

Brevard County Board of County Commissioners

*Commission Chambers, Building C
2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, January 13, 2026

5:00 PM

Regular

Commission Chambers

Rollcall

Present: Commissioner District 1 Katie Delaney , Commissioner District 3 Kim Adkinson, Commissioner District 4 Rob Feltner, and Commissioner District 5 Thad Altman
Absent: Commissioner District 2 Tom Goodson

A. CALL TO ORDER: 5:00 P.M.

C. PLEDGE OF ALLEGIANCE: Commissioner Katie Delaney, District 1

Commissioner Delaney led the assembly in the Pledge of Allegiance.

E.1. Resolution to Name March 21, 2026 Space Coast Day - District 1

Commissioner Delaney read aloud, and the Board adopted Resolution No. 26-001, designating March 21, 2026, as Space Coast Day.

Result: ADOPTED

Mover: Katie Delaney

Secunder: Rob Feltner

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

Mr. Anderson expressed his appreciation to the Board, even Commissioner Goodson who is not present, and especially to Commissioner Delaney for kind of falling in love with this idea last year; he advised he actually has been working on this for four or five years trying to get this done, so he appreciates this kind of the beginning of something that he envisions in the future; he does not know if the Board is familiar with Tampa, but they do a Gasparilla event every year, they do pirates, and they do pirate ships; but the County is going to do space-themed because Star Trek said that space is the final frontier; and Brevard is going to have parades, but not with pirates. He pointed out the County is going to have space men, Martians and all kinds of space-themed projects; they really want to get the School Board involved with this as well; he envisions that a few years from now this is going to be a really big deal; some people think that it is not; he knows the Chambers of Commerce should run with this; he thinks the Tourism Development Council should kind of help push this forward; he thinks this is a very big deal for Brevard County; and he is very thankful for the Commission having them tonight.

Janet Petro, Director of the Kennedy Space Center (KSC), expressed her appreciation to the Commissioners, and in particular Commissioner Delaney for inviting her here tonight to support; she stated she is very honored to be here to support this Resolution recognizing the 21st of March as Space Coast Day in Brevard County; and she is honored to be here and add her voice to this proclamation, and celebrate the unique and vital ties between the Space Coast and the advancement of space exploration over the last several decades. She continued by saying her legacy with National Aeronautics and Space Administration (NASA) began long before the first day that she went on to KSC; she is a local girl who grew up here in the early days of America's space race; her father moved their family down from Michigan to the Space Coast where he worked out at the Center for Mercury, Gemini, and the Space Shuttle Program; she grew up watching launches from the beaches, and she still vividly remembers one of her college spring breaks when she came home and saw the Space Shuttle roll out of the Vehicle Assembly Building (VAB) towards the pad for the very first time; she knows this is her story, but she knows that it resonates very deeply with many people here on the Space Coast; and one would be hard-pressed to find anybody in Brevard, and even beyond, who does not have a

personal story connecting them with the Space Program and the inspiration that the nation's Space Program has brought them. She noted more than 60 years ago, the KSC was established to meet the goal of landing a man on the Moon and returning him safely to Earth; in the decades that followed, the KSC served as a launching point for some of the agency's most impactful missions; a daring pursuit to launch a man into orbit made way for the more audacious goal of sending a man to the Moon; a simple orbiting laboratory paved the way to an international collaboration that enabled continuous human presence for more than a quarter of a century this year; their achievements are many, but they are not meant to be celebrated and tucked away into the history texts; and these bold endeavors serve to remind people of what is possible when he or she dares to dream, innovate, question, and push beyond the boundaries of what one knows. She mentioned in the coming weeks, if the Commissioners do not know, the Space Coast once again, is going to be the focus as the eyes of the world turn to watch a historic launch of Artemis II, which is sending humans back to the Moon's pole for the first time in more than 50 years; this crew test is going to build on the success of Artemis I, but this time there will be four astronauts on top of it, so the excitement in this County and on the Space Coast is going to be unparalleled; while Kennedy might be synonymous with accomplishments of the past, they are looking ahead to ensure the legacy they have built will last long into future; for the first time in the Center's history, Kennedy, along with their other Space Force partners, launched more than 100 missions from the Space Coast in 2025, which was a historic record; while impressive, this number does not just represent their highest launch cadence to date, it reflects a specialized support that is unique to the Center, providing millions of cubic feet of gaseous commodities and hundreds of thousands of gallons of liquid propellant, coordinating thousands of transport actions, executing hundreds of partnership agreements while meeting the Agency's mission supporting national security launches and enabling an ever-growing commercial demand for access to space is something that can only one place on Earth, and that is right here at the KSC; as they celebrate in the United States 250 years of daring, exploring, and pioneering spirit from which the nation was born, Artemis is going to serve as that big, beautiful candle that illuminates the strength, innovation, and perseverance for which America is best known; and as Florida celebrates the establishment of 321 Day in recognition of the Space Coast's beautiful history, she invites the Board to join her in the anticipation, excitement, and celebration of the new chapter of space exploration being written together as they go back to the Moon and beyond.

Chair Altman advised the other Commissioners should come down; he is really honored that Ms. Petro would be here as the Center Director, Brevard's leader who is, as she said, the NASA Administrator; she ran all of NASA, and he expressed his appreciation for her public service in the Army serving as the NASA Administrator; and it is good to have her back as the Center Director.

D.1. Minutes for Approval: October 28, 2025 Regular Meeting

The Board approved the October 28, 2025, Regular Meeting Minutes.

Result: APPROVED

Mover: Kim Adkinson

Seconder: Katie Delaney

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

E.2. Presentation regarding PFAS Chemicals in Drinking Water - District 1

Commissioner Delaney stated she has a companion Item for this, but she asked the Board's

guest to come today because Stel Bailey is a globally recognized Per- and Polyfluoroalkyl Substances (PFAS) advocate and cancer survivor who has played a role in securing the first ever national drinking water standards for PFAS and millions of dollars for military veterans, firefighters, and communities impacted by contamination; her work has been nationally-recognized for advancing environmental health transparency, accountability, and for turning personal experience into meaningful policy change; and with that she would love to ask Ms. Bailey to come and give here presentation.

Stel Bailey asked if this presentation is timed.

Chair Altman asked what she is looking for in terms . . .

Ms. Bailey replied five to seven minutes at most. She expressed her appreciation to the Board for allowing her to come and do a presentation on PFAS also known as Forever Chemicals, what they are, and why they matter to Brevard County; PFAS, also known as Forever Chemicals, one might hear that there are over 12,000 identified compounds globally; for instance, one may see his or her Perfluorooctanoic Acid (PFOA), Perfluorooctanesulfonic Acid (PFOS), and Per- Polyfluoroalkyl (PF), and it just goes on and on; people think it is just one chemical; on a national level, there are standards set for PFOA and PFOS which have a lot of studies behind it; they were designed to repel heat, stain, and water; and that is what made them useful, but it also made them dangerous. She explained what makes PFAS so different from other chemicals is the bond that holds them together; the Carbon-Fluorine Bond is one of the strongest bonds in chemistry; that bond is why PFAS resists heat and breakdown, persist in groundwater, and accumulate in human blood and organs; and PFAS is not naturally occurring, it is a manmade chemical. She asked where PFAS enters drinking water; she explained they were used for decades in things like firefighting foam, industrial fluid, landfills, pesticide containers, waterproof fabrics, and are in biosolids; over time, those chemicals washed into the ground, slowly moved into groundwater, the same groundwater that many communities use for drinking water; places with airports, military sites, farming, landfills, or advanced manufacturing tend to see more PFAS in groundwater because those activities used PFAS for many, many years; what is seen today though is usually not from something happening right now, it is known as legacy contamination; it is older pollution that has been moving underground, also known as a plume from a long time ago a/k/a legacy contamination; and one can do source tracing, but in the meantime, the first and foremost thing that can be done is to inform communities about PFAS, what it is, to help them make informed decisions on their drinking water. She went on to say why PFAS is not just another chemical is most chemicals degrade or leave the body; PFAS persists and accumulates over time, meaning it builds up in one's body; even small exposures contribute to the total body burden; drinking water creates continuous exposure; what the science shows is that PFAS is linked to kidney and testicular cancer; she reiterated that this takes time, long-term exposure, it does not happen tomorrow, it happens over time as one drinks their water over years and years when one has it in his or her water; thyroid disease, immune system suppression, that part is really important because that can lead to cancer, elevated cholesterol, pregnancy impacts, low birth weight, developmental effects; she pointed out that the most vulnerable are pregnant women, infants, and children, because PFAS interferes with the developing systems; and these health effects show up after long term exposure, not right away, but over time. She stated understanding the numbers, one is going to frequently hear parts per trillion is just a drop in an Olympic-sized pool, but she wanted to reiterate again that it may sound tiny, but that is because PFOS is biologically active at extremely low levels; PFOS causes harm at levels too small to taste or see; one cannot see it, taste it, which also makes it extremely worrisome and concerning for people; risk come from years of exposure, not a single glass, and standards exist because the science shows harm at these levels; and she is talking the Centers for Disease Control (CDC), Academy of Sciences,

Agency for Toxic Substances and Disease Registry (ATSDR), as the science backs it up. She mentioned the reasons why Brevard County should care about the PFAS issue is the people do live in the aerospace of Brevard County, in the nation, the County should be leading these things with technology; states like Michigan test all of their public water systems and share their results online to be a lot more transparent with their community; Brevard County relies on groundwater sources for their drinking water; the population growth increase actually increases water demand, so aquifers are becoming depleted to the point where they are starting to see conversations about turning sewage into drinking water; that should be a concern for everyone; long-term planning reduces future costs; and of course, water quality affects public trust. She stated again, the other communities across the United States, cities like North Carolina and Colorado test and disclose, plan long-term infrastructure solutions, communicate clearly with residents, and avoid costly emergency reactions later; these are some of the things they want to see happening because it is steady improvements and clear communication; it is really as simple as that because they have to go back to the fact that this is legacy contamination that is mostly being seen; Brevard County has always been known for leading in aerospace technology and innovation; managing modern water challenges is part of the same tradition; and understanding PFAS and planning ahead helps keep Brevard a place people want to work, live, and invest.

Chair Altman advised he has attended numerous workshops, hearings, lectures, and sitting on the Florida Military Defense Support Task Force with all of the military bases having such PFAS challenges, probably the most depressing issue of all; it is easy to develop a sense of hopelessness because the solutions are so difficult; and he asked if Ms. Bailey believes it is possible for the County to get ahead of this problem and fix it.

Ms. Bailey replied she does, because drinking water is a source of exposure that is worse than dermal exposure right now; she thinks Brevard can combat that at the bare minimum; then source detecting can be done in figuring out where the sources are and combat that; it will be a long-term issue the County will continuously be combating; but at the bare minimum the County needs to be protecting people's drinking water and making that a priority.

Commissioner Delaney expressed her appreciation to Ms. Bailey for coming today; she stated she wanted to kind of give this topic some air time because she really feels like the County is in a unique situation as it has all of these talented and smart people here; she believes when the County brings everybody together on a topic like this, innovation and talent, everybody cares about public health; she is encouraged that this conversation is going to continue, and to work with the County's partners in order to hopefully get these technologies going, figuring out the sources, and figuring different technologies to get it cleaned up, because this is not something that is a Brevard County problem, this is everywhere; she really believes in being a leader in this topic; and she appreciates Ms. Bailey, not only for what she has done for the community, but for the country. She pointed out Ms. Bailey did not talk a lot about the things she has accomplished; and Ms. Bailey was at the table when these discussions nationally were going on, getting a national rating for PFAS.

Ms. Bailey noted national drinking water standards, a Superfund designation, and millions of dollars to the Department of Defense (DOD) to clean it up.

Chair Altman stated it is billions.

Ms. Bailey agreed that it is billions.

Chair Altman expressed his appreciation to Ms. Bailey in helping bring more attention to this

incredibly serious challenge the County has.

The Board acknowledged presentation regarding Per- and Polyfluoroalkyl Substances (PFAS) chemicals in drinking water.

**F.1. Final Plat and Contract Approval, Re: Del Webb at Viera Phase 5B
Developer: Pulte Home Company, LLC. District 4**

The Board, in accordance with Section 62-2841(i) and Section 62-2855, granted final plat approval; and approved and authorized the Chair to execute the final plat and Contract for Del Webb at Viera Phase 5B – Developer: Pulte Home Company, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED
Mover: Kim Adkinson
Second: Katie Delaney

**F.2. Acceptance, RE: Binding Development Plan with Michael S. Palo (25Z00029)
(District 4)**

The Board accepted and executed Binding Development Plan with Michael S. Palo (25Z00029), for:

PARCEL 1

BEING A PARCEL OF LAND LYING IN SECTION 32. TOWNSHIP 26 SOUTH, RANGE 37 EAST, SAID PARCEL BEING A PORTION OF THE DONALD R. PALO AS TRUSTEE PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 2606, PAGE 272, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1804, TRACT 100, SAID CORNER LYING IN THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 5 (ALSO KNOW AS U.S. HIGHWAY 1), PROCEED THENCE WITH SAID RIGHT OF WAY LINE N 23°17'18" W, FOR A DISTANCE OF 199.90 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE SOUTH LINE OF THE TRACT WHICH THIS IS A PART OF AND THE POINT OF BEGINNING; THENCE WITH SAID SOUTH LINE S 66°32'19" W, FOR A DISTANCE OF 675.42 FEET TO A NEW 1/2" REBAR IN THE WEST LINE OF GOVERNMENT LOT 4; THENCE WITH SAID LOT LINE N 00° 01'57" W, PASSING THROUGH THE NORTHWEST CORNER OF LOT 4 AND THE SOUTHWEST CORNER OF LOT 3 AT 54.60 FEET AND CONTINUING WITH THE WEST LINE OF GOVERNMENT LOT 3, A TOTAL DISTANCE OF 326.10 FEET; THENCE N 66°28'10" E, FOR A DISTANCE OF 114.70 FEET TO A POINT IN THE WEST LINE OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521 PAGE 1804, TRACT 102; THENCE WITH SAID WEST LINE S 01°40'21" E, FOR DISTANCE OF 107.75 FEET TO AN EXISTING 5/8" REBAR (FLORIDA DOT) THE SOUTHWEST CORNER OF TRACT 102; THENCE N 66°28'10" E WITH THE SOUTH LINE OF TRACT 102, FOR A DISTANCE OF 471.66 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE WEST RIGHT OF WAY LINE OF STATE ROAD NUMBER 5; THENCE WITH SAID RIGHT OF WAY LINE S 23°17'18" E, FOR A DISTANCE OF 199.88 FEET TO THE POINT OF BEGINNING.

PARCEL 2

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SAID PARCEL BEING A PORTION OF THE DONALD R. POLO AS TRUSTEE PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 2606, PAGE 272, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1804, TRACT 100, SAID CORNER LYING IN THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 5 (ALSO KNOW AS U.S. HIGHWAY 1), PROCEED THENCE WITH SAID RIGHT OF WAY LINE N 23° 17'18" W, FOR A DISTANCE OF 199.90 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE SOUTH LINE OF THE TRACT WHICH THIS IS A PART; THENCE WITH SAID SOUTH LINE S 66°32'19° W, FOR A DISTANCE OF 675.42 FEET TO A NEW 1/2" REBAR IN THE WEST LINE, OF GOVERNMENT LOT 4; THENCE WITH SAID LOT LINE N 00° 01'57" W, PASSING THROUGH THE NORTHWEST CORNER OF LOT 4 AND THE SOUTHWEST CORNER OF LOT 3 AT 54.60 FEET AND CONTINUING WITH THE WEST LINE OF GOVERNMENT LOT 3, A TOTAL DISTANCE OF 326.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WITH SAID LOT 3 N 00° 01'57" W, FOR A DISTANCE OF 89.35 FEET TO AN EXISTING 4"X4" CONCRETE MONUMENT, THE NORTHWEST CORNER OF THE TRACT WHICH THIS IS A A PART OF; THENCE WITH THE NORTH LINE OF SAID TRACT N 66°31'52" E, FOR O DISTANCE OF 111.89 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE WEST LINE OF THE STATE OF FLORIDA TRACT 102 AS RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1806; THENCE S 01 ° 40'21" E WITH THE WEST LINE OF SAID TRACT 102, FOR A DISTANCE OF 88.16 FEET; THENCE S 66°28' 1 0" W, FOR A DISTANCE OF 114.70 FEET TO THE POINT OF BEGINNING.

Result: APPROVED

Mover: Kim Adkinson

Secunder: Katie Delaney

F.3. Final Plat and Contract Approval, Re: Adelaide Phase 7

Developer: The Viera Company. District 4

The Board, in accordance with Section 62-2841(i) and Section 62-2844, granted final plat approval; and approved and authorized the Chair to sign the Final Plat and contract for Adelaide Phase 7 – Developer: The Viera company, subject to minor engineering changes, as applicable, and developer responsible for obtaining all necessary jurisdictional permits.

Result: APPROVED

Mover: Kim Adkinson

Secunder: Katie Delaney

F.4. Approval, Re: Contract for Sale and Purchase from Robert H. Deal, as Trustee of the Deal Family Trust u/a/d September 18, 2008, for the Purpose of Flood Storage Preservation - Tax Account 2300792, District 1.

The Board accepted and authorized the Chair to execute the Contract for Sale and Purchase from Robert H. Deal, as Trustee of the Deal Family Trust u/a/d September 18, 2008, for the purpose of flood storage preservation – Tax Account 2300792.

Result: APPROVED

Mover: Kim Adkinson

Secunder: Katie Delaney

F.5. Approval Re: Interlocal Agreement with the City of Palm Bay for Babcock Street Reconstruction and Resurfacing Between Weiman Road and Willowbrook Street -

District 5

The Board approved and authorized the Chair to execute the Interlocal Agreement (ILA) with the City of Palm Bay for the Babcock Street Reconstruction and Resurfacing Project; authorized the County Manager to execute any necessary agreement-related documents, such as amendments, and conveyance documents, contingent upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; and authorized the County Manager to execute all necessary Budget Change Amendments (BCRs).

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.6. Approval to Apply for the Florida State Revolving Fund (SRF) for Utility Services Projects.

The Board approved the Utility Services Department to apply for SRF funding for the Utility Services projects outlined within the Agenda Report.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.7. Approval, Re: Updated 911 Addressing Interlocal Agreement

The Board approved and authorized the Chair to execute the updates 911 Addressing Interlocal Agreement between the County and each municipality to ensure the continued accuracy and reliability of addressing data used by 911 systems; and authorized the County Manager to execute and submit all necessary budget amendments (BCRs), as well as any administrative updates, modifications, or amendments to the Agreement, subject to review and approval by the County Attorney's Office and Risk Management.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.8. Resolution: Adopting and Executing the Statewide Mutual Aid agreement with the State of Florida, Division of Emergency Management

The Board adopted Resolution No. 26-002, adopting the updated Statewide Mutual Aid Agreement (SMAA); and authorized the Chair to sign the Agreement with the State of Florida, Division of Emergency Management (FDEM), and all future Statewide Mutual Aid Agreements as approved by the County Attorney's Office.

Result: ADOPTED

Mover: Kim Adkinson

Second: Katie Delaney

F.9. Approval, Re: Budget Change Request

The Board reviewed and approved the Budget Change Request.

Result: APPROVED

Mover: Kim Adkinson

Second: Katie Delaney

F.10. FY 2024-2025 Merritt Island Public Library Tax District Board Annual Report

The Board acknowledged receipt of the Fiscal Year 2024-2025 Merritt Island Public Library Tax District Annual Report.

Result: APPROVED
Mover: Kim Adkinson
Seconder: Katie Delaney

F.11. Appointment(s) / Reappointment(s)

The Board appointed/reappointed Clifford Barber to the Contractor's Licensing Board, with term expiring December 31, 2027; Anne Conroy Baiter to Economic Development Commission of Florida's Space Coast, with term expiring December 31, 2026; Jane Beach to the Historical Commission, with term expiring December 31, 2027; and Peter Fuscas to the Transportation Planning Organization (TPO) Citizens Advisory Committee, with term expiring December 31, 2026.

Result: APPROVED
Mover: Kim Adkinson
Seconder: Katie Delaney

F.12. Approval, Re: Resolution and Real Estate Contract for Sale of Property to ETA Space, Inc. in County-Owned Spaceport Commerce Park in Titusville.

The Board approved and adopted Resolution No. 26-003; authorized the Chair to execute Real Estate Contract permitting the sale of approximately two and one-half (2.5) acres of land in the County-owned Spaceport Commerce Park in Titusville for \$162,500 (or \$65,000 per acre) to ETA Space, Inc.; and authorized the Chair to execute all related documents, upon the County Attorney's Office and Risk Management approval.

Result: ADOPTED
Mover: Kim Adkinson
Seconder: Katie Delaney

F.13. Bill Folder

The Board acknowledged receipt of the Bill Folder.

Result: APPROVED
Mover: Kim Adkinson
Seconder: Katie Delaney

G. PUBLIC COMMENTS

Gerhard Claassen commented he is going to ask the Board to justify increasing his property tax by 7.08 percent last year at his house; that is all; he is not going to fight; and he asked the Board to justify that.

Chair Altman asked Mr. Claassen to repeat what he said.

Mr. Claassen advised his property taxes increased from \$4,882 to \$5,228 last year, which is an increase of 7.08 percent; he asked why the County had to take 7 percent more of his money; the County took it from him; and he asked the board to justify it.

Jim Liesenfelt, County Manager, explained the County cannot give an answer without knowing the parcel and what . . .

Mr. Claassen interjected by asking again why the County had to take 7 percent more of his

money in property taxes at his house last year is all he is asking.

Mr. Liesenfelt pointed out property taxes are more than just the County; there is city, School Board, St. John's . . .

Mr. Claassen interrupted by saying the only people who takes his property taxes is the County.

Mr. Liesenfelt stated there is also School Board, so it depends on what the, there are multiple tax rates, so some go up and some go down.

Mr. Claassen inquired if the County Manager was not going to answer him.

Mr. Liesenfelt stated he cannot give Mr. Claassen an answer because he does not have the information.

Chair Altman asked if Mr. Claassen could give the Board a copy of his tax bill.

Mr. Claassen replied no, sir, he does not want to get off track here; he wanted to know if the Board could justify it; and he can see it does not want to justify it. He mentioned he owns a house in Merritt Island and that is where the County took his interest rate by 7 percent; he also owns a commercial property, which he is unable to use because of the County is keeping him from doing it; but be that as it may, it is a different story; and he asked where his tax increased by 8 percent to justify that difference, why 7 percent for his house and 8 percent for his commercial property. He stated he thinks he is owed that answer.

Chair Altman advised if Mr. Claassen can provide the Board with his tax information, it could give him more; and if he gives them a parcel number or his address, it can be looked up.

Mr. Claassen noted he can tell the Board why . . .

Chair Altman asked how much of it was . . .

Mr. Claassen continued by saying the County's budget went to \$2.5 billion dollars that is why, from 1.404 10 years ago, 140 percent increase, while the population increased by 18, the County increased his taxes and everybody else's taxes by 140 percent; and he asked the Board to justify that.

Chair Altman stated the Board will do that, it will be looked at; he will look up his taxes . . .

Mr. Claassen stated publicly please.

Chair Altman remarked the Board will do that at the next meeting; staff will get the information so Mr. Claassen will have the best answer; and he appreciates his concern.

Sandra Sullivan stated at the last meeting, there was a conversation on the same Agenda Item that the Board gave to a Community Redevelopment District (CRA) that had no debt that it could close; the County gave them \$12.1 million; meanwhile, on this same Agenda Item, the Board talked about raising taxes and doing away with the three percent tax cap; she understood from that meeting that the Lagoon Workshop was going to discuss moving monies to stormwater, flooding, and sewage to kind of take preventative action to not raise the people's taxes; and she was very disappointed by the dog and pony show the people got for a sales pitch. She went on to say even worse, they came to find out that one of the Commission offices

spent \$1,100 and change for one of the presentations here to do a sales pitch; she did a records request with Florida Technology; the County is paying them money for muck research despite the fact that the grant ended in 2023; the County has \$168.5 million unallocated and a lot of money not spent; she asked why the new 2026 draft plan address the issues of infrastructure; and she pointed out, the County has an infrastructure crisis. She commented South Beaches, from the County's budget last year, \$50 million just to bring it up to speed to Association of Water Technologies (AWT) and another \$30 million for the deep injection well, because Brevard has been identified by the Environmental Protection Agency (EPA) where the deep injection well comes up to the groundwater; it is only funded by \$2.4 million in Save Our Indian River Lagoon (SOIRL), which is why when the contract was awarded in 2022, nothing has been done; the County has had millions of gallons dumped, consent orders, because it is supposed to not dump anything that is not AWT to the river, but it dumps to the river; this is 21 million gallons in 2022, 2023, dumped to the river; and the County is to have consent orders because its plants are not up to AWT but not adequately funded by SOIRL, which was a promise to the taxpayers. She added, the taxpayers were also promised to match the State funding, the County got \$12 million from the State in 2022, so that is not happening; she looked at the muck numbers, and the County awarded the Eau Gallie Muck Project, which is for another day to talk about; the National Aeronautics and Space Association (NASA) project in the last plan was \$250 million for the Banana River PFAS contamination; in the chart she presented, she advised in there it is only for \$10 million; all of the muck projects have been devalued so low that the numbers are not even realistic in the plan; and the taxpayers got mucked.

J.1. Approval, Re: Contract for Sale and Purchase from Brookside Development LLC, a Florida limited liability company, for the Lift Station B-06 Relocation Project - District 5.

Marc Bernath, Public Works Director, advised this is a contract for sale and purchase from Brookside Development LLC for the Lift Station B-06 Relocation Project, located on the corner of North Riverside Drive and Third Avenue, Indialantic, and located in District 5; it is in support of Utility Services; and the sale price is \$495,000

The Board accepted and authorized the Chair to execute Contract for Sale and Purchase and Addendum from Brookside Development LLC, a Florida limited liability company, for Lift Station B-06 Relocation Project.

Result: APPROVED

Mover: Rob Feltner

Seconder: Kim Adkinson

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

J.2. Approval, Re: Contract for Sale and Purchase from Evans Wickham, LLC for Future Enhancements to the Brevard County Utility System - District 4.

Marc Bernath, Public Works Director, commented J.2. is a contract for sale and purchase from Evans Wickham, LLC for future enhancements to Brevard County Utility System along North Wickham Road in District 4; and the price would be \$745,000.

Commissioner Delaney asked if Eddie Fontanin, Utility Services Director, would mind sharing with her a little bit about what Utilities Services intends to use this property for; and can he give some explanation about, on the Agenda Item it says Public Works Department is in control of

this item, and can he walk her through who pays for this, and that type of stuff.

Mr. Fontanin explained he will answer her second question first, and with Mr. Bernath being here, he hopes he says it correctly; all Departments, when doing land acquisition, the Land Acquisition group falls under Public Works, and that is why it falls under a Public Works item; and with regard to the payment, the Department, in this case Utility Services, upon approval, would be sending this to the title company, at which point it gets distributed to the homeowner.

Commissioner Delaney asked if it is out of Utilities budget.

Mr. Fontanin replied affirmatively.

Commissioner Delaney asked and then the property.

Mr. Fontanin responded the property is attractive because along Wickham Road, which literally goes from the treatment plant all the way south of Pineda, that is a major force main transmission line; this property sits approximately in the midway point; and as they are looking for opportunities for improvements with the hydraulic performance of that force main, but also adjacent, this would be the location that would be utilized for that.

Commissioner Delaney asked if that would give some protection if there was a backup or something, that it would not be in the streets basically.

Mr. Fontanin responded every project done on the improvement of hydraulics lowers the probability of backups occurring.

Richard Heffelfinger stated he had some questions, but he thinks his Commissioner kind of answered it; this is being paid for by Public Works, or that money comes out of General Fund; and he asked if that is right. He stated essentially it is funded by Public Works.

Mr. Fontanin replied this is a Utility Services project, so this would be funded by Utility Services.

Chair Altman advised utility fees.

Mr. Heffelfinger asked if this would qualify for Save Our Indian River Lagoon (SOIRL) matching.

Mr. Fontanin responded this project is outside of the Indian River Lagoon basin, so the answer would be no.

Mr. Heffelfinger stated but it is an infrastructure improvement that would keep water from the Lagoon; and he asked if that is not true.

Mr. Fontanin replied as projects are developed associated with this they will also be reviewing avenues for funding, whether it is SOIRL, Florida Department of Environmental Protection (FDEP), or other sources; step one is to acquire the land; and step two is then to develop projects that would be applicable for grants and funding.

Mr. Heffelfinger remarked the reason he asked that is SOIRL does get, has a purpose, as previously stated by the previous speaker, to improve infrastructure, which would take the burden off of the utilities; but if that was thrown into the pool, he thinks they have more money than maybe Public Works does to support this; if the land is being bought for that reason to

help with drainage, because all of the sewage is a threat to that Lagoon; water processing overflows; the more it is done, it qualifies for SOIRL; and if there is extra SOIRL money that has already been collected, that would be a good reason to save some of that other Public Works so his taxes are not increased by the County on his real estate, and that is all he is trying to defend. He stated that is the only questions he had; it is interesting that, although he looked up a little bit on it, they approached the County about the sale; that looks like they are wanting to get rid of it; and he hopes they are not going to profit too much.

Sandra Sullivan stated the issue she has with a couple of the Agenda Items is just a lack of transparency for accountability; it would be a lot easier if there was some attachments to some of the documents, which there is not; the big picture from the budget workshops is the County does not have enough money for infrastructure, but here it is taking on more obligations; it is quite interesting, the County is acquiring this one, but it just sold a piece on Barnes Road, that was on the main road; and the same justification could be used there, putting in a lift station. She mentioned she thinks there is a concern of the County's sewage treatment plants being at or near capacity, and having all of this growth; she asked how the County is going to pay for it all; she noted this will come out of Utility funds to pay for this; there are restrictions on utility land; at the end of the day, the County sits on it; but she asked what it is doing to address the fundamental issue of the County having such a fiscal crisis with so much growth, more growth, and many mandates, how does it plan to manage the growth for the can that has been kicked down the road for so long without raising taxes.

Commissioner Feltner advised he is going to make a motion on this; one of the things, he appreciates that the County is here, there is a very limited opportunity on Wickham Road to put a lift station, a tank, anything for reuse, and retention; it is tough along there in that corridor, especially Suntree; there is not going to be this opportunity again; and he appreciates that the Board is doing this today to get this done.

The Board accepted and authorized the Chair to execute Contract for Sale and Purchase from Evans Wickham, LLC for the future enhancements to the Brevard County Utility System.

Result: APPROVED

Mover: Rob Feltner

Secunder: Katie Delaney

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

J.3. Approval to use the Construction Manager at Risk (CMAR) for the Utilities Services Department's Capital Projects Identified.

Sandra Sullivan commented again, this is an Item without any details; just for anyone listening, a construction manager at risk is someone, it is a design build, so they design it and then they built it; it is the way that things are done today; it is a very sensible way to go about the County's Utility Services; it takes a load off of the County to where it is not doing all of the design; but it probably raises expenses a bit, so they come to the Board to know who are the vendors, because she does not see a corresponding, if the County went out to bid for somebody in vendor link; and she asked if this relates to an existing set of vendors who are doing types of services already for utility Services, so she would like to see some clarification on that. She continued by saying this says for capital projects identified; the County has lots of capital projects identified and it does not have enough funding for, so according to vender link, there is an intent to go out this year and do debt; and she thinks a little bit more explanation is

in order.

Edward Fontanin explained just a quick overview of what a construction manager at risk is, these are all projects staff identified what they are looking at for the time being; what the idea of this is they do a Request for Qualifications (RFQ); the reason there is not anything on what vendor link is, is because they wanted to get the Board's approval before proceeding in that direction; when doing a RFQ for a construction manager, staff is looking at contractors that have expertise in utility projects, specific to the ones listed; the advantage of this is they engage with the contractor during the design phase; there is already an engineer procured; but what the County is getting is a few of the advantages, which is identifying lead times on critical items that can be pre-purchased in order to make the job shorter in terms of the construction; staff gets costs, not cost estimates, of actual construction costs versus an engineer's estimate that provides a variance of plus or minus; and as they proceed into debt service or even grant applications, they will have a more precise number of what that is. He went on to say the other added advantages by having the contractor engaged during the design phase is that any items that are identified in the construction phase but were visible during the design are not eligible for change orders; and they greatly reduce change orders, any questions about the design or constructability and the construction phase, so it really is a more streamlined process to get these critical projects going.

*Chair Altman passed the gavel to Vice Chair Adkinson.

*Chair Altman's absence was noted at this time.

Vice Chair Adkinson expressed her appreciation to Mr. Fontanin; she advised she is just going to take over for a little bit; and she asked if there are any questions from the Board.

Commissioner Delaney stated she wanted to mention something that Mr. Fontanin said to her in her briefing yesterday and doing that this way also stops the ability of change orders: the price that they give the County is the price they give it; and a lot of times when going out for an Request for Proposals (RFP), the County will get a price, then six months down the line, once they are in the project, they say they actually have to spend this money, so on, and so forth, so this will lock into a price.

Mr. Fontanin advised that is correct.

The Board approved utilization of the services of a CMAR firm(s) for the Utility Services Department's capital projects identified in the Summary Explanation and Background section of the Agency Report; authorized Purchasing Services to competitively solicit Request for Qualifications (RFQ) for the services of CMAR firm(s) for the identified capital projects; and authorized the County Manager to execute contracts, contract amendments, and any contract extensions, Budget Change Resolutions (BCRs), change orders, and any documents or other administrative actions related to CMAR contracts within the Board's approved budget for each identified capital project.

Result: APPROVED

Mover: Katie Delaney

Second: Thad Altman

Ayes: Delaney, Adkinson, and Feltner

Excused: Altman

Absent: Goodson

J.4. Rescheduling Budget Workshop from January 22, 2026 to March 19, 2026.

Jim Liesenfelt, County Manager, stated staff is asking for a request to reschedule the January 22, 2026, workshop to March 19, 2026, that is a budget workshop; the Board already has one scheduled for January 29; staff is asking to do this because of some scheduling issues; and they are just asking for approval. He continued by saying once it is approved by the Board, staff will get the calendar and websites updated.

Commissioner Feltner asked if Public Works is going to go first, or is this moving Public Works to that date.

Mr. Liesenfelt replied he does not have the order off of the top of his head; the four subjects for the first workshop are annual color of money, showing the General Fund; and Public Works, Utilities, and Stormwater are the three departments that will be presenting.

Richard Heffelfinger stated he does not want to make this long; he is concerned that in the past the citizens have been caught with his or her pants down about time to digest the information; he was a little concern, or he could ask, why did it have to be moved all the way to March, because if those are important Departments and maybe the Board, he does not know what Departments were being pitched, on the second week, but that is more time the citizens do not have time to look at them; he asked why not come up with an agreement to kind of help him out a little, for the County to post the presentations early but delayed the presentations; in other words, would it possible to post the Departments that are going to be pitched on the Legistar on the date the meeting was going to happen; and that way at least the public gets time to look at it because it is already pretty difficult for the citizens that the County gives them, typically the meetings are Tuesdays, and they see them Friday, although he thinks this Agenda was out on Thursday, and he was shocked. He reiterated it does not give the public time to look at it; he would like have time to look through the material, ask questions, so he does not blindsides the Board with questions when he comes to a public meeting; he appreciates that the new Chair is actually addressing and taking on some of the questions; he does not like blindsiding the Board; in the past, he has tried to do that when the time did not seem to be used; but he knows some of the Commissioners look at these issues and say, this guy may have a point and the Board should answer those questions; sometimes Legistar is seriously underused where the County has the opportunity to put more information up there, and he will address that as one of his later items, but that resource is really for the Commission he assumes to bring all of that information together, and mostly for the citizens, they get to see the visibility; the Board has heard these people's cry for public records; and if it is put up there, he bets the County's cries for public records would go way down. He pointed out that would hurt the County financially because it charges money for public requests; but he thinks the use of the Legistar, and if the Board could maybe possibly commit to putting that stuff up a little earlier because the workshops are a waste of time if the population does not get a chance to engage, unless that is the intent; and that is all he is asking for is compromise to get those pitches up earlier so the public does not have to wait all the way to March.

Commissioner Delaney asked if she could clarify one thing; she stated she just wants to make sure she is not confused about this, and if the 29th is still happening and that is when the color of money, Public Works, Stormwater, and Utilities will be.

Commissioner Feltner replied correct.

Sandra Sullivan commented she is vehemently opposed to a delay in the budget; there was a statement made the other day at the workshop for Save Our Indian River Lagoon (SOIRL) that suggested that was going to be moved pretty quickly and get it out there early; the two conversations are intertwined, because by State Statute, Brevard County is only allowed one infrastructure surtax; the County had a \$2.2 billion budget as of last year's budget that equaled the amount of the entire budget for the County; the entire County budget went up to \$2.8 billion, so who knows what that one is; she provided a chart showing the Board where the analysis was in the pink; and she stated for these other counties is an infrastructure surtax that they are using to meet their crisis in roads. She went on to say the County seriously has to look at restructuring the infrastructure surtax to also handle sewage infrastructure, all aspects of infrastructure; the County is spending that on grass clipping, marketing, which is not even a capital expense, and she would allege not legal under the muck tax; the bottom line is the County is looking at raising people's taxes, it was said at the last meeting, to address the flooding, existing flooding, existing sewage, plus it has a crisis on roads; and the infrastructure issue is because the Commission for 25 years kicked the can down the road and did not update impact fees, so the County is in the crisis now, the crisis needs to be fixed, the County cannot keep just waiting, and then raise the taxes as the Board mentioned at its last meeting. She noted major new projects underway, showing the Board on the document just sewage infrastructure at \$431 million; SOIRL, by comparison, is \$585 million; she asked how the County is going to pay for that; she advised there have been projects that have been contracted since 2022 for South Beaches, it is not the money to fund it; the Commissioners are not fiscal conservatives if he or she is talking about raising people's taxes when it has a tax source available and stop the waste; and the County needs to Department of Government Efficiency (DOGE) SOIRL.

*Commissioner Altman's presence was noted at this time.

The Board approved the rescheduling of the Budget Workshop from January 22, 2026, to March 19, 2026.

Result: APPROVED

Mover: Thad Altman

Secunder: Katie Delaney

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

J.5. 2026 Susan B. Connolly Speak Up Brevard Workshop for commissioners to hear citizen effectiveness and efficiency recommendations

Commissioner Delaney asked Don Walker, Communications/SCGTV Director, to come up to give the Board a short overview of the Citizens Effectiveness and Efficiency Recommendations (CEER) Program

Jim Liesenfelt, County Manager, advised if it is okay with the Board, as this is a Commissioner's Agenda Item; staff did not put the presentation into the package or anything; Mr. Walker has a presentation prepared; but if the Board wants staff to present it, they can do an overview of the CEER Program.

Vice Chair Adkinson noted she is happy to hear an overview; and she asked if any of the Commissioners have any thoughts.

Commissioner Feltner stated he is fine as well.

Mr. Walker stated just a quick brief on this; the County Charter Commission put together the CEER Program, based on public comment and added it to the Charter in 2010; it was basically meant as a model for people to contribute efficiency and effectiveness ideas to help the County save money; the County Attorney has spoken about this in the past; it was during the time of recession; and they were doing furloughs with the County, and it was just trying to look for any type of money-saving and effectiveness ideas that the County could incorporate into its day-to-day operations. He continued by saying just over the past 10 or 12 years the County has gotten roughly 253 CEERS; the majority of those have come in just within the last couple of years; of those 253, about 160 of those just in the past two or three years; some of the examples of some of the CEERs that have been approved, last year they did the American Disabilities Act (ADA) swing for Rotary Park; there was a lot of low impact development ideas that were contributed last year; and he guesses the Commission is looking for ways to incorporate some of those ideas into future legislation. He commented for the first time ever, the County had a Speak Up Brevard workshop on March 3rd of this past year; on September 3rd, the Board voted 4:1 to make no changes to the CEERs program just to keep it as it is; just in preparation for this year's CEER Program, which runs from January 1st to January 31st, the County ran a press release on December 19th letting citizens know that this was opening up; the program runs from January 1st through the 31st every year; previously it ran during December, so last year it was added, or moved to January; a press release was done on December 26th; and citizens were basically given two heads up that this was coming, and it was also posted on social media in advance of January 1st. He stated once all of the CEERs are received by January 31st, the Charter gives the County Manager 90 days to work up recommendations, review all of those CEERs that are received; staff does quite an extensive review of all of those; a lot of work is put into the preparation of the recommendations; then, once those recommendations are together, they are presented to the Board; and he thinks last year it was sometime in April. He mentioned the Charter gives the County some options; it can recommend that the CEER is approved by the Board, rejected by the Board, or it may be a recommendation that while the entire thing cannot be incorporated because some of it may be being done already, there may be parts of the recommendation that can be incorporated, so the Board has the option to accept that recommendation with revisions; once the County receives the recommendations, everyone that puts in a recommendation provides an email address or home address, their name, they give the County an idea what they want it to look into, and they are notified in advance when the Board is going to take up those recommendations for scrutiny and approval or rejection; and one of things that are done, as far as transparency, is all of those CEER recommendations are posted on the County's webpage, they are searchable, and everyone that puts in a CEER recommendation can see what other people are putting in. He pointed out the County has options to determine if some of the recommendations received are out of the County's jurisdiction; obviously, there are Constitutional offices, the Sheriff's office who is over Animal Services, and last year it received a lot of Animal Services recommendations; those are not ignored, as they are ultimately brought before the Board, but what is done with those when they are received they are submitted to the Sheriff's office; the County does not tell the Sheriff what to do, but tells him that those have been received as part of the program, and if the Sheriff decides to take action on it, that is his prerogative; but regardless of what the Sheriff does, when the Board receives whatever staff recommendations are brought together after 90 days, those will still be included in that; and the Board will still have a chance to look at all of those once all this is done. He stated service requests are still received as part of the recommendations, such as there is a pothole in someone's driveway that has not been filled in two months, and if the County can please send somebody out to fill it; that is not really a CEER recommendation, that is a service recommendation; what has been done this year, the County did not change anything in the

Program, but in the write-up in what needs to be done to submit a CEER, some caveats have been added, and if this is a service request, this is where he or she needs to go to put that request in; if this is something that maybe does not involve the County per se, but is some type of a County office or something, tell the submitter he or she may want to consider doing this instead, or if they had contacted their Commissioner about this; there are other ways that citizens can provide the County feedback any day of the year, including here at the lectern; the County wants people to be aware that those options always exist, not just from the days of January 1st through the 31st; and that is pretty much the program.

Commissioner Delaney expressed her appreciation to the County Manager's office, Mr. Walker, and his team for the amount and press and preparation they had for this year's CEERs program; it was great to see so much out there on social media and getting the words out to the public; she appreciates that, she sees that change, and that was really great; she wanted to mention, as the Commissioners know, someone in the community was lost that she calls the citizen ambassador for this program; and she is requesting that if the County goes forward with this workshop, she would love to honor Susan B. Connolly and name this workshop after; she was just an incredible person that was very passionate; she went all over the County speaking on this program; and many emails were received for a lot of people. She noted this particular email really stood out; she read a small excerpt from it, "In speaking with Ms. Connolly, one of the things she was most passionate about was the Speak Up Brevard Program and allowing the public more access to local government. She was a huge proponent of the project, and if she were still here with us, no doubt, she would have been in attendance for today's discussion regarding Speak Up Brevard. Although I'm not able to attend in person in her stead, she wanted to reach out to all of you to state how important it is that the Speak Up Brevard workshops are for the community. Ultimately, we are beholden to the communities that entrust us as public leaders giving the public a forum to express their concerns and ideas in an open and meaningful way only serves to strengthen the bonds with those communities and garner ideas that matter most to them;" she stated with that, she just wanted to play a short video of just some of her words that, she believes was one of her last times here in this chamber talking to the Board; it just happened to be on this program; and her heart was so invested in this program.

A video of Ms. Connolly was provided to the Board.

Ruth Amato mentioned she does not think she could say anything better than what Commissioner Delaney said; she thinks it would be a true honor to name the Speak Up Brevard workshop after Ms. Connolly; and she worked so hard for it, she had such spirit for it, and it would be amazing.

Stel Bailey stated she strongly supports this Item and respectfully asks each Commissioner to say yes; this year's workshop carries even deeper meaning because it honors Susan Connolly who was tragically lost in a fatal car accident; Ms. Connolly devoted years of her life to this County; she believed in citizen involvement, civic engagement, and making local government better through participation, not exclusion; this program reflects her values, her dedication, and her tireless work; voting yes today is more than approving a workshop; it is honoring Ms. Connolly's legacy; and it is saying the citizens voices matter. She asked the Board, in memory of Ms. Connolly and in respect to the citizens it serves, to continue her legacy of civic engagement in this County, and to please vote yes.

Traci Robinson stated she passed.

Sandra Sullivan stated Ms. Bailey said it perfectly, and she urged the Board to honor Ms.

Connolly for this year as she was so passionate on this program; she wanted to give a brief moment on some background; back in the early 2000s there was a group called the Brevard Coalition, mostly from South Brevard; they did amazing work; and it is their work that got this into the Brevard Charter, so if the Board has not read it, it can be searched on Google under Brevard Charter to read some of the things that are in there. She went on to say CEER was basically DOGE before DOGE was coined; this is an opportunity for the citizens to put their comments in there; she has done it she thinks three years now; she just wants to say she is grateful for the change this year to put it into January; it was such a hardship in previous years to have it in December with the family activities, kids out of school, and all of that; and she just wanted to thank the Board for that. She remarked she has a Facebook page called Speak Up Brevard, and she encouraged anyone who wants to join it to collaborate, or if they have questions, as it is essentially the digital version of the Brevard Coalition from years ago that allows people to collaborate and ask questions; and if people can collaborate together, they can better those ideas and work together as 'we the people' of Brevard.

Commissioner Altman stated he knows in the legislature this is done a lot, naming programs and even laws after individuals that are just exemplary who really embody the spirit of what the County is doing; he would be supportive of, and naming, this program permanently after Ms. Connolly, Susan Connolly Initiative, Speak Up Brevard, or whatever; to him, that would be an inspiration; and it would motivate him to value this more and even work harder, putting this remarkable lady in history as an example of why the County has this program, so he would be willing to do that.

Commissioner Delaney advised she loves that idea.

Vice Chair Adkinson stated she thought Susan Connolly was tremendous, she came into her office a lot; one of the things that people do not say about her, and she is not sure why, is that she was very professional when she spoke to her, and one wanted to hear what she had to say; she was not the kind of person who a Commissioner would cringe when he or she found out she had made an appointment with him or her; she was one of the best at getting her point across and making a person want to agree with her even sometimes when they did not, so she has no problem naming the program after her. She continued by saying her concerns are she is not in favor of having the Speak Up Brevard citizens come to the podium until after staff has had the opportunity to narrow the field; for her, it is very important that staff have a look at these things so they can say what the Board can do and what it cannot; she is not sure that February is good timing, that is kind of the most important thing for her; she reminded the Board that the last time that this was discussed, it was voted on, and the Board decided not to make any changes to the way it current does CEERs, because it is transparent, it does have it as part of the Charter; she thinks sometimes transparency is confused with activism; this County does a very good job of being transparent; and that is her two cents.

Commissioner Altman stated Ms. Connolly spoke with authority, in a way that was powerful, impactful, and her commitment was so remarkable; and in a way, she gave her life for this program because he thinks she had her accident coming back from one of the meetings.

Commissioner Delaney noted she did.

Commissioner Altman reiterated she literally gave her life for this program.

Commissioner Feltner pointed out Ms. Connolly was a lovely lady, and he thinks there is universal agreement in that; he enjoyed meeting with her in his office; she is missed, a good citizen of Brevard County, and a great example of how it is done; he thinks there are a couple

of things going on here; they can all agree it could be called the Susan B. Connelly Speak Up Brevard Program; it could be done as its own motion; regarding the issue of a workshop, there might be an order of operations thing here; it would probably be better if that was brought back for consideration after the date has closed, know how many there are, and to an earlier point, some of the things that are State issues, Constitutional office, and Dan Newland ads; and he may agree with that person, but it is not part of what the CEER Program could do. He went on to say he did not mind the workshops, as he thought it was a very positive experience; he does not have any bad sort of takeaway from that; he is going to say it again because he is consistent on this issue, but a Commissioner can be petitioned and he or she can take anything out of the CEER Program to work on it; a Commissioner is free at any time to say that is a good idea, to work on it with his or her staff first, and then bring it to the Board, that is always an option available; many of the things he has brought to the Board as District 4 Items; and some of them even started as a conversation in a grocery store where someone stopped him saying they wanted to fix this or that thing. He remarked what the Board should do tonight is to rename it; and he is fine if Commissioner Delaney wants to bring this back after the program.

Commissioner Delaney commented she would love it if the Board could talk about dates tonight, because she feels like she has to do this a lot; she understands what the Board is saying about the Program closing and whatnot; but it does not really take a whole lot of research to know, most of the time, what is within the County's jurisdiction or not, so January 31st to the end of February is quite a bit of time; she is not expecting staff to have their recommendations back to the Board; this workshop is really for the citizens in her vision; and it was such an incredible experience at the last workshop, it was so well-received. She advised the feedback she got from it was actually finally something the Brevard County Government did for the people; for her it was like, wow, what a moment for the community to get this moment where the citizens and Board are not at odds, working together towards a common goal, the positivity, ideas, and innovation is just flowing; it was just such a beautiful, perfect example of how she would love to see the government run; she picked these dates because the Board has a lot of budget workshops coming up; and these two weeks are pretty clear for the Board as far as the Commissioners schedules, so there are no extra things going on during these two weeks. She stated while she appreciates the comments about the staff recommendations and whatnot, and being kind of close to the ending of, because it ends on January 31st, she feels like it is more about the citizens getting to share with the Board; and it is more about that than what the staff recommendations are.

Vice Chair Adkinson stated Commissioner Feltner's idea of breaking this into two is probably a really good idea, so she would not mind entertaining a motion on the first part.

Commissioner Feltner stated he thinks all of the Commissioners are there on the Susan Connolly part; as far as the workshop is concerned, he thinks that is a separate issue; and he feels like he would like to see all of the submissions before talking workshop.

Vice Chair Adkinson asked the Board to take the first part.

The Board approved permanently renaming the Speak Up Brevard Program to the Susan B. Connolly Speak Up Brevard Program.

Result: APPROVED

Mover: Rob Feltner

Second: Katie Delaney

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

Vice Chair Adkinson asked when does the County, time-wise, have all of the submissions in, and staff enough time to get through it.

Jim Liesenfelt, County Manager, replied the submissions are due at the end of the month; under the BCC Policy, within 90 days of the filing date, County Managers shall evaluate and comment on each CEER; last year, they got done a little bit earlier; and he does not know, April 20th, April 25th, something like that is sticking in his brain.

Vice Chair Adkinson stated for her to be able to support something like this, it is going to have to be after staff narrows the field; she appreciates everyone coming and being able to say what he or she has to say, but again, the difference between transparency and activism is what is being talked about; and some of the things that people might come up to talk about are not just something that the Board can do anything about.

Commissioner Delaney asked what kind of effort would go into a basic look through all of the submissions, because the Board could even honestly start this now because she thinks at this point the County has about 23 submissions; and what would it take, or how quick of a turnaround does he think it would be to just see if they are within the County's jurisdiction.

Mr. Liesenfelt responded he does not know if he can give Commissioner Delaney a good, honest answer; they are coming in right now; staff is working on the budget workshops; that is kind of the focus at the moment; and he assigns them to Departments when there is a chance, and then bring them back.

Commissioner Delaney asked as Mr. Walker goes through them, the Commissioners kind of know if they are in his or her jurisdiction.

Mr. Liesenfelt replied if there are obvious ones like Dan Newlin.

Commissioner Delaney noted or if it is to a Constitutional Officer or something like that.

Mr. Liesenfelt mentioned it still takes a little bit of time to go through them all; and generally, a lot of them roll in on the last couple of days, they go all the way to midnight.

Commissioner Delaney stated she guesses what she is asking is that it is not going to take until April to distinguish if it is within the Board's jurisdiction or not.

Mr. Liesenfelt explained it depends on what the CEER is; staff has had a couple that they have had to go back and the County Attorney at the time took about 60 days to determine because it involved lawsuits and stuff like that, so some of them get complicated; and it turned out it was not under the County if he recalls right.

Morris Richardson, County Attorney, one last year involved like three different types of All Terrain Vehicle (ATV), golf carts, and motor bikes, all implicated different areas of Statute, all have different preemption rules, so that is not as simple as looking at it, a full-blown response to even determine what was possible for the Board to address because of State preemption and things like that; and they really vary from CEER to CEER.

Commissioner Altman commented he thinks it is important that the Board give as much respect to the due process of all of these requests; by rushing staff's time to come up with the

recommendation may hurt the process; the Board should make sure it does due diligence to give it the due process it needs; he supports keeping the timeframe the way it is; secondly, County staff has a significant role in dealing with life, safety, and public welfare and they just cannot drop everything they have to get all of these answers to do the proper review; it does not mean he is not supporting it or giving it due diligence; he thinks this year the Board should go ahead and go with the process, not knowing how many requests are going to come in; and he reiterated he is fine leaving it the way it is from the timing point of view.

Commissioner Delaney asked if he would be able to propose some dates in April.

Vice Chair Adkinson stated she does not know, and asked if the other Commissioners had his or her calendar available; and she stated unfortunately, she does not always have her calendar, she means she cannot at this moment.

Commissioner Delaney stated this Board does this a lot.

Commissioner Feltner noted he thinks this could be brought back in short order; it could probably be done in a couple of weeks; he is not against Commissioner Delaney on the workshop; he thinks the win is something that can be discussed more; he is going to throw something out there to consider; it has been talked about staff paring stuff down, the Board could try to find a way to help staff time-wise; he thinks that would be very meaningful, so if working toward a workshop maybe ended up, just ponder this for the next meeting, somehow the Board get a list that says here is the top 20 of 77 submissions that the Board thinks collectively ought to be staff time . . .

Commissioner Delaney interjected by saying workshopped.

Commissioner Feltner stated to go through and actually invest the legal hours and all of that; the others, they can come and speak, they could do that; but the staff time would maybe not be invested; he could get there if she would ponder that for another Agenda Item; and he thinks in the great irony of things it would help the efficiency of it all if it saves staff some time.

Vice Chair Adkinson asked if Commissioner Delaney would like to make a motion or bring it back to the next meeting.

Commissioner Delaney advised she will bring it back to the next meeting.

Richard Heffelfinger asked if the Board is or is not going to have a workshop; he stated he was under the impression they were going to have something; he understands from the presentation earlier that if he submits a CEER, the County Manager still has the right to gun it down, that he will get an email; and he asked if he understands that right. He inquired if he has any right to respond to that email, because he guesses that the reason for the workshop is that he could come and say he got gunned down and would like a little more information, or maybe staff did not understand what he was trying to say; and could that communication be continued without that workshop.

Attorney Richardson replied all of the CEERs that are submitted, even the ones staff determines the County does not have jurisdiction, every one of those, by Charter, has to come to the Board for a final action, so these are all going to come to a regular Board meeting regardless of any of those issues; and he will absolutely have the ability to come up and have public comment and speak to his CEER issue at a public meeting held by the Board.

Mr. Heffelfinger inquired if when Attorney Richardson says the public meeting if he means a regular meeting or one just about CEER issues.

Attorney Richardson responded a regular meeting, because that is the only meeting the Board can take action, and the Charter compels the Board to take action on each of these and take a vote; and votes are not taken at workshops.

Mr. Heffelfinger mentioned he was wondering if he was going to get an email saying he was shot down, if the workshop would allow him to maybe fight his case a little better, or that is not what is going to happen.

Commissioner Altman advised the meeting should give him that, he can actually appear; the Board has to have all of the requests, and if some are not approved or shot down, that has to be addressed in the public hearing; he will have the opportunity to speak, to get more information, or to challenge; it is possible, not inconceivable, that the Board would agree with him; and it is definitely something he would have time to respond to, he is not going to just get an email.

Mr. Heffelfinger stated he is still a little confused; he asked if he does not get a workshop . . .

Commissioner Altman interjected by saying it is even better than a workshop, because in a workshop action cannot be taken, it is going to be a regularly scheduled County Commission meeting; and that is to the citizens' advantage.

Mr. Heffelfinger remarked now he is confused; he asked why he would want to have a workshop, because he does not want to cut the ability for him to, if he has a really strong feeling that he wants that item and maybe the way he wrote it up, or the way staff looked at it was not what he thought and he received an email, he would like to have the ability to come back and say there was a miscommunication and if the Board would please reconsider.

Commissioner Delaney pointed out that is her intention for a workshop that the citizens can get to the staff and explain their item more before their full recommendation comes back to the Board, because sometimes things can come out in writing differently than it comes out when one is verbally explaining something; that is her intention with a workshop for the citizens to get the chance to come before the Board and speak, that way staff has the opportunity to hear it before they finish up their recommendations so they can have a more holistic idea of what the citizens are bringing forward; that way the Board can get the best product coming back to it at the Commission meeting; but she just wants to also say that the past two years, one year while she was a citizen and one year as a Commissioner, both times this item has been pushed to the end of the meeting; the first time she did not even get to speak as a citizen because she had to leave for work; last year, it got pushed to the end; there were people who left because they could not stay the whole time; and it was so rushed and uncomfortable as she was flipping through her binder, when she was promised the Board would have a full, robust discussion, and she was literally the only one who spoke. She stated this is not about activism, it is about getting citizen involvement into the government; this is the way it is supposed to happen; the County is supposed to have people coming to the meetings, being involved, getting responses, having collaboration and work between the Board and staff; staff does a great job, but no one is the kings and queens and rulers, all are public servants; if there is not a working relationship with staff and the Commissioners, then there is a broken system; that is the whole reason why the people who founded this program brought this to the County Charter Review Commission, because the system was so broken that they could not get their input heard; and this is a program that should blossom. She went on to say there are all of these people in the

community with so much experience and thought, but a lot of times people have come to her and asked why should they waste their time; she keeps imploring to them that she is working for them, passionate about building this bridge between the community and the government, so people are starting to get engaged; it is why in the past two or three years there has been an uptick in this program, because her, her chief of staff, and others in the community have spread the word about it; when they hear about it, people are so encouraged because they are getting a full, robust response, it is talked about, and there is conversation; and she reiterated it is not about activism, it is about building a bridge.

Mr. Heffelfinger remarked as long as he gets the ability to come back; he does not know if that is a workshop, or more focus during the meeting; and he asked if they are going to get blasted with all the declines at the end.

Commissioner Altman stated he thinks the timing can be talked about and the Agenda; and if the Board wants to have it sooner, it will have an opportunity.

The Board reached consensus to bring back to a future Board meeting, consideration of hosing a Workshop.

*The meeting recessed at 6:34 p.m. and reconvened at 6:46 p.m.

J.6. Board Direction on Notification to Residents Ref: Disclosure of PFAS Contaminant Levels in Drinking Water

*Vice Chair Adkinson passed the gavel back to Chair Altman.

Commissioner Delaney explained she became aware of Per- and Polyfluoroalkyl Substances (PFAS) in 2018; as a parent, when she started looking into it, she became concerned and she made adjustments to protect her own family; as a County Commissioner, she is concerned about all of the residents and families; after learning, this was being studied, she requested a meeting with their Utility Director to go over the Jacob Study, 249 pages, and she has attached that to the County's online Agenda Items; and that way residents can find it on the County's Legistar easily. She continued by saying in that meeting she was informed that the County will not be able to implement the County's Reverse Osmosis (RO) plant for at least four years in North Brevard; that made her nervous, she felt like it is imperative to notify people of PFAS contamination so that they have the opportunity to make those choices for their families if they want to get a filter for home or whatever they would like to do in the intermediary; while researching this, she found after a quick search that there are other counties in Florida that are doing some notification to their residents; and she asked Space Coast Government TV (SCGTV) to put up the Orange County page. She pointed out this is actually a webpage that Orange County put together; this page basically shows all of their data and the ND means not detected, and it is because they have an RO system in place, which is what District 1 is working on getting in its community; the results of this report were concerning to her, as she believes Stel Bailey mentioned earlier, the standard is four parts per trillion; this document goes back to 2023, with the newest update being August 13, 2025; they have a lot of data here that shows the sampling from the wells; it is concerning because some of the results are anywhere from four, five, six, upwards in the Barefoot Bay area to 56 parts per trillion, which was extremely concerning to her; and she wanted to bring this forward, not only to the Board, but to the public because she really feels like this is something that people need to know. She stated she would not go as far as saying it is an emergency situation, but she thinks that it is something that if people who choose to, they should know; as government officials, she thinks that the Board should be the ones letting people know what this is; she asked what the possible affects are; what are the same results of the County's wells; what are some possible things that they could

be doing according to the different agencies across the country that are studying this; and she advised like the Environmental Protection Agency (EPA), for instance, have a whole website that is dedicated, or she should say a whole section, of their website that is dedicated to what PFAS is, what the nation is doing to improve the health and water of the country and its citizens, and what can people do in the meantime. She mentioned there are filters and things like that; she is by no means an expert, but she definitely wanted to bring this forward; she asked Kristin Lortie, her chief of staff, to provide the Board with a slide; she stated another type of notification that she found was basically a letter that was sent out to the users of the water over in Temple Terrace that just shows the results; it gives an explanation of what is being done, what she should do, the possible health effects, more information, and it gives some city representatives that the public could reach out to, and a section for more information about these substances and where to go on the EPA website, so on, and so forth; the cool thing about Orange County and Gainesville was that they periodically update their website; and when they get new results, they update it so people can continually be aware. She advised that is what she is proposing, bringing forward to the Board, to get Board support on notification to these areas in North Brevard, Barefoot, and Sebastian to notify the users of the County's utilities of the results and what they can do if they choose to; she stated she has this information as well if SCGTV wants to put it up on the projector; it is a simple one-pager that gives notification to the public, because like what was presented to the Board earlier, this is something that is not an overnight thing, this is something that as it accumulates in one's body after years, he or she can have some pretty severe medical issues that come up; and she just feels passionate about making sure that the public is notified, just like if there were lead or whatever other substances, that the County let them know that some high results are in some of the County's wells, not all of them, and she reiterated just so people can make those decisions for themselves.

Commissioner Feltner asked if the Board is going to do questions first or cards.

Chair Altman replied up to the Board.

Commissioner Feltner noted he might have a few questions; and he asked if that page that Ms. Lortie was showing there is from a website.

Commissioner Delaney responded affirmatively.

Commissioner Feltner stated he supposed when talking about creating a website, he does not think it is very expensive; probably the easy part of it is, and he thinks staff said this about creating it, it is the maintenance of it going forward will be the more time consuming part of it; and he asked if Commissioner Delaney knows if there is a template or anything like that, he knows the front end of it is being discussed, but is there anything like that the County can borrow from its friends in other jurisdictions.

Commissioner Delaney advised she has not reached out to Orange County or Gainesville, those are the two websites that she found after her quick search, but from her experience so far on some of the regional boards, people are usually very collaborative; and she would be happy to reach out to them and see if they would be willing to help, share their process.

Commissioner Feltner commented he thinks it is probably cheaper to borrow from ones friends if they have already done the work of putting something together; and he guesses just best practices of what they think is working in another area.

Chair Altman stated he has a question as he is curious because he knows they were finding

PFAS in the recycled water in Cocoa Beach; and he asked if the County has tested the recycled water it has right here in Viera or anywhere else in the County.

Commissioner Delaney remarked she would like Edward Fontanin, Utility Services Director, to answer if he could.

Mr. Fontanin asked if Chair Altman is talking about the reuse.

Chair Altman advised yes, the reuse water.

Mr. Fontanin replied the County has not done any testing in the reuse.
Chair Altman pointed out that might be something the County may want to think about.

Commissioner Delaney stated definitely.

Commissioner Feltner asked if when talking about reuse it is about irrigation for landscaping, and is that what Chair Altman means.

Chair Altman responded yes, the wastewater treatment plant has extensive reuse.

Commissioner Feltner noted he thinks there is an expectation because there are still products out there that have Teflon and those sorts of things, and that is being put down the drain; and that is different than some of the other ways that it ends up in a waterway.

Chair Altman stated if the Board does the RO eventually, that is going to reduce the volume of PFAS going into the reclaimed water, so it has a double effect.

Commissioner Delaney stated she is totally all for the County's RO; she thinks Mr. Fontanin's plan moving forward is great, that the County is working towards that, but it is still a few years out, so her concern was in the meantime, she would just hate for people to unknowingly be ingesting this, especially when the Board has this knowledge; the Board knows that it is there; some of the levels are really high, like she said up to 56 parts per trillion in Barefoot Bay; it is in some areas in the 20s in North Brevard was some of the highest; that is four years of ingesting that; and she asked if that is four years at a minimum until the County gets to the RO system.

Mr. Fontanin stated in the affirmative.

Chair Altman asked relating to the RO, what they do with the brine; he stated obviously, if there is PFAS in the water, they are removing it with RO, it is going to be in the brine; and he inquired if there is any disposal process or where does it ends up.

Mr. Fontanin explained as part of the RO plant, the County also has to design two deep injection wells for redundancy, so they will get injected down to the lower Florida aquifer.

Commissioner Delaney asked if Mr. Fontanin would mind explaining that a little bit, the different aquifers.

Mr. Fontanin advised to give clarity regarding the potable water in Brevard County, and on occasion he has seen people discuss, and he will dive into the aquifer, discussion about toilet water or wastewater converted, that is a common language that they are asking in water supply plans that will not apply toward Brevard County; the rationale about that is in Brevard County and for most of the coastal regions, there are three aquifers; one is called the surficial aquifer,

which is described as for those that have their own private well, whether it is irrigation or potable; depth can range anywhere from around 35 to 150 feet deep; this is what is called like the sweet water; now the Water Management District is really emphasizing, this is across Florida, if one is in a region where there are upper Floridian wells; the upper Floridian well, and he does not want to get into distance/depth, but there is a fairly thick rock formation; and once getting through the upper Floridian aquifer, that is what is brackish water. He added, to give the Board an idea, the salinity in the ocean is around 13,000, 14,000 parts per million, brackish water in the upper Floridian is around 6,000, 7,000 thousand, one cannot drink it raw; whenever hearing of a coastal region doing RO, that is the well that is being pulled from; the Water Management District encourages that because it is plentiful; the only kickback is reverse osmosis would have to be done; but the benefit of reverse osmosis, it will remove any contaminant, so it is literally the best technology in order to get that; after the upper Floridian, there is another thick rock formation, he apologizes for not having distance, but in the spirit of people will gravitate toward what he says, he would rather it be factually correct, then one gets down to the lower aquifer, lower Floridian aquifer; and anyone that has a deep injection well, that is the aquifer where that stream is introduced to.

Commissioner Delaney noted the reason why she asked for Mr. Fontanin to explain that is because she just wanted to make it clear that it is not the same place where Brevard would be pulling its water from.

Mr. Fontanin advised not at all; there is significant geohydraulic modeling that has been shown; and they have even done testing, so correct.

Commissioner Feltner asked for his own education, if the reverse osmosis plants is typical to do with the brine, the leftover.

Mr. Fontanin replied affirmatively.

Ruth Amato stated the health effects from having PFAS in the water have already been covered; what she is going to tell the Board are the recommendations for clinicians; when one goes to the doctor, if he or she has under two parts per trillion, they say that one can just have regular medical care; between two and 20, they tell a person that they need to reduce exposure, monitor for high cholesterol, hypertension, pregnancy complications, and breast cancer; and her 13 year old daughter is in that category, lifelong Brevard resident, because nobody warned them to drink what they call potable water. She asked her daughter, the children, her nieces and nephews, if there is any wonder that they have so many reproductive problems here in Brevard County; she pointed out it is because the County is poisoning the children without people's knowledge before they ever get a chance to thrive; she expressed her apologies; but she advised, it is personal; it is so personal, that is her mama sitting back there who just got over colon cancer; and they do not talk about what the future hold for her because of what the treatment did to her. She commented it is not this Board, but the previous Board, knew this was in their water when it joined the lawsuit two to three years ago, and notified no one, it just let people drink it, let the children play in the bathtub and the previous Board did not care; she thanked Commissioner Delaney for being brave enough to bring this forward and protect her residents, because they deserve nothing less; if someone is going to hang their hat on the fact that it is not required, she would say they are not required to die for his or her silence either; their children are not required to suffer because no one told them what is in their water; there is a thing called ethics, ethics over requirements, people over this; North Brevard, South Brevard, deserves better; and people deserve to be treated like human beings and like their lives actually matter and for keeping this under wraps for so many years. She asked what happened to the money that came back from that lawsuit; does any of the Commissioners

know if it went to the systems that are going to protect the residents; she stated she can probably guarantee it did not; maybe that is something that should be looked into because that report specifically says that those wells in high amounts should be decommissioned; and there should be something in place in the interim until that RO plant can be put into place, but there is not a plan, only the courage of one person to bring it forward so at least people can protect themselves when their County did not protect them.

Richard Heffelfinger commented he does not know much about PFAS, but he knows a lot more tonight than he did before; he lives in Cocoa, so he gets his water from the City of Cocoa; he asked if they are required to test for PFAS; will they alert him when he gets a flag on PFAS levels, is it four; but he will not get a flag from Cocoa in their water test.

Commissioner Delaney advised she would ask for one.

Mr. Heffelfinger stated he has not gotten that little thing that says everything is okay, drink it, it smells bad, it looks a little weird, but drink it; he asked if he gets a notification from Cocoa and if it is what she is asking for; he would think that if there is something that was identified by the experts and it flags, they should be testing for that; granted, they cannot test for everything, but if this PFAS thing, which looks like it is becoming more in the Brevard area talk about PFAS contamination; he understands there is a muck problem too; he does not know if that is true; but that stuff is being spread around on the ground. He noted if Cocoa is not notifying him when it triggers, he is a little concerned about that because half the time it says everything is okay, or it is going to be a little weird because they are going through a bromine cycle that is coming up, so he gets those notifications; he asked if that costs the taxpayers anything to push that on their water, a requirement; he stated just add it to the notification they have now; he assumes that everyone that gets water from a water provider gets a notice of compliance; if all the people are asking for is to get that added, he does not think it costs anything; and he asked if that is true or not. He stated when these things come up, they always ask how much it is going to cost; he would hate to think that if it is important enough; he asked if one could just call Cocoa and ask if they are testing for that; he stated if it tags, it will trigger it; the EPA does not have their stuff together, because she thinks the EPA requirements would drive them, so he does not know what exactly is being asked for; if PFAS flags in his water, he would think know that he knows what it is, and he would actually honor his wife's request to get a filter because before he just said, oh, honey, come on, there is nothing in it, to look at this report; he is not spending four grand; and he thinks after this, he might reconsider.

Chair Altman stated he just Googled it, the City of Cocoa Beach; this is Cocoa Beach; the Board needs to answer that question, it is a good question; the City of Cocoa Beach has conducted testing; and it will be looked up.

Commissioner Delaney added, it is a requirement that everybody tests; all water providers have to test; the notification piece does not start until 2027; and she asked if that is right. She went on to say starting in 2027, the County is going to be required to notify, but right now it is not.

Chair Altman inquired if one asked his or her water provider, will they tell them.

Commissioner Delaney replied affirmatively; and she stated one will probably have to go through a public record request.

Chair Altman asked if one can call his or her provider and ask them if they have PFAS.

Commissioner Delaney pointed out if one can get ahold of them.

Stel Bailey commented she grew up in Brevard County, right here, and what flowed through her taps became a big part of her story; in 2013, everything changed; she watched her uncle die of cancer, her family dog riddled with tumors, her little brother was diagnosed with cancer, she was diagnosed with cancer, and then her father was diagnosed with cancer; this was all within the same year; and they had to become caregivers and cancer patients within the same year, multiple cancers, one family, and one hometown. She went on to say every doctor asked them the same question, where they grew up; when they said Brevard County, their faces would change; genetic testing showed that they had no mutation genes; her medical records actually document this as environmental exposure because it was so unusual; when she went into remission in 2014, she made a promise to herself that she was going to find out why this happened to her family; that is when she found out about PFAS chemicals, the so-called forever chemicals that moved groundwater and underground plumes from past industrial and firefighting use; they quietly enter drinking wells decades later; they do not disappear when the source stops; and they stay in water and in the body. She pointed out she had her blood tested and her PFAS levels were higher than the health agencies considered safe; she is still living with that exposure and what it did to her to this day; her family was never given the power to simply know what was in their drinking water; she promises the Board, as a mother herself, if her mother and father were told that they were these chemicals that build up in ones children's body as they drink more than adults; they are being fed formula, they are drinking more water, and they are developing; this crosses the placenta in pregnant women; and it is impacting growing children. She stated that is why she has spent the last decade helping communities across this country fight for science-based drinking water protections and accountability; that is why she is currently in the Federal court fighting against this current administration on the current national drinking water standards to ensure that they keep that low amount; she is not asking the Board to solve PFAS tonight, she is asking it to one simple thing and that is to tell the truth to build trust between a government and the people; and she promises the Board if it does not, she will end up sending postcards, and they do not want to hear from her. She asked the Board not to make her do that; and she is asking it to be the bridge, to be collaborative, and to show people that he or she can trust the Board.

Chair Altman asked where Ms. Bailey where she got her drinking water; and what the water supply was that her family had.

Ms. Bailey responded Cape Canaveral is where she was, the City of Cocoa, and then Mims; her dad lived in Mims; and her parents were divorced.

Elizabeth Baker explained she, too, was going to go through some of the health effects of PFAS, but she thinks the Board is pretty clear on that; she was actually really thrilled to hear the Board's response to Ms. Bailey's presentation; she has family members in Brevard County, a cousin that she lost from Port St. John who was 55 years old, completely riddled with cancer; it started in her bladder and moved through her whole body; and she left behind three children. She went on to say she has a family member in Titusville; her drinking water was tested at 176 parts per trillion; she is one of the lucky ones because she found out and installed a reverse osmosis system; by telling people, it gives them that ability; not all RO systems are \$4,000, some of them are just a couple of hundred dollars; and they can be used just for one's drinking water, which really reduces people's exposure. She advised it is important that is done; the way she looks at it is they live in a 'stand your ground' state; the people have the legal right to take someone's life if he or she feel threatened physically; by not telling people what is in their drinking water if it could harm them, one literally takes away their right to defend their physical body, and it is not okay; people have to be able to do that; and if the Board really thinks about it and gives people the opportunity to do so, a lot of people here in Brevard will probably spend

that money and put those RO systems in their homes. She pointed out by doing that, the County is reducing the amount that goes back into the system, it is a win-win; the County looks good, it is the hero, and it reduces what is going back to the system from the citizens; and she asked the Board to do the right thing.

Kimberly Benton stated she apologizes for her appearance; she does not regret her vote, Commissioner Delaney, at all; in fact, she wants to be the uncomfortable truth that the Board looks at today, because everyone is clear on the problem and knows that it is there; she has called Cocoa a number of times about the water supply; number one, dumping fluoride in the water is a neurotoxin, so that needs to be cut; she has been calling Cocoa for a number of years bugging them about the water; everyone here can look up the environmentalworkinggroup.com, put their zip code in and get all of those little numbers; she is slit from here to here; she woke up in a VA Morgue in Nashville in 2012 due to the irresponsibility of the government to take responsibility for the water at Camp Lejeune; she was there in 1997 and she wants the Board to know that there is still a 12-foot fence around that base and the doctor at ASTRD; and if the Board wants to know what special diseases awaits he or she that have been here forever unless it stands up and makes the change, there is a whole list there. She went to say her story is her bile ducts filled with tumors because the water was so toxic; she fought; as a single mother, with a son, served a full term; she is eight generations in the service; she is a direct descendant of General Claypool; her family has served the Space Center; her grandfather on her maternal side paved US 1; paternal grandfather wired up that damn Shuttle Launchpad, they are smart; her cousin owns a business that still works out there; her dad had cancer twice, one kidney, prostate is gone, the man is still kicking, because they are just too salty to lay down and die; and then her first cousin who lives in Satellite Beach in the hot zone over by Gleason Park, the Board all knows about it, a double mastectomy, they are gone. She commented talking about people's healthcare, healthcare needs some work, be honest; that is a subject for another day, but people know there is a problem; she wants to commend Commissioner Delaney for being responsible, taking accountability; she likes Chair Altman's attitude as well; she asked Commissioner Adkinson to please be more compassionate; she noted she does realize commerce is a big deal; it is not so much about being an advocate as safe water is an important issue for everybody, and there is an opportunity for innovation here; the Board knows how the County got the algae steamboat that cruises down the Lagoon converting the nitrogen; she has a solution for every problem; chief operating officers like Chipotle can filter some of their salts; the County has mushrooms; look up Paul Stamets the Host Defense Program; Smallpox, Agaricus, mushrooms from the old growth forest that will grow and clean up these oil and toxic spills; and there have got to be grants out there. She asked people to just put those RO systems in.

Sandra Sullivan explained she would like to see a commitment, in addition to transparency, in disclosing this to the people drinking the water; to also make a commitment to spend the 3M settlement for PFAS contamination to addressing these problems; from what she looked up, if the Board remembers, Commissioner Feltner, on December 5th 2023, an Agenda Item proposed a 3M Corporation class action settlement for District 1, and from what she understands, the County has already received one payment and there are some additional payments coming; and she would like to see a motion tonight that the Board commits to spending that money to go towards treating the water to make it safe for people. She went on to say from what she read, it can be spent on a couple of categories within the water system, but not necessarily to fixing PFAS; she thinks that is a reasonable expectation to make a motion that when the Board gets that settlement that it will go to making that water safe; she lives in South Patrick Shores; she lives in close proximity to Patrick Space Force Base; in 2018, she was very happy, never went to a Commission meeting, and did not know what a

Commission meeting was; she was just home-schooling her kids and having a great time, and pinching herself every day of how blessed she was where she lived; then she found out about the cancers beachside, all of the women with breast cancer, brain cancer, and other cancers affecting young people; 17 or 18 year old brain cancer patients losing their lives; a student who played football with her son who had lung cancer and testicle cancer; and it is the young people it is affecting. She advised she does not appreciate that the remedial investigation from Patrick was done in 2014; it was hidden from them; it was not until this cancer hit a big thing that they even found out about it in 2018, four years after the remedial investigation; the County has right now a vendor link for a vendor to put the muck on agricultural land; the County has in their liability immunity for putting this on agricultural land; if one is looking at the news and looking at the cattle, the cattle are being put down because they are being poisoned by PFAS; it is irresponsible for this County to not test the muck that it is dredging and then putting it on agricultural land; and she believes the muck tax, in response to the remedial investigation that came out from Patrick in early 2015 because the language in the newspaper says it is not legal to use it for muck dredging, that law was never changed. She pointed out it was called the muck tax in the beginning; PFAS is a very mobile chemical, it spreads, it is in the groundwater; the EPA came out with a study that it is a semi-volatile organic; it comes up into people's homes beachside, which is a conversation for another day; but people are being exposed to this from multiple ways. She noted Ms. Bailey's study that she did with the University of Florida (UF), some of the most contaminated places in Brevard is its sewage waste systems; this is why AWT, and for the reclaimed water, is so incredibly important to address; the health study that was done did not address breast cancer, brain cancer, some of the cancers that have been tied to PFAS; to be honest, it looked like a cover up; she still lives there and fights for the people who live there; she fights and stay on this issue and has come to these meetings for seven years; she lives on top of a military dump in addition to it; and the Corp of Engineers put monitoring wells all through that. She stated the Board can vote at the next Restoration Advisory Board (RAB) meeting, which is coming up in a couple of weeks, to support her in a vote for Patrick to do testing in those monitoring wells; they are already in, the expense is done, to work towards solutions; the incineration, called Plasma Incineration, there are technologies that can reduce this and make this safe; and the technology is there now.

Commissioner Adkinson asked who tells the County when to test and how often do they tell it to test.

Mr. Fontanin replied the EPA gives directions to the FDEP; the County does it quarterly, but then there is also supplemental testing done at the request of the EPA; those are sporadic; but when the County is notified, it does that immediately.

Commissioner Adkinson asked what the County does with those results.

Mr. Fontanin responded they are included in the County's report, it gets reported back to the FDEP on the results; and those results get sent to the EPA for statistical analysis or whatever they do.

Commissioner Adkinson inquired if Brevard County puts them out on its website anywhere; and are they available for the public to see those reports.

Mr. Fontanin replied currently, no.

Commissioner Delaney asked if the County has looked into the source of the contamination.

Mr. Fontanin responded as an entity of Brevard County Utilities, no.

Commissioner Delaney inquired what the process would be to do that, and if the County instructs its consultants to do that, or would the Board have to give direction asking Mr. Fontanin to . . .

Mr. Fontanin replied he thinks that is more of the State level because the source is multitude; going back to what he described was the surficial aquifer; Commissioner Delaney asked him to explain the aquifers, the same aquifer that he described, which is the 35 to 150-foot deep, that aquifer goes through Central Florida and he believes it stops short of the Georgia border and central; and he is not aware of the State, they may be already doing some form of analysis, the water management district are, he thinks it is a much more holistic item to tackle.

Commissioner Delaney noted when she looked at how that goes about what came up on her search was PFAS fingerprinting; this is something that all of the different types of PFAS, it has its own unique makeup; it literally describes it as fingerprinting because each chemical is so different; and depending on what it is from, where it is made, and all of that, it is unique, it has a unique compound. She mentioned the research that she has done, which is not crazy extensive, but it is a little bit; this is already used by state agencies and utilities to assign responsibility, and that is one of the things that she is thinking about if there are industries or if there are polluters out there that are polluting the County's wells, they should be paying for the County's RO system, not the ratepayers; there is also total precursors, the Total Oxidizable Precursor Assay (TOP); it says that some sources release precursors that do not show up in standard tests, so this TOP testing identifies specifically industrial or landfill derived contaminate contamination and it can distinguish firefighter foam from manufacturing waste, which she thought was really interesting; and also groundwater flow and plume modeling can also help find where this stuff is coming from and where it is going to, because one of the things that she saw in this study was that some of the County's wells had next to no PFAS and then other wells could have had quite a bit. She stated it is not a stretch to say that there is a possibility that the County could possibly hold some people responsible for this contamination; she also found that this is a pretty standard practice in super fund investigations, cost recovery and litigation cases, and State enforcement actions; this also says that PFAS patterns typically increase closer to the source; that can also give the Board an idea and it changes composition as they migrate, so this allows the investigators to draw a contamination gradient pointing upstream, which will help one zero in on where it is coming from because some people have put out there that, the County already knows with the military there is a lot of PFAS that has come out from military bases; the County has a whole advisory board that has been established because of the contamination at one of the military bases; and if the Federal government has contributed to some of this they should be participating in this cleanup and she knows that they are sort of to an extent, when the Army Corps came and gave it that presentation, she will not say what she really thinks, but it was not enough; and then when they went out and dug in people's yards, she has had constituents come to her and said they literally told the Army Corps that they were digging in the wrong spot, there is no stuff in there. She continued by saying the Army Corp insisted on digging where they were going to dig, so even that data that they bring back to the Board is not going to be truthful; it is not going to be full and unbiased; it is going to probably show something, but it is not going to show the extent; if they used the County's money wisely and instructed its consultants the County is already paying to do some of this work; the County can have RO systems for the whole County if it can pinpoint where this stuff is coming from; the current technology that is out there it can narrow sources to small defensible set of things and it can eliminate unlikely contributors; basically, it can narrow the field of what could be contributing to this problem; and it can support regulatory or legal action. She advised some of the things that are happening elsewhere are testing is being done now, but running TOP tests on select wells, so maybe those wells that are higher in

the study, performing fingerprint analysis, map concentrations and groundwater flow compared to known source signatures, identify probable source zones, and engage regulators and legal counsel; she feels like these are some of the steps the County could be taking along with notification to its residents; there is so much information out there on these technologies on the EPA website; there is a PFAS source tracking and forensic system; the Iowa Department of Land and Soil PFAS Sampling and source ID guidance, SLR Consulting PFAS fingerprinting and source; and basically, there are all these things out there so she is just wondering if maybe in addition to notification the Board could get a task force together, or do something to try to battle this thing head on, and maybe even see what some other areas are doing to combat this issue, because like she said earlier, this is not a Brevard County problem, this is an everywhere problem.

Commissioner Adkinson stated clearly the Board knows that PFAS is horrible, that is not a question; if the Commissioners make it look like he or she are experts, she is not talking about just putting out the results of the testing that might be done, but if somehow people got the idea that whatever is put on this website was the truth of the matter, is the County opening itself up to any kind of legal problems; she stated she does not want the County to put itself out there as an expert and then being wrong because people did or did not get cancer and just got scared; and she inquired what are the County Attorney's thoughts on that.

Morris Richardson, County Attorney, responded as long as the County only published data from the testing and does not make representations about the meaning of that data, it can publish the data, as well as the established standards by EPA for example, then there is no liability for something like that.

Commissioner Adkinson asked publishing the testing, the results the County gets, is not a problem.

Attorney Richardson replied the County does something similar already with all kinds of other things in a water quality report, it is just that the various PFAS contaminants have not been part of that historically, those are going to be phased in to water quality reports going forward.

Commissioner Delaney pointed out that the Temple Terrace example that she put in the attachments, it gives basic information to queue people over to where they can find out more information, and she would hate for the County to put out blind information that nobody knows what any of that means; the EPA has standards and there is countless organizations and health organizations out there with information that shows that with certain amounts of this in people's systems, different health effects could very well come; she cautioned the County to just put out numbers, because the masses are not going to know what to do with that; she feels like neighbors around the State have put out this information, she is sure they have great legal teams just like the County does, and she cannot imagine the they would be putting something out that was going to open them up to legal liability; and she cautioned the Board not to be too cautious at the expense of not truly notifying the public of the steps they could be taking to protect their health. She noted this one says somewhere that one should always contact his or her doctor for any kind of medical advice, so on, and so forth; she would never pretend to be a medical expert; and people should talk about this with their families, doctors, and whoever else they need to talk to about it to make a decision about their health

Commissioner Feltner asked to Commissioner Delaney's point, links going from a County website to what, the EPA, and is that the standard, because obviously, the County does not want disinformation or misinformation here either; he noted he does not think that is going to help anybody; and he inquired if that is part of this.

Commissioner Delaney responded exactly; she mentioned she will pass this down as it was what was on the projector earlier; it does not have to be exactly that; and she wanted to bring forward some examples so everyone could see what some other areas are doing.

Mr. Fontanin stated by going a little bit by what the Commissioner is saying, the conversation of PFAS is very new; he has gone on websites; some of them look reputable, some of them if one reads some of the information, he thinks it is kind of misleading sometimes with recommendations; for an example, a person is going to put a private RO system in; in order to know the functionality of the private RO, it has to be tested; it is a question if one is going to believe the brochure, just to put a blanket thing that the solution is an RO; the factuality, the data, EPA right now a lot of utilities that he talked to with other utility directors, they are all going through this, right now where they feel comfortable right now is with FDEP and EPA; and they are buffering that.

Commissioner Feltner asked if the website Commissioner Delaney is proposing only going to EPA; he stated he thinks in the early stages of whatever the County would do, that would . . .

Commissioner Delaney replied her initial thought for the website was a basic what is PFAS, which can be gotten from any reputable sources, EPA, whoever, then put the County's results, and then maybe a prompt that says, 'If you have any concerns, consult your medical professional', or something like that; the two websites that are in the Agenda Packet show slight variations of that; and honestly, if the County gets anything out there to the public to start and then it can be massaged from there depending on everybody's comfort level, she would be happy with that.

Commissioner Feltner stated he thinks tonight the Board is only giving direction to staff to look at what would go into a website, and then bring it back to a future date; and he asked if that is right.

Commissioner Delaney responded correct.

Commissioner Feltner mentioned he thinks as part of a motion, it is for the next discussion goes to a governmental website and not to something that would mislead the public.

Commissioner Adkinson stated along that kind of line, the County is already paying a consultant to do this for it; and she asked if that consultant could make cliff notes that are more understandable that can be posted on this website.

Mr. Fontanin explained the simple what is it questions, those are provided by EPA, and staff can obviously cut and copy that; and the data that was already received could be tabulated and put on there.

Jim Liesenfelt, County Manager, mentioned staff will come back, depending on Board direction; he thinks staff would be more comfortable having a link or copy off of the EPA or whatever the recommendation is; many years of government, the easy part is putting a list together or a database; the hard part is making sure it is up-to-date; he is a little nervous to say, and he is making up a number here, the standard is four divided by 10; if all of a sudden the standard is three and a half divided by 10, he would rather have that link to who is making that standard than the County, because it may miss it by a month or two, and may not catch it up; he reiterated it is hard to make sure the data is up-to-date; he is sure staff can cut and paste the EPA questions in general; but if there are some ways the County can link this so people can

get the data from the EPA or FDEP, it would be a better way to go. He noted the results would be Brevard's numbers, some standard what ifs, or FAQs that are from the Feds, State, or whatever it is, then the County can provide some links somewhere, and rely on the experts to make sure they have the data up-to-date, not necessarily the County.

Commissioner Delaney interjected by saying she is also requesting some kind of notification to go out to the users relatively soon, because the County has had the results since August, and something like that one-pager from Temple Terrace or whatever else the Board feels comfortable with, but something relatively soon that could maybe be put into a water bill or something like that, or she knows the Board has an email system that already notifies people of boil water notices and things like that; and she asked if the City of Titusville because, if she is correct about this, gets two-thirds of their water from the County or Mims.

Mr. Fontanin responded they have wells that are outside of their city limits, but they are their wells.

Commissioner Delaney asked so it is totally through their water system, not through the County.

Mr. Fontanin replied correct.

Commissioner Delaney stated she just wanted to make sure that any of the County's users would get notified even if it is through a municipality, but if it is through their systems their government agencies have to deal with that, not the County; anybody who is listening to this meeting, definitely should contact whoever his or her representatives are to find out this information so that they can be notified and be prepared for their families; and she loves the idea for staff to come back with website recommendations, but she was hoping the Board would make a decision tonight about sending some kind of notification out to its users so that they can be aware of these results relatively quickly.

Commissioner Feltner noted he would play devil's advocate here; he asked if Commissioner Delaney knows the scope of that or the cost of any of those; he pointed out if it goes in the water bill, there is going to be some printing and something there; he does not think that is huge money; and something that is already going out, he will give her that.

Commissioner Delaney stated or like in the email system.

Commissioner Feltner stated that is cheap; he does not know what other agencies in the County or other related offices, the kind of email list that they maintain.

Commissioner Delaney asked to blast an email to the County users through Utilities, is that just making a template and then pressing the send button.

Mr. Fontanin replied pretty much.

Commissioner Adkinson advised she is not sure how she feels about the user notifications, but she would not be opposed to asking staff to check into it and see what it would look like.

Mr. Fontanin explained if the Board is not opposed, he would just like the opportunity to kind of visit that idea and see what staff can come up with, because he would like to consult with EPA and FDEP on some suggestions they may have to make sure it is being done factually correct.

Commissioner Feltner asked if they could come back with a notification when they come back with the website.

Commissioner Delaney stated she wanted to make a motion to direct staff to come up with an email that the County could notify its users within the next 15 days.

Commissioner Feltner asked if that is even workable; and he stated it is easier for the Board to say that but it is not going to be sending it.

Commissioner Delaney advised the County has had this information for years.

Commissioner Feltner noted he is just working the problem, and that is all.

Mr. Fontanin remarked staff could do something, but he does not know if it would appease the level the Board would want; again, this is a relatively new topic with regard to PFAS about Federal legislation; and he would like an opportunity to consult with the State to make sure the County is doing this correctly and factual.

Commissioner Feltner asked if there is maybe another municipal government that has done that.

Commissioner Delaney pointed out she gave the Board one.

Commissioner Feltner stated he only wants to get it right rather than rush it.

Mr. Fontanin advised staff will contact them.

Chairman Altman asked if there is a second to Commissioner Delaney's motion. Motion died due to lack of a second. He stated perhaps the Board needs to direct staff to come up with a report, something more comprehensive, taking a look at what other local governments are doing, and kind of move from there; the County is moving ahead in that direction, but it is not just operating blindly; and he thinks that meets the intent of what Commissioner Delaney wanted to do.

Commissioner Delaney stated with all due respect Chair, there are two members of this Board that have been here for four years and known this information it is not new, public health is being talked about here.

Chair Altman explained the Board is talking about trying to come up with a solution; and it wants to give staff the time to do it.

Commissioner Delaney noted she gave the Board three examples of this; and she asked Mr. Fontanin two weeks ago to look and do this research in preparation for this meeting, which she is guessing he has not done because he left that question out of the email.

Mr. Fontanin advised when staff saw this Agenda Item, they obviously wanted to get an opportunity to get feedback from the Board.

Commissioner Delaney stated but she asked him to do the research two weeks prior to that.

Chair Altman asked if there is a motion.

Commissioner Feltner stated the Board can deal with the website issue; he asked if Commissioner Delaney wanted to make a motion; and he stated steps can be taken tonight.

The Board directed staff to look into the feasibility of a website or web page on the County's website to provide information to the public about the results received from the PFAS testing and links to Environmental Protection Agency (EPA) and other credible sources to help fully inform the public, and to bring that back to the Board at its February 10, 2026, Board meeting.

Result: APPROVED

Mover: Katie Delaney

Secunder: Rob Feltner

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

Commissioner Delaney stated she wanted to give the Board a heads up that she will be reaching out to her constituents and the constituents in Barefoot Bay before that meeting, unless Commissioner Adkinson chooses to do so; and that way she can sleep at night.

J.7. Legislative Intent and Staff Direction, Re: Preparing a resolution to reinstate the PACE program for residential properties

Chair Altman advised he asked to place this on the Agenda; PACE has been something that has been around for quite some time; it is an opportunity to give consumers the ability to provide capital improvements; and he asked if they are able to buy RO water systems with PACE, and have they ever done that.

Chris Peterson, with FortiFi, stated that is a good question; these improvements ladder up to public policy issues, so, if not, then it should; he can certainly look into that; obviously, it is a very serious issue that he appreciates the Board taking seriously; they went to Tallahassee; on July 1, 2024, they passed Senate Bill (SB) 770, something both Chair Altman and Commissioner Goodson both voted for in the legislature, comprehensive PACE bill with a host of consumer protections that addressed issues that they had seen in the market, pain points that they needed to rectify; they are going to go through those in a little more detail; and he knows he has had time to speak with each Commissioner on this issue, so for the benefit of the public, they will go through this presentation as quickly as they can.

Chair Altman asked Mr. Peterson to give a general description of PACE, a refresher.

Mr. Peterson stated absolutely; the point of PACE is there is a gap in the market; folks that have been responsible homeowners, they have maintained equity in their property, they have made all of their mortgage and tax payments on time, they are on active bankruptcy, but maybe they have other challenges credit wise that kind of prohibit them from getting an equitable rate to make critical home improvements, such as new roofs, impact windows and doors, HVAC units, and more recently, septic to sewer, septic to septic replacements, and seawalls; again, these are not vanity improvements, these ladder up to very specific public policy issues mitigating an insurance crisis, keeping people in their homes, and being able to get that new roof at a rate that, right now it is at seven to eight percent, which is much better than what one can get without a credit score; this is a voluntary program; he wants to make it clear, there is no government money, no public or taxpayer dollar involved in this, this is completely private capital; there is a zero fiscal impact to the County; and he reiterated it is voluntary, and if one does not want to use it, then do not use it. He continued by saying if one read a story in 2018 that said it was bad, then that is fine, that is one's choice, as this is about private property

rights, folks being able to make their own decisions about how they want to finance these critical improvements to stay in their homes and to protect their primary asset from wind events; it is a voluntary non-ad valorem assessment, and it is paid back on the property tax bill; the only way they can offer a competitive interest rate without a credit score is by putting it on the tax bill; if there was a better way to do this, they would not be here right now; this is the option that folks have wanted to use; 1,865 residents have reached out to the Florida PACE Funding Agency asking when Brevard County will have this program back; he has every one of their email addresses and names; and he is happy to provide that information as long as he is not violating a Potential Legal Issue (PPI). He mentioned it is attached to the property, not to the property owner's credit; however, one needs to be prepared to pay this off at the time of a sale or refinance transaction just like a Home Equity Line of Credit (HELOC), it a lean on one's property, just like a mortgage is a lean on one's property, so is this, it is a record of a transaction that will need to be satisfied before the Board moves forward with a property sale or with a refinance transaction; people say it is a lean on one's property and property taxes go up; yes, it does go up, because he or she are paying back a loan; and this is how it is paid back, how one is able to get that interest rate. He commented one's property taxes go up, but that does not mean the County did that, it does not mean there is a new tax, it means that a person chose to repay it in this particular form; just like a person's credit card balance goes up when one uses the credit card, there is no difference; it is a fixed-term and a fixed-interest rate; they do not give different interest rates to different folks; whatever their published rate is at the time one applies is the rate one is going to get; if the rate goes down before moving forward, he or she will get that better rate; and if it goes up, they get to keep the rate that it is at, just like when one goes to get a mortgage. He added the term does not exceed the useful life of the improvement, it is a 20-year max; that used to be 30 years, but they have dropped that down to 20; a person cannot get an HVAC for 20 years, because that exceeds the useful life of the product that they are installing; roofs, impact windows, and doors are going to have a higher term; HVAC systems are going to have a lower term; it could be paid off at any time; and although the 20-year max, their average assessment life is seven and a quarter years. He stated most people are refinancing or they are moving; during that time if one is refinancing or moving during that time, it is very rare to see that go to term; again, these are paid back on the tax bill; applying for PACE, to sum it up, they do not have door knockers, they do not go and have aggressive marketing tactics, that is not how they operate; contractors, on the other hand, oftentimes have those types of marketing; they are not just offering PACE, they are offering unsecured, how is one going to pay for this, and they have sometimes have their own in-house, sometimes they have other vendors they work with, and PACE is an option, one of several options that property owners have when they decide to finance these types of home improvement; and he reiterated, it is an option. He advised impact windows and doors, roofing, HVAC; solar is one of those divisive ones; some counties have chosen to not have solar, they think if one is going to have to use PACE for solar, then maybe one should not be getting solar; he is not going to say he disagrees with that, that is one of the great things about having Home Rule is if one decides that this is not what one wants to do, then a person can say he or she would like to do this program, but they are going to omit solar; and he knows Hillsboro County did that just recently. He mentioned others want to have that opinion, just depends on what the Board's constituents want, what the County feels is best; they did have a couple of new improvements with the new SB770 and the host consumer protections they did, they added septic to sewer and septic replacement; again, these are public policy issues, red tide mitigation is something that is very important, so being able to offer PACE for that, in conjunction with other County programs, has been very successful; and flood mitigation is also another, a new improvement, as well as seawalls and generators. He pointed out they do cover up to 100 percent of the upfront costs, it is not credit-based, that is the way this program is intended to work; again, interest rates are based on the selected repayment term; actually, that is not even really right, it is just the same term; it is one interest rate regardless of one's term;

they used to have a fluctuating, like a five-year term versus a 20-year term, there might be a better interest rate; they do not do that anymore; and it is just one interest rate, so he apologizes for the outdated slide. He explained one can combine this with utility, local, Federal, incentive programs are already available commercially here in Brevard County; they are here to talk about residential; he used this program when he bought his house in Sarasota; they had outdated windows and doors; where he was in Sarasota, 175 mile per hour is what they needed to have; he got new impact windows and doors; he secret shopped his own company, he did not tell them he was doing it; he had a great experience; his payment ended up being \$185 a month, which he was able to add to his escrow payment; and he was able to escrow that, add it to his impact account. He stated when he notified his insurance company, and his insurance rate dropped \$100 a month by putting in all those new impact windows and doors, 27 impact windows and doors; that was a net of \$85; that was pretty darned reasonable for what he got, which by the way it looked beautiful and increased the value of his property; and that is not necessarily going to happen to everybody, but that was certainly his experience. He noted one must be current on property taxes for the last three years, current on mortgage, not active bankruptcy, no involuntary liens on the property, and max funding of just 20 percent of just value; that is set by the Property Appraiser and not some model they use internally to determine one's home value; they just use the published rate that the Property Appraiser uses; an ability to pay test is one of the biggest improvements that they have on the heels of SB770; again, before July 1, 2024, it was not required to have the ability to pay test, which seems crazy, and frankly, maybe it is; but here they are today with the new ability to pay test; it has to be verified by a third party, they do not accept stated income as one's ability to pay test; and he reiterated, they have to verify that. He stated there are several different ways, commercially available ways, to verify that; if it cannot be verified commercially, it is document collection like if one gets a HELOC or mortgage; to him, one of the best consumer protections they have is during the application process, when one is applying for financing, they will actually call each and every applicant, and they go over every single term of the contract, if they understand it is going to go on their property taxes, that this amount is going to be added to one's property taxes, the amount annually, semiannually, and monthly, if one chooses to escrow that, here is what that monthly is, here is the documentation one will need to get this added to their escrow account, if they understand that they will need to be prepared to pay this off in the event of a sale or refinance transaction, do they understand it is a lien on their property like a HELOC or mortgage, and if they understand all of those terms; the recorded phone call, as they learned that people were saying they were not told one thing or another, so they just solved that; it is an incredible lift on their part; and it takes a lot of humans to do that. He mentioned it is bilingual, both English and Spanish; no other property improvement, home improvement finance offers this level of consumer protections or this level of detail to ensure folks that maybe the contractor said this was a free government program; contractors say all sorts of the darnedest things; this is going to reconcile how this product was discussed with each and every property owner; once they learn that a contractor says something that violates their marketing guidelines, they terminate them, and tell all of the rest of the providers that they just terminated this contractor, so keep an eye out; they want to make sure they are vested in long-term viability of their program; they do verify all of their contractor's licenses and permits and do background checks; and they want to make sure they are working with folks who are not unscrupulous players. He stated another big consumer protection is they do not pay the contractor until the work is done and the homeowner signed off on it saying they were satisfied with the work; then they do an inspection to ensure what one is financing has actually been installed on the property, so asset verification; only then does a contractor get paid; that gets rid of the contractors who are borrowing from Peter to pay Paul that takes one's money and down payment and they finish another job; that does not happen; they cannot do that with PACE, they do not get paid until the work is done; that is one of the best methods of getting rid of contractor's that maybe should not be using this program; he went through most of this with

the Commissioners and each Commissioner has copies of this presentation; he wanted to remind the Board that this Item is to direct staff to bring back a resolution; there will be further discussion, he or she will have time to go through all of this information, to use himself and his colleagues; and he has Mark Scheffel from Ygrene, Rachel Hobbs from Home Run Financing, and Matthew Choy from Renew Financial, all of the industry is here, which is only four of them. He pointed out they are resources for the Board during this process of due diligence to make sure it has all of the answers to the questions he or she needs answered; one cannot use this program if they have a reverse mortgage, in Statute; there are a lot of these little things the Commissioners should go through, take a look at, and make sure that he or she understands what these changes are; they have accountability to Florida's Auditor General; they are already in the middle of an audit right now, they do not waste any time diving right in; anything that is happening is going to be published information; accountability is one thing he thinks everyone needs regardless of who they are, and they definitely have that with PACE now; Home Rule has been codified, so that is why they are here today; and he asked if the Board has any questions.

Commissioner Feltner asked how the bank knows he received a PACE loan and they need to start escrowing the payments; and is it something he does, or something customer does.

Mr. Peterson replied it is a two-part process; the first part of how does one know is that they notify them via a letter, that is part of State Statute as well, they are required to notify the primary mortgage holder; the second part about how to escrow that is that they provide the recorded document; that is what escrow needs in order to impound, add this to one's impound account, so that is something the customer does, PACE walks them through it; that is one of the questions they receive more often; that is usually a follow-up question when people ask how to do this, so they will walk them through it; and it is very straightforward, but it does require a little bit of action on the property owners part.

Commissioner Feltner advised he asked that question because if one goes through the process of getting a PACE loan and when the tax bill happens and all of a sudden the bank did not escrow that and they have to pay maybe \$1,000 or something; people were surprised by that in the past, so he can understand one of the problems; and he asked if it is in their interest, as the lender, for the payments to be escrowed.

Mr. Peterson replied yes, sir, they encourage that very much.

Commissioner Feltner remarked for most folks, it makes sense to spread out the payment; and he asked what the current interest rate is

Mr. Peterson replied seven and a half percent; and when mortgage rates were down to three or four percent, they were four or five percent, they are just a little bit above mortgages.

Commissioner Feltner asked what a typical term is.

Mr. Peterson responded it usually ends up being 20 years, because 90 percent of the improvements they do are new roofs, impact windows, and doors; the HVACs are also a very big product, those are typically 10 to 15, depending on the actual unit being installed; and there are Federal guidelines around the useful life of products that they will follow.

Commissioner Feltner stated he noticed on one of the slides some of the things that one can do, even down to the insulation and such; and he asked if he would do a PACE loan just for that, or part of an HVAC sort of overhaul.

Mr. Peterson stated one can get a PACE assessment for an HVAC; but there could be duct work, installation work, pouring a new pad for their new HVAC, having to cut through, do siding work, drywall work, trim work, and there is all sorts of stuff that goes into installing a new HVAC system, versus just swapping one out, so yes, that is typically in conjunction with other products.

Commissioner Feltner inquired what the typical amount is, the average amount he is doing the loans for.

Mr. Peterson responded about \$25,000.

Commissioner Feltner asked, out of curiosity, what the smallest amount that they can do.

Mr. Peterson replied \$5,000.

Commissioner Adkinson asked if a better interest rate comes out, if she can refinance her mortgage.

Mr. Peterson responded he is still waiting for a definitive answer on that. He stated he believes that they can; he asked that question earlier to the team, but has not heard back; but he believes that was the case; and they did address that.

Commissioner Feltner stated he refinances because interest rates have gone down on his mortgage and the PACE loan stays there by itself; he asked if that is what is being said; and he does not have to clear it in order to do a refinance.

Mr. Peterson advised it wholly depends on one's lender; he did a refinance and his lender actually allowed him to keep it on title; others do not have that same experience, they were asked to pay it off before they originate a new first mortgage; that is why they tell everybody what they need to be prepared to do, so it is important to know that just because one has a HELOC, they are going to make them pay off the HELOC before they get their new first mortgage; this looks very similar; it acts very similar to this on title; the only difference is their method of repayment through the tax bill versus just on title; and that is the . . .

Commissioner Feltner interjected by saying he is sorry, but he has a follow-up; and he asked is that why they have to know the equity first.

Mr. Peterson replied that is right.

*The Board recessed at 8:13 p.m. and reconvened at 8:26 p.m.

Commissioner Delaney asked if Mr. Peterson could explain more to her about the ability to pay test and what that looks like.

Mr. Peterson responded the annual assessment cannot, payment amount cannot exceed 10 percent of the household income, so they have to verify that a person is employed, they make 'x' number of dollars, and the annual payment does not exceed 10 percent of the income.

Commissioner Delaney asked if the person taking out this loan gets to choose if they want to do monthly, quarterly, or yearly.

Mr. Peterson responded property taxes are paid when they are paid, they have the ability, because of the nature of the property taxes and when one has a mortgage and all that, how they can impound one's escrow amount, and that gets paid annually, so they have the ability to impound the additional PACE obligation as part of their escrow payment that will end up getting paid by a person's escrow holder for the true up that happens every year; and to do that, maybe one has opted to pay his or her taxes outside of their mortgage risk or do not have a mortgage or escrow, then it would just be paid as a line item on one's property taxes.

Commissioner Delaney asked if one does have a mortgage with this loan, does the property owner get to decide if they wanted to have monthly, quarterly, yearly, or whatever their situation, or whatever they choose.

Mr. Peterson replied affirmatively.

Commissioner Delaney inquired if the PACE providers would be able to fund and include disclosure in the tax bill that says one's property taxes have gone up by 'x' amount because of their PACE loan.

Mr. Peterson responded yes, if that is something the County thinks would be helpful; they have paper disclosures as well as their oral confirmation terms call and settlement papers; typically, almost always throughout the State of Florida, every county has their own disclosure that they like to include; they can include that language in that if the County wants something separate, that can be done as well; he thinks they are pretty flexible; transparency is pretty important to them, they want to make sure that everyone has all of the information that they need to set everybody up for success; and whatever the County feels is right, they can work with it to figure out the nuts and bolts.

Commissioner Delaney advised it is already additional work for the Tax Collector, but she did not want even more additional expenses on them.

Mr. Peterson mentioned they would be happy to make that part of the deal; both the Tax Collector and Property Appraiser are entitled to two percent of the annual payment as a fee, so some counties choose to take much less than that, but others choose to take the full amount; there are additional funds that get distributed to the Tax Collector for their efforts; and that is a Statutory requirement.

Commissioner Delaney asked if that comes out of what they make, or if that is on top of . . .

Mr. Peterson interjected by saying that is something the property owners are going to end up paying; he advised that is why they try to encourage counties not to go as high as two percent; Miami-Dade was at, he thinks, .1 percent, they almost went to just have something in there; others look at the actual cost that they incur and will adjust accordingly; and other will just take the two percent due to whatever reason.

Commissioner Delaney noted this question is for the County Manager, County Attorney, or Commissioner Feltner if he remembers, because he was on the Board at that time; the Board decided back then to get rid of this; and she asked were the legislation changes in place at that time, what the conversation was around then.

Morris Richardson, County Attorney, explained respectfully, Commissioner Feltner was not on the Board yet, this was in August of 2022, so it was shortly before he returned to the County and a little bit before Commissioner Feltner was elected in November; and the changes in the Senate Bill that the gentleman referenced did not happen until 2024, so those Statutory

protections he discussed were not in place in 2022 when the program was rescinded.

Commissioner Delaney asked what some of those complaints are that they have gotten since the new legislation has been put in place.

Mr. Peterson responded 99 percent of the complaints they receive have to do with contractor behavior, not the financing itself; because of their comprehensive communication efforts, it is very rare that someone comes back to them saying they did not know this was going to happen; they have kind of eliminated that particular pain point they had experienced in the past; he reiterated it almost exclusively had to do with the contractor leaving nails on one's driveway and they popped a tire, the door got left open and the cat got out, or they did not do x, y, or z; they will work with property owners to address those contractor issues; remember, they do not get paid until the property owners say they are happy; they do spend quite a bit of time playing referee between the contractor and the property owner, which frankly is unique to PACE, because if one has a HELOC, the bank does not care if he or she gets a tattoo, buys a bow, or goes to France, they can do whatever they want as long as they make a payment; and with their method, they are an intermediary, they are somebody that the homeowners can look to for help. He went on to say they have had situations where the contractor has left the job and they ended up paying someone to come out and finish it; the homeowner was not put out by that process; again, luckily the contractor was not paid yet; it is very unique; he knows being on the tax roll it is a unique program, it is unconventional, it takes a while to wrap one's head around, which is why he is glad they have some time after this to take a beat, ask questions, and have some due diligence, because it is a little bit to wrap one's head around; he is sure the Board is going to hear people holding up pictures of people saying they lost their homes; he has a lot of data to support that is not the case; and he is happy to share that, so he would ask that anybody that has certain things like that to show them a little bit more data.

Attorney Richardson noted from a staff perspective in response to that same question about complaints received, and again this is pre-Statutory changes, but the County received many calls, calls that went to Commission offices would be forwarded to his office, and this was after the Board had ended the program, but with regard to financing that had taken place before the program was ended, and Florida PACE Funding Agency (FPFA) actually continued to finance after the County rescinded it because of a judicial bond validation, which he takes great issue with, but at any rate, those complaints that staff received from consumers generally involved things like being surprised by a \$2,700 increase on their tax bill, complaints that they were upsold when they needed a roof, and they ended up with impact windows all around, things like that; some of those protections, things like the amount of financing in relationship to the value of the property were not in place then but those are what staff heard; they heard from people who were in fear of losing their homes because they can because it is on one's tax bill; and homestead does not protect against that.

Commissioner Delaney pointed out she can share a couple of her biggest concerns; one of them is this program is targeted towards people who cannot necessarily qualify for other means because of credit history and whatever else that is prohibiting them from going through refinancing or any of the other methods, so that is a concern as far as making sure that people are not taken advantage of; the piece about it being tied to property taxes, she is a little uncomfortable about how all of, and she knows this is going to look a little far-fetched, but they now have a list of all of these homes that are part of this program; say they do not pay, and they now have a list of all of these homes that could be bought up based upon their tax situation; she is not saying him in particular, she is saying she has to protect 40,000 people or 650,000 people; she is just thinking of what could possibly come from this; she asked what she would have to answer for being a policy maker; and she advised she knows that is

quite a thing to say, and she is not accusing anybody of doing that, but she is saying these are some of the things that keep her up at night.

Mr. Peterson stated he will not disagree that this is a little farfetched, they do not have any kind of real estate division; he will not say that question has not been posed before, but there is nothing to support that is something they would be involved in, he has not heard of that; tax certificate sales, those investors, are all very public, they have to do with filings, and they certainly are not tied to any of that; it is not in their best interest to put people in danger of losing their homes, this is not a scheme to collect real estate holdings; it is pretty documented that is not what they are doing; but he appreciates Commissioner Delaney's concern; to be clear, the policy has been made; this is an authorization to acknowledge that the County is allowing them to operate under 163.08, Florida Statutes, here in Brevard County; there is a layer there between the County and the actual policy itself, but whatever; he certainly wants to help Commissioner Delaney feel comfortable with what they are doing; and he encouraged her to continue asking the good questions.

Commissioner Feltner stated he wants to say something just as a technical thing on that; every tax certificate sale is published in the newspaper and then every tax deed auction before that happens; after three years of unpaid certificates, then the Clerk will do a tax deed auction after the tax collector instructs to do that, but that is all published, if one is aware of that; and if one is a real estate investor or whatever, that is the source to go to.

Mr. Peterson stated he will forward to Commissioner Delaney, and he will forward to her, they did a study using only publicly available data, tax certificate sale data, Department of Revenue (DOR) data, and Tax Collector data; they use zero internal data; what they did is they looked at, since 2016, all of the properties, starting with Palm Beach County, Miami-Dade, that is where the bulk of their assessments are, 100,000-plus assessments; they looked at those properties that had a PACE assessment and those that did not; properties with PACE assessments went to tax certificate sales significantly less than those properties without; he thinks the reason for that, and maybe this is conjecture, which is fine, but these are people trying to improve their homes, they want to stay in their home; the data is objectively clear; and he is happy to send it to, happy to post it online, or whatever he can, as he has distributed it widely. He continued by saying this is zero tax deed sales of properties with a PACE assessment; he is not saying that people have not been forced to leave, but financial situations can change for a multitude of reasons; it is very easy to blame PACE; he is not going to go down that rabbit hole; but he will say that according to the publicly available data, that is the gospel.

Commissioner Delaney stated she has one more question about the ability to pay test, so that is based on the end number; like one originally would say he or she want to get a new roof, going off Commissioner Feltner's comments before, then the contractor comes and he upsells them impact windows, the whole shebang; and she asked if it is the end number that they go through the ability to pay test.

Mr. Peterson replied there is two layers to it; one is that one is going to have an approval amount that is based on the equity in their property and then the project amount; then from there, an annual payment will be come up with, based on the term and whatnot; that annual payment is what they would then need to qualify for from an ability to pay perspective; it is like almost a property qualification based on the improvements, and then there is actual ability to repay after that; if it is like a \$57,000 deal, then they are not going to tell them, and certainly not going to tell one's contractor what they are approved for, they are either going to say yay or nay; and then from there they are going to need to be able to demonstrate that they can afford

that payment.

Commissioner Feltner asked to qualify for a PACE loan, does it have to be his homesteaded property, or typically if he had a rental or something he is not seeking PACE funding to put hurricane protection on it.

Mr. Peterson responded it can be used for rental property as long as they are on the title, or if it is an LLC or a trust, the members of the trust would need to be involved in the process; and they would need that documentation.

Commissioner Feltner asked if that is a typical thing . . .

Mr. Peterson interrupted by saying 100 percent, because if he had 10 rental properties and he wanted to make improvements to all of them, his DTI from his banks perspective is going to be really hard to work with; this allows the property to really be subject of the financing; and then, of course, his rental history and all of that stuff is going to play into the ability to repay.

Commissioner Feltner inquired if since it is a business, that is part of their whole calculus, and they will probably maybe get a better rate from PACE than they would in the market because it is not their primary residence; and he stated he cannot remember what that is called, maybe first rider.

Mr. Peterson replied yes, with an investment property one typically pays a different rate for that.

Chair Altman stated he mentioned he tested PACE, he did his own financing for windows, and after the insurance savings, he was only paying . . .

Mr. Peterson interjected by saying \$85 a month.

Chair Altman asked if he factored in energy savings.

Mr. Peterson responded he did not.

Chair Altman advised he was saving even more than that.

Mr. Peterson noted it is hard to quantify because usage tends to go up when one's energy efficiency goes up, so it is quite an interesting dynamic; he tried to stay away from that conversation; but they are a lot more comfortable, healthier, and safer.

Chair Altman advised if he were to have lived at the same level, he thinks in his house it would not have made a difference, it is individual; and he asked if Mr. Peterson factored in the useful life of the existing windows and amortize and capitalize that to see how much savings he was making there.

Mr. Peterson responded this is way above his paygrade, sir.

Chair Altman pointed out Mr. Peterson was very conservative, he was probably saving a lot more money than he realized.

Mr. Peterson stated he hopes so, but that is a lot of math for his brain.

Chair Altman asked if Mr. Peterson is aware, he is sure they are out there, there are PACE

financial programs where consumers are actually saving money by getting better windows, better insulation.

Mr. Peterson advised everybody is different; he would have to imagine that statistically there are those people out there; he does not want to lean too heavily on that, simply because everybody's usage is different, everybody's goals are different; saving money or energy may not be one's primary focus, reducing one's insurance costs or staying in his or her home; if the result of that is reduced energy bills; but typically, it is not the primary purpose of the folks who are using their financing.

Chair Altman stated there are probably individuals, there are individuals who are very scrupulous and frugal, and they look at this program and see the potential of economic gain, so there is a potential for actually saving consumers money; he thinks that sort of feeds into Mr. Peterson's point where PACE loans or homes are foreclosed at a lower level than non-PACE; typically these programs are individuals that are thinking them through and they want to improve their homes; many times they want to save money, he thinks septic-to-sewer is another example of that; when one looks at the cost and the difficulty of getting there; he thinks there is opportunity that is being given to the consumer; and it would penalize the vast majority of consumers for just a few of the bad outcomes that have been mitigated through the legislature. He stated he was just curious if he had factored that in; he think Mr. Peterson was very conservative in his analysis and that is good, as he does not want to oversell; that is probably the problem with this program prior to the legislation was overselling; and he respects his approach there.

Richard Heffelfinger commented he only had a couple of question; the public knows in 2022 that the Commissioner put something together, some information, and said this was predatory lending; maybe the answer is that the program has been improved; he does not know; and it is always beware. He went on to say he realizes these guys are asking permission from the Board to provide a product so that it will accept the fact that this is going to be put on the tax bills, so the Board is doing the billing for them, or at least the tax assessor is; he does not think this had a cost; and he asked if the tax assessor been contacted. He stated he understands there is a fee for the, he thinks, two percent number; and he asked if any money is going to offset the cost to the tax assessor who has to deal with this situation.

Chair Altman replied he thinks what Mr. Peterson said is there is a fee that can go to the tax assessor to reimburse their costs, and that varies, it can go up.

Mr. Heffelfinger inquired has the tax assessor been asked that question.

Chair Altman stated it can go up to two percent.

Mr. Heffelfinger asked in Brevard.

Chair Altman advised he has personally spoken to the tax assessor at length about this issue.

Mr. Heffelfinger asked and they do not want any money.

Chair Altman explained no, that is not the case; and if it cost the tax assessors money, they have the ability if they so choose to have a fee up to two percent to reimburse their costs, so the general consumer is not having to pay for the overhead that may be incurred by the tax assessor.

Commissioner Delaney stated if she remembers what the gentleman said before, the fee does go to the consumer, the person who gets the PACE loan.

Chair Altman stated yes.

Commissioner Delaney stated they pay it.

Chair Altman asked if Mr. Peterson wanted to respond.

Mr. Heffelfinger stated he just does not know how the County, because he thinks they are asking for additional work for the Commission, which is why he has to ask, because he is asking the County to perform, he wants to say it will collect . . .

Mr. Peterson stated there is two percent that does get passed through to the consumer as part of a fee of the cost of doing business, so that fee does offset the Tax Collector's labor for putting these on the tax roll; the County does not have any obligation here, they actually provide updates or reporting at their discretion; but there is no real County involvement outside of the Property Appraiser and Tax Collector, and they both get up to two percent if they choose.

Mr. Heffelfinger repeated so the Tax Collector does get additional resources to handle Mr. Peterson's work.

Mr. Peterson advised that gets passed . . .

Mr. Heffelfinger asked if that is two percent that the lender paid this is a revenue source somewhat.

Mr. Peterson replied yes, sir.

Mr. Heffelfinger asked to the Tax Collector's office.

Mr. Peterson responded affirmatively.

Mr. Heffelfinger stated oh, okay, that was his biggest question; he stated he guesses it is buyer beware; he does not have a problem providing an lending opportunity to somebody as long as they realize that it would be put on their tax bill and could be foreclosed for it; and he asked if that is right.

Mr. Peterson replied correct.

Mr. Heffelfinger asked or could they pay the County their part and screw him on the tax bill. He advised he asked that question about garbage all of the time.

Stel Bailey stated people in Brevard County are barely holding on right now; the insurance is exploding, roofs are failing, there is flooding, and there are victims of flooding here in the room; she does have concerns about PACE because of their history; by researching PACEs history, and the predatory practices and a lot of the articles being brought up, it is very concerning; it seems to be debt disguised as relief; it puts a lien on one's house, it gets paid through their property taxes, and if he or she falls behind, they do not just get a late fee, they risk losing their home; and already there are people risking losing their homes here in the County with the flooding, and they say that this will help, but the Board shut it down in 2022. She continued by saying another thing that she wants to bring up, she is a big believer in transparency, especially

when it comes to lobbying because they are paid to convince the Board to do something; she wants to put on the record that she realized that Renew Financial had hired Satellite Beach's Mindy Gibson and Courtney Barker as their lobbyists; she asked for the sake of transparency, she is curious if any Commissioner met with any of these lobbyists or this company prior to this Item appearing on this Agenda; she reiterated she is a big believer in transparency, she thinks there is a lot of people in this community that would agree, they just want to know; it is simple as just knowing; and she asked again did any Commissioner.

Commissioner Feltner advised he met with Mr. Peterson.

Ms. Bailey remarked she appreciated that, having honesty that is it.

Chair Altman stated he did; intentionally he reaches out to individuals so he can learn as much as he can in these issues; but he spent many, many hours in the legislative process as well; when PACE came before the Florida Legislature, they addressed these problems, and believe in giving consumers choices and options; and it is a good thing. He advised for him it is a consumer-based initiative.

Ms. Bailey expressed her appreciation to Chair Altman for his honesty; she noted she wishes that could be done more with government because she thinks it builds trust between the people and their representatives if people know who he or she is meeting and speaking with; there are people who live here, and that was her concern, because this company, especially the one she just mentioned, it looks like they are from California; she believes Brevard needs more affordable insurance, stability, and production; she does not know about bringing this back, she thinks people need to do their due diligence; she is really not for them exploiting families that have been impacted by PFAS contamination just because the government is responsible for infrastructure; to expect people to get a loan that could go against their house for contaminated water is crazy to her, and the same thing with septic-to-sewer; and she thinks that could be addressed in different ways than PACE loans.

Sandra Sullivan stated so while the Consumer Financial Protection Bureau finalized new, stricter rules for PACE financing in early 2025, applying Truth in Lending Act (TILA) requirements to treat them as mortgage loans, significant issues remain unaddressed; controversy persists because the changes did not fully-resolve the fundamental risks associated with placing a super priority lien on residential properties, particularly for vulnerable homeowners; this means that in the event of foreclosure, the PACE loan is paid before the primary mortgage keeping the risk to homeowners high; while new rules require PACE creditors to verify their ability to repay, they do not prevent the high interest rates and fees that often make these loans costlier than traditional financing; it also does not address the predatory sales tactics often used by third-party contractors who are not traditional lenders, such as door-to-door marketing that misrepresents PACE as free government money; and inadequate energy savings, which failed to deliver promised energy savings failing to materializing leaving homeowners with both the debt and high utility bills. She went on to say lien stacking with some consumer advocates calling for a total overhaul or ban on residential PACE; impact on low income, PACE programs continue to target low income, elderly, or cognitively impaired homeowners who may not understand the long-term tax lien; and in Florida a major lawsuit involves local tax collectors challenging the Statewide expansion of quasi- governmental agency highlighting the tension between rapid, private financing expansion and local public accountability. She advised they have a history of predatory practices, and she would not assume that is going to change; she showed the Board a copy of a 2022 presentation that was done; she stated this particular one, they lost their home; unlike 2022 when former Commissioner Tobia brought this forward with his presentation, with facts, what she sees is a

lobbyist coming down and sits down with the Commissioners, and his or her minds are made up as he or she is a go for this already; on something with a company known for predatory practices; Ms. Bailey posted something about a Federal investigation into them; the County should be erring on the side of protecting the public on an entity that has been known for predatory practices; and according to just a simple search, still has predatory practices.

Mindy Gibson commented she is a former City of Satellite Beach Councilwoman; she was hired by this organization to help them navigate their way through the City and County, within Brevard County; she wanted to speak with the Board about this program; their City Manager, Courtney Barker, they have had the PACE program in Satellite Beach for about five years; Indian Harbour Beach also has a PACE program, as well as Cape Canaveral; and Ms. Barker, their City Manager, actually utilized the PACE program in her previous home, had hurricane windows put into her home that was built in the 1960s, and then proceeded to sell her home, which was paid off, and bought another home. She mentioned it was very seamless; she unfortunately is unable to be here to explain her process, but if the Commissioners want to talk to her about it, she would be more than happy to do it, because she wanted to test it out to see if it was predatory; as they say, there are predatory practices in the construction world, regardless of the PACE program; to say that they are the problem when the lender is just simply giving a pathway for people that might not have the credit to be able to buy these necessary upgrades, such as roofs, windows, and septic-to-sewer if one is not by the water; those are things that sometimes homeowners have to do; she implored the Board to consider taking this on, working through it, and finding out what makes it comfortable; it is not forcing anybody to use it, they have an option; a HELOC loan could put a lien on one's house just like anything else, and take one's home from them, so can a mortgage; as long as it is transparent, as they said, she thinks the Florida Legislature has said that it is okay, they have worked through the issues; there are 30 counties, almost half of the counties in the State that have approved this; and she is sure that more cities within the County will also follow suit. She stated she would just ask the Board to consider it; he or she can work through whatever issues there are; and she reiterated the people can make the choice, they are not being forced, it is giving them an option to make that choice.

Rachel Hobbs, Home Run Financing, expressed her appreciation to the Board for its consideration; she advised she is with Home Run Financing, one of the four PACE providers here in Florida; and she is happy to answer any questions as the Board works through the process.

Mark Scheffel, Ygrene Energy Fund, stated he is also one of the PACE financing partners, providers, referred to as a third-party administrator; he would like to applaud the Board for taking this on, and would encourage it to continue the process; it does not end here tonight; he thinks the continuation tonight instructs them to work with staff and prepare documentation for the Commission's further consideration where such things, Commissioner Delaney, where a bolstered disclosure could be considered; PACE at its heart is about attracting and deploying capital to much needed improvements into one's community; that has been done all over the State; this was not done by trickery or accident; and this was a policy decision by the Legislature in Tallahassee in 2010 to encourage investment in a very limited number of projects that have been done literally as was pointed out, over 100,000 projects deploying over \$2.5 billion, mostly in the area of storm hardening and hurricane preparedness. He pointed out that was completely reexamined in 2024, part of a nearly five-year project with legislative partners in Tallahassee to take a look at the details of this program; any of the naysayers that talk tonight, none of what they say is surprising to anybody; they are aware of all of the stories, the articles, situations, and literally sat down with the idea of how one can take the good and leave the bad; everybody knows that the weak link in this whole equation is the contractor; that is something

everyone knows and experiences daily, and especially sees that in unsecured financing; the question is how they can do this, how they can take this four-legged stool of financing, the homeowner, the consumer, and the contractor and figure out how to do that; and that is what SB770, which was passed in 2024, did. He noted it was mentioned that they have seen great results from that, mostly because the heart and soul of this program is to inform and educate folks, make sure they understand; that is the source behind the recorded phone call; as a reminder, all of the things that have been talked about, his colleague did an excellent presentation, all of those things are codified; what was talked about was contained in what was a very dense, 40-page Bill out of Tallahassee, and all of the things that have been discussed about the disclosures and the contractor oversight; there is a provision in there that as this advances and the Board considers this, actually works to do a contractor registration process that they would work with the Board on so that they know who these folks are so they can be delisted if they are breaking the rules, marketing restrictions so one cannot promise this is a free program or sponsored by the Board; he encouraged the Board to continue the process; and he advised they look forward to working with the Commission.

Commissioner Feltner stated today was the first day of legislative session; and he asked if there are any bills going through the Legislature this year that is going to affect him.

Mr. Scheffel replied no, something they monitor very closely.

Commissioner Feltner noted he was just curious.

Matthew Choy, Renew Financial, commented he is with one of the four companies in Florida that are able to provide PACE Statutes; he agrees with everything his colleagues said earlier; he just wanted to highlight quickly and not take up too much of the Commission's time; the first is the idea of transparency; one of the things they do now, and he just worked with Hillsborough County on this because they opted in in 2025, is they actually receive quarterly reports about each type of assessment, the dollar figure, the home, and what that assessment is on a quarterly basis; there is really no gotcha or surprises here; and they very much want to be as transparent as possible to make sure Brevard County knows what is happening inside of its County. He advised residential PACE is a very unique financial tool; it is not necessarily intuitive about where the money goes, how it works, because like he said, it is just a unique financial tool; what they look forward to is having the discussion, maybe even a deeper dive than what they were able to give in this presentation, through the workshop or one-on-one interactions and meetings, to really deep dive into all of the specifics in case there are questions the Board may have that they were not able to answer tonight; they are going to be a resource for everyone; and he asked the Commission to feel free to reach out if they can answer any questions.

Commissioner Delaney stated the thing she is wrestling with in her mind is if she is comfortable with the government's taxing authority to enforce a private home improvement loan; that she is not quite sure of; one of the things she had talked to Attorney Richardson about in their briefing is since the new legislation, if there are still things out there that this could possibly not go well for the homeowner; unfortunately, it was yesterday so it did not give him a whole lot of time to research that, so she is proposing possibly tabling this Item to give Attorney Richardson a chance to give the Board that information; and that way if the Board does decide to go forward with this, then maybe it can put some things into the language that could add to consumer protection.

Attorney Richardson stated he would ask for clarification, and asked if she is talking about maybe some additional consumer protections at the local level; he stated he is aware of some

other counties, he thinks Hillsboro County was mentioned by Mr. Choy; and he met a group with some other county attorneys that have discussed this sort of thing, so he can put together some options for the Board if it would like to see those in addition to the additional protections that were put in the Statutes in 2024 if that is something the Board is interested in.

Chair Altman passed the gavel to Vice Chair Adkinson, and he made the motion to direct staff to prepare a resolution, to include consumer protections, to be considered and discussed at a future Board meeting that would reinstate the PACE Program for residential properties in Brevard County.

Commissioner Delaney asked if what the Board is doing right now is not approve this, it is approving going to the next step to see language.

Vice Chair Adkinson replied affirmatively.

The Board directed staff to prepare a resolution, to include additional consumer protections, to be considered and discussed at a future Board meeting that would reinstate the PACE Program for residential properties in Brevard County.

Result: APPROVED

Mover: Thad Altman

Secunder: Katie Delaney

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

Vice Chair Adkinson passed the gavel back to Chair Altman.

J.8. Letter to Legislative Delegation re: SB 180 and potential legislative changes

Commissioner Adkinson advised she knows the Board has talked repeatedly about Senate Bill (SB) 180, and it has come to her attention that many of the legislators, its delegation in fact, did not quite understand what they were passing and how it was going to affect Brevard County individually; she sat down, using her relationships, to get a feel for how they feel about this fix, which is SB 840, which goes some way towards rectifying some of the problems the County has; and she asked Billy Prasad, Planning and Development Director, to give a short synopsis of the letter that was put together and how that is going to help educate some of the legislators, so when they are talking to their colleagues in Tallahassee, they have facts, specifically, one of the legislators thought that the County had not turned in necessary information on time.

Mr. Prasad explained he thinks the letter does a good job of summarizing how the County got to where it is today, the history of the County going through the Evaluation and Appraisal Report (EAR) process, as well as implementation of the area of critical state concern, properly meeting all timelines, then SB 180 passing, and then having Section 28, in particular of SB 180, having retroactive effect leading the County into its current condition of non-compliance as it relates to its Comprehensive Plan; it additionally talks about how SB 840 fixes some of the problems that SB 180 caused; not all of them, but most importantly, at least from his perspective from Planning, it sunsets Section 28 early in June 2026, which would effectively restore Home Rule authority over development regulations moving forward, absent a future storm; and in the event of a future storm, it also makes some improvements to Section 18 of SB 180 that applies in the future. He noted ultimately, like Commissioner Adkinson said, SB 840 does a lot of good for the County; it is not perfect; but it is nothing but good things.

Commissioner Adkinson pointed out the other thing that is important is right now the County's unique area of state of critical concern is at risk because SB 180 puts it at risk; SB 840 helps with that; again, sitting down with some of the legislators as she did, they were all very positive about receiving this letter to help them, like she said, talk to their colleagues in Tallahassee; she is asking for her signature to go on the letter just because she is so passionate about the fact, not just because it is an area of state of critical concern, but because it affects all of Brevard County and how the County is functioning; it did not get a companion bill; but today it went through the Senate Community Affairs and it passed 8:0; it has two more committees to go through, but that is promising it passed 8:0; and the legislators know more about what that might mean for it in the future.

Commissioner Delaney asked the County Attorney if she is remembering it right that he said it is now a House Bill that is a companion.

Morris Richardson, County Attorney, replied when he talked to Commissioner Delaney that was the case, but there is a House Bill; they are not identical; but there was a House Bill filed at the end of the day Friday, HB 1465.

Commissioner Delaney asked if it is or is not a companion.

Attorney Richardson replied affirmatively.

Commissioner Adkinson asked Mr. Prasad to address that because her understanding is that it is pretty largely incompatible with SB 840.

Mr. Prasad responded there are significant differences; it could be used as a vehicle, he thinks, to match SB 840; it does touch on a lot of the same subjects; but there are very large differences between the two; it does not help Brevard County in particular like SB 840 does because it does not subset that problematic section early; and instead, Section 28 would still apply to the County until June 2028, and continue to significantly limit the Board's Home Rule authority, although not as much as it does today.

Commissioner Feltner advised those two Bills are not identical to Mr. Prasad's point, and that was filed by a member; he thinks it would be realistic that this all could get wrapped up in a committee bill as the Board knows in the House; if someone is watching this and what is going to happen, he would suggest at least on the House side it will be seen later; and he asked if the County likes the House version better currently, or it likes the 840 Senate Bill.

Mr. Prasad responded from staff's perspective, it is the Senate version.

Attorney Richardson stated absolutely, the Senate from the County Attorney's perspective.

Chair Altman stated the House Bill was sponsored by very respectable and capable House members, so it was probably intentionally different.

Commissioner Feltner noted it came late though.

Chair Altman stated it came late, but that was probably by design; very little happens by mistake there; it probably will become one of those issues that will be negotiated in session and be held hostage for priorities and issues; but Andrade is a very good legislator; he feels better looking at who is sponsoring it; it is going to be that typical making the sausage process and probably will be part of a bigger package of many other issues that are going to be fought over;

and he thinks it is positive that there is a companion.

Sandra Sullivan stated she sees conflicting opinions on whether as a County it can increase impact fees as a consequence of Senate Bill 180; she asked if the Board can clarify as it stands right now, because it has a study out there it is bringing back; and she asked if the answer is no, do either of these Bills fix that.

Chair Altman replied one never knows what a judge is going to do and how they interpret law; this is a relatively new law; but he asked if there is a staff response.

Attorney Richardson advised staff would take the position that the County can increase impact fees that, that it is not prevented from doing that by the existing legislation; but it is an open question.

Mr. Prasad stated to answer the second part, SB 840 resolves that question as of June 2026.

Jim Liesenfelt, County Manager, noted staff did not let it slow down the impact fee study.

Chair Altman stated the County is moving ahead.

The Board approved a letter to be sent to the Brevard Legislative Delegation; and authorized Commissioner Adkinson to execute the letter on behalf of the Board.

Result: APPROVED

Mover: Katie Delaney

Secunder: Rob Feltner

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

J.9. BOCC Letter to the FDEP to Request Reconsideration of Venue and Format of Public Engagement Meeting re: Blue Origin Permit Renewal

Commissioner Delaney stated she is requesting that the County Commission sign a joint letter requesting the community engagement meeting to be moved to a larger venue with adequate parking and live stream access, and formatted with a structured presentation, question and answer, and time for formal public comment; she understands the Board cannot dictate what FDEP does, but it can certainly advocate; she has been part of these sidebar meetings so many times, and as a citizen, she felt so frustrated because it was just a lot of gas lighting, and it never knew where the comments were going; she reached out to the County's delegation, and the answer she got from them was they can try to talk to FDEP but this is really the Governor; and she reached out to the Governor's office, she does not have his phone number, but she has not really gotten much of a response. She went on to say she feels this is too important of an issue and it impacts the community so severely, that the community is owed a real civic engagement opportunity here; with the venue they have, she believes staff has figured out some extra parking situations to get more people in the doors, but the room is still considerably small; she remembers being at the community meeting where they talked about Lori Wilson Park about a year and a half ago; the house was packed out of a room that probably could hit 500 people; and it was standing room only. She commented this is so much bigger of an issue than that was; just the idea that the County is going to host this in such a small room; it is extremely concerning to her; she has had so many people reach out to her seeing if there is anything that can be done; she is sure the other Commission offices have been reached out to as well; she worked a little bit to get some staff feedback on the letter she

provided; she just wanted to make sure it was right so the Board could send it to the right people and it be the right thing; and she is hoping to get support.

Commissioner Feltner stated when he suggested the Simpkins Center, he did that for several reasons; one, it was central to where a lot of where he thinks the public would come from, Merritt Island, good parking, and all those things, so he defends that; he understands in the meantime, that is not available now; it may not have been booked timely, they need such and such notice, or if there is something else; he thinks he heard that secondhand that is not a possibility anymore; technically, with Commissioner Delaney's letter, he thinks she would have to strike that; and if the Board is going to vote for it tonight, to possibly email it to the Chair, and he can print it tomorrow and send it from his office. He noted maybe there is something else to suggest in there as a large venue; the reason he suggested that in the first place was he thinks it is unreasonable to ask a State agency to come here and expect them to book the ballroom; and he does not think it is a smart thing to do.

Chair Altman asked what about the Board's chambers.

Commissioner Feltner advised he thinks Commissioner Delaney says that here.

Commissioner Delaney pointed out there are multiple overflow areas as well that people can be in.

Commissioner Feltner commented he agrees with Commissioner Delaney on the parking; and if one goes there for a launch, it is a well-known fact that he or she better get there at 11:30 for a 12:00 launch or they will not be parking in the parking lot.

Chair Altman noted he thinks there is a safety concern as well.

Commissioner Feltner stated he thinks Commissioner Delaney will have to fix that, but with that change, he will go with her on this letter.

The Board authorized the Chair to execute a letter to FDEP requesting reconsideration of the venue and a format of a public engagement meeting for the Blue Origin permit renewal.

Result: APPROVED AS AMENDED

Mover: Katie Delaney

Secunder: Rob Feltner

Ayes: Delaney, Adkinson, Feltner, and Altman

Absent: Goodson

K. PUBLIC COMMENTS

Sandra Sullivan stated relating to the Blue Origin Item, she appreciates Commissioner Delaney stepping up on this, as she has done a lot on this; it is just bad optics when one chooses a location for something as high profile and as many people that if there is a perception of dissuading people from coming in and participating; she expressed her appreciation to the Board for supporting, addressing this; she noticed it was addressed to the Secretary of FDEP; but it is easy enough to pick up the phone and give Aaron Watkins, the Director, a call, and have a one-on-one; and as the Chair, she is sure he knows Mr. Watkins pretty well.

Richard Heffelfinger commented he wanted to use this opportunity to make comments about

the meeting; he gives Chair Altman kudos in how he is running the meeting, he engages people; the idea about him wanting to have foreknowledge of things so he can get stuff to the Board, so staff is here, that is kind of why he wanted that; and he is willing to use staff which he appreciates. He mentioned he also thinks Chair Altman should have Chairman on his placard; it is important for him to know who answers questions, which helps him understand who the people are that the Board is calling on to make decisions, so he would like to see more of that; he asked if the County has a garbage contract this year to negotiate; and he advised he will be interested and he thinks it is this year.

Jim Liesenfelt, County Manager, explained they could have a garbage contract this year if Waste Management is not interested in extending and if terms could be agreed upon on the extension.

Nancy Albritton stated they spend all of this time on PACE, and she learned a lot; all she wants to do is save people's houses in North Brevard; 30 homes were lost; she was here last month and told the Board all about it; the ditches have not been cleaned, nothing; she has met with St. John's River Water Management District (SJRWMD), they came out; Commissioner Goodson said there is an artisan well; there is still water in the streets; and the ditch line is so full of trees, which are bigger around than she is. She asked how the County expects drainage; she stated everybody has lost their houses, 30 houses; she asked could they please get a little help; and she noted all of her neighbors would be here tonight, but they all work, and they cannot do this, so she is here representing all 30 neighbors who lost their homes, and one of them filed bankruptcy.

Commissioner Delaney stated she wanted to let the neighbors know she is going to be going out there again with one of the staff members on Thursday, so she looks forward to seeing everybody and letting them show her and staff around again; the Board's first Budget workshop is January 29th at 1:00 p.m.; Public Works, Stormwater, and Utilities will be talked about; and hopefully, that can be part of the conversation that day between the Board.

Ms. Albritton interjected by saying one more thing; she is a breast cancer survivor since 1999, that is a lot of years of being clean; her cancer was environmental; she is a Mims girl, raised on a well, and she drank Titusville water all of her life; and this water situation, which she did not know how to address, but wow, that just opened her eyes.

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated she is looking forward to seeing everyone, seeing the thoughtful submissions to the County's Speak up Brevard program that has a closure date of January 31st; if someone has expertise he or she would like to share with the County that could help its activeness or efficiency and improve what it is doing, the Board wants to hear from them; people can make a submission as a group or with a non-profit; all they have to do is go on the County's website, or type into Google 'Speak up Brevard', and it will pop right up; as of 1:00 p.m. today, there have been 23 submissions; her newsletter on her Facebook page and in the North Brevard Libraries has information on this; and her Substack has a Q and A on how to make submissions. She advised all one has to do is Google Katie Delaney Substack and he or she will find it; it is one of her articles that is in her citizen toolbox series; basically, this program helps connect citizens with the government, so make sure people get those submissions in before January 31st; and the Board cannot wait to hear those things. She stated she wanted to make one note about the PFAS conversation, some of the reason why she brought this forward today was because some of the feedback she has gotten, it is not coming from the government so she is not worried about it, so they would tell the County if it was a problem; that is why she is bringing this forward because there is a feeling out there from the public of if it was a

problem, it would tell them; and she just wanted to share that.

L.6. Rob Feltner, Commissioner District 4

Commissioner Feltner commented there was great public participation at the two Lagoon workshops in Titusville and Palm Bay; he appreciates everyone who came out for that, and the staff; he expressed his appreciation to the City of Titusville and City of Palm Bay for their hospitality of making their chambers available to the Board; and he thanked the Clerk to the Board for coming to those meetings. He stated for the first time in a while he went to a women's basketball game at Eastern Florida State College (EFSC); his wife played college ball; it is at the Melbourne campus, so their current season; unfortunately, EFSC lost by three points in overtime; and it is free, so if one is looking for something cheap to do.

Commissioner Delaney expressed her appreciation to Commissioner Feltner for snacks and food at the workshops.

Upon consensus of the Board, the meeting adjourned at 9:30 p.m.