise investment, but without a third-party analysis of which other companies are more than willing to provide, he does not think it is a good gesture, at this point; and nothing against law enforcement, and he appreciates them all being there, but he thinks they should be treated the same as every other organization that comes up here. He added he certainly hopes that law enforcement when doing their duty treats everyone with the same equity as the Board does; that is his request, to provide more time so they can come back with an analysis; he is more than willing to share the data and the time frames can be met, and to hold the \$250,000 until such a time that there is a third-party analysis to turn over a quarter million dollars.

Commissioner Feltner noted the information Ms. Misconi sent the Board for the amphitheater and that she spoke about the pavilion, he asked for her to speak about it in greater detail, how many people it would accommodate, what type of events she anticipates there, and that sort of thing.

Ms. Misconi stated she will do her best; the original plan that they had brought to the Board back in October was essentially replacing the existing pyramid structure with a revised memorial and obelisk, but leaving the four remaining small pavilions that are on site there, which are not suitable for hosting any type of large events; what they are doing instead is actually pivoting the memorial 90 degrees to the east and remove the four smaller pavilions and replace them with a large one on the west side of the parcel which will open up all the green space in between so they can set up tents, tables, chairs, and things like that; as far as size and capacity, she does not have those figures for the Board; she can say, for example, one of the activities that they want to have for an event there is the patriot games; this is an event that the Police Department hosts at the range, their Regional Emergency Response Training Facility, which is 10 minutes down the road; they have opening and closing ceremonies, they have about 300 participants and spectators; and that is the kind of capacity they would be looking to host at the park.

Commissioner Feltner explained he asks these questions because he thinks Brevard County has a space issue ironically, with hosting a multitude of venues; he thinks a municipal

government and in some instances, even free market is doing this now, Space Coast Daily Park in Viera that will host them too, he does think that they could host many festivals and such if they are willing to do that on that site; and he asked if that is the plan.

Ms. Misconi advised that is the plan; she mentioned some other events they want to host would be a First Responder focused art show where they could have vendor tents set up focusing on art that would be appealing to the community and have that niche that would fit into the obelisk structure that they are going to erect.

Commissioner Feltner asked if they would host some of the food festivals and other things that come through in the spring, also.

Ms. Misconi noted they have ample parking, some along City Hall, outdoor restrooms that are actually built into Council Chambers on the exterior that could be opened; they actually host events right now on campus; speaking to the Commissioner's point, right now they are utilizing a very small square of green space that they have on their City hall campus, which they are bringing to their Commission next month, an award of a 39,000 square foot building that is going to go there instead; they want to have green space on their campus as well, as a central location; it is a joint City/County parcel as well, it is connected to the Degroot Library; and there are opportunities to do partnership events with them as well.

Commissioner Feltner thanked Ms. Misconi.

Commissioner Pritchett advised this is in Chair Steele's District so if he says he does not want it, she will not vote for it, but looking at the project, and she has the Police Hall of Fame in her District, and the events that end up coming when they have their events for Law Enforcement, it overwhelms the area with tourism and the hotels fill up, so she thinks it is a good project; she is glad the Board took a pause to make sure they all had their ducks in a row; as far as marketing, she is guessing they will be spending a lot of money on marketing to fill up the event; they will have to do a lot of mailings all around the country to law enforcement officers; she likes the project; she is one that is very high on equity of the dollars and District 5 is very low on receiving funds, as far as things that can increase tourism dollars; and anytime they can get these areas of the County more tourism dollars, it benefits the entire County. She added she is always looking for those returns on investment; she reiterated she thinks this is a good project; she noted if they had got it in a row last time that she would be more than willing to vote it through; and that is what she wanted to say.

Chair Steele asked Commissioner Pritchett to take the gavel.

Commissioner Steele stated all of these law enforcement people are there today in support of this; he is not going to sit here today and not support this issue; he has been down to Sacrifice Park and has seen all the law enforcement officers; he knows what goes on down there; he knows this is needed; and it has not been fair for Palm Bay or the south end of this County to not be receiving funds. Commissioner Steele made the motion to approve.

The Board approved grant funding for the City of Palm Bay Sacrifice Park Improvements in the amount of \$250,000; further, based on the facts specified, made the following legislative findings by approving the grant: Tourist Development Tax funds are authorized for this grant pursuant to Section 125.0104(5)a, Florida Statutes, and Section 102-119(3)c, of the Brevard County Code of Ordinances, because the grant supports a venue which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the venue and events held at the venue to tourists from outside of Brevard County; authorized the Tourist Development Office Director to negotiate and sign all necessary agreements and related documents, upon approval from the County Attorney's Office, Risk Management, and Central Services; and

authorized the County Manager to execute necessary Budget Change Requests.

The gavel was returned to Commissioner Steele.

Result: Approved

Mover: Jason Steele

Second: Rob Feltner

Ayes: Pritchett, Goodson, Feltner, and Steele

Nay: Tobia

J.3. Rita Pritchett, Commissioner District 1, Vice-Chair, Re: Board Report

Commissioner Pritchett stated she hopes everyone has a wonderful Christmas break and that they have time to spend with family and friends and that they have an ability to bless someone in their lives; and she advised if anyone needs her, her office is open, so give her a call and they will be glad to help anyone with anything that is needed.

J.5. John Tobia, Commissioner District 3, Re: Board Report

Commissioner Tobia stated today is National Oatmeal Muffin Day; a useless Florida fact is Jacksonville is the largest city in the continental United States by land area at 84 square miles, with 300 Jacksonville also has the largest network of urban parks; this day in Florida history, and it always has to be positive, or at least not too negative, so on this day in 1939 the British light cruiser Orion fires at a German freighter violating Pan-American neutrality zone and the German anchored ship is at Port Everglades where it had remained for the next 20 months; and most importantly County Employee Recognition goes to Cindy Rawson. He went on to say Cindy, the IT coordinator over telephone systems for Brevard County is retiring after 30-plus years of public service, which sounds like a lot until Mr. Hunt had 48; Cindy has been coined the voice of Brevard by those who have known and worked with her over the past years; her cheery voice is recorded and when one is greeted when calling a County Department, her reassuring voice would help navigate one through the endless maze of annoying prompts; Cindy was born and raised in the buckeye state in a small town called Vermilion; as a young adult she first moved with her family to St. Cloud, got married and moved to Houston for a few years, then in 1988 settled back in Merritt Island; and a little history about Cindy, back in 1988 Cindy started with the Facilities Management Department as an accounting clerk at the Merritt Island Service Complex, when four people shared two computers in the office. He noted there were no emails, instant messaging, voicemail, nor caller id, everything was done through paper; Cindy's voice was also chimed over the PA system to announce when it was 5:00 p.m.; the Viera Complex was a small model on a conference room table; in 1991 Facilities Management moved from Merritt Island Complex to the new Government Center in Viera; the Government Center and School Board were the only buildings out there surrounded by farm lands and cows; there were no restaurants nearby, just McDonalds and Nikki's; and Stadium Parkway did not exist so imagine the folks coming from the north end of the County had to go through to get to this location, and Lake Andrew Drive only had two lanes and no traffic light. He went on saying in 1995 the Information Technology Department was formed and the Government Center North, located in Titusville, and Cindy was transferred to that Department along with the telephone system functions; this was around the time workers were using beepers, or pagers, and there were plenty of pay phones at each park and library; in 1998, the IT Department was then moved from Titusville to the Government Center in Viera and Cindy became the Special Projects Coordinator over the telephone system; she soon was thrown into the fire as Florida was under a State of Emergency event in 1998, when Florida firestorm wildfires spanned across several counties including Brevard; Cindy was heavily involved in assisting with the communications set up for the Emergency Response Team that came in across the United States to help with this event; when the phone auto attendance system came

along and no one wanted to do the recordings, that was when Cindy became the voice of Brevard; and during Cindy's tenure she has been involved with many new constructions. He added to name a few, the south service complex on Cogan in Palm Bay, five new libraries, six new fire stations, and 13 new community centers; over 30 years Cindy also provided telephone services to the past five County Managers and 28 County Commissioners who came and went; it is now a kind and bittersweet, but harmonic coincidence that Cindy's final hurrah, as the County moves into this new technology Voice Over Internet Protocol (VOIP), as Cindy has been involved with replacement of the same legacy telephone system and auto attendance that she helped build 30 years ago; Cindy can proudly look back and hang her hat on that; her co-workers in the IT Department will miss her infectious laugh, good cheer and friendship, and not to mention, her delicious Nana Pudding; and as they say thanks for her service and friendship, the Board says the same for the 30 years of service. He noted Cindy will be missed.

K. PUBLIC COMMENTS

Rick Heffelfinger asked if the Board does not have a Vice Chair-chair doing the public comments any longer.

Chair Steele advised he just did.

Mr. Heffelfinger noted he did that under his Board Reports; he wants to use this opportunity to kind of summarize the meeting; he is a little disappointed that the Board spent an inordinate amount of time talking about what it does with tourist dollars, he is talking about the \$250,000, and it blew over the \$699 million dollar deficit in transportation and roads; he asked if the Board does not think that is important enough to talk about but \$250,000 tourist development dollars is; he commented it amazes him; the Board is going to waive impact fees, but does not want to talk about that, yet it will spend a lot of time talking about if an applicant filled out their submittal properly when there is an outfit that is supposed to be screening all those and yet they still do not seem to be fill them out properly; and it just seem like they are talking about a lot of stuff for a long time, and when he picks the fly stuff out of the pepper, \$250,000 versus \$699 million and a deficit, and waiving fees. He added he does not know where this Board's priorities are because to him, that seems insane. He continued on to say it was kind of a shame to hear that for 10 years, the County has been celebrating the homeless coalition about deaths on the street; 10 years celebrating the death of homeless people; the Board spent some time talking about celebrating that event, but he asked how much the County is really doing to prevent that; he does not know if Brevard County even has a homeless shelter; and he inquired if it does. He went on to say the Board celebrates the fact that there are homeless people dying on the street and it does not have a homeless shelter, maybe that needs to be celebrated more often. He noted he still has a minute; it is interesting that the Board talked about the growth, it was mentioned early; he asked if anyone remembers Fox Glenn that came up here and was built in Cocoa; he mentioned he does not think any of those houses are for sale, it looks like they are all for rent and lease, the entire housing development; there are houses being built, but he asked are the right houses being built; he commented he has a development going in at the end of his road and he is terrified they will be leased and rented houses; it a big development that Cocoa is putting in; and they are all going to be coming down his street. He stated he understands that there was a little bit of legal action taken, and the County did step in, he appreciates that; he thinks it was in 2008; he would guess that homeownership is dead, people are going to own nothing and be happy; he thinks he has heard that said somewhere before; he just knows this Board spends very little time talking about these big impacts; he reiterated he just does not know where the Board's priorities are; maybe he is a little hurt that it didn't pull the Item he requested, to talk more about it; the Board still did not tell him if there is an interlocal agreement and he specifically asked that question; and he commented everything is good, he trusts them.

Robert Klimkowski stated good morning and happy holidays. He mentioned he is not a lawyer and for the Board not to take this as legal advice; he is not in any way trying to misconstrue his position; he is in representation of his client, but this is not legal advice and he is not an attorney; with that, he sent the Board an email using blind carbon copy to avoid Sunshine issues; in that email it states this is an issue with Item G.9. from the last Zoning meeting; he has to thank the Chair for not approving those minutes, he saw that the Board approved the organizational meeting minutes but not the minutes for the Zoning meeting; and he read the email, "I wanted to bring to your attention certain aspects during the recent Zoning meeting, Item G.9., concerning Florida and NC Investment Properties LLC request for a zoning classification change." He mentioned he believes there was a misrepresentation in the RR-1 to AU zoning reclassification with what would be agriculture or birds and exotic birds; under this recent legislation, going to Florida Statute 823.14, Section 3, Subsection C, the law dictates that activities involving animals useful to humans including agriculture can qualify for agriculture exemptions provided they serve a function beneficial to humans; affidavits submitted by experts in an AGO during legal motions indicated multiple purposes served by agriculture such as companionship, conservation, education, entertainment, and align with the State's definition of useful to humans; with that, there is a way in which this Board can rectify this situation, it can waive the six-month requirement for a buffer for his client; and he would like to see that happen due to this new information. He continued on by saying also, in a related legal case, it was shown that every County that has gone this direction has been sued and failed; his client has also done this in six other counties and he believes this is the only County that has taken this type of approach; and he can provide more information in email format, if needed, but he would like the Board to definitely look at this as a way to save the County money, he does not believe the County should be spending money in frivolous lawsuits, especially if it is in the wrong. He asked the Board to take a look at this; he advised he will wait for any type of comment, this is not necessarily the time or format right now, but for 30 seconds of his time, he would like for that to sink in; and during that time he can answer any questions as well.

Chair Steele mentioned the Board is well attended with attorneys and people that look at all the Board's legal facts and things that it does; as much as he appreciates those comments today, threatening this Board with a potential lawsuit is probably not in his best interest.

Mr. Klimkowski explained it was not threatening not in any way, what he was trying to say was...

Chair Steele interjected that was where he was leading and he would just say that if he would like to reapply for a zoning request to let his client do that but in all fairness the Board is well attended with attorney and it knows what it is doing.

Mr. Klimkowski commented they are well-paid.

Commissioner Pritchett advised the Board did approve both of the minutes tonight, she is pretty certain.

Chair Steele thanked her for saying that; he agreed that both sets were approved.

Mr. Klimkowski noted he heard the first one.

Chair Steele thanked him.

Sandra Sullivan stated under the Charter, as a constituent she is entitled to be able to meet and talk to her County Commissioner, but there seems to be a problem with that; she has requested, since October, to meet with her Commissioner regarding the issues identified with Save Our Indian River Lagoon (SOIRL) infrastructure surtax; she has not been able to get an

appointment; therefore, she will be following up with the Chair and requesting an appointment with the Chair to address this issue. She advised she would like to formally request Brevard County do a legal opinion from the Attorney Generals on the infrastructure surtax use; there is an article from December 2015 with *Florida TODAY* where, then Representative Mayfield, and Senator Thad Altman did a bill to change the infrastructure surtax so it could be used for maintenance dredging; that bill failed in appropriations; the minutes that follow indicated that it was not a legal use of the infrastructure surtax on maintenance dredging; she has been very concerned about the use of the tax for muck dredging since the inception, when Hurricane Irma dumped 20 million gallons of sewage and all the talk of infrastructure needs and then digging into the Lagoon Plan and find that 66 percent of it was dedicated to maintenance dredging; she has read all the FIT reports; and she thinks there needs to be a formal legal opinion and based on that opinion, the Board needs to make adjustments for the renewal of this tax. She mentioned her concern right now is the alleged illegal use of the tax; she just wanted to bring some attention to, as she was digging into some records, she found that Commissioner Pritchett was appointed as Director to the Brevard Nature Alliance, which reads like a who is who of the Lagoon people; this was in 2016, before the tax passed and the year after, so there is Saint Johns River Water Management District's Robert Day on that board, Virginia Barker on that board, and a lot of other very notable things; while she has attributed some things to ignorance in the past, she is now inclined to think that this is by design; and its actions as a Board and whether it pursues this legal opinion or not, will speak very loudly given the excessive propaganda that is currently transpiring in response to her exposing these issues.

J.7. Jason Steele, Commissioner District 5, Chair, Re: Board Report

Chair Steele stated he would like to wish everybody a Happy Holiday and a Merry Christmas.

Commissioner Pritchett stated it was such an honor serving on that board and them allowing her to be on it with people who had so much wisdom with it all; she truly appreciates it; it was quite an education for her; Virginia Barker is amazing and brings so much wisdom; she had a little conversation with her yesterday and she just appreciates all that she does; Mr. DuFreese is so brilliant; the lady that used to run that board passed way years ago, but she was a wonderful person; she wanted to mention that since Ms. Sullivan brought it up; and she noted it was an honor to serve on that board before she sat as a County Commissioner. She thanked Ms. Barker for all that she does and continues to do.

Chair Steele advised there will be open budget hearings sometime next year if Mr. Heffelfinger wants to attend; they will open to the public; and that would be the time he can address some of the concerns he might have. He again, wished everyone a Happy Holidays and Merry Christmas and he thanked everyone for all that they do.

Upon consensus of the Board, the meeting adjourned at 10:09 a.m.

ATTEST:

RACHEL M. SADOFF, CLERK

JASON STEELE, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board 01/23/2024.