

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, May 20, 2025**

**9:00 AM**

**Regular**

**Commission Chambers**

Rollcall

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

**A. CALL TO ORDER 9:00 AM**

**C. PLEDGE OF ALLEGIANCE**

Commissioner Goodson led the assembly in the Pledge of Allegiance.

**E.1. Resolution acknowledging National Public Works Week in Brevard County. - District 4**

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-039, recognizing May 18-24, 2025, as National Public Works Week in Brevard County.

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconder:** Thad Altman

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

Marc Bernath, Public Works Director, expressed his thanks to the Commissioners for its support recognizing National Public Works Week and to Chairman Feltner for sponsoring it. He stated by sponsoring the Resolution, it is honoring the men and women who keep the County functioning; he is speaking on behalf of the Directors of the primary County Departments that perform Public Works functions and the more than 700 employees who serve the community each day; now in its 65th year, this celebration honors the vital infrastructure and services that keep our community safe and functioning; this year's theme, people, purpose, presence, reflects the dedicated individuals who show up daily driven by a shared mission to serve; these teams manage the daily operations of roads, stormwater, wastewater, solid waste, and much more; and during emergencies, they are often first on scene and typically the last to leave. He went on to say their quiet dedication is why Public Works is often called the silent arm of public safety; President George W. Bush formerly recognized Public Works professionals as first responders back in 2003; he thanked the Board again for its continued support and recognizing the essential work of Public Work professionals across Brevard County; and to those listening online wanting to make a difference, visit [brevardfl.gov](http://brevardfl.gov); and from mechanics to engineers to scientists to admin staff and everything in between, Public Works is hiring.

**E.2. Emergency Medical Services (EMS) Week Resolution. - District 4**

Chairman Feltner read aloud, and the Board adopted Resolution No. 25-040, recognizing May 18-24, 2025, as EMS Week in Brevard County.

**Result:** ADOPTED

**Mover:** Kim Adkinson

**Seconder:** Tom Goodson

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

Chief Patrick Voltaire, Fire Rescue, expressed his thanks for the Board's recognition and support. He mentioned how since the pandemic the world of EMS has changed within the community and the nation, the way they have stepped up to the challenge every day and

responded to the people around the County is amazing; and he is greatly appreciative of the hard work and dedication that they show up every morning continuing to run the calls. He expressed his appreciation for Marc Bernath, Public Works Director's, plug at the end; and he stated if anybody from Public Works would like to transition drive fire trucks with ambulances and sirens, to send him an email.

Orlando Dominguez, EMS Chief, stated in 2024, Brevard County Fire Rescue responded to requests for emergency services more than 80,000 times; out of those, they transported over 52,000 patients to the hospital; Brevard County Fire Rescue is one of the most progressive EMS systems, not only in the State, but throughout the country; paramedics and EMTs are now able to administer antibiotics in the field which reduces the time to treatment and the mortality rate for septic shock patients; they now work on point of care ultrasounds to be able to detect fluid, blood, and areas that the naked eye cannot see, and they are able to detect through assessment, if a patient is having a big or small stroke and taking them to the appropriate facility; they are able to identify what part of the heart is being affected during a heart attack; during the past couple of weeks, EMS has had to deal with the closure of the second busiest hospital in the County; no one skipped a beat, they jumped in and did what they had to do to take care of the community; he is honored and humbled to be a part of the team; and he expressed his appreciation to Chief Voltaire for allowing them to be innovative as it pertains to patient care, moving the organization forward, and to the Board for allowing them to do what they love doing, which is taking care of the community and the residents.

**F.1. Approval Re: Disbursement of Educational Impact Fees (Districts 1-5)**

The Board approved the disbursement of Educational Impact Fees in the amount of \$4,778,940.95 to the School Board of Brevard County in accordance with the terms of an Interlocal Agreement; and authorized the Budget Office to execute necessary Budget Change Requests to implement this disbursement.

**Result: APPROVED**

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.2. Acceptance, RE: Binding Development Plan with Linde Inc. (24Z00062) (District 1)**

The Board accepted and executed Binding Development Plan with Linde, Inc. for the property located at a portion of the lands described in parcel 1 of Official Records Book 2976, Page 4447 of the Public Records of Brevard county, Florida, also being a portion of government Lot 4 in Section 9, Township 21 south, Range 35 east, being more particularly described as follows: begin at a 5/8" Iron rod and cap "S&ME Inc. FL 8165 GA, 1252" located at the intersection of the Southerly right-of-way line of Jones Avenue (30.00 foot wide right-of-way) also being the north line of government Lot 4 and the Easterly right-of-way line of Hammock Road (variable width right-of-way); thence south 89°53'15" east, along said Southerly right-of-way line of Jones Avenue, a distance of 644.44 feet to the intersection of the south right-of-way line of Jones Avenue and the Westerly right-of-way line of the Florida East Coast Railway (60.00 foot right-of-way); thence south 04°7'45" east, along the Westerly right-of-way of said Florida East Coast Railway, a distance of 708.53 feet; thence departing said Westerly right-of-way, run south 79°16'49" west, along a portion of the Southerly line of that certain drainage easement recorded in official records book 8366, page 622, of said public records, a distance of 552.19 feet to the intersection of the south line of said drainage easement and the east right-of-way line of Hammock Road (variable width right-of-way); thence north 10°40'52" west, along said east right-of-way line, a distance of 824.96 feet to the point of beginning. Containing: 10.46 acres.

**Result: APPROVED**

**Mover:** Katie Delaney  
**Seconder:** Tom Goodson

**F.3. Final Plat Approval, Re: Del Webb at Viera - Phase 5A**  
**Developer: Pulte Home Company, LLC District 4**

The Board granted final plat approval; and authorized the Chair to sign the final plat and infrastructure contract for Del Webb at Viera – 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:** Katie Delaney  
**Seconder:** Tom Goodson

**F.4. Approval RE: Transportation Impact Fee Technical Advisory Committee for the South Mainland District Project Fund Recommendations**

The Board approved the disbursement of \$2,546,000 in Transportation Impact Fees, in accordance with the recommendations prepared by the Transportation Impact Fee Technical Advisory Committee of the South Mainland Benefit District; and authorized the Budget Office to execute any Budget Change Requests necessary for implementing these appropriation.

**Result:** APPROVED

**Mover:** Katie Delaney  
**Seconder:** Tom Goodson

**F.6. Adopt Resolution and Release Performance Bond: Armen Groves - District 2**  
**Developer: K. Hovanian at Armen Groves, LLC**

The Board approved and authorized releasing the Contract and Surety Performance Bond dated December 19, 2023, for Armen Groves, LLC – Developer: K. Hovanian at Armen Groves, LLC.

**Result:** APPROVED

**Mover:** Katie Delaney  
**Seconder:** Tom Goodson

**F.7. Approval Re: Interlocal Agreement with the City of Palm Bay for Intersection Improvements at Babcock Street SE and Grant Road/Eldron Blvd. SE - District 5**

The Board approved and authorized the County Manager to execute the Interlocal Agreement with the City of Palm Bay for the Babcock Street SE and Grant Road/Eldron Boulevard SE intersection improvements; 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 approve any Budget Change Requests associated with the action.

**Result:** APPROVED

**Mover:** Katie Delaney  
**Seconder:** Tom Goodson

**F.9. Approval, Re: Resolution and Underground Easement (Business) from Brevard County to Florida Power and Light Company for the Benefit of Fire Station 86 - District 3.**

The Board authorized conveyance of real property interest by the County; and authorized the execution of the Underground Easement from Brevard County to FPL for the benefit of Fire Station 86.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.10. Approval of Change Order for Payment of Emergency Invoice to Atlantic Development Inc. for an 8-inch Gravity Main Repair on South Courtney Parkway (District 2)**

The Board approved a payment to Atlantic Development, Inc. for the services associated with an Emergency Purchase Order in the amount of \$224,533.71, for an eight-inch gravity main sewer repair on South Courtney Parkway in Merritt Island.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.11. Authorization to file suit against Zon Living Concepts LLC, Zon Living Concepts II LLC, and such principals, subsidiaries, affiliates, successors, and assigns as may be appropriate. (District 4)**

The Board authorized the County Attorney to file suit, where warranted, against Zon Living Concepts LLC, Zon Living Concepts II LLC, and such principals, subsidiaries, affiliates, successors, and assigns as may be appropriate.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.12. Approval; Re: Purchase of Six (6) Stryker Power Load Systems and Stretchers**

The Board approved the purchase of six (6) Stryker power load systems and six (6) Stryker stretchers for a total cost of \$397,667.78; and delegated authority to the County Manager to execute and approve budgetary change requests, administrative actions, or any documents necessary to complete this purchase.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.13. Approval, Re: Budget Amendment**

The Board reviewed and approved the Budget Amendment.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.14. Resolution and Amendment to Lease Agreement with Brevard County Sheriff's Office for Use of County Property at the Five Palms Farm**

The Board adopted Resolution No. 25-043; and approved and authorized the Chairman to execute an Amendment to Lease Agreement, extending the lease until October 15, 2050, with the Brevard County Sheriff's Office for the use of real property owned by the County and located at 2955 Pluckebaum Road, Cocoa, known as the "Five Palms Farm".

**Result:** ADOPTED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.15. Proposed settlement agreement in Delta Fund, LLP v. Board of County Commissioners of Brevard County, Florida, Case No. 2025-CC-011451**

The Board approved and authorized the Chairman to sign Settlement Agreement in Delta Fund, LLP v. Board of County Commissioners of Brevard County, Florida, Case No. 2025-CC-011451.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.16. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed Robert Redmond to the South Brevard Parks and Recreation Advisory Board, with term expiring May 19, 2027; and Monique Seaman to the South Brevard Parks and Recreation Advisory Board, with term expiring May 19, 2027.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.17. Approval, Re: Each Commissioner Can Appropriate up to \$20,000 for Two TDC Events (continued)**

The Board approved District 2 appropriating \$20,000, divided evenly, for the following TDC events: NKF Surf Contest, Space Coast Art Festival, and Surfside Playhouse.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**F.18. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** APPROVED

**Mover:** Katie Delaney

**Seconder:** Tom Goodson

**F.17. Approval, Re: Each Commissioner can appropriate up to \$20,000 for two TDC events.**

Sandra Sullivan stated she wanted to talk about F.17. which is an allocation to appropriate up to \$20,000 per County Commissioner to Tourism; Brevard's own representative Monique Miller helped sponsor a Bill, House Bill (HB) 7033, that would allow putting bed tax to offset some of the property tax up to 75 percent, and also 25 percent to Public Safety; before the Board decides on spending money on things that might be more of a want than a need, EMS was honored, but there is no contract with them since October of 2024; maybe the focus should be on public safety; as quoted by a Jacksonville representative, there is a local affordability crisis, so when looking at the allocation of those funds, there may be more important places to put them; and she asked the Board to reconsider that allocation of \$100,000 in light of the Bill that

has been passed by the Senate and the House, which is moving to the Governor to be signed into law.

**F.5. Approval, Re: Resolution and County Deed Related to the Land Donation Request from the City of Titusville and the Disabled American Veterans Titusville Chapter #109, Inc. for a County-Owned Vacant Parcel Located at 405 North Singleton Avenue - District 1.**

Commissioner Delaney stated she would like to make a motion to approve with one change to the deed, on paragraph six, line three it says, or public use, and she would like to have that language stricken from the document that way if the land is no longer in use by the DAV, it would revert back to the County.

Chairman Feltner asked what the concern is if the DAV does not use the land, he has worked in North County and knows that lot; he has dropped things off to the DAV; and he asked if it is because she does not want it to turn into boat storage temporarily for a year while they are deciding what to do with it.

Commissioner Delaney replied basically, she wants to make sure that the property is being used for the intended use and to make sure that the veterans have use of it.

Chairman Feltner asked Morris Richardson, County Attorney, if there is any reason why the Board would not be able to adopt that with the amendment.

Attorney Richardson replied no, that amendment would be fine if the Board approves it.

Chairman Feltner asked Commissioner Delaney if that was her motion.

Commissioner Delaney responded yes sir.

Chairman Feltner stated there is a motion for F.5. minus the language, it has to be use or it reverts back to the County.

The Board adopted and executed Resolution No. 24-044, authorizing conveyance of County-owned property; and approved and authorized execution of the County Deed for a County-owned vacant parcel located at 405 North Singleton Avenue, as requested by the City of Titusville and the Disabled American Veterans, Titusville Chapter # 109, Inc., subject property shall immediately revert and revest in Brevard County.

**Result: APPROVED**

**Mover:** Katie Delaney

**Seconder:** Thad Altman

**J.4. Request of \$795,000 for the primary special election that will be reimbursed by the Department of State**

Maria Mayor from Supervisor of Elections, stated this Item is that they had to run a special election for two seats that were open and the Department of State will reimburse them for those items, which they need in advance from the Board.

Chairman Feltner stated the request is for \$795,000 for the special election.

Commissioner Goodson asked if there was a formula that Ms. Mayor used for the \$795,000 or is that something that...

Ms. Mayor responded the number is actual, there is no formula for that number because the primary special election has already occurred, they are probably just \$5,000 below the \$795,000 at this point.

Commissioner Goodson asked how much time before the State reimburses the Supervisor of Elections.

Ms. Mayor replied they are not given a timeframe, so they have to submit the reimbursement request which is a first come, first serve basis; she has the items in a three-ring binder that are needed in order to get reimbursed, and they are ready to submit that; and the Supervisor of Elections will have to come back to the Board once they do the general election, which is held on June 10, for the same request.

Chairman Feltner asked if it was fair to say that the reimbursement would not be before the end of the fiscal year.

Ms. Mayor responded potentially for the primary that is being requested now, that it is possible to get it before the fiscal year, but once the request for the general, she would say probably not because the general is on June 10 and part of the requirements are being able to provide everything that they have done for the election, also being able to prove that any checks that were written to the vendors were cashed by sending confirmations; and maybe not for the June 10, but possibly for this, as it is on a first come, first serve basis.

Chairman Feltner stated regardless a special election would have to be conducted.

Ms. Mayor stated part of the requirements in the language from the Department of State is that the Supervisor of Elections is to ask the Board for the dollars, so they are to submit it to both the Board and to the Department of State.

Chairman Feltner asked if there was a motion on the Item.

The Board approved the request of funds in the amount of \$795,000 to cover the expenses to hold the April 2025, Primary Special Election, which will be reimbursed by the Department of State once all documentation submitted is reviewed.

**Result: APPROVED**

**Mover:** Tom Goodson

**Seconder:** Katie Delaney

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**J.2. Titusville Tax Increment Funds (TIF) for the Redevelopment of Former Searstown Mall Property in Titusville**

Jim Liesenfelt, Interim County Manager, stated it is being requested that the Board of County Commissioners approve the Economic Assistance and Interlocal Agreement using TIF funding from the City of Titusville not to exceed \$2,400,000 for the Searstown Mall property; the City of Titusville has already approved it under the Interlocal they have with the County, the Agreement and the Ordinance; and funds above \$500,000 must receive concurrence from the Board.

Commissioner Delaney asked if the money was coming from the TIF from the City or the County.

Attorney Richardson stated it was all from the City TIF.

Sandra Sullivan mentioned there is an order to the Agenda for a reason, skipping around it is hard to have papers ready. She stated the idea is to end North Brevard Economic Development Zone (NBEDZ) that is the intent moving forward which has been moved before because the Board is about to take a vote on whether to end NBEDZ, that money goes back to the respective parties; she sent the Commissioners an email from a spreadsheet that she received from the Clerk of Courts of all the transactions for NBEDZ; it specifies in there how much money has been received into NBEDZ from the City, which she does not believe there is enough money in there to put \$2.4 million to give the monies coming from the TIF from the City to the project; she looked at the accounting, the financial report, what was unassigned, and it is not enough to cover it, so the optics of this does not look right; \$2.4 million is coming out of the TIF portion that is in the Brevard fund, but the money that is left after it is allocated and the fees are paid, she does not think the Board has fully done the analysis; and the question she has about the last meeting is it approved another project, which is in the City, is up a half a million dollars and it says that it is expected that there will be continued money in the future years when it was approved at the last NBEDZ meeting, knowing full well the intent is to end NBEDZ. She asked if that commitment ends or if that money is coming out of there, so until the Board has done a full analysis, it has no business voting on the Item, \$2.4 million, when most years, it is only the last two years the TIF has reached a million dollars coming out of the City of Titusville, it has been small amounts.

Commissioner Goodson stated he has a question.

Chairman Feltner responded there are three other cards.

Jesse Wright asked if he could go first and then the speakers would come up.

Chairman Feltner stated since Chase Patterson did not come up, he does not have a problem with that.

Mr. Wright commented he is the developer and the sponsor for the project; he asked the Board if he could pass out some pamphlets; he stated that the project has been in the works for nearly two and one-half years; it is a 22-acre project with runoff going into the lagoon; his team came in and took 12-acres and they are putting in stormwater retention there to be able to take care of the runoff; the project was evaluated earlier on by the Board, which actually does bring in jobs to the community of about 1,500 people, which will add about \$28.6 million to the North Brevard County Gross Domestic Product (GDP); it has a hotel with 153 units, and the general contractor (GC) is there to discuss the Cambria Hotel; and it also has assisted living for about 100 seniors, 25 memory care, and 75 assisted living. He continued to say eight years ago Miracle City Mall was demolished, that was a 31-acre project; \$7 million was granted to that project, it was the JCPenny, and the result of this project is in two phases, phase one and phase two that he has shown the Board in the pamphlet; phase one which is 12-acres with a 240-unit apartment complex, also the hotel and assisted living, with the two restaurants in the front; he plans on going into the second phase in about three or four years which at that time they will create a life center there, mainly medical offices and retail; the City TIF is being used, it has been approved by the city council, the mayor, and the city attorney; and this plan is not something that they just came up with, it has been in the works for nearly two and one-half years. He stated he is happy to answer questions the Board may have.

Chase Patterson stated he is with Patterson Construction Group, the general contractor for the

assisted living facility (ALF); he believes that the money that has already been approved should be allocated to Mr. Wright in this project, not only for personal interests, but for the fact that the developer has put about \$2 million worth of work into the much outdated infrastructure; and the addition of the assisted living facility and the hotel would bring in immense tax revenue, create jobs, and it would be good for the North Brevard area and the city of Titusville as a whole.

Commissioner Goodson asked if Mr. Patterson had the whole contract or just the portion that is being worked on now.

Mr. Patterson replied just the assisted living facility, a different contractor is doing the site work.

Dale Parsons stated he is the architect for the Cambria Hotel; he wanted to make the point that Jesse Wright, in the concept of the hotel with 153 rooms is outside of the prototype, has put a lot of emphasis into the community amenities that can be offered; it will be a tremendous location for wedding venues, meeting groups coming from out of town, and family reunions, which is totally outside of a normal prototype for a Cambria Hotel; another thing that Mr. Wright alluded to earlier was the infrastructure that has been put in is sensitively designed to be not only pollution abatement, which right now is wall to wall asphalt prior to Mr. Wright's infrastructure improvements, but the retention itself; the pollution abatement is all done in a enviroscape planted area, it is not just a big body of water with a chain link fence around it; it is all integrated into the landscaping, which is expensive, so he thinks it is a nice attribute towards a project like this in the city of Titusville; and he encouraged the Board to support it.

Commissioner Goodson asked the County Attorney, Morris Richardson, to explain to the Board what was said in the meeting.

Attorney Richardson responded regarding the TIF funds that are available, according to County Finance, the cash balance in City of Titusville's portion of the TIF trust fund for the North Brevard Development District is \$4,164,825; staff member Troy Post, assured him that there are existing funds available within the City portion of the TIF to fund this, if approved by the County; it has already been approved by the City and by the Zone Board; if this is not approved by the County, the revenues in the City TIF fund will not be recaptured by the County General Fund; and those will go back to City of Titusville.

The Board approved the Economic Assistance and Interlocal Agreement using TIF from the City of Titusville, in an amount not to exceed \$2,400,000, to induce the redevelopment of the former Searstown Mall property; authorized the Chairman to execute all necessary documents upon approval of the County Attorney's office and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests.

**Result: APPROVED**

**Mover:** Tom Goodson

**Seconder:** Katie Delaney

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**J.3. Legislative Intent and Permission to Advertise Amendments to Chapter 62, Article IX Brevard County Code of Ordinances, to allow for specified signage at public parks owned and operated by governmental or quasi-governmental entities regardless of zoning classification.**

Billy Prasad, Planning and Development Director, stated Item J.3. is a request for legislative intent and permission to advertise amendments to Chapter 62, Article IX of Brevard County

Code having to deal with signs; specifically, it is designed to address a specific issue in the Code where the community development districts are not able to permit for signs in zoning other than GML, such as PUDs; basically, it falls into a donut hole in the Code; this would allow it to be addressed; and it would go back to two advisory boards, the Building and Construction Advisory Committee and Planning and Zoning before it returns to the Board for a final adoption hearing.

Commissioner Adkinson asked if some sort of language can be added that talks about not one single sign to exceed a certain reasonable size.

Mr. Prasad responded absolutely, that is exactly the kind of input he is soliciting at this point; and for example, the Board could say no single sign bigger than 50 square feet or 75 square feet with a total amount not exceeding 150 square feet.

Commissioner Adkinson stated she does not know what she would suggest.

Chairman Feltner asked if this is going to go back to Planning and Zoning, that is something that they could take up and that board could discuss the issue.

Mr. Prasad replied sure, they could investigate it, one of the CDs, the sign that they are requesting is in the neighborhood of 40 square feet, so that gives a ball park of what people are looking for.

Chairman Feltner stated he believes that a maximum of 75 square feet would cover everything.

Rob Dale stated he is the vice chair of the Viera East Community Development District (CDD), which is the governmental entity on the east side of Viera that represents the 12,000 residents that live on that side; he is here to speak in favor of the amendment to the Code; essentially, what they are looking for is something that enables them to be able to communicate with the residents; a CDD is like a mini city council, there are parks, the Mark Pieloch dog park, hundreds of acres of nature preserve, 84 lakes, a golf course, farmer's markets, and they would like the ability to be able to communicate with the residents; the other thing that the CDD offers is the master HOA that can be utilized that can be offered to the County if the County would ever like to put something up and cross use the signage; the location is not going to impact any homes; at most, the closest home they are looking at is several hundred feet away, there is a wall of vegetation in between; and he does not believe there will be any resident complaints about it.

The Board granted legislative intent and permission to advertise an amendment to Chapter 62, Article IX, Brevard County Code of Ordinances, to allow for specified signage at public parks that are owned and operated by governmental or quasi-governmental entities regardless of zoning classifications.

**Result: APPROVED**

**Mover:** Tom Goodson

**Seconder:** Thad Altman

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**J.5. Approval, Re: Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) FM# 456951-1-94-01 Access Taxiway and Infrastructure, and permission to advertise an Invitation to bid for the Construction of Access Taxiway and Infrastructure at Valkaria Airport**

Adam Hied, Valkaria Airport Manager, advised Item J.5. is to construct an access taxi way and infrastructure improvements to a site that was purchased utilizing FDOT funds in 2020, the estimated project cost is \$1.2 million; it is an 8020 matching grant; and no general funds are required for it.

Commissioner Adkinson stated she knows this came to the Board late, staff has not had a lot of time to really get the details that she feels is needed; and she also knows that there is a time frame that is being worked on and asked him to explain that to her.

Mr. Hied stated they were sent the grant last Friday, so the timeframe to have that executed is by the end of June; and being that this is the last Board meeting, it had to be brought to this meeting.

Commissioner Adkinson pointed out that community input is going to be a big deal for this; and she asked if the Board were to except the grant money, which she would like to do, and it decides that it cannot be done in the best interest of the community, can the money be given back.

Mr. Hied responded yes.

Commissioner Adkinson asked if the Board was committing itself by taking the money.

Mr. Hied replied the money can be given back through he believes a termination agreement.

The Board authorized the Chairman to execute the Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) FM# 456951-1-94-01 for Access Taxiway and Infrastructure at Valkaria Airport after review and approval of the County Attorney's Office and Risk Management; executed and Adopted Resolution No. 25-045; directed staff to advertise an Invitation to Bid for the Construction of Access Taxiway and Infrastructure at Valkaria Airport; authorized the County Manager to sign/execute the contract with the lowest responsive and responsible bidder, subject to the approval by the County Attorney's Office and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests associated with this project.

**Result: ADOPTED**

**Mover:** Kim Adkinson

**Seconder:** Katie Delaney

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

## **G. PUBLIC COMMENTS**

Brent Wohlenberg commented nothing people put in their mouths is toxic; he asked how is it that after the food is digested and comes out of the body it is all toxic; in a septic tank, the high pH ammonia and the low pH gastric acid are reacting together, when these two chemicals leave the septic tank, go into the calcium carbonate drain field, the gastric acid reacts with a high pH calcium carbonate releasing dissolved oxygen into human waste speeding up the reaction and creating harmless calcium chloride salt; a good septic tank drain is not hurting anyone; and what they have now is a Statewide fake chemistry, fake media, and a government hell bent on falsely accusing people for financial gain. He asked how to turn this ship around; he commented the historic Lagoon, before they removed the shell on the shore, he remembers vividly 60 years ago, the foam blowing across US 1; now, that foam is on the beach turning the sand into liquid; he caught all the muck that was built up in a corner last fall, and he put calcium

carbonate sand in, which made it to where the plants could absorb the nutrients and he has sea grass growing for miles; working at the fish cleaning tables, Sebastian used to be trout capital of the world; he fished three months and never caught a Speckled Trout, the Catfish are overwhelmed; and he released blue crabs to run off the Catfish. He went on to say this should be done State-wide; it is an obvious imbalance; for all intent and purpose, a Speckled Trout is extinct in Sebastian Inlet; and he is glad he gets to say what he has to say.

Mark Gunter asked if he could hand out a pamphlet; he stated he is here to speak about the restoration work that is being done at the Malabar Scrub Sanctuary, particularly the west side; the parcel that he wants to talk about is on the west side that is split by Briar Creek Road; to the north of Briar Creek there is 6.3 acres; below is approximately eight acres; the bottom side has been complete, they took the trees, mowed it down, and put the fire break in; he did not think they were going to hop the street and do the west side, which is just six acres; and everyone knows for the Scrub Jays to be successful, they need 22 to 24 acres per family. He mentioned the reason that they took the trees down is because of the Cooper Hawk and they have dimensions, which is stated in the Florida Fish and Wildlife (FWC) optimal 1,000-foot perimeter all the way down to 300 foot; in these guidelines, the 300 feet, the math does not add up for the parcels that they are destroying; they have done the east side of Briar Creek, he did not think they would try and put a family of Scrub Jays in 6.3 acres and expect them to survive; there are big trees, the birds of prey, the hawks, the owls, and the Scrub Jays are not going to survive; the same thing can be said about the little eight-acre section; and all that has to be done is go down there and sit and see what he is talking about, it is not pretty.

Christina Fleming stated she is not just a concerned citizen, but someone who is deeply invested in the safety and well-being of the community; in 2024, Brevard County Fire Rescue experienced a staggering loss of 100 firefighters, approximately 20 percent of the workforce, this exodus is primarily due to the low starting pay, which hovers around \$15 per hour, and includes a Medicare supplement, so it really is \$13.11 if the firefighters do not get the Medicare supplement; it is significantly below neighboring counties; consequently, remaining personnel are overworked, leading to burnouts and diminished service quality; the mandatory overtime is out of control; and despite what some people have said, it is not just from sick leave usage, it is being used for all approved codes and the 90 vacancies that they have. She went on to say she believes it is 92 now; although the Commission has made a motion to explore increasing the fire assessment fee, the measure alone is insufficient; a comprehensive approach is needed, one that includes competitive wages, improved work-life balance, and strategic recruitment efforts; without that, the firefighters risk falling further behind neighboring counties to attract and retain top talent; and fire departments across the State are graduating classes of 25 or more while Brevard County had six. She stated this disparity highlights a critical gap in the training and staffing capabilities; she urges the Board to implement the proposed fire assessment increase of the 37 percent all the way to the top; the motto on the trucks right now is providing care for a better tomorrow, which needs to be implemented in everyone's life, to provide the care for the future; firefighters are overworked at home, which is causing issues with marriages, kids are losing their wives, children are being taken away from them; they are overworked at work which is a safety issue for not only them, but it is an issue for the Board and the constituents; there is an engine right now that has two people on it; the referendum that she voted in 1998 says there has to be three, which is less service that she is paying for; residents and visitors deserve more than just the minimum, they deserve a future where they can thrive, and so does the community; and she asked the Board to take that into consideration.

John Dacko stated there is a private ambulance company that is now transporting patients to local hospitals in the County; he strongly urges the Board not to pursue the privatization of

Emergency Medical Services (EMS) services in Brevard County; while outsourcing EMS might offer short-term financial relief, the long-term consequences both operationally and fiscally are well documented and overwhelmingly negative; municipalities and counties across Florida have already demonstrated that privatization fails to meet the standard of care, accountability, and responsiveness that the residents deserve; private EMS providers are driven by profit often resulting in longer response times, fewer available units, reduced services, and lower revenue in rural areas; Brevard County Fire Rescue (BCFR) based EMS model delivered by highly trained firefighter paramedics ensures Countywide integrated response through a dual role system capable of handling medical, fire, and technical emergencies; and this model prioritizes patient care, not profit margins, and is accountable to the public, not shareholders. He noted Coastal Health Systems, a private provider responsible for interfacility transports consistently fails to meet demand; BCFR is frequently forced to fill the gap, removing Advanced Life Support (ALS) units from their designated run areas compromising emergency response readiness; this is not sustainable and illustrates in real time how privatization can weaken a system rather than strengthen it; EMS Chief Orlando Dominguez has demonstrated that a County-operated Basic Life Support (BLS) transport system can work; the framework is in place and needs to be staffed and fully-funded, leveraging the experience integrated, commitment of trusted BCFR employees to grow and operating the EMS system, which is far more superior than funneling public dollars into private corporations that lacks local accountability; Florida Counties such as Citrus, Leon, Sumter, Orange, and Marion have all privatized EMS and have reversed courses; and Orlando, in 2012, took back EMS services as their experiences reveal the same pattern, initial cost promises gave way to service breakdown, workforce instability, and a greater taxpayer burden as public systems are rebuilt under crises. He stated recognizing these issues once back under full public control, these departments reported improved response times and better patient outcomes; Brevard County should learn from these failures, privatization is not a solution, it is a proven mistake; instead it is exploring responsibility and a sustainable option, a proposed one-cent sales tax; while in early stages, the initiative would provide dedicated funding to offset the burden on property owners while eliminating fire assessment and impact fees; it ensures the long-term sustainability of fire and EMS services without sacrificing quality or public control; and public safety is a core responsibility of government, not a business venture. He mentioned the residents of Brevard County deserve reliable, resilient, and locally-managed fire and EMS system built on professionals and public trust; and he urged the Commissioners to reject EMS privatization and invest in proven, accountable, and community-focused models that BCFR has built and continues to lead with distinction.

**J.1. Approval; RE: Professional Services Agreement with The Conservation Fund Charitable Trust.**

Ian Golden, Parks and Recreation Director, stated J.1. is a request for approval and to authorize the Chairman to execute a professional services agreement with The Conservation Fund Charitable Trust for a term of five years, an annual fee of \$75,000 a year, and a contingency on purchases; a Request for Proposal (RFP) was done through purchasing at the Board's direction on March 12, 2024, to seek qualified applicants to provide the services; and staff is available for questions.

Chairman Feltner stated Rebecca Perry from The Conservation Fund is here for questions.

Commissioner Delaney stated she had originally asked for this Item to be pulled from the Consent during her briefing; it was mainly because she is uncomfortable with spending \$75,000 a year for up to five years for real estate services; she talked to staff more about the process it went through to pick this company; she found out there was only two bids and that it was only out for a couple of weeks; and she would like to know how it was advertised, how broadly was it

advertised, and if it was truly solicited. She asked if the previous Board approved \$3 million; she stated she believes there has to be a company out there who has gone through the process or who understands the Division of State Lands; and she feels it should be put back out there to solicit it more broadly to see if the County can save the taxpayers that \$75,000 per year.

Commissioner Goodson asked how long it was put out, how it was put out, who does it go out to, and how many responses said they are not interested.

Mr. Golden responded the process is through the Purchasing Department through procurement; he believes it was out for 21 days; it went through vendor link as well as staff provided five agencies to potentially reach out to and solicit; as the Commissioner stated, they had two responses; one of those responses was not very responsive; The Conversation Fund Trust was deemed the best to move forward with; as for the cost itself, if it takes the agency, they do not have five years, once the funds were bonded, the timeline started of three years to expend funds, they have about two years left; he would have concern about trying to go back out for another procurement with that short of a time frame; if they are able to spend the \$3 million, or purchase \$3 million worth of properties, within one year, that would be about \$180,000 that go to them with contingency; and in 2010 or so when this was last done, there was no contingency, but the annual fee was about \$280,000.

Chairman Feltner stated just to be clear there is only two years left.

Mr. Golden replied if he understands the math correctly, once the bonds have been funded that gives three years to expend, being a year into having funds bonded, that leaves two years to expend the funds.

Chairman Feltner responded so there is two years left.

Mr. Golden replied correct.

Chairman Feltner asked if it could be altered instead of it being five years, it is two years.

Mr. Golden responded he thinks the idea of doing five years was with the anticipation that the Board might at some point contemplate bonding additional funds that are authorized, which would allow to have an agency in place to start moving as quickly as possible without having to go back out for another solicitation; however, there is language in the agreement that if those additional dollars are bonded, that contingency fee does reduce as more dollars are bonded and put out and purchased.

Chairman Feltner stated that it almost seems to suggest that by adopting this for five years that the Board needs to approve the next round of bond funding maybe before it is ready to do so.

Mr. Golden responded yes, Mike just mentioned to him that he would also want to make the Board aware of, which is if there are no funds available, they are in year two, and all the \$3 million has been spent, that there are no additional dollars, the annual fee is suspended.

Chairman Feltner asked Commissioner Delaney if that answered all of her concerns, if they have to spend the money in two years, the current bond money and after that, that essentially puts an end to...

Mr. Golden replied correct unless the Board authorizes the bonding of additional funds within

that five-year period.

Commissioner Delaney asked if they run out of time to spend the money, would it be as simple as a Board vote to start that time limit over again.

Mr. Golden stated he would have to defer to Kathy Wall, Central Services Director, but he does not think it is that simple; he thinks that time limit is not a Board-initiated time limit; and he believes it is by the Federal government either through the Internal Revenue Service (IRS) or another factor.

Kathy Wall, Central Services Director, stated yes, it is a Federal requirement that the funds are spent within a certain period of time.

Commissioner Delaney asked what happens if the money is not spent in that time frame.

Ms. Wall replied then the County will have an arbitrage problem which means the funds would have to be forfeited.

Commissioner Delaney stated so the funds would...

Ms. Wall stated the County sold the bonds; it sold non-exempt bonds to shareholders and said that they were going to extend it for a 20-year period; then the County is saying it is not going to do that; and she just thinks there would be a problem, a stain on Brevard County, if the funds are not spent like it said it would when it sold the bonds.

Commissioner Delaney stated if the Board supports this, she would like to change it to two years; and she is happy to compromise that.

Chairman Feltner stated he will do that with her.

The Board approved and authorized the Chairman to execute the Professional Services Agreement with The Conservation Fund Charitable Trust for a term of two (2) years upon approval of the County Attorney's Office, Risk Management, and Purchasing Services.

**Result: APPROVED**

**Mover:** Katie Delaney

**Seconder:** Rob Feltner

**Ayes:** Delaney, Adkinson, Feltner, and Altman

**Nay:** Goodson

**H.1. Petition to Vacate, Re: A portion of three Public Utility Easements - Plat of "Diana Shores Unit No. 7" Plat Book 24, Page 24 - Merritt Island - Richard S. and Kimberly A. Edwards - District 2**

Chairman Feltner called for a public hearing to consider a resolution vacating a portion of three public utility easements – Plat of “Diana Shores Unit No. 7” Plat Book 24, Page 24 – Merritt Island, as petitioned by Richard S. and Kimberly A. Edwards.

Marc Bernath, Public Works Director, stated H.1. is a petition to vacate a portion of three public utility easements, two of which are required to be able to remove an encroachment required for permit finalization, both the side line easements; the rear is not needed for that, so this is

requesting up to the three public utility easements; and the wall was built without a permit and is in Code Enforcement.

Albert Wilson stated he has lived in Brevard County since 1977, he is here on behalf of his brother; his brother is someone he has known for several years and the reason he was asked to come up is because he is having medical problems; in 2020, the Baron's, this is the gentleman that is talking about the wall; he and his wife were looking to purchase a home in Brevard County and fell in love with the view from this home in Diana Shores on Merritt Island; and for about four and one-half years they have had one of the most beautiful views in the County at their retirement age. He went on to say then came a seven to eight-foot wall, they lost the picturesque view, and the wall has drain pipes that push water on the property that has many soft spots; the reason he said a seven to eight-foot wall is because some dirt was hauled in to put at the bottom of the wall to make an appearance that it was not as high or try to lower the structure; it reminds him of the cookies his mom used to make and they could not grab any of those cookies or they would be punished; he got to the point where he would rather just go grab one of those cookies and suffer the consequences; he believes that is what is being done here; he asked where the contractor is, why is the contractor not being reprimanded, and why does a person feel like they are able to just build a structure and block a beautiful view on this island; he noted he finds it offensive that anybody would build a structure without properly getting the permits and clearing it with the local authorities; the other thing his brother mentioned was if people allow anybody to just come and build a seven or eight-foot wall next to people's properties, what is going to be next, a 10 or 20 foot wall; and he asked what is the island going to look like as a result of all this.

Anna Polo stated she is the other neighbor on the other side where there is also a wall and she supports the petition to vacate because she does not want that wall taken down; it would just open everything up between the two houses, and on her side of the property is what gives her, her privacy at her house, her pool area, and the back of the house; without that wall it would be wide open and she is trying to sell her home; and she would appreciate if the wall was not taken down on her side.

Commissioner Goodson stated he rode out there and looked at the house; it is hard to see the wall because the wall goes southwest to south towards the canal; but down the whole street there are fences of some sort, PVC, plastic fences.

Ms. Polo advised yes, privacy fences.

Commissioner Goodson commented the view would only be restricted if this gentleman looked right or left; and as far as looking at the canal, the view is still there for him.

Ms. Polo stated he could see the canal is there and he could see the houses along the canal.

Commissioner Goodson stated correct; but he asked as far as looking left or right out of his back porch to see her in her pool, he would not be able to.

Ms. Polo replied he can not see her in her pool.

Kimberly Edwards stated she is the owner of the property; the walls on both sides were put up to replace dilapidated fences and the wall is only six feet high; her side is all concrete, so they could not have put wood, dirt, or whatever to raise it up; it is only six feet; the end of the wall closest to the canal still has the original chain link which is what the wall replaced for a good six foot section, so they are not obstructing any view, there is no greenery on that end; the

neighbor that complained they were obstructing his view, has all the greenery on his side; and she has put in a lot of expense and a lot of stress to meet the requirements for the vacate, and she has done what was necessary. She explained she hopes the Board approves it because she did follow the rules; they did not get a permit when the wall was built because she thought they were replacing an existing fence; the wall on the other side, Kathy's husband paid for half of it, so it is not just her wall, it is for the privacy; on the canal, there is not a lot of privacy except on the sides; and if the vacate gets approved, then she can go ahead and get the permit for the walls. She commented she understands they are behind and she is doing everything she can to rectify that; and the other thing is that wall has been up for four years, it was not just put up, it was put up like a month before the Barren's purchased the property.

Steven Baron stated he has dates proving that the wall was not all the way back to the wall for the last two years, and he keeps building and building; the property is 100 percent concrete throughout the whole property; all the water is draining onto his property making his property soft; he tried talking to him to work out an agreement; the property owner believes it is whatever is on his side; and when Ms. Edwards said three feet, he took a picture for the building department of himself with the wall going up two feet higher than him, it is about seven and a half feet.

Commissioner Goodson stated he would like to make a motion to approve the vacating of the easements on either side of the house, but the easement along the back of the waterfront stays.

There being no comments or objections, the Board adopted Resolution No. 25-046 vacating a portion of three public utility easements, Plat of Diana Shores, Unit No. 7, Merritt Island, lying in Section 23, Township 24 South, Range 36 East.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconder:** Kim Adkinson

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**H.2. Petition to Vacate, Re: A portion of a Public Drainage Easement - Plat of "Creekwood" Plat Book 43, Page 8 - Melbourne - Jason and Leah Reilly - District 5**

Chairman Feltner called for a public hearing to consider a resolution vacating a portion of a public drainage easement – Plat of “Creekwood” Plat Book 43, Page 8 – Melbourne – as petitioned by Jason and Leah Reilly.

Marc Bernath, Public Works Director, stated Item H.2. is a petition to vacate a portion of a public drainage easement, located in Melbourne, west of North Wickham Road and South Aurora in District 5; they are seeking to vacate a portion of the public drainage easement lying on the north side to allow a shed to be built on top of an easement; in this particular case, there is a plat note that requires the Homeowner's Association (HOA) to replace the pipe under the shed if it were to fail; and by vacating the public easement, there are no concerns.

There being no comments or objections, the Board adopted Resolution No. 25-047, vacating a portion of a public drainage easement, Plat of “Creekwood”, Melbourne, lying in Section 13, Township 27 South, Range 36 East.

**Result:** ADOPTED

**Mover:** Thad Altman

**Seconder:** Katie Delaney

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

**H.3. Approval, Re: Fire Assessment Rate Adjustment of up to thirty-seven percent (37%).**

Chairman Feltner called for a public hearing to consider approval of the Fire Assessment Rate Adjustment of up to thirty seven percent (37%).

Matthew Wallace, Public Safety Director, stated Item H.3. is the final approval for the Fire Assessment rate adjustment; on April 22, 2025, the Board approved a public hearing for final consideration of the Fire assessment adjustment; for this public hearing, the Department has met all statutory requirements for notification for public notifications; Fire Rescue is requesting consideration for two actions, both actions would need a motion and a vote; if approved by the Board, action one would be to approve the adjustment up to 37 percent to the current Fire Assessment rates; those funds would then be effective in Fiscal Year (FY) 2025 2026; the second action they are asking the Board to consider is to authorize the Chairman to sign the attached proposed Fire Assessment rate resolution; and that rate resolution has been coordinated with the County Attorney's Office.

Chief Patrick Voltaire, Fire Rescue Director, stated in the Agenda Report table one has noted as option one is up to 37 percent that also includes the General Fund revenue requirement to match that Fire Assessment commitment; option two would represent anything that the Board may choose and it is notated at zero percent on the table; a 37 percent increase would capture capital and infrastructure requirements, address future station and crew needs not identified in the previous seven year plan, accounts for inflation losses from year 2021 to 2025, and covers exhausted non reoccurring American Rescue Protection Act (ARPA) funds; the option includes a six percent annual inflation rate for capital and infrastructure; adjustments would use the current approved Fire Assessment methodology with annual increases equal to Consumer Price Index (CPI) rate, or three percent, whichever is less; and this option provides the County's proposed one year contract, including subsequent increases for three years thereafter, with step CPI and aggressive additional wage adjustments; and also during this last 20 days, they sent out a mailer and received 369 calls, emails, and letters from the community and of that 70 percent were in favor, 10 percent were indifferent, and 20 percent were against the Fire Assessment increase.

Commissioner Adkinson asked just to be clear, is he is talking total \$25 million increase with the General Fund.

Chief Voltaire responded yes, ma'am.

Thomas Boyd stated he bought his house 11 years ago for \$130,000 because when he retired he knew what he could afford so he set a budget; the County decided somewhere along the line that my \$130,000 house is now a \$330,000 house, so he has to pay \$277 for the Fire Assessment and they are wanting to raise it another \$102, so a total of \$379; money needs to come from somewhere other than homeowners; he does not know where the Board plans on getting the money but the homeowners are tapped out; he does not get a 37 percent pay raise every year; he has a 24-hour care son that he has to take care of; if he is not there to support him then he goes into a home because he is his only provider; there are other ways of getting money besides taxing the homeowners, like taxing the video arcades that are popping up all over the County or take the money away from the 17 public libraries; once people buy their

house that is what the taxes should be, it should not go by whatever somebody says that it is worth; and he reiterated that his house is worth \$130,000 until he decides to sell it for more, which he will not.

Cheryl Ward stated she supports entirely that the firefighters need increased raises and they need good equipment and firehouses; she also mentioned she is an attorney for elder law, she is on the board of Helping Seniors of Brevard; the seniors are important to the population and a lot of them are on fixed incomes and they cannot afford the increase; find different ways to find the funds, like raising impact fees, which was an idea from Commissioner Delaney; she is aware that the County has one of the lowest impact fees and assessments out of 22 counties Brevard is number 20; the Board is now looking at taxing the residents before seeing where else the money can come from; impact fees might be another source to generate the revenue that the firefighters need, just like she is advocating for the seniors, they need the firefighters 100 percent; a survey is just now being done to assess where the money can come from; and she proposes the Board hold off until the results from the impact survey is done and it can see if it can get money from business owners. She noted she would to propose holding off until the County can see where else it can get the money from, perhaps impact fees, which should raise just like the assessments to the residents, see where the money can be collected and then reassess how much does the County really need to increase to meet the goal; and she understands it is a \$5 million deficit from what she read it appears that it could increase to \$10 million from impact fees where the residents would not even have to be impacted. She went on to say she hopes the Board can hold off until there is more information to make a better decision for the community.

Kristy Haws Thompson expressed her appreciation to the Board for allowing her to speak on the Item for the Fire Assessment rate; she stated she believes the Fire Department should be paid for their services and thanks them for their service; her objection is on the way the letter is going about funding the firefighters; on the second paragraph, the second sentence states, the fire services special assessment is an existing non ad valorem assessment that is annually assessed, definition non ad valorem assessment role means a role prepared by a local government and certified to the tax collectors for collection; and key characteristics of the non ad valorem is the assessment amount remains constant, regardless of the changes in property values. She went on to say on the second paragraph, fourth sentence, it states, also proposed is an annual increase to the fire services special assessment equal to the CPI or three percent, whichever is less; CPI definition is a statistical measurement of how prices for a basket of goods and services change over time for urban consumers, it is a key indicator of inflation which is used to analyze the economy, the CPI is calculated and issued to analyze the economy, the CPI is calculated by averaging price changes with weights that reflect their importance in consumer spending, and the basket includes items like food, clothing, shelter, transportation, and utilities; according to the definitions of non ad valorem and consumer price index, neither one of them have anything to do with the appraisal of her property's values of today's market which is changing daily; the proposed increase is 37 percent, not three percent, and is unacceptable; as the letter states, it can go up annually; and the last sentence in the letter states, pursuant to Chapter 197 Florida Statute, they are required to be notified that failure to pay the assessment will cause a tax certificate to be issued against the property which would result in loss of title. She continued by saying this is threat and intimidation, since this is not a bill, and it is still in planning stages.

Kelly Gibson stated she understands the need for the County to pay comparable wage rates to maintain the County Fire Rescue fire operation employees; it is her understanding that the County lost approximately 100 employees last year and is on track to lose an additional 100 this year; the County makes an investment in new employees with the cost of training and

maintaining the employees various certifications; upon receipt of the notice for today's hearing, she reached out to the Brevard County Fire Rescue via phone and was informed the assessment will fund more staff, trucks, and better equipment to meet the growing demands within Brevard County; she also had the opportunity to speak with Tom Kline, Deputy Chief of Brevard County Fire Rescue Fire Operations; upon receipt of the letter and reading through it and then seeing the Agenda Item, nowhere in the letter except with the calculation of the increase does it indicate 37 percent; it refers in various sentences that this is on an annual basis going forward; proposed is the annual increase equal to the CPI, or three percent, whichever is less; for each Fiscal Year (FY) thereafter, the rate will increase by CPI, or three percent,

whichever is less; the amount of the fire services special assessment to be applied against each parcel will be based upon the property Use Code designated by the Property Appraiser and the square footage ranges, which has been mentioned previously that it goes up and down; currently, the proposed increase for her is the 37 percent, which would not work with her income; and she would like to take this opportunity to request each of the Commissioners to review the budget and to propose other avenues that can make the situation a win win for both the County, Fire Rescue, Fire Operations, and the taxpayers.

Ben Prishtina stated the letter that he received is completely unacceptable, just because taxpayers houses are appraised in value, it does not mean that he can just simple reach into the walls of his house and grab money out of it, that is not how that works; between the tariffs, inflation, there is pressure on all sides; on top of that, from what he understands from the letter, which he briefly read, it sounds like the County wants to increase taxes every single year after that; just to be clear, the residents do not get automatic raises, he has to work really hard to get a raise or take a chance and switch jobs; he does not have all the answers on what to do about the Fire Department, but it is not his job; his job is to write software, not come to the meeting and take time off work to complain about this; and when he bought his house, he bought it at a much lower rate in 2016. He noted just because his house is worth a lot of money now does not mean that gain is realized; he would also like to mention he is not sure where the Chief got the 20 percent, the 20 percent of the people who are against this; nobody at work wants this tax increase, but none of them are here because they all have projects to meet, deadlines to meet, and kids to take care of; he actually had to take time off work to come to the meeting; and nobody he knows is for this increase.

Bruce Fletcher expressed his appreciation to the Board for having the meeting and listening to everybody; he stated he commends the Fire Department for everything they do; the taxpayers know the Fire Department needs the money and that the money needs to come from somewhere; he is concerned about the fact that he has not heard any proposals as to where the money goes other than a general statement; and on Vacation Island Playground (VIP) Island, the residents are inadequately covered for fire protection. He continued by saying it is an island that has no access by road; the Fire Department did not even have a boat until a couple years ago, which is just a fishing boat with two Harbor Freight pumps on it; the island maintains equipment that the residents paid for; his concern is that the residents would never see any of that money, the residents would get a tax and a rate increase and be in the same situation; they are the first responders on the island and have done more than the County has done to protect those on the Island; the residents just want to know that some of that money is going to go to the island to help improve their situation; it is not only a health and welfare

situation; he has been cancelled by insurance four times in the last year with the number one reason being for protection, so he would like to see some of that money go to the outlying areas that are hard to take care of; and the residents can get some help in house to protect themselves because the residents are the first one to get there. He continued by saying the

island residents are all for the Fire Department getting what it needs; he knows the Fire Department does as much as it can; they have a great communications line communicating back and forth with them; they work together really well; he knows their problem is the money restriction and who controls that money; if they do not have it they cannot do it; the money needs to be there somewhere, he just does not know if this is the right way or not; money is needed in many places; and he would like to see something improved.

Pauline Burke stated she lives solely on social security; this is a fabulous, wealthy County, it has exploded with businesses and new homes; she does not comprehend why the Fire Department has not been allocated better funds; these people save lives; she asked why the County is not seeing to it, without this assessment, to fund the men and woman in the Fire Department; she remarked it is disgraceful and she does not believe a special assessment is needed; she thinks the County needs to dig into its pockets and come up with the money with all of the new buildings and new businesses that are going into the County that make it great; she does not think the assessment should be passed; but the Board should sit back and reassess where this money can come from within the funds that it has.

Wilberta Bright stated this is a terrible thing that so many people are going to be affected by raising the taxes each year to take care of something that should be taken care of in each city; there are all these businesses as the last woman just spoke about; impact fees, all the big buildings going up, all the apartments and homes, will make a difference if the County just used that as the avenue in which to take care of the Fire Department; her husband is a retired fireman, she is a retired State employee in the Department of Corrections, and her son is a retired deputy sheriff; and the County needs to dig in and find out a better way than raising the taxes.

Pat Ramer stated she does not have a problem with the one-time current proposed 37 percent special assessment; what she does have a problem with, however, is the proposed annual increase equal to the CPI, or three percent, whichever is less; the increase is an essence a perpetual tax until the Commission takes further action; the Commission should do its job and review the budget annually and determine what the fire services assessment needs to be, not a perpetual increase and assessment; it is unreasonable and she knows her income will not be going up by even one to three percent for the next however many years; she understands the need for the 37 percent special assessment; but the annual increase, that is not reviewed or determined as to why it is needed, is unacceptable.

Jim Schilling stated one can call this whatever he or she wants to call it, but his legal definition is based on the use of the property, the size of the property, and the value of the property; he will pay it as a property tax; and that is what this is. He continued by saying the State limits it to three percent a year; it has to be called something else to go to 37 percent; he does not agree with doing that; he thinks it should come from the impact fees on all of the new construction; he has a limited income; a lot of that goes to help his son in law who was severely injured in Army combat; and he cannot afford it. He pointed out the Board needs to call this what it is, a property tax; the County has to call it something else to be able to get it past the three percentage; he is not for it; he is for the firefighters; and if the Board goes to increasing in the impact fees, the County can cover it.

Claudette Bish commented she is retired and is from North Merritt Island; she moved into that area because it was such a beautiful, country atmosphere; the County is developing it like crazy; the residents have only one way in and one way out, which is Courtenay; the traffic is horrendous almost all day long; the bridge goes up, they do not get off; the problem is if there is a fire there, who will help them; they have one fire station there that has suffered from black

mold; and the guys have had to live in mobile homes. She inquired when there is going to be a new fire station; she stated she heard it was on plan, it is supposed to be on Courtenay and Hall; the dirt is still there, nothing has happened; the County has development all over the place; the developers should be gone after, they are the ones making the money, and they have the money to pay; the County has not increased the developers fees for years; she asked the Board to go after them and not the taxpayers; she advised they are on fixed incomes, they need the services, they do not get it on the Island and that stuff; and she asked for the County to stop forgetting about them.

Georgia Ann Bicknell remarked she has lived in the County since 1968; she is on a limited income now; she has retired from Federal service after 35 and one-half years; she only has social security, her retirement, and a small Thrift Saving Plan (TSP) account; she has 4.91 acres; if this is a property tax, it is going to hurt her; she has seen taxes go up every year since she bought the property in 1981; and she asked the Board to please find another way other than property taxes.

Andrea Turner stated she has been a Brevard County resident for 11 years now; their taxes do nothing but go up; when she saw that this rate assessment was going to possibly go up 37 percent, next year they are going to be retired and be on a fixed income; this will definitely hinder their retirement; these are people of average income; they cannot afford a 37 percent increase; and she knows that in the future since they have unlimited resources there, they are asking for another way for the Board to find and fund this tax assessment. She went on to say she was going to suggest the County get it by having the developers pay for these tax increases instead of the average citizen that lives in Brevard County, because they are not all wealthy.

Sandra Maslan King advised she lives in Titusville in a new subdivision called Verona; they were one of the first houses to build in there; they told them there was going to be 1,100 houses in that development, which is right on Grissom Road, across from the municipal airport; she asked why the money cannot come from impact fees from all of those houses; every week they are seeing people come from all of these different states and buying houses in Verona; and she asked why they cannot come from there. She stated her husband is 72 and not even retired; she feels like he may not be retiring because he thinks they may not make it because things keep going up and up, and she knows he is worried about it; they are going to be on a fixed-income; she asked like so many, are they going to be able to survive; are they going to have to sell their home; what house would one then buy, because everything is going up; and with more and more development happening, and all of these apartment building that are popping up everywhere, why impact fees from that cannot be part of where they are getting the money, instead of raising people's taxes, hurting the people that are trying to retire, and those already retired and on fixed incomes.

Anthony Balzanto stated he does not think there is anyone in this room who would not like more money; the homeowners are strained; they are feeling it on all sides; prices are going up; Walmart just announced price increases; everybody is hearing about tariffs; they are seeing the cost of services go up in the County; the cost of materials are going up in the County; and even if one tries to do it themselves, when going to Home Depot, the prices have gone up, people are strained. He continued by saying it is not an endless resource; when looking around the County seeing all of the explosions that have happened in the last 10 years, and seeing the amount of money that flows through this County, not just in retail but large corporations coming here, they are seeing other things, corporate income taxes; there are so many funding mechanisms through the County; people hear impact fees, but they have also seen years ago a half-cent sales tax incentive put with the Indian River Lagoon for that project restoration;

there are so many different funding mechanisms; and the homeowner should be the mechanism of last resort, not the first hit.

Cell-y Hoey commented she moved here because of divorce; this is the only place her money could buy after a divorce, a long divorce, and she did not keep a lot of money because of paying lawyers; being with her ex-husband for 33 years, he decided to keep his money, and it was really hard to get away from this divorce; she finally divorced and moved to Florida; not having a lot of money, she had to move to a Homeowners Association (HOA); and she thought the taxes would be low. She noted because the former owner paid \$400 something dollars, but when she had to pay it, she had to pay \$500; the next year it was over \$1,000; then it was about \$1,500; she is retired; when she divorced, she was already 66 years old; and now, she is almost 68. She stated the HOA tried to raise the price for the third year; right now she pays \$481; they are trying to raise for over \$500, which is a lot; she has a fixed income; she only makes \$1,000, and has to pay Medicare; she has to keep a car, because otherwise, she cannot eat; she has to pay taxes, home insurance, car insurance, and she has to eat; and she cannot rent a room to help her income, because it is not allowed. She went on to say it is a lot of bills; she is sorry to tell the Board that a lot of people are having problems; she cannot afford another place because this place, the HOA, is the lowest price she can find; this month, her car broke; she has a light on her car engine light; where she lived, they did not charge for each code; but here they charge \$135 for each code; she does not know how many codes; and it look like she has more than two codes. She explained she does not know what she has to fix on the car; she drove here with the lights on; she cannot afford more; she did not live here for 45 years in her mistake from how she can speak; but she cannot write well in order to keep a good job, so if she gets a job, like two years ago she was not yet retired and trying to live with the little amount that was left; and this really took her by surprise.

Chairman Feltner pointed out if she stops by Auto Zone or Discount Auto, they will come out and read the codes for her; and they used to do that.

Ms. Hoey noted she has been checking everywhere.

Chairman Feltner stated he is a car guy; they used to do that; and he asked Ms. Hoey to check on that as it might save her some money.

Ms. Hoey asked the Board to consider not raising, because she cannot afford it; and she would be out of a home.

Chairman Feltner stated all people's costs are going up; the Board is trying to find a better way; and he asked her to believe him.

B. C. Shubert stated he is a 57-year resident of this beautiful County and is a disabled Army veteran; he thinks the 37 percent is the part that is really hanging everybody up; if the County could find a way to mitigate that, say seven or eight percent per year for the next five years with a cut off, he thinks it would go down very smoothly; but the 37 percent is just a non sequitur.

Stefan Glista commented he appreciates the Chiefs summary of where the money was spent; he thinks that should have been in the letter that was sent out; that would have been helpful; he has a questions about Station 64, the cost was estimated for the repair and updating of \$2.6 million, in 2021; it went to \$7.5 million, to 2025; the Chief said a six percent increase is going to be projected for the basis of this allotment; he asked why it is a factor of three different; and he stated the contractor is not publicly known. He stated he asked the County Attorney who the contractor was on Station 64; he asked if the \$5 million overrun; and can the Board say who the

contractor was that had a \$5 million overrun.

Chairman Feltner stated to let the Board get through; he thinks there are about seven or eight more cards; and then the Chief and Colonel Wallace can speak to the costs there.

Mr. Glista asked what the cost would be on the cost containment; he stated he understands engines are more expensive; all of this stuff's more expensive; but this needs to be discussed of what the County is going to do to stop a factor of the overrun; if the impact fees cannot be estimated, then the County needs to increase the Fire Department's impact fee by a factor of three, if that is as good as it is going to be worth; the Fire Department says they have no standing on impact fees; the homeowner has standing, so this request is coming not from the Fire Department, as they cannot make this request; and he is asking one Board member to come forward saying he or she will increase the percentage of the impact fees for the Fire Department by a factor of three, because that is what Brevard's history shows that it needs.

John Orzec II advised everything has been said that he was going to say, but he thinks the Board is right, the impact fees need to be increased, as it is ridiculous putting this all on homeowners; the property taxes increase every year, homeowners insurance increases every year, and increased HOA fees, maybe not every year, but continuously; the money has to be found from someplace else other than taxes; he does not see how the County can continue to do this and chase people out of the County that cannot afford it; there are people here that are young, buy a house, get a mortgage, get insurance, and the following year the mortgage payment goes up \$500 more because their insurance went up; and this is another one that is being added to it. He reiterated that this just has to happen; and he thinks the Board has got to find someplace else, increase in sales and property taxes, but definitely impact taxes, or maybe someone needs to bring Elon Musk to find out what is wrong.

Philip Cohen stated he has lived on Merritt Island since 1976; the cost of living in this County is just outrageous; he thinks the Board has hard pretty much from everybody; he feels the same way that these increases should not go on the backs of the homeowners or the property owners; there are many different ways, whether it be impact fees, or part of the sales tax out of the General Fund; the short-term Airbnb rentals that are popping up in all of their neighborhoods, which nobody really likes, and a lot of people are getting away with doing that outside of the rules and regulations of the County; but the bottom line is he is entering his retirement years now, and the same thing, his income is not going to be going up three percent every year. He went on to say these guys are asking for 26, 27, or 37 percent increases; the Board needs to find a different way to fund the fire assessments; these things started, he thinks, around 2007, 2009; when they first started putting the assessments outside of the fire in the General Fund on people's taxes; he thought it would be for two or three years and then it would go away; it has not gone away, and it keeps going up every single year; it is to the point where the fire assessment alone is more than what his tax bill used to be on his property, it is just out of control; and he urged the Board to look at different ways to fund the Fire Department, which needs some help, but it should not be on the backs of the property owners and homeowners, especially when the majority of the people in the County now are starting to enter retirement age. He pointed out there is nothing people can do, as one cannot draw blood from a stone.

Sandra Sullivan remarked everyone knows that Brevard County has a fiscal crisis; that crisis extends well beyond Fire and EMS; the County Commission has been irresponsible and kicked the can down the road on impact fees for 25 years; she has been coming before this County Commission for six years with that resounding message; she is glad the County is going out for a study; but there are no assurances it will approve it more than what was done in 2016, they

do not know; there has been no fiscal analysis of what this is anticipated to bring in that would offset this; and the 37 percent is just part of the story, because as one well knows, there is a 55/45 split between Fire and EMS. She continued by saying what is not being talked about is the intention for the General Fund side, so this is not the end of the tax; the Board has discussed taking it out of the Fire Control Multiple Services Taxing Unit (MSTU), which is only for the unincorporated for the 45 percent; it would put the burden on unincorporated residents and not sharing it equitably with city residents; and aside from impact fees, there is another revenue source rather than putting all of the burden on 'we the people', because they see what the County does, there is always enough money for 'we the money special interest', and there always is, just like they saw \$2.4 million today. She noted she complained about the \$1.7 million for a study for Space Florida, or \$1.2 million for the Brightline for the quad arms they are responsible for, or \$10 million to Brightline, or \$30 million to Driftwood, and on and on; she asked how about giving away \$8 to \$10 million of the Sarno land; there is plenty special interest money the Board gives away; what needs to be done is to tax space; by State Statute, they are exempted on only the land value and not the improvement value; she has been coming here for the big secret, Space Florida; she reiterated this County is in a fiscal crisis from a \$2.2 billion deficit in transportation that matches its entire budget; it is not just Fire; and she asked how the County is going to climb itself out of this hole. She stated she knows, Commissioner Adkinson came to a meeting earlier this month and proposed doing away with the three percent tax cap to keep putting it on 'we the people' rather than equitably looking at the sources that should be paying, which is the special interests, and stop giving money to special interests while the County is putting more taxation on the people.

Lorraine deMontighy stated she is from Micco and a Brevard County resident since 1977; she received this letter, which she does not recall seeing in recent years; her proposed increase is going up by \$153-plus, so her total assessment will be \$569.65; she thought that was a whole lot; she thinks she probably should put something on social media trying to get her other nearby residents rallied up, come to the meeting, as that is a lot of money; in the social media post she was seeing people say theirs was only going to \$47; and she thought that did not seem equitable. She mentioned she started looking into it a little bit deeper, and it said it was based upon square footage, the metrics used to come up with this number that they have come up with; the square footage does not take into effect the construction materials, the age of the home, which is really no better than a Zillow's estimate; she does not know how that is going to be equitable to other people; she feels like she is carrying a little bit more of the burden than her neighbors around her; she looked into when this initially started, this special assessment, which seems like it would be something that is temporary, but apparently it is not; she looked at her previous tax bills to see what she was paying; starting in 2007, she paid \$212; for the next 10 years, she paid \$266.81; in 2018, it has crept up; and it has crept up every year since then. She noted she does not remember getting this letter every year that, that went up, and it is a special assessment, so why was it going up; nobody ever stopped it; now they have the proposal for the three percent automatic, or Consumer Price Index (CPI); she felt coming all the way up here from Micco might be a waste of her time, because she feels like it is probably a foregone conclusion that the Board is already going to pass it; she is challenging the Board to prove her wrong, to put this on hold, do a deep dive on the budget, and find somewhere else to get the money, because they are tired of being nickled and dimed to death; there is already a Fire Control MSTU in place that is attached to the value of the property, and not the square footage of their properties; she thinks this is a little, clever lever that has been used to extract money from taxpayers without having to uphold the Save Our Homes cap; and she asked the Board to hold off and investigate other ways.

Steven Thomason commented he is opposed to this increase; he hates to protest, but for fire special services, they are valuable people to have around; his family has lived in Brevard

County for 50 years, since the '70s; he is disabled and on a fixed income; year after year his taxes go up; and the last five years, the tax bill has increased potentially. He continued by saying he does not doubt fire services need this money; all he is saying is the Board needs to find a better way to get the cash; and if it is to alleviate a park, impact fees, or whatever it takes, it should be done.

Regina Harris stated she lives on VIP Island in southern Brevard; they have a great relationship with Brevard County Fire Rescue; they try to support them as much as they can, but their hands are tied; they got a new fireboat two years ago they bought; it is a fishing boat with two Harbor Freight pumps on it; they do not have 24/7 fire coverage; if they have an issue, they have to take care of it themselves; a friend of theirs said if a pickup truck drove to ones house with a fire engine on the side and a shovel, would the County consider that fire services; and that is the analogy to what they have. She mentioned a special assessment, a one-time assessment, they are all for getting them more money, or she is all for getting them more money; but this continual assessment that is not really an assessment is really something that she thinks the County needs to find a better way, as everyone else has said, to achieve that goal.

Chairman Feltner asked before the Board goes into discussion, are there any items maybe Chief Voltaire could address that he heard earlier; and he stated he thinks there was a question about cost overrun on a station.

Chief Voltaire replied he thinks there is an undertone of support for the Fire Department in everybody's message; the Station 64 issue specifically, it is in the projected plan, but they do not currently have a builder for that project; when they started in 2021, the price per square foot for a fire station was around \$200 a square foot; Fire Station 49 that was built was \$600 a square foot; just like the County's fire truck have gone from one-half a million dollars to a million dollars; and everything has gone up tremendously, the same reason everyone is here today. He stated there was a redesign in Station 64; Station 64 sits on Spessard Holland; the lessons they learned from the hurricanes that happened on the West Coast was that would be a two-story station; if a Category 3 or greater hurricane was coming, they would literally open the bay doors, no electronics, no power, nothing would be on that first floor; and for all purposes, they would let the ocean flow into the river and the fire station would still stay there, so lessons learned, trying to do the right thing for the community and allowing those firefighters to stay on Spessard Holland that South Melbourne Beach area when that firehouse is rebuilt.

Commissioner Goodson asked if the station in Viera is relatively new.

Chief Voltaire responded affirmatively.

Commissioner Goodson inquired if Chief Voltaire can explain to the Board, or tell the Board, who bought the seven recliner chairs that are unbelievably like TV chairs with the fire department emblem on them; and who bought those, and what the cost was.

Chief Voltaire replied off of the top of his head, he is not sure.

Commissioner Goodson asked if Chief Voltaire could get it for the Board.

Chief Voltaire responded yes, sir, he could get it for the Board.

Commissioner Goodson further asked what the purpose of buying those chairs was for relaxation, meditating, or what.

Chief Voltaire advised to sit in the afternoons; the guys and girls have dedicated work times; they have to do things during the day; but they do live there 24 hours a day.

Commissioner Goodson stated he did not know, there must be a reason.

Chief Voltaire stated it is their house; up until not too long ago, they had furniture called cargo furniture, and it was very uncomfortable, so this was a nice upgrade for the guys and girls; and it is special fire department furniture that lasts longer than a regular department store chair.

Commissioner Goodson asked the County Manager if he took every trailer, every house, and every business in Brevard County last year, what the number of new buildings that would be.

Jim Liesenfelt, County Manager, responded no, he does not know that number.

Commissioner Goodson asked if Mr. Liesenfelt could tell the Board on an average what the impact fee would be per house, per trailer, or per business; he stated it may depend on square footage; but he inquired if anyone has a number.

Mr. Liesenfelt replied there are a number of different ones; and if one combines EMS and Fire Rescue together for a single-family home is just a little under \$90, multi-family is about \$80 a unit, and there are another couple of calculations between \$50 and \$70, depending on what type of multi-families they are.

Commissioner Goodson inquired if the impact fees were to be raised, that is on new construction.

Mr. Liesenfelt responded that is correct.

Commissioner Goodson asked if Mr. Liesenfelt could get back to the Board and tell it how many units would be needed, and what the increase in impact fees would be needed to get the money that is being proposed with the fire assessment fee; and he stated another thing people need to realize, and they keep saying not to charge the people, not to put it on the back of the people, but if one knows anything about a developer building a house or selling a hamburger, if he has a fee that is raised, he will pass it on to the people.

Mr. Liesenfelt explained he may get himself in trouble here, but looking at the special impact fee of about \$14 million a year, the current impact fees are \$380,000 for Fire Rescue, so \$14 million divided by \$389,000 would be the percentage increase.

Commissioner Goodson noted a big increase.

Mr. Liesenfelt stated yes.

Commissioner Goodson stated the developers will be yelling it will kill construction.

Mr. Liesenfelt pointed out there are State requirements on how and how much impact fees can be raised; they are doing the study now; and the study will come back next year.

Morris Richardson, County Attorney, stated the County can use the impact fees for infrastructure, but it cannot be used for operational costs like firefighter salaries.

Commissioner Goodson inquired if that does not help then.

Attorney Richardson replied it would help with some of the equipment and capital costs, but not with the salaries.

Mr. Wallace noted those fees can only be used for new equipment, new emerging equipment for the new service areas.

Mr. Liesenfeld explained that impact fees are related to capacity increases.

Commissioner Goodson asked if both would be needed.

Mr. Liesenfeld replied yes.

Commissioner Goodson stated if it would be funded properly down the line, the County would have to have the variance and then the impact fees.

Mr. Liesenfeld advised that is correct.

Commissioner Delaney stated she just wants to address some of the things that was being said; she expressed her appreciation to everybody for coming down and sharing their thoughts and feelings about this; she advised she knows how hard and heavy this has weighed on her; she has spent pretty much every day since she has been elected to go through this budget and tear it apart; she talks to the Budget Office staff a lot; she has looked through every single thing one could possibly look through; the fact of the matter is that for the past decades, millage rates have been rolled back over and over again; while property values have gone up, that is why their taxes keep going up, even though the millage rates keep going down; but that is why things have not been keeping up, because the millage rate keeps going down, and Brevard's growth has exceeded that amount of money. She went on to say since impact fees have not been updated in all that time, the people bear the brunt of that growth; the Board is working on getting an impact fee study; unfortunately, the State makes the County do an impact fee study before it goes forward and look into raising those impact fees; that process has started; and like the County Manager said, it will take a little bit for that to come back. She stated the \$2.4 million that was allocated before, that the Board voted on, was not County money, it did not come from County dollars; she wanted to make sure people know that; that money would not have come back to the County if it would not have approved that; it would have gone back to the City of Titusville, so it would not have helped this situation; the County was just another check and balance for the City of Titusville for that money; she just wanted to share her heart a little bit about this because the people in her District are going to be affected; and she is going to be affected. She pointed out she is a mother of three; they are not independently wealthy; she lives in Canaveral Groves; every time there is a fire out back, she calls up one of these people in the yellow shirts around here asking if she needs to get her horses in a horse trailer, or if they have this; they tell her, thankfully, that they have it; she completely understands the hardship that this is going to be on some families and some people; and some of the things that are changing over the next year, hopefully if Governor DeSantis signs it, which allows the County to use some of those tourism dollars, 25 percent of the tourism dollars, on public safety. She mentioned she personally, she would have to get Board approval, but she would like to use that to the fullest; she would also like to look into seeing what the Board can do with a sales tax; the County can only have so many pennies, so it would have to look into, and have public input, on what it wants its penny sales tax to look like, if the Board can even fund public safety out of that, and what it would look like for Save Our Indian River Lagoon (SOIRL), because it has to balance all of these needs of the community; and the Board has to decide as a community what it wants to fund out of those sales taxes, it cannot just make as many as it

wants. She noted the State puts a lot of restrictions on the County, so what she would love to see is for the State not to restrict the County dollars so much so that it could move things around like a normal budget; when the County has items on its budget, that money can only be used in that pot for that specific thing; it is strange that she talks in millions now, she never thought she would be speaking in millions, but there is only so much money to go around that is not already allocated in a particular spot; while this is a large increase, she understands that, the County's Fire Department is in a situation right now because that can has been kicked for so long that here the Board is, and right now it is down about 100 vacant firefighters; and it is on track to lose the same this year. She stated if something is not done right now, the County is going to be put in a situation where ambulances will not come because there are no firefighters, because there are no paramedics; she would like to see is for this to not be a forever thing, for the Board to commit to the community that it will look at these other funding sources that are coming available, hopefully, once Governor DeSantis signs them in July, so if the audience wants to put all of this energy into emailing the State's great Governor and telling him to please sign these bills so the County government can fund itself properly, that would be really helpful; she would like to see this be a temporary thing; again, that is a Board decision, she cannot imagine it would not do everything in its power to alleviate the struggle of added taxes; but for right now, the Board has to stop the bleed.

Commissioner Adkinson advised many of the audience have not been here very often; she was also just elected in November; she often sits very quiet because she does a lot of thinking; for those in the audience who do not know, she made the motion for the 37 percent increase; she is also one who voted against the 50 percent increase, and a 70 or 75 percent increase when motions were made up here; the Board is doing its best to mind the citizens tax dollars and pockets, because it is her pocket as well; she works two jobs; it is very important to her that the Board spends taxpayer dollars wisely; but she can promise them that 50 and 75 percent is unacceptable.

Commissioner Goodson stated he has no comment, but Commissioner Adkinson said it correctly.

Commissioner Altman expressed his appreciation to all who came up and spoke; he noted it is important that government officials are held accountable, that the Board has to face the citizens face-to-face, vote, and hear what he or she has to say; it is important that property owners, he is a property owner who pays a lot of taxes, are heard, and they need to advocate for their taxes to stay low; this is what makes this country great, the Board cannot just unilaterally increase fees; he applauds the audience; and he agrees with the effort. He continued by saying just this morning he was talking to a family member of a firefighter who gets up and drives to Palm Beach County two or three times a week and saves lives, runs on equipment that is much more modern and has more paramedics and EMTs per run, and can say and communicate how they save lives because they have that extra support; Brevard County has a phenomenal Fire Department, the best training in the State of Florida; the rest of the State knows that, and that is why they are hiring Brevard's people; he talked to another individual who had numerous friends whose family members were firefighters, and they drive to Orlando every day; as Commissioner Delaney said, the County is down 100 positions; and they are getting to a point, which keeps him up at night, is a time when an ambulance does not respond and somebody dies, or has a live-long condition that could have been prevented because of the inability to get paramedics to that call quick enough, or a structure that burns down because a pumper did not get there in time. He stated when those response times to those structural fires increase, one starts looking at insurance companies that then reassess what one pays in fire insurance fees; the Board knows how expensive insurance costs are; this may cost the Board, it affect him as much as anyone else, more in the short run, but in the long run it may save the County money,

so his heart goes out to the people; he appreciates them being here; but he thinks the County needs this and probably a little bit more if it is really going to provide that basic life safety service, which is the most basic of all things the County provides. He pointed out, Commissioner Adkinson is right, there was controversy at the last meeting, and even firefighters got mad, because the Board did not raise the rate higher, which he supported, but this Commission voted 3:2 to be very careful, and they were looking after the people's interests; both sides are angry, which happens a lot; he does not want the people to think their voices are not heard, and that he or she does not have an impact, because they do; but the County is in a very serious public crisis at this point, a life-safety crisis; he has been involved in public service for quite a long time; and he thinks this is probably one of the most critical, maybe the most critical, life-safety issue he has ever seen. He mentioned to throw on top of that a hospital closing, which increases response times and takes more of the County's paramedic and EMT resources and transport resources, so it is a life-threatening situation; he thinks the Board is going to have to do something here; it is not an easy thing, it is not something enjoyable, but the Board must provide the public safety; he had family members who have had first responders; he has seen the professionalism these firefighters, paramedic, and EMTs; he has watched them save lives, or attempt to save lives, and he knows how difficult their jobs are; and this is what is being faced right now, it is a public emergency.

Commissioner Goodson stated he wanted to make a motion to approve Option 1.

Commissioner Delaney asked if that is a three percent increase every year, or just the 37 percent.

Chairman Feltner advised that is how it is written, Option 1; and he asked if it can be amended.

Mr. Liesenfelt explained Option 1 includes the three percent CPI, or three percent, whatever is less.

Commissioner Delaney asked if there is a friendly amendment to not include the annual increase of three percent, or CPI.

Commissioner Goodson asked if Commissioner Delaney was asking him; and he stated no.

Chairman Feltner asked if staff can answer the issue of three percent and where it puts the County next year if it is not in there, so simply the Board would take it up next year.

Mr. Wallace responded when staff calculated out for the three-year option on Option 1, they included that as part of their calculus in years two and three, so by reading in the Agenda, it says aggressive contract for years two and three, that was part of the core funds that would be available for years two and three; and if staff does just no CPI, then staff would have to go back and look at calculations to see where they would be and what funds would be available for those out years.

Chairman Feltner stated so for the contract the Board is hoping to get done with fire, and all would like to get to a three-year contract, that is what it is hoping for by October; and things would have to be revisited.

Mr. Wallace advised staff would have to do recalculations to see what funds would be available.

Commissioner Delaney inquired if the Board can do it so that it is only the three percent for

those three years; and would that make the math work.

Chief Voltaire replied whatever is less, so up until just a few years ago, and Jill Hayes, Budget Office Director, would know the numbers better than him, but up until a few years ago, it was never three percent; a lot of years they were at 1.8, 1.9, or two percent; and the three percent is the cap.

Mr. Wallace pointed out if it was capped at three years, then that would be outside the current contract or the contract period they are trying to get to.

Mr. Liesenfelt stated staff would have to go back and work on the seven-year capital and equipment side to rework that plan if there was not the three percent beyond the three years.

Mr. Wallace noted staff would have to relook at that in year four, three years down the road.

Commissioner Delaney asked if she could ask for a friendly amendment to only include the CPI rate or the three percent, or whichever is less, for just the three years.

Attorney Richardson explained there has not been a second yet, so there is not a motion pending, so she could just make that as a motion when the Chairman is ready to entertain a motion.

Commissioner Altman stated he would second Commissioner Goodman's motion.

There being no further comments or objections, the Board approved Option 1; and executed and adopted proposed Resolution No. 25-048, Fire Assessment Rate, subject to changes necessary to reflect the Board's approval with final review by the County Attorney's Office.

**Result: APPROVED**

**Mover:** Tom Goodson

**Seconder:** Thad Altman

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

\*The Board recessed at 11:49 a.m. and reconvened at 11:57 a.m.

**H.4. Ordinance providing for the dissolution of the North Brevard Development District for the purpose of recapturing the District's tax increment funding for the County general fund, while honoring the existing contractual obligations and commitments of the District.**

Chairman Feltner called for a public hearing to consider an ordinance providing for the dissolution of the North Brevard Economic Development District for the purpose of recapturing the District's Tax Increment Funding for the County General Fund, while honoring the existing contractual obligations and commitments of the District.

Morris Richardson, County Attorney, stated this is the District 3 Commissioner's Item as directed by the Board at a prior meeting, he believes the April 20 meeting; he prepared an ordinance that would have the effect of dissolving the North Brevard Development District while also honoring the commitments and obligations of a contractual nature of the District; it will recapture for the General Fund the tax increment payments that are transferred from the General Fund into the North Brevard Development District trust fund; one of the commitments that will be honored, as an example, is what was approved earlier today, the Searstown Mall

redevelopment project; that would be paid out of funds that exist within the City portion of that trust fund; but otherwise, it would provide for termination of the Interlocal Agreement between Brevard County and the City of Titusville relating to the District; and he is happy to answer any questions about the ordinance.

Commissioner Adkinson asked just as a clarification, where will that \$3 million will go.

Attorney Richardson replied that will return to the General Fund; and the Board has given direction to use that in developing the budget to fund the General Fund side of Brevard County Fire Rescue needs.

Jessie Wright stated to please not throw away this baby with the bathwater; killing North Brevard Economic Development Zone (NBDEZ) is the same thing as killing the dreams of the entrepreneurs; these are the entrepreneurs that actually make businesses, they bring jobs to the communities, and they create revenues to the cities; killing this board is almost like killing all of those dreams; businesses need incentives; and without incentives, they cannot start. He went on to say as an example, in 2010, he purchased a property in Jackson, Mississippi; it was a 37-acre property, 327,000 square feet; the reason he purchased it is because President Obama at that time wanted to give incentives to the businesses in South Jackson, Mississippi; this property is located at I-20 and I-55, the largest outdoor mall that actually existed; the incentive that he promised did not work out, they were not able to get the businesses in; he paid \$2.5 million for the property; and he ended up losing it at about \$1 million. He asked the Board of County Commissioners to leave the board the way it is; he advised the Board can kill the projects as they come along, and to take a look at them deeply to see if this really makes sense or not; he is building multiple projects; he provided the Board a picture of the Cambria Hotel; he stated as the Board can see, they are bringing businesses there; he is talking to the Commission on behalf of those businesses that are coming online in about two or three years; he asked if the County cannot give them the incentive to start out, how they are going to survive in the economy right now; and it is not going to get any better.

Bart Gaetjens, Chairman of NBEDZ, commented with tax problems, economic development seems to be a cure; during the last meeting, he expressed his concern about an economic iron curtain, which starts at the Beachline, north to the County line; it reminded him of an entity that runs parallel to the Beachline, it carries passengers through Brevard County, but it does not have plans, and may or may not stop in this County in the future; local and State representatives have expressed their frustration with this entity for ignoring this County and its leaders; and this is exactly how the North Brevard business community, and the prospect of relocating or expanding companies and corporations felt about North Brevard before the NBEDZ was created. He continued by saying the County seat residents felt ignored and neglected, and the perception was all of the money flowed south, bypassing the County seat; he heard a Commissioner state that the County seems to be doing fine and that North Brevard is back on its feet; truth be told, North Brevard is just starting to stand up; he loves dollar stores and car washes, but do not confuse these businesses or new residential subdivisions as economic growth and good-paying jobs and careers the County so badly needs; and he offered each Commissioner his personal invitation to visit Districts 1 and 2 with him, and he will happily provide he or she with a tour to see those Districts in person to see the need for continued economic development to address just some of the infrastructure needs. He stated his fear is without the NBEDZ and the creation of good jobs over the next few years, North Brevard County will once again see the reemergence of that economic iron curtain; without job creation and a tax base to support an aging infrastructure, North Brevard could soon be in the same shape of disrepair and neglect as is currently the case with I-95 in the north end of the County; he asked the Board for its consideration to find a way to keep the NBEDZ in operation for a

finite period, or to find a way to provide some type of badly needed economic relief in North Brevard; he expressed his appreciation to the Board for its time and service; and he stated God bless Brevard County Fire Rescue first responders, the Board, and Brevard County.

Sandra Sullivan stated this binder is from the Brevard Coalition, it is filled with a lot of facts about NBEDZ and a lot of the controversies, including when it was first started, right in the initial documentation is the intent to do bonds; bonds cannot be done unless a special district is formed by referendum; the whole thing from the beginning is a lot of stink; she is looking at a budget from three months ago; the balance forward was \$10.6 million; currently, that number is \$5.766 million; pertaining to the city portion, she does records requests to the Clerk of Courts, the total coming in from the city portion from 2013-2024 was \$5.8 million; and the available budget according to their financials as of the last meeting is \$461,000. She mentioned NBEDZ was presented and sold to Brevard County as an enterprise zone, but never was because State approval is needed for that; in the documentation with regard to fire, it was said that Brevard County does not use General Fund millage rate to fund public safety, an Multiple Service Taxing Unit (MSTU) is in place for County residents to pay for public safety services; that is a lie because the County had a 2004 lawsuit that required it to do it not from the Fire MSTU; the last meeting there was former Commissioner Robin Fisher and lobbyists who came before the Board to speak; in response to that, there have been some concerning changes, including that the funding is not going to the General Fund now; it says all contractual obligations and commitments with NBEDZ have been done and costs associated and contractual obligations; it does not sound like it will happen sooner than later; and she asked what happened to discussions of it going to Fire Rescue. She pointed out the asset management is being done by the County Manager and not through the Economic Development Department and Asset Management; she did a records requests for the tax increment, the documents from the Clerk of Courts and compared it to the financials, and NBEDZ was overpaid by \$6.5 million over and above the Tax Increment Funds (TIF); she thinks that money is due back; and she thinks the County needs to Department of Government Efficiency (DOGE) NBEDZ.

Robert Jordan explained the Board has the power in its hands to help out its fellow citizens or to handicap them, to help the citizens out of this hole that has been in the making for a very long time; everyone knows it takes years for anything to improve; it takes time to nurture ideas and plans, to consider the push back from distractors, and to always do the right thing for the people in this County; and the right thing, in his humble opinion, is to allow the NBEDZ to continue its dedicated efforts to help his fellow man to bring those who want a better life, a better housing, better services, and better opportunities to live their life to the fullest. He stated he has been serving for a very long time, the Chairman of the School Board, Chairman of Viera Charter School, Chairman of Parrish Medical Center Board of Directors, Council Member and Vice Mayor of the City of Titusville, and President and Chief Executive Officer (CEO) of his own company; he, and others on the NBEDZ, volunteer for the opportunity to help others meet their dreams and wishes to afford homes, and hopefully, to keep their taxes lower; the County needs economic development, better schooling with a reputation for excellence for pushing the kids to the highest potential, and there needs to be a reputation in North Brevard for being equipped to stand strong and stand together; their preamble simply states that 'we the people' and states the government is intended to serve the citizens; the preamble also lists the goals of the Constitution, which include forming a more perfect union, that reflects the goal of unity and cooperation among the states; he will argue among the district and this County establishing justice, which creates a system of fairness and equality for all, and ensuring domestic tranquility that ensure peace, order, and stability within the County, which includes this County providing for the common defense, promoting the general welfare, that means to foster the well-being and prosperity of society as a whole, its citizens specifically; and to secure the blessings of liberty, which means to guarantee and protect the benefits of freedom, not just for

the current generation, but the future generations as well. He mentioned his words are simple and direct; he respects the Boards position and respect that it has the power; he also respects the hard work, focused approaches to challenges, consistent processes, and accountability will always rule at the end of the day; the NBEDZ members are not paid; for years they have dedicated themselves to doing the right and legal things, to promote growth and prosperity; they are only as strong as their weakest link; he will submit to the Board, with all of its challenges, is its weakest link; and they deserve and hope that the Board will support them.

Andrew Connors, City of Titusville Mayor, advised he stands before the Board, not as just a resident of North Brevard, but as the duly-elected Mayor and spokesperson for the City of Titusville; yes, Titusville has had their challenges, but they are moving forward; he is excited about what the future has; unfortunately, in terms of some of the challenges that are out of their control, Enterprise Florida does not exist, Texas is spending billions of dollars to steal space away from Brevard County, and this is Brevard County's only incentive; they need to have the opportunity to attract and retain what they have there and to grow on it, because while it is called the NBEDZ, the investments that are made in North Brevard ripple out throughout the entire County; the name can be changed, that is fine; but he would humbly submit to the Board that the City of Titusville would love to be partners and continue the relationship as they look to grow Brevard County, so that they have economic development to pay firefighters to work on infrastructure, and these things go hand-in-hand. He stated while he understands challenges of the Board looking at budgets, trying to figure out where to cut, how to balance the budget, and if it is putting the burden on its residents, he is a big fan of just trying to get new revenue; he thinks that can be done through economic development, and that will come, but it has to be worked on every day; it is like working out; he does not work out, he just tries to do economic development; the one day he went to the YMCA, he ended up on the board, and now he raises money for them; he expressed his appreciation to the Board for what it does for the County and community; and he pointed out the City is here to be a partner.

Holly Carver commented she has lived in Brevard County for over 35 years, and she has worked most of her career in nonprofit, government relations, economic development, and even as a legislative aid to the Commission office, so she has the inside scoop on all of the ways the Board has to manage money in the budget; she now works as a commercial real estate broker, and along with her partner, their mission is to improve the community; they have tackled a lot of blighted properties in the north end of the County, and brought in new business and development; and some of those clients have used Zone funding. She went on to say for the past several years, they have started to see some consistent growth and positive changes; she agreed with Mr. Gaetjens that they are just starting to get their feet under them; large companies have opened and relocated, and created thousands of jobs and headquarters, but for the Zone funding, it would not likely be in North Brevard, so the funding the Board is talking about possibly transferring would not have even been there if the Zone had not incentivized those businesses to come in; they have seen blighted properties replaced with new development; the first project of the Zone was the redevelopment of Miracle City Mall; and since 1981, many years before that happened, they had tried multiple times to get developers or someone to invest and redevelop that property, and without that public/private partnership that would not have happened. She stated that was a huge environmental project; like Mr. Wright mentioned, that was 32 acres that went directly into the Lagoon with all of the toxins every time it rained; it now has a stormwater capture system, a mile of underground pipe, 12 baffle boxes, and it went from being about a \$4 million property on the tax rolls to now in the multi-millions on the tax roll that is creating new, future tax revenue coming in; the public/private partnership, in what she has seen in her career, is that it is an effective machine; new development, commercial development, increases the value, increases tax revenue, and improves infrastructure, creates jobs, the need for new housing, creates new revenue, new

impact fees, and it is just a cycle of development in that process; the return is solid; she has heard all morning that the County has a revenue problem, which is not new; the Zone is a proven, long-term revenue generator that will continue to multiply tax revenue in the long term, and will pay for itself many times over; and instead of dismantling that progress and what has been seen happening in the north end of the County where they live and raise their families. She asked the Board to not dissolve the Zone, to come up with another solution, and at least keep it active in some way so they can create that legacy for going into the future.

Edna Wilson stated she does serve on the Zone board and she is very excited to do that; she has lived in Titusville her whole life, and she has never lived anywhere else; her daughter wanted to open an indoor play place, so they looked all over Titusville, everywhere, for a decent place for little toddlers to come and play; they ended up at Titus Landing because it was the only decent place that there was; there was no mold going on the walls, it was beautiful, it was well done, and the day they handed her the keys she thought that this is NBEDZ right here; now they have four employees that they get to hire; they have people come into their place play, they spend money at Fire House Sub, the movie theatre, and at Salsa's; and she just looks around and says, thanks to former Commissioner Robin Fisher for really charging this, and Holly was right there with him the whole time. She pointed out it is so short-sighted to dissolve a board like this that creates jobs and revenue, because by pouring more money into that, there ends up being more of a tax base, more people moving here, and all of these great companies are having people more that buy houses and pay taxes; she hates to cut off this little, tiny revenue source that might actually be a really big revenue source for the entire County; she expressed her appreciation to the Commissioners as it is not an easy job; she stated it has really been an eye opener to sit here; and she really appreciates how hard the Commissioners work.

Robin Fisher stated a lot of people have already said what he wanted to say; he wanted to tell the Board a story; playing football in his old days, football made him a better player; what he is trying to say is it made him a better Commissioner; he asked why it made him a better Commissioner; he advised it is because he can remember going to Florida State University (FSU), Tennessee, Alabama, and all of these other universities; they always met in the middle of the field and shook hands as players and coaches; and at the end of the game, they met in the middle, and they shook hands again. He went on to say what he found out is one did not go to the right end zone because one was paying an away game, or the other team did not go to the left end zone, they just always met in the middle; he believes that is why he was a better Commissioner, because he always ended up in the middle on these items that were very important to the community; he thinks the middle is not a bad place to be; and as a matter of fact, he thinks it is where people ought to be in government all over, in Tallahassee and Washington, DC, for that matter. He noted he talked to some of the Commissioners last time about compromising and not getting rid of the NBEDZ; it is what he thinks is the right thing to do, and it can be done; if he was in the Commissioners' shoes and he had a chance to come up with a compromise for the community, with 150,000 or so living in the north end of the County, he would one, change the rules and the business plan that the Zone has to make sure that this Board, not the previous Board, or the Board he was one, by funding things that is important to this Board; the next thing he would do is take the allocation from 90 percent to 40 percent, because that would match the City of Titusville's allocation; he would also take those additional dollars, if the Board could, put it in the General Fund to help the firefighters; he would make sure the Zone is basically spending money where the Board wants them to spend money, and that they are meeting those goals; he thinks it is a compromise and it makes sense; the Zone has some Reserve dollars; and he would also ask the NBEDZ board to send back half of those Reserve dollars. He asked where does this end up; he pointed out it is a compromise, in the middle; the County would be getting back half of the dollars; making sure

the money is spent on the game plan the Board put together; and at the same time, the Board can reduce the allocation so it will have 50 percent more dollars coming back to the General Fund for the County.

Commissioner Goodson stated when the players met in the middle of the field, usually former Commissioner Fisher was fighting, not shaking hands; and he asked if this gets voted away today, why he would not form a Community Redevelopment Agency (CRA) in Titusville.

Mr. Fisher replied Titusville has a CRA in the downtown; it cannot be expanded in the same area; it cannot be put in the same level at the same distance that the Zone is; the Zone goes basically from SR 528 to Scottsmoor; if a CRA is formed in Titusville, he thinks all of the dollars would go to the City of Titusville, they have to stay in Titusville; they cannot fund other North Brevard projects; and the Zone also funds Commissioner Goodson's District out of Space Florida.

Commissioner Goodson advised that is not his District; his District ends before it gets there; and that is Commissioner Delaney's District.

Mr. Fisher stated no, sir, because one of the things he did as a Commissioner was to expand the Zone; and Blue Origin was actually in Commissioner Goodson's District.

Commissioner Goodson advised he gets blamed for a lot of stuff; and he asked if in 2001 he was aware of the fact that he funded, meaning NBEDZ funded \$400,000 to the Great Outdoors for a sprinkler system, has he corrected that, a \$394,000 for a sprinkler system, and is that economic development.

Mr. Fisher responded he thinks the Zone was created in 2011; he thinks the Zone had a business plan put in place established by the Zone board and that current County Commission; one of the things that business plan had was that golf course, the sprinkler, was one of the things available in that plan; that is why one of the suggestions he had was that what he thought might be important in the future is that previous Board's might have had business plans that do not match up with today's Board; and if it does not like those types of things being funding, then to allow the Zone board to come back with a plan that can be approved by this Board.

Commissioner Delaney commented she would like the opportunity for the Board to discuss the possibilities of doing some of the things that were mentioned, like reducing the percentage from 90 percent to 40 percent, giving back half of the Reserves; she thinks that is a fair compromise; what she would ask is while she supports Brevard County's firefighters 100 percent, she has more constituents than just firefighters; getting rid of this will dramatically hurt her community; and she is asking that the Board come up with some sort of compromise.

Commissioner Altman advised that maybe a compromise is something the Board should look at, as it is better than doing away with it completely; when the Board heard this before, there was public input that the County created the NBEDZ after losing the Shuttle; it has worked, and the Board has responded it does not need it anymore; the County just found out that under the President's proposed budget, they are cutting the Artemis Program after three launches; Artemis generates \$1.7 billion economic output supported by 11,500 jobs; and most of that impact will be felt in Brevard County. He added, he even read one account that said that the cut in Artemis may have a bigger impact in Brevard County than the loss of the Shuttle; here Brevard County goes again, it is not done yet; he thinks Department of Government Efficiency (DOGE) is a good thing because he believes in competition; he is not debating whether the

County should have Artemis or Starship, he thinks it needs both; it has to have multiple launch vehicles; and he is hopeful that Artemis can survive. He stated he is excited about Starship, but the County is competing with Texas; he loves Texas, he went to college in Texas, it is a great place, but he loves Florida more; this is where the launch center should be; the County is really competing with them; it must be competitive, have economic development, have good public service, have good infrastructure, and must have good education, because these entrepreneurs are going to look at those communities that are vibrant, can attract young engineers and good jobs, and that can support a very risky industry; the County is in good times now, but a couple of explosions, and it could be over; and one knows that well living on the Space Coast. He went on to say he thinks the County needs it more than ever; it is facing many of the same challenges; they are different challenges, and probably require economic development and community development even more because there are so many launch companies out there, so much competition; he has had people tell him Florida is going to lose to Texas, they have \$22 billion in Reserves, they are spending money, and they are building new space centers; Federal Aviation Administration (FAA) just gave Starship 22 approved launches; he believes they really want to come here; and what the County has here is so special and unique. He pointed out the County has to be competitive and develop what it has to create an atmosphere that makes it competitive, or it will lose some of these great economic opportunities; these are jobs \$80,000 to \$110,000 a year; this is not people making widgets at minimum wage; these are extremely high paying jobs, not to mention it is who Brevard County is as a community; it makes the County what it is and needs to be; he will support keeping this economic development zone in place; and the County needs it more than ever because it is facing some serious challenges. He stated his position has not changed a bit, it is probably even stronger as a result of some of the cuts the County sees coming down.

Commissioner Adkinson stated she wants to say she thinks that the going away of Artemis, hopefully, will encourage more private sector growth; the Board heard during its budget presentations that NBEDZ was getting away from supporting space; and she is still confident and resolved in this action.

Commissioner Delaney explained not only does the Board have to support space, but it also has to diversify, because part of the issue is that space is the only thing for the most part that her District has; it is the diversification that the County needs to support a healthy economy in North Brevard; in a perfect world, she would love to not touch it and to let it do its thing; it is bringing the County far more than \$3 million a year; she would like it not to go away; but if she has to make a compromise, she is open to that; and she would hope that this Board would meet her in the middle.

Commissioner Altman noted he loves the example about how NBEDZ created a place for kids to play; if one is talking about being competitive, those are the things that really make a difference, what kinds of schools, recreational facilities, parks, and how one can raise a family; these jobs are young engineers; this is where the County was in the '60s where the average age is 25-27 years old; they are family communities; he used to live in Viera; it is an amazing place to go to see all of the kids, families, restaurants, and parks; and it needs to be Countywide, as it needs to be in North Brevard as well if the County is going to be competitive. He mentioned he talks and works with a lot of these young space entrepreneurs; they are looking seriously at Wallops Island, Virginia, New Zealand, looking at other countries, and New Mexico; this is not a given thing; he knows the County has the edge, but it can lose that edge very quickly; he thinks this is important; he spends a lot of time in Titusville, he works at the Space Center, and he knows that community well; it is not just Titusville, the County is one; a rise in tides floats all boats; and there is a serious need in North Brevard. He stated one area of the County can absorb those needs as well with transportation and infrastructure; this is

important for Brevard as a whole; he thinks it is exciting what can be done in North Brevard; some of these communities are vibrant; this is what industry is looking for; the County learned a lot when it was battling for the Space Force site, and it lost to Huntsville, Alabama, which is an amazing place; the County does have one part of it, Star Command; and it is the kind of growth the County wants, the kind that is going to protect its quality of life, protect revenue sources, and protect the environment. He reiterated it will preserve this community, and the County needs this program.

Motion by Commissioner Adkinson, seconded by Commissioner Goodson, to approve dissolving North Brevard Economic Development Zone (NBEDZ) as written.

Commissioner Altman asked to make an amendment to the motion. He stated he would like to amend the motion that the Board does not dissolve NBEDZ, but to restructure it, reform it in the way that former Commissioner Fisher brought to the Board's attention; he thinks one of the key components was a 40 percent match requirement that has been spoken about; it is on the record; and he thinks the Board remembers.

Chairman Feltner asked if the mover and seconder is amenable to the amendment.

Commissioner Adkinson stated she is not, simply because if she decided to change the motion, she would need more time to think about it, so she is going to put it forward as is.

Commissioner Goodson advised he agrees with Commissioner Adkinson.

There being no further comments or objections, the Board conducted a public hearing and adopted Ordinance No. 25-07, authorizing the dissolution of the North Brevard Development District, the recapture for the General Fund of the District's Tax Increment Funding, the continuation and administration of the District's existing contractual obligations, the termination and winding down of an Interlocal Agreement with the City of Titusville, and the administration of and use of proceeds from the sale or lease of County-owned property within Spaceport Commerce Park.

**Result: ADOPTED**

**Mover:** Kim Adkinson

**Seconder:** Tom Goodson

**Ayes:** Goodson, Adkinson, and Feltner

**Nay:** Delaney, and Altman

## **I.1. Speak Up Brevard 2025 - Citizen Efficiency and Effectiveness Recommendation (CEER) Submissions**

Jim Liesenfelt, Interim County Manager, stated good afternoon, Commissioners; this year's submittal period for Speak Up Brevard was January 1 - 30; staff received 77 recommendations from 65 individuals; as the Board knows, a workshop was held on March 3, 2025; and the 77 recommendation documents, as well as staff analysis and recommended actions, are part of this Agenda Item. He went on to say staff spent a significant amount of time to review, consider, and respond to each of the recommendations; all of the responses were sent to the Commission offices; they were posted on the County website earlier this month; in addition, all of the individuals who submitted CEERs received an email or notification of that noting they received it and responded with their answers; and they are ready for however the Board would like to proceed.

Commissioner Delaney commented she has many that she would like to pull for discussion.

Chairman Feltner advised the Board has 11 speaker cards; and he would like to do questions first.

Commissioner Adkinson asked when staff came across Items that were not under the Board's jurisdiction, what happened to those.

Mr. Liesenfelt replied of the 77 recommendations, one CEER staff recommended acceptance, 18 was recommended with revisions, 45 were recommended rejections, and 13 were administratively rejected; the example he uses is someone spoke about Gleason Park and Indian Harbour Beach, that was not in the County's jurisdiction, so it was rejected; staff sent notification to the City; there were several that had to do with the animal shelter; that was sent to the Sheriff; and that is what staff does with those.

Commissioner Adkinson stated the County sends them wherever they can be dealt with.

Jane Higgins expressed her appreciation to the Board for allowing her to share her input of the Speak Up Brevard process, and its support of staff to provide their replies; she explained she knows everyone loves Brevard County, and her presentation was based on her passion for identifying ways to preserve and protect the natural habitat for today and for future generations; as a board member of Conradina, native plants are a critical component of preserving and protecting the natural habitat; and she is trying to get that information out to whoever she can. She stated it was not their intent to imply that the County is not doing Low Impact Development (LID) but rather to work together to continually improve current LID efforts and offer assistance in updating them; she spoke with Amanda Elmore, Natural Resources Management Deputy Director, yesterday where she shared that it has been at least 10 to 15 years since the last update of some documents; a lot has changed in the understanding of native plants in that time; she is going to go through not this whole presentation because she does not have time for that, but slides two and three are from the April 8 presentation, just there for the Board's reference; she is going to start on slide four, which was also on April 8, but she wanted to make sure it was gone over a little bit more, because there is a big difference between Florida-friendly landscaping and Florida native plants; Florida native plants are part of Florida-friendly, but they provide much more benefit to the wildlife and the local environment; they sequester water and filter pollutants, and they support the local wildlife; and that is the only thing local wildlife can eat. She went on to say whereas Florida-friendly landscaping, although it does require less water and fertilizer, it is really there for aesthetic value; she knows the last time the Board asked for examples; she does have examples of both of those if they have time later on in Q & A to go into that; and the next slide is her particular CEER number 47, which was exactly like 11 other LID CEERs submissions, so the Board is pretty much addressing all of them; and here is her citizen recommendation and the staff's recommended action, which was basically accept with revisions, and to propose potential Ordinance changes. She mentioned what she would like to do is all of her back and forth with staff, which is on the subsequent pages, so this presentation to the Board can be super summarized in the three areas; one is using more native plants rather than Florida-friendly; she asked the Board to get that into the LID Ordinances; she noted two is to request status of how current LID practices are being monitored; three is to request information on how the County LID Ordinances compare to those elsewhere throughout Brevard and beyond as shown on the original CEER attachment; and she would love to request a modification to the staff recommended action to request a meeting between appropriate staff and the CEER submitters to understand current LID practices and opportunities to collaborate. She pointed out she thinks it will save staff a lot

of Q & A back and forth as everyone continues to learn more about this.

Commissioner Delaney asked if Ms. Higgins would repeat the second one.

Ms. Higgins replied to request status on how current LID practices are being monitored.

Terry LaPlante advised she submitted a request to ask the Board to direct the Waste Management Department to stop submitting chemical fragrances over the landfill; CEER 2025-030 was rejected by staff, which stated that what they were doing was required by the Florida Department of Environmental Protection (FDEP); based upon the information that she was able to find, this is not true, so she is requesting again the elimination of these chemical fragrances; staff analysis stated that the FDEP required a remediation plan for offensive odors and that they are misusing a misting system to neutralize the odors using a product called Cheerio Deodorant; she must dispute the response to her complaint that this product does not contain any substances considered hazardous to health; and the company discloses that they use a cherry fragrance to mask odors in addition to odor neutralizers. She continued by saying the chemicals in this fragrance are a known allergen, and they are designated as asthmagens; in other words, they trigger asthma attacks; the company also discloses that these chemicals are known endocrine disruptors, which are linked to breast cancers; she does not know when chemical companies started manufacturing and selling chemical fragrances to mask odors, but this is the odor she is complaining about; she reiterated according to the FDEP, if a complaint is received about an offensive odor coming from the landfill, a remediation plan is required; and her complaint may well justify revision of the current strategy being used to manage odors. She stated she personally uses odor eliminators and odor neutralizers in her home, and she has no issue with the County using these sorts of products; she is requesting the elimination of the chemical fragrance being used to mask the odors as she cannot breathe outside her home when the wind is blowing in her direction; not only is the fragrance offensive, but it causes allergy and asthma problems and a host of health issues related to endocrine disruptions; in fairness, she would say this is only an issue in rainy season; apparently, from the reports from FDEP, water exasperates problems with odors, so it is not day in and day out; the report she has from FDEP gives many suggestions for the remediation of the odors; and they do not require the use of chemical fragrances, they offer many ways to solve this problem. She noted she has another request; and she asked if the Board wants her to go ahead and knock that out.

Commissioner Altman stated he would not disqualify this request because if the Board felt that the application of these chemical odor suppressants, or masking, which would be even worse, chemicals could be ineffective; it was deemed that it was being mandated by the State; he asked if the County could incorporate that by, hypothetically, putting it into the Board's legislative agenda; could the Board have its lobbyists, or could it seek or work with other counties, to change the law; he stated in other words, it does not mean it would not be a part of Brevard County Government, that the request would be incorporated, the Board may not be able to do anything from its local Ordinance, but it could be put in public Policy, and it could be attempted to be changed by working with its State and Federal partners; and that is sort of his thought to include it, as it may be the only thing the Board can do.

Ms. LaPlante commented the report she has by the FDEP is dated; but again, out of all the remedies that are suggested, using the chemical fragrance was not one of them, so it does not appear to be a requirement by FDEP to use a chemical fragrance; and they can use odor neutralizers, all these other things, but not that particular one.

Chairman Feltner asked Ms. LaPlante to go on to her other Item.

Ms. LaPlante stated it has been years since she last spoke to the Commission regarding the mowing over of the garbage on the right-of-ways; it is unfortunate that the last time she was here and she spoke on it, she thought a solution had been worked out with Keep Brevard Beautiful, that they were going to be able to get volunteers to pick up all of this trash that was not mowed over; from what she has gathered, that has failed; here she is again facing the fact that the County is mowing over garbage that is then swept away into its stormwater system, clogging up the baffle boxes, and polluting the Indian River Lagoon and the St. John's; given the expense and efforts being put into the saving of the Indian River Lagoon, she argues the County cannot afford to continue this practice; she urged the Commission to create a task force to find a creative solution to end this practice; and she would be happy to serve on that and work with the Board on the chemical problems.

Susan Connolly explained that she is here to talk on CEER 2025-010, titled Department Budgets; the submitter is not herself, it is Lisa Cullen, Tax Collector; the staff analysis was to reject the CEER; her comments right now are to ask for the Board to review and vote to accept with revision; what got her attention was that this was a request from the Tax Collector, who is one of the most respected people, one of the longest serving elected officers, and outstanding for her experience and integrity; her CEER was about two of the largest issues facing Brevard County, budget cuts to spending that maintain the three percent cap for the purpose of funding the Fire Department; and this is important to her because Ms. Cullen presented clear, actionable items that can be repeated throughout all government departments with achieved success. She pointed out that staff recommended that it be rejected based on these things already being done; she asked if things are already being done, what Ms. Cullen recommended and the way she recommended it, if it is effective, why does the County still has the problem; she stated she thinks there can also be some additional benefits by continuing the review of this CEER; the additional benefits could be that the CEER process itself could be reviewed for its effectiveness and efficiency, so that all submissions have an actionable response with a resolution, similar to what Commissioner Altman was doing; and she thinks another result could be the budget process in its totality could be reviewed for efficiency and effectiveness, while reviewing current fiscal Policies of the three percent cap.

T. Alexandra Mott stated a few years ago, she noticed erosion problems along the buffer zones that border the retention ponds in her backyard, the buffer zone that abuts her property; she reported the problem to the Viera East Community Development District (VECDD), and they went to Brevard Natural Resources to request assistance in educating the community about best management practices for stormwater pond maintenance, which includes planting vegetation along the ponds literal shelves, to prevent erosion of the shorelines of the buffer zones, and to filter polluted stormwater runoff from entering the St. John's River from their 85 retention ponds in her community; Brevard Natural Resources decided to apply for a \$50,000 grant from the FDEP to create a stormwater education program for the Viera East residents, so they would not object to vegetation being planted along the shorelines of their ponds; and her suggestion in the Speak Up Brevard program was for Brevard Natural Resources to form a task force of the entities in Brevard that have already created a stormwater education program, so that they could share their resources with Brevard Natural Resources. She noted by taking this action, a \$50,000 grant could be saved from FDEP; it did not appear that asking for that money to create a new stormwater education program was a good idea; Brevard Natural Resources declined her request; however, there is good news, it appears due to the Speak Up Brevard program suggestion, the entities she mentioned to get together to form a task force to share their resources have agreed to do so for the first time in seven years, which is why she started this project; they have a stormwater education program scheduled for October 18 in Viera East at the clubhouse park pavilion; and they expect this to launch a new training program for their community. She stated, in fact, they are saving \$50,000 for the State; she is

currently a student of systems management, a very old citizen, and this is one incident that saved the State \$50,000, because they took a look from a linear perspective to a systems approach in how they can look at what resources were already available to what can be used; and she expressed her appreciation to the Board for the Speak Up Brevard program, for enlightening the community, and for its stellar leadership.

Ashley Lorenzana expressed her appreciation to the Board for allowing her to speak today on an issue that deeply affects families like hers in Merritt Island, the need for greater inclusivity for their special needs community, specifically through the installation of an American Disabilities Act (ADA) accessible swing in Brevard public parks; she stated she would like to begin by presenting a series of photographs she has compiled; these images are of Rotary Park in Merritt Island; one of the photos highlighted has a metal bracket highlighted on the photo; one may wonder why there is a bracket but no swing; and come to find out, not only is this any type of bracket, this is a special bracket for an ADA swing that is just sitting there with a space inside of the park. She went on to say she speaks to the Board as a member of this community, a special needs advocate, and most importantly, a mother to multiple children with special needs; for years she has searched for a local park in Merritt Island that could safely accommodate her family; her children, like all children, just want to do what their peers can, swing, slide, climb, and play; when she submitted her concern, she hoped for solutions; what she received were suggestions; drive 22 miles to Sandpoint Park, 15 miles to Space Coast Sports Complex, or consider what has been done in Melbourne Beach; but what she did not hear was a plan for Merritt Island for the families who live here and need inclusive parks right here in their community. She asked the Commission if it knows in Merritt Island there is a private school called Faces; it serves students with autism, cerebral palsy, and down syndrome; her youngest son is a student there, and yet they had to build their own playground behind the school because no public park could meet their accessibility needs; as a community, they have the power and responsibility to change this; all residents, regardless of ability, deserve the chance to enjoy Brevard County's public parks safely and fully; parents and caregivers should not have to drive half an hour away from something as simple as a swing; she asked how can one expect a child with a physical disability to enjoy the park if they cannot use the equipment; and the County should be ensuring inclusive play for all. She stated imagine a park where every child, regardless of ability, can swing, slide, and climb together; that world should be reality, but right now it is not; many children with disabilities face challenges like poor muscle tone or coordination, making typical playgrounds or activities difficult or impossible; but a swing, just one ADA accessible swing, can offer those children the joy of movement and play; it is a small gesture that carries an enormous impact; and she inquired, as this raises a difficult, but necessary, question, should one continue to bring their children to the park while separating the ones who can participate, or should this opportunity be taken to do better for everyone by installing one ADA swing.

John Dacko explained that CEER 2025-020 is to identify a sustainable funding source for Fire Rescue, which was denied; he came here today with two possible speeches, one that vents years of frustration, and another that builds a path forward; he is choosing he ladder; but he wants the Board to understand where that frustration comes from; he advised Commissioner Goodson that in 2014 the 1998 firefighter referendum, a voter-approved mandate, to ensure two paramedics on every rescue unit was quietly dismantled; the system shifted to one paramedic and one Emergency Medical Technician (EMT); at the same time, Emergency Medical Services (EMS) Chief Orlando Dominguez introduced the pit crew response model inspired by King County's medic one system, which he has studied in depth; and that is where the idea for his CEER recommendation began. He stated it is a plan to sustainably fund a high performance EMS system without burdening residents through regressive property taxes or inconsistent fire assessments; also in 2014, then Chief Dominguez of EMS, initiated a Basic

Life Support (BLS) trial; it showed early promise, but it was disbanded due to insufficient funding and staffing; this was the first of several efforts to implement the BLS transport system that one sees today; BLS reduces unnecessary Advanced Life Support (ALS) transports every time gaining traction, it vanished when funding ran out, or staffing shortages prevailed; and here they are again in 2025. He remarked people are finally seeing that this system is gaining support, not because of a proactive planning, but because of a hospital closure and a worsening crisis in funding and employee retention now facing Brevard County Fire Rescue; the issue has never been vision, it has been funding, and the urgency cannot be overstated; every day of delay puts public safety at risk, lives are on the line, and the citizens can no longer afford to wait to secure the resources of the Fire Rescue system that is desperately needs; the slow erosion of the system has left ALS units overburdened, staffing stretched thin, and public trust weakening; Brevard County Fire Rescue has not been fully-funded since 2011; leadership bears responsibility, but more importantly, leadership has the power to fix this; as the policy-setting body, the Board of County Commissioners and the County Manager who executes those policies, plays a central role; and the County's decisions are integral in building a long-term solution. He went on to say if this proposal is to move forward, it will need the County's backing, leadership, and guidance to reach voters in 2026; its role is not just important, it is indispensable; the CEER recommendation he submitted is not a radical idea, it is modeled after a proven voter-approved system that worked in King County, Washington, since 1972; he is not asking for immediate change, he is asking to work collaboratively with staff, municipalities, and the public to shape a battle-ready plan, one that provides reliable service, lowers residents cost, and strengthens the County's public safety structure; and he asked that this idea does not die due to process, but to keep the door open, begin the necessary groundwork and show the residents of Brevard County that this is being planned boldly, responsibly, and their safety is the top priority.

Sandra Sullivan stated she wants to talk about CEER 10; first she wants to talk about the background on Speak Up Brevard; this was brought forward by the Brevard Citizens Coalition that got a Charter change; they implemented this process as a way for citizens as individuals or organized groups of individuals to submit recommendations for efficiency, enhancement of efficiency of Brevard County Government, it was called the Citizens Efficiency and Effectiveness Recommendations; and one can call that DOGE, which is the Department of Government Efficiency. She noted that Governor Ron DeSantis, a couple of months ago, in April, came out with inviting city and county leaders across Florida to join Florida's Executive Office of the Governor (EOG) DOGE team with his executive order; that team sent letters to local governments asking them to disclose information about their financial health, which ties in very well with CEER 10; she asked why Brevard County is one of the counties that has not joined DOGE; she will read from the Charter, 2.9.10, "The Board of County Commissioners shall develop procedures that will provide a mechanism for individual or an organized group of individuals to submit a formal, written recommendation to the enhancement of the effectiveness and efficiency of county government;" and she would submit that Governor DeSantis' DOGE is in alignment with the Speak Up Brevard and CEER 10. She pointed out that CEER 10 is looking at the fiscal crisis that Brevard County has and looking at the areas of the budget that have increased, and finding ways to cut; she would say one of the very first areas she would look at are the monies from North Brevard Economic Development Zone (NBEDZ) as one of those categories; but there are several others.

Bill Hodge commented he is here to talk about the Consent Agenda; sometimes there are more than two dozen Items of County business voted on in a single meeting under the Consent Agenda; these Consent Agenda Items are not read out loud, and the public has no idea what is being voted on by listening to the meeting or viewing on a streaming platform; he proposes that the County Manager or County Attorney should read each Agenda Item out loud into the record

as is done at the local meetings, including Titusville and Cocoa Beach; the dollar amount of each action Item should be clearly stated during the Consent Agenda reading and on the written Agenda, as well as the total dollar amount of the Items being approved under the Consent Agenda; fewer Items should be placed on the Consent Agenda, as the Consent Agenda Items are defined as being routine and non-controversial in nature; Commissioners that are voting 'no' should pull Items; and Commissioners should more frequently pull Items to add visibility and to publicly-raised concern that many Items do not belong on the Consent Agenda, and should be placed on a regular business Agenda before the meeting. He added, a brief statement could be read out loud at each meeting and placed on the projector that informs the public that background information for each Agenda Item is available online on the County website; with a new Commission, there is an opportunity to improve the handling of the Consent Agenda and make it more transparent to the public; these proposed revisions will make a difference and can be implemented immediately; and if the Board cannot do all of them, it can at least do some of them.

Sarah Hodge stated she is thankful for the Speak Up Brevard workshops; many important issues are brought up by the public that the Board may not have heard of, and the information helps the Board make the right decisions for the County; her comments that she presented at the March 3

public workshop was to put the County's public records online were not considered in the staff response; the CEER rejection she believes was unwarranted; and staff should be looking to see what more they can put online instead of justifying why they cannot put all of the records online. She continued by saying she thinks saving money on record requests would be a huge benefit to the citizens of Brevard County in a time when it is trying to find budget money; this would be a benefit for everyone; residents deserve easy, convenient, and no cost access to their public records; she asked the Board to please put the public records online and make them easy to locate for residents; she advised that she, along with many others, will keep advocating to put the County's public records online so that the public will be able to have access to their records; and there is a lot of support by the public for this to be done.

Lynn Miraglia stated her CEER was rejected for jurisdiction; Brevard Animal Services is currently managed by the Sheriff's Office and it is funded by the County's budget; her CEER suggested that the County accept bids from other parties to manage the animal shelter part of the Animal Services as it will provide improved services to the community, better accountability, cost savings, and financial efficiency; they have two respected, non-profit organizations that currently run animal shelters in Brevard, the SPCA in Titusville and the Brevard Humane Society in Cocoa; if either of these were managing the County shelter in Melbourne while still managing their current shelters, one of the immediate benefits would be expanded housing in that the lost or stray animals found in the more northern parts of the County could stay in a facility up in that area, rather than go down to Melbourne; and this would help owners who want to claim their pets sooner by getting to the Melbourne shelter from the northern part of the County, as on a workday it is not usually feasible. She went on to say this would also help the current overcrowding that is experienced at the Melbourne shelter; when the County shelter in the north was closed, there were no accommodations made to handle the increased intake at the Melbourne shelter; this results in overcrowding, and some of the dogs spend days or weeks in a small area, which she shows in the provided picture, to eat, sleep, and defecate; this is because of the overcrowding; also, in a contract with either one of these organizations, the County could require built-in performance measures in order to ensure more accurate data, more transparency, and better data analysis; the reason she brings up accurate data is that she has shown the Board some reports that come out now; and what it will see at the top line, beginning animal count, under feline, there is a negative number of cats, and that is not possible. She stated the next sheet shows these negative numbers, which again, is not

possible; the next sheet will show the Board that the beginning count for one month does not equal the previous ending count for the previous month; and that is why she feels that bidding would improve some of the items she mentioned.

Commissioner Delaney stated she wanted to talk about CEER 8, which is the one that has to do with the swing; when she first saw this request, she was happy to see that it had been accepted; but then, when she looked into it further and read the whole staff report, she realized it was rejected; she reached out to staff to talk to them about it; she spoke at length to Parks, and she was troubled with the responses that she was met with; she asked if they were willing to reach out to the mom who had brought this forward, and they declined; and she directed her personal staff to reach out to this mother to see exactly what she was looking for and what the needs were. She went on to say at that time she explained while there may be some accessible playground equipment in the County, there are no high back swings within the County, only wheelchair accessible swings and some other accessible equipment; while it is great to have those, it does not serve the needs that she has; she just feels like this is such a small request; when she asked her staff to briefly look into this type of a swing on a quick Google search, it showed multiple options ranging from \$1,000 to \$2,000, and that is for a high back swing that even special needs adults could use; this is a really small ask that would greatly benefit not only this mom of five kids, but many other parents in the community; and she would like to make a motion to purchase this swing and put it at Rotary Park, and to accept this CEER.

Commissioner Goodson asked if Commissioner Delaney has a cost on the swing; and he does not know if it cost \$1 or \$10,000.

Commissioner Delaney replied just from a quick search they range from \$700 or \$800 to \$2,000 or \$3,000.

Commissioner Goodson inquired if that is a post, setup, concreted in, ready to swing.

Commissioner Delaney responded that just for the swing; and like the speaker showed, there is currently room right now at Rotary Park with space available that a swing could be put in.

Commissioner Goodson asked if staff could tell him the cost of buying the swing, installing the swing, so everybody can swing.

Ian Golden, Parks and Recreation Director, responded staff did a very rough quote to add that type of swing to Rotary Park; luckily, that space that had housed the tire swing, which had deteriorated and was removed, could potentially house this type of swing; and however, the playground itself has never been set up for ADA accessibility, so it would actually be a price tag of probably just under \$17,000 to include a pad, as well as the access needed through the sidewalk.

Commissioner Goodson noted \$17,000, he knows a swing is needed; but he asked right now if the Department is in a staging area to do these parks, going through this year.

Mr. Golden replied they are; he explained one of the things they are doing is as they have the funding availability, looking at when they remodel playgrounds, add or replace playgrounds, adding in these types of elements; Parks does not have funding to typically, whenever anybody comes and has a request, to do everything everybody wants; they created this process to try to address some of these issues moving forward; it can be a very expensive process; and the idea is to look at doing it at the larger facilities, larger parks, the regional parks first, and then branching out.

Commissioner Goodson inquired where the nearest ADA swing is in reference to Rotary Park.

Mr. Golden advised he is not sure if there are any ADA swings on Merritt Island; and he does not know having not looked at any non-parks related.

Commissioner Delaney remarked that Mr. Golden had said to her that there were none, she has it in the email.

Commissioner Goodson asked if the nearest one would be in Field of Dreams in Melbourne.

Mr. Golden replied he actually thinks that the one at Space Coast Community Sports Complex might be the closest.

Commissioner Delaney asked if that is one of the high-back seats, or is that a wheelchair accessible swing.

Mr. Golden responded he believes it is a glider swing, which would be used with a wheelchair.

Commissioner Delaney asked if it would not be used for a child with autism that cannot fit in a baby seat that needs a back.

Mr. Golden replied correct.

Commissioner Delaney noted or adults; this is small ask; she does not have kids with special needs, but she has friends who have kids with special needs; she sees the struggle; the park is one of the few places one can go to help their kids blow off some steam, it is good for their disability, the swinging motion; this is something that is a tremendous need to this community; and if the Board can prioritize a \$200,000 floor in Isaac Campbell Park out of nowhere, then it can prioritize one swing at one park.

Chairman Feltner asked if it is just the swing literally hanging from the current swing set, it is not necessarily ramps, concrete, and all of that; and is that what he understands.

Commissioner Delaney responded correct, just the swing.

Commissioner Adkinson asked if the Board is just talking about the swing itself, how it can be \$17,000.

Chairman Feltner asked if it is just the swing being talked about, hanging on an existing fixture, and it is not going to have a concrete pad, a ramp, and all of those things, what kind of cost is being talked about then.

Mr. Golden replied the swing itself was quoted out at either \$1,300 or \$1,500; the issue is that this CEER is not the process to bring a service request, which is what this is; service requests follow a different process; and per the Board's Policy, if he treated this as just a service request as opposed to trying to treat this as a generalized system question or issue, it would have had to have been rejected.

Mr. Liesenfelt advised he has to do a little bit of background with Transit; he has a kid on the spectrum, he has a friend who is disabled, and he is familiar with this; he has done a lot of stuff with disabilities; staff looked at it as a general response; the Board has to realize that there are

a bunch of disabilities, like the Board just talked about like a glider versus a high-backed swing; one solution is not going to fit every single park; Parks and Recreation already has it on here where they are working on the bigger parks doing different types of accessibility; the last couple of years the County has been putting pads in to make parking spots pass accessible, so that is where the 'accept' goes; if the Board would like to see the swing at the Park, staff will take the motion and go from there; and it would be very difficult to accommodate every disability to every single park.

Chairman Feltner stated he understands that, and he thinks that is a part of a larger conversation; he grew up with a disabled parent, so he is very empathetic; and he asked if staff could get there on the one swing.

Mr. Liesenfelt responded if the Board wishes it, staff will get it done.

The Board approved CEER ID #2025008 to purchase a bucket style adaptive swing at Rotary Park.

**Result: APPROVED**

**Mover:** Katie Delaney

**Seconder:** Rob Feltner

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

Chairman Feltner asked if there is any other discussion on this Item.

Commissioner Delaney replied she does have other discussion Items; she knows the Board is trying to get through and get to the next Item, but this is something the citizens have been looking forward to for months now; she really feels like the Board needs to give them their time, and have some serious thought and discussion; they deserve the discussion; and she reiterated, she feels like the Board needs to do that. She went on to say the next one is CEER 10; she feels like even if this particular questionnaire is not applicable, she is looking for ideas on what the Board could do to have something that shows the public that it is looking through the Departments and that they are justifying some of these purchases; one of the things she is pointing to is the vehicles; the County has a lot of large trucks, 2500 and 3500 Silverado's; those trucks are massive and their use is for pulling huge pieces of equipment; while she understands some trucks are needed that can do that job, she does not know if the need is really there for as many of those vehicles as what is asked for and currently have versus say a Colorado; and she understands trucks are helpful because things can be thrown in the back when working Public Works, Parks, Environmentally Endangered Lands (EELs), or any of these things. She pointed out it is ideal to have a truck in those situations; she asked if the Board can purchase the \$30,000 truck versus the \$80,000 truck; and even if the Board rejects this today, it is something she would like to bring forward in the future that she is hopeful can be talked about by the Board to see what it can come up with to make sure all of the tax dollars are being spent properly.

Commissioner Altman commented he thinks the County should get cyber trucks; and they do not have to be charged, there is less maintenance.

Commissioner Goodson pointed out they break down a lot more though.

Commissioner Altman stated he does not know.

Commissioner Delaney remarked, Elon Musk, if he is listening, the County is taking donations.

Commissioner Goodson stated maybe they burn up a lot.

Commissioner Altman noted it is a detail if the Board is going to get into that, he is going to give his opinion.

Commissioner Delaney expressed her appreciation to Commissioner Altman.

Chairman Feltner advised he does not disagree with Commissioner Delaney; but he thinks that is something the Commissioners would need to talk to all of the Departments about; he would not make a decision today without talking to all of those folks that use those trucks daily; he is personally a small car advocate; it is getting harder to even buy a small car; but that is just him.

Mr. Liesenfelt stated he was a Department Director for a long time; there is a lot of review of equipment and different capital items that go on the budget; the Commission will see that all of the trucks are listed with the prices in the budget books; a Department Director will say he or she needs this or this; the Director will sit down with their finance folks to decide what is needed and what is not; it gets sent to the Assistant County Manager; and then they have to come to the County Manager to justify that. He continued by saying he has been through the process where they have rejected trucks or lowered the price of them; it is a pretty intensive process; one may not see it in the public, but it goes through a number of levels; they do take special care in the types of trucks they buy; talking about 4x4s, he has been with EELs, not pulling anything heavy, but he got his feet wet by just going through that Malabar scrub with them up above the running board; he trusts the staff to buy the vehicles they need to; and he thinks it is a pretty good process right now what staff is doing to get it into the budget.

Commissioner Delaney stated she thinks the thing the Board is looking for is for things to be more publicly facing, because people are wondering why the County is raising their property taxes 37 percent on the Fire Assessment; they are looking at where the money is; and this is a simple thing that would be a tool for the Board to use to show people where the money is and why.

Chairman Feltner advised that is probably a future Agenda Item.

Commissioner Goodson explained if Commissioner Delaney wants to show the public where the money is used, maybe all Commissioners should be accountable; and maybe she should answer \$92,000 to remodel an office in Titusville.

Commissioner Delaney noted if Commissioner Goodson were to look into that, she did not spend \$92,000.

Commissioner Goodson asked okay, is it \$90,000.

Commissioner Delaney replied no, not even close; and maybe he should not be getting his news from tabloids.

Chairman Feltner interjected by asking if there is anything else on Item I.1.; and he stated the Board wants to take up Mr. Stewart, then it has the contract ahead of it.

Commissioner Delaney stated the next one is CEER 14, the records; while she understands the herculean task, it is a huge task to put all of the records online, and the County does not necessarily have the funding or the availability with the servers and things like that; but she is

asking for some changes to be made; for instance, a low-hanging fruit would be to put the Policies and Administrative Orders online; the picture on the slide shows what the public puts in when searching for Policies; the one on the right is what is seen internally; the next slide shows the public facing site that the School Board uses; it is right on their website, it is three clicks in, and then one is at all of the policies; she thinks this is simple things that might even cut down on public records requests; and if the County can put its Policies and Administrative Orders out there for people to learn, it would help them knowing how the government works. She pointed out she has a list, and if it is needed she can come back with an Agenda Item, but she has a list of recommendations for changes to the County's record access for citizens; during the budget workshop she asked about the County's records requests, how many requests it gets, how much money gets invoiced out, how much money is actually collected from those public records requests, if the County is charging equability, and people are really wondering what is going on with the records; she thinks the public is entitled to these records; and while she understands it takes an immense amount of staff time to produce records, if the County could make more records accessible to the public it would cut down on that. She mentioned she thinks the Board should create performance metrics for increasing the number and types of public records available online, update on that progress each year in the budget book, and to revise the County's Administrative Orders to revert to the 30-minute staff time at no charge to the citizens, versus the current 15 minutes that got changed shortly before the Board changed over; she thinks it is fair that the Board sees the amount of money billed to residents, and see the money collected from residents, because that way people can be assured that the Board is not overcharging for records to limit their access; soliciting citizen feedback regarding the process, because maybe there is a bug the County does not know about that they are running into; the key term there is 'solicit', which is a key term that was taken out of this very program last year; and she believes the County needs to go after that citizen input as much as possible. She added, CEER 24 and 60 both were about Department of Government Efficiency (DOGE) for the County; with how the State is overstepping in many ways in how the County operates, she is torn about giving over that mechanism to the State; but she thinks the County can do a really good job in-house in updating its Citizen Budget Review Committee to task them to DOGE, because they just pretty much go through the budget, they do not necessarily get down to the nitty gritty of taking things apart and asking questions; the next one is suggestions about the Consent Agenda, which she can put on as an Agenda Item; she has gone to many government meetings across the County and at the State level; it is really helpful for the residents to hear, regarding the Consent Agenda, a brief understanding of what that is and the dollar amount; and it just helps with the transparency and accountability of how much money is being passed with one vote without much word. She noted she thinks these are some fair suggestions; it was a lot of what the speaker had spoken about in his suggestions while he was speaking; she had on her notes about CEER 30, the stop of the air pollution; she talked to Solid Waste Management about this, and she asked them to compile some other possible products that are out there, so they have agreed to do that for her; and she is happy to share that with the Board once she receives that. She advised the next one is CEER 44, a summit of leaders; she thinks it is a great suggestion; not only to do a summit meeting, but also maybe even a state of the County meeting; that way the Board can put out to residents and stakeholders on a yearly basis what is going on, what it has done this year, what are some of the things it will do in the future, what some challenges are, and just to keep that conversation going to bring people in to the conversation; the next one is acknowledging speakers; being someone who attended government meetings and going before a board, and a lot of times people are met with nothing other than thank you; and she is sure the Board can come up with something to help the residents feel like he or she has heard their concerns and to follow up with any questions they may have.

Chairman Feltner asked if there is anything else on Item I.1.

\*The Board recessed at 1:38 p.m. and reconvened at 1:42 p.m.

Chairman Feltner advised he thinks the Board needs to clarify something on I.1.

The Board reviewed citizen recommendations submitted through Speak Up Brevard and voted to accept the recommendations; accepted the recommendations with revisions; and rejected the recommendation, as required under the County Charter.

**Result:** APPROVED

**Mover:** Kim Adkinson

**Seconder:** Thad Altman

**Ayes:** Goodson, Adkinson, Feltner, and Altman

**Nay:** Delaney

Chairman Feltner stated the Board will go to Item I.3. and then come back to Item I.2.

**I.3. Request for a waiver of Section 62-102(c), Unpaved Road Agreements (District 1)**

**Applicant: Larry Stewart**

Morris Richardson, County Attorney, commented this is a request from the applicant, Larry Stewart, who is represented by his Attorney Nathan Meloon, today for waivers from Section 62-102(c), Brevard County Code of Ordinances, to allow for construction of a house on a property that is located on a County right-of-way, but not a County-maintained road; in order to pull a building permit for a single-family residence, one must be located on a County-maintained road; there is an exception that allows for something called an unpaved road agreement if a person is located on a County right-of-way that is not maintained by the County; typically, that requires a right-of-way of at least 50 feet in width; Mr. Stewart's property is located on a right-of-way that is only 30 feet in width; there are various other requirements of the Ordinance, which he will not read them all, but they are laid out in the staff report; there are about four requirements that specifically Mr. Stewart has indicated he does not wish to comply with; and he wishes the Board to waive that whole section of the Code 62-102(c).

Larry Stewart stated he is here because he is homeless; he has been homeless for four years; he has not lived with his sons for four years as he has been stuck in a camper because of the atrocious action, it is attempted extortion really, against him from Brevard County; he read the Board's Agenda briefing prior to this meeting, and he does not believe the Board is getting all of the facts; in 2021, he sold his family's home, beautiful home; he had a good family, had his children living with him part-time as he is divorced; and he bought a piece of property, five acres, fee simple, in a dirt road community where he was raised up in Mims. He went on to say he was led to believe that he could build a home on this property; according to Florida Statute 95.361, Roads Presumed to be Dedicated, the roadway coming to his property, because it exists on a plat dedication, signed by the Chair of the Board and the Clerk to the Board, and filed in the County where the plat exists, it is considered statutorily dedicated; as far as the worry or concern about it not being County-maintained, there are numerous common law rulings that say when a roadway exists on a plat, when a roadway on that plat gets accepted and maintenance begins on that roadway, any other roadway, if it is open and in use, falls under what is implied consent; and it also becomes considered as County-maintained. He stated in 2007, the County actually lost a case on this very issue, Case No. 05-2007-006251, where the court ruled in favor of the applicant based on that existing common law decision; when he asked about building a home on this roadway, that keep in mind two other homes use as their only access to their properties, he should have been given the application to name the

roadway, based on Brevard County Ordinance No. 22-313; although he does have a map that he has purchased out of Public Works own ready books that show this roadway already named, he was directed to Section 62-102, which is this waiver that the Board is hearing today; in the waiver, it was supposed to be approved or denied by the County Manager prior to coming to the Board; and the only way it should have come to the Board is if he would have filed a written appeal, which never happened. He noted he was railroaded directly to this Board; he has always questioned why that happened; nobody can answer that question; and he sees he is out of time, but he still has quite a bit to say.

Chairman Feltner advised he is fine with yielding Mr. Stewart a couple more minutes.

Mr. Stewart remarked he came before this Commission, former Commissioner Pritchett mainly, in October 26, 2021; the whole Board tabled his application, and basically, ever since then have refused to take any more action on this waiver application that he should have never been forced to comply with anyway unless he builds this road to some County standard that is going to cost him hundreds of thousands of dollars that was not required for either of the two properties on this roadway; this has been going on for four years; he asked where his protection is; he stated the other two properties were never required to do any of this; he asked where his equal protection is of the law; and why is he being required to build something that already exists when other properties were not required to. He continued by saying Florida Statute 125.022 is very clear on limits on development applications; 60 to 240 days, based on the Board's interpretation, there should be a decision on an application whether it is an approval or a denial; it has been four and one-half years, and he is here still fighting for the same thing to put his family back together in a home; during this process there was a takings application that was filed in front of this Commission under 62-507; the County Manager's Office dropped the ball, did not schedule that hearing like they were supposed to; and the one problem he does have is in March of 2023 when his attorney had to come to this Commission after eight or nine months and not getting a decision on a takings claim and begging for the hearing, former Commissioner Pritchett sat up there and talked about ignoring his emails to her, pleading to her for help, and then laughed and offered \$100 to help. He advised this is wrong and he needs this to be fixed.

Nathan Meloon, Attorney for the applicant, stated Mr. Stewart spoke and hit most of the points; he did submit this waiver criteria, which their opinion is not necessary because this is not a subdivision, this is merely one into two; but when looking at what he is requesting, it is just to use the platted right-of-way as legal access, which is on page 248 of what is in the Board's Agenda Packet for today; he mentioned it was not injurious because the other two properties use this portion; there is also a number of pictures that show this; there are three properties up in the North County, two of them already used this for their property as their only means of access; and this is just be allowing a third, it would not be creating a precedent merely because essentially, Mr. Stewart would be using this property as the other two neighboring properties use, as they are similar. He asked the Board to grant the waiver.

Commissioner Goodson inquired if when Mr. Stewart purchased the property, did he know the issues he was getting into.

Mr. Meloon replied it is a loaded question; he knew there was an issue with needing a waiver, and was led to believe, and he could have Mr. Stewart come up and speak to that if that would be helpful, but he knew there could be some issues and he would have to get this waiver; but he was led to believe that they were routinely granted; and he did not know he would run into the issues he did, which he believes were due to the seller of the property.

Commissioner Goodson asked Mr. Stewart was led to believe by who.

Mr. Stewart responded he was led to believe it by Brevard County staff, namely the Public Works Engineering; when he called, he started the process by asking what he would have to do to build a property or to build a home; he was already under contract and purchasing the property; he already sold his family's home; and had he not purchased the property, he would have lost it.

Commissioner Goodson inquired how many times Mr. Stewart sued the County and lost.

Mr. Stewart replied he has only filed one lawsuit in his entire lifetime, and he typically does not believe in lawsuits.

Commissioner Goodson asked if he lost that one to the County.

Mr. Stewart advised he would not necessarily consider it being a loss, based on the grounds why the judge dismissed the case.

Commissioner Goodson pointed out if Mr. Stewart would have won, he would have been building his house right now; and he asked if that is right.

Mr. Stewart replied affirmatively.

Attorney Richardson stated he would like to elaborate on a few points, based on the comments that were made; first of all, the Board action, specifically in 2021, was not just to table it; there are actually a number of waivers being required; a lot of the focus has been on the road width, the 50 foot and 30 foot, but there are other requirements of the Code section that Mr. Stewart has indicated he is not interested in complying with any of them; it is primarily constructing a road to County standards within the existing right-of-way; what the Board actually did in 2021 when it tabled it was that to give Mr. Stewart time to bring back information so staff could administratively evaluate the waiver request; the reason this came to the Board instead of the normal process was that information had never been provided so staff could sufficiently evaluate the waiver request; staff was in a position where their only option would be to deny it; and the issue was forced to the Board for a decision outside of the normal process. He went on to say what the Board specifically directed, or suggested, Mr. Stewart to do in order for staff to process that request was to table it to give him time to show how the road can be constructed within the 30-foot right-of-way, with additional easements of the right-of-way, including necessary improvements, road drainage, and utilities, which will provide staff the administrative authority to review and approve the plans, if appropriate, including a waiver of engineering standards; that has never happened as recently as a few weeks ago; Mr. Meloon indicated that no engineering or design would ever be forthcoming from Mr. Stewart; part of the reason the County is still here four years later is nothing that was requested at the Board's action back in 2021 was done; with regard to the other two residences the Board has heard about that use this as access those actually front a County-maintained right-of-way called Dixie Way; the unmaintained right-of-way intersects with Dixie Way; and they were able to pull building permits based on fronting Dixie Way. He added, they have constructed driveways onto the unmaintained right-of-way; but they do have access to Dixie Way, so they meet the Code criteria; with regard to precedence, a big reason the Board is here, and staff cannot approve this, is because there are hundreds, potentially thousands, of similarly situated properties that if the County were to say that none of the Code applies and to go and do what one wants without complying with one single thing within the Code, it would be difficult to say no to all of those other very similar situated properties.

Commissioner Delaney asked the applicant's attorney to respond to that.

Mr. Meloon commented first to Commissioner Goodson's questions, the case was dismissed without prejudice based on a lack of ripeness, which is why they are here this afternoon to kind of get it where it is ripe and the court would have subject matter jurisdiction; he views without prejudice as it is essentially a jurisdictional issue, not on the merits issue; second, this information has not been required of anybody else; what was requested goes outside of what the Code requires; what is being requested of Mr. Stewart is outside of the Code; he could get into it, but they have hundreds of paragraphs of allegations that they have alleged in the amended complaint, that again was dismissed due to lack of ripeness; and they would love to litigate the issues, but he thinks that is why they have the hundreds of pages of complaints, which would take them well into the evening if he went through all of those today.

Commissioner Adkinson asked if the Board said yes to this request, is it violating its own Codes.

Billy Prasad, Planning and Development Director, replied it is extremely inconsistent with the Code; and the type of waiver he is asking for is not contemplated in the County's Code.

Marc Bernath, Public Works Director, stated if he could add to that, this is not a one-off and it is not peculiar; the County spent a lot of money on Save Our Indian River Lagoon (SOIRL), and to blatantly just move forward with an untreated, unpermitted road he thinks is in the face of many of the County's requirements; they are amenable to waiving certain requirements, but not the entire Code, which was previously stated; there is a 50-foot minimum requirement explicitly in 62-2956, as well as Exhibit 10, that says, "All road types require an engineering analysis prepared by the engineer of record;" they are blatantly not wanting to follow that; staff believes a solution can be gotten to; but they have yet to provide, in four years, a single piece of information that staff has requested so that staff can evaluate it.

Commissioner Altman asked how long this road is to get to the house.

Mr. Meloon responded approximately 630 feet; and the Code allows the waiver as long as it is less than, he believes, 1,320 feet, so he thinks that is about half.

Chairman Feltner asked if it is one-eighth of a mile.

Mr. Meloon replied affirmatively.

Commissioner Altman inquired if they have priced it out what it would cost to build to County standards.

Mr. Meloon replied in the tens if not hundreds of thousands of dollars, and that was in 2021; and prices have only gone up since then, so it would likely be hundreds of thousands of dollars.

Commissioner Altman asked if Mr. Stewart passes any other privately-held properties to get to his house.

Mr. Stewart advised he passes two other properties; when turning off Dixie Way, which is a County-maintained dirt road, there are two other five-acre parcels; both of them use this roadway for their sole means of ingress and egress to their homes; they do not use Dixie Way; one of them is completely fenced off; and he reiterated he passes two other homes. He noted

he did provide some level of engineering; he had a nuclear density test done along this roadway that showed the compaction, or an Limerock Bearing Ratio (LBR) value, which met or exceeded the existing requirement; as far as the issue between 30 and 50 feet, this is a roadway that was platted and accepted in April 1937, and has been in use since the mid-60s; he has aerials to document that maintenance of Dixie Way; it did not begin until the 70s, the 30 feet to widen it to 50 feet at his expense, he would have to have his neighbors agree to sell 10 feet by 600 and some feet, and dedicate that back to the County; he does not have the powers of eminent domain; and if it needs to be widened to 50 feet, that is on the Commission to do that.

Mr. Meloon followed up by saying if the concern is about emergency vehicles accessing Mr. Stewart's property versus the other two, the same road that they access will be used rather than Dixie Way in doing that, so essentially these emergency vehicles would use the same road to access these other two properties; and if that is the concern, they would also be able to reach Mr. Stewart's property.

Chairman Feltner asked staff to talk about Mr. Stewart's ability to vacate if he got his neighbors to agree and it could be a driveway and not a road.

Mr. Bernath stated he just wants to address one point where Mr. Stewart said that it has to be 50 feet; staff has said that it can likely be built in 30 feet, so that is inaccurate; but to the Chairman's question, the County can vacate this as a road and he can have a joint use agreement with his neighbors and consider it a driveway; the permitting from St. Johns would be less of a requirement; the County would not be forced to maintain it as a County road; he pointed out the County has never maintained this road; and what the County is signing up for if it agrees to this is that ultimately the County needs to come in and improve the road because there is milling there, which is not approved by the Board in its Code. He continued by saying the County would spend about \$200,000 and then \$10,000 annually, which it does not have; the Board just spent a long time today taking about money it does not have; and the County does not have that money so Mr. Stewart could basically circumvent its Code.

Chairman Feltner asked about the possibility of getting the neighbors to take this as a driveway, as opposed to a County road; and he stated then the County does not have an interest in it anymore, which makes things a lot less expensive for the County.

Mr. Meloon explained he does not have the ability to force his neighbors to do these things.

Chairman Feltner inquired if that is something that Mr. Stewart has approached them with.

Mr. Stewart replied yes, and about purchasing land to widen it to 50 feet; and his neighbors do not agree to that, so he cannot force them to agree to that to be able to vacate.

Mr. Meloon stated they have looked into that, however, the neighbors have not agreed in any way to do that.

Commissioner Delaney asked if there is some kind of a way the Board can come to some kind of agreement that the County is not responsible for the maintenance of this road, or some kind of a contract that could be put together that would make Mr. Stewart liable for the road.

Attorney Richardson responded not effectively; the County has done that before; in the past there was a form that the property owners would sometimes sign prior to the unpaved road agreement Ordinance, which stated they would not request that the road be maintained; but

because the road is County-owned, sometimes in some instances the same people who signed the form would come in and request their District Commissioner do something about the road because potholes had formed, it was too dry, or too wet; in other cases it was the successor in interest who purchased from them even though that document is recorded, they would still request it; and frequently, it is actually service-providers like Waste Management, the mail, and others that use those road that made complaints to the County when there are issues with the lack of maintenance by the private owners along the roadway.

Commissioner Delaney inquired what if the County came to some kind of agreement where Mr. Stewart has to agree to allow those two properties and the County to have access.

Attorney Richardson replied the County cannot do that because the way the law of vacation works, the vacated road would go to those abutting property owners adjacent to Dixie Way, not to Mr. Stewart.

Mr. Bernath stated Mr. Stewart had mentioned that he cannot get 50 feet, when it is a driveway that would not necessarily be a requirement, so he would be asking his neighbors to come up with a joint use agreement as a driveway maintaining that existing 30 feet, so not expanding it; and the requirement for what a driveway is versus a road is much less, less permitting, and the drainage requirements are less for St. John's River Water Management District (SJRWMD).

Commissioner Delaney commented she hears Mr. Bernath when he says agreements have not worked in the past; and she asked legally would that protect the County if some kind of agreement was come to where the County is not going to maintain this portion of the road.

Attorney Richardson advised probably not for the type of interest being talked about.

Mr. Bernath added, the Board, through many actions over the years starting back in 1990 had significantly less roads it maintained in the County; in July and August 1990, it effectively doubled the amount of roads because of the pressure the Board's predecessors had of, as Attorney Richardson said, too wet, too dry, or too something; they did not meet Code at that point; the County is suffering the consequences today not being able to bring them up to standards, and certainly, costing the County costing it more to maintain than it has in the past; and it is a cautionary tale even though the Board had, at the time, thought that it would not be an impact. He noted it has been a tremendous impact, especially to District 1 where the County has the most amount of unpaved roads; but certainly, it has them across the County.

Commissioner Delaney mentioned the frustration that she is having in that the County has roads like this all over Mims and Scottsmoor that are County-maintained; a type of road like Satellite Boulevard is not being talked about here; this is a very short piece of road that has been kept up by the residents of that area; not everything is the same; this is not the same situation as hundreds or thousands of roads; she does not believe it; she would have to see that this is the exact same situation as hundreds and thousands of other properties in the curtain just waiting; and she feels like it is a boogey man, and does not think it is fair. She stated when the County allows neighborhoods like Sherwood to get passed, but here is one family with one house on a five-acre lot; and she reiterated it just does not make sense.

Commissioner Adkinson stated she wants to understand timing; and she asked if Mr. Stewart was purchasing, had not purchased, or had purchased the property when he came to staff and was asking about this information.

Mr. Bernath replied he had not purchased it, he believes he was under contract; when he came

to the Board in October 2021, staff had already met with him and his engineering team had explicitly told him what was needed despite what is being said today; and he then purchased it on December 3, 2021, several months later.

Attorney Richardson stated actually his first documented contact with staff about the issue where all of this was first laid out was December 3, 2020, which was a year to the day before he closed on the property.

The Board denied the applicant's request for waivers to Section 62-102(c), Brevard County Code of Ordinances.

**Result:** DENIED

**Mover:** Tom Goodson

**Seconder:** Kim Adkinson

**Ayes:** Goodson, Adkinson, Feltner, and Altman

**Nay:** Delaney

Attorney Richardson stated his assumption would be that if they did provide the information necessary for staff to administratively approve the waiver request that they still have that option.

**I.2. Request Approval for the Chairman to Execute a Professional Services Contract with the Number One-Ranked Firm for Consultant Services to Conduct a Nationwide Search for the County Manager Position**

Kathy Wall, Central Services Director, stated in April the Board approved the advertisement of a consultant to conduct a nationwide search for the County Manager's position; this solicitation was advertised; the County received three proposals from the following firms: Colin Baenziger & Associates, DM & A, and Raftelis; the Selection Committee held a public meeting on May 12 to review and discuss the proposals; after the discussion, the Committee scored and ranked each proposal; the Committee unanimously recommended Colin Baenziger & Associates as the number one firm; it is requested that the Board approve the Selection Committee's recommendation on the number one ranked firm, and authorize Chairman to execute the professional services contract; and the consultant is here if the Board has any questions.

Commissioner Delaney stated on page 15 of the proposal, second paragraph, they talk about tools that could be used, but they would be at an additional cost or fee; and she asked if they would mind sharing that with the Board what those tools might be.

Colin Baenziger, Colin Baenziger & Associates, stated some of their clients want to have psychological assessments, things like that; frankly, over the years when those tools have been used, they validated their recommendations; they do not feel they are worthwhile; they are not a cost-effective ad, shall he say, however, some clients want to have them; and if the County does want to have them, they are quite willing to facilitate their use, but they do not want to pay for them.

Commissioner Delaney asked if a Dominance, Influence, Steadiness, and Conscientiousness (DISC) assessment is one of those tools.

Mr. Baenziger replied they would be willing to look into whatever assessment the Board wants to use.

Commissioner Delaney stated she is not advocating for that, she is just wondering what these tools may be.

Mr. Baenziger advised frankly, it has been so long since they used one that he does not remember the name of, but it was something like profile or something like that; they have used management inboxes, Myers Briggs, and it just depends on what particular interest their clients wants to address with the tool; and then they go out and find the right tool.

Commissioner Delaney stated she is not sure who put together the contract, but she wanted the thank them because she sees a lot of her concerns have been put into the contract, she appreciates them.

The Board approved the Selection and Negotiation Committee's number one ranked firm, Colin Baenziger & Associates, to conduct a nationwide search for the County Manager position; and authorized the Chairman to execute the Professional Services Contract.

**Result: APPROVED**

**Mover:** Katie Delaney

**Seconder:** Thad Altman

**Ayes:** Delaney, Goodson, Adkinson, Feltner, and Altman

Mr. Baenziger explained there is one administrative matter he would like to mention and that is he understands the Board is on break for June, and if the Board would like to have an administrator on board the first of October, they do like to start their process with one-on-one meetings with each of the Commissioners; and he asked if it would be possible to do those next Tuesday, or he or she could do virtual meetings.

Chairman Feltner responded each Commissioner can contact Mr. Baenziger with his or her schedule.

## **K. PUBLIC COMMENTS**

Sandra Sullivan stated to the comments made on North Brevard Economic Development Zone (NBEDZ), they do still have the Economic Development Council (EDC) tax abatement to incentify those businesses coming here; she expressed her appreciation to the three Commissioners who voted to end NBEDZ, that is a huge deal; she stated going back to a little bit on the history, in 2010, a contract was signed between Space Florida and the City of Titusville to provide the site planning and building permits; she did a records request to try to find out what they made on those services; and she was remarkably quoted like a \$2,500 fee, so she was not able to get those records. She went on to say on September 26, 2023, after she put out this information, the City of Titusville decided to terminate that agreement; she did records request to Space Florida and to the City of Titusville; it turns out, they did not terminate it, it is still being done; Space Florida is in District 2 in unincorporated, which is Brevard's jurisdiction, not the City of Titusville, which is on the mainland in a different District; and she asked why they are providing site planning and building permits to an area within an unincorporated District. She pointed out this ties in to NBEDZ, because one would have to understand that NBEDZ was created in 2011 in response to that Agreement in 2010; as soon as that National Aeronautics and Space Administration (NASA) Agreement was done, they moved Space Florida within NBEDZ; today was a huge day that, that was taken out; but there is a second component of this, that site planning and building permits should return to the County, because there is a lot happening; there was seven million worth of fill brought in; and it is now from the hydrology report, a one-half a million dollar report paid for by the County, that shows it is no longer in the flood plain, shows that is increasing the flooding in the area. She stated there is a meeting coming up with District 2 regarding the increased flooding in the

Broad Acres area; Space Florida does not want to pay for any of it, this is the County's responsibility portion; she asked the Board to take the second step, because there is liability for the County according to its own incorporation study that it paid for; and this is \$5 to \$10 million a year in unfunded liability coming from the increased flooding from Space Florida.

Chairman Feltner read into the record, "As authorized by Section 286.011(8), Florida Statutes, the Brevard County Board of County Commissioners will now commence an attorney/client session discussing litigation strategy and settlement negotiations in Brevard County Circuit Court, Case No. 05-2023-CA-015474-XXXX-XX. Attending the attorney/client session will be the County Commissioners, except for Commissioner Altman, the County Manager, the County Attorney, their outside litigation counsel Alicia Gonzalez, and a court reporter. The attorney/client session will be held in the County Manager's conference room on the third floor of this building. The estimated length of the session is one hour or less. I will now entertain a motion to temporarily adjourn and reconvene in the County Manager's conference room."

Upon consensus of the Board, the meeting adjourned at 2:21 p.m.

ATTEST:

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RACHEL M. SADOFF, CLERK                    ROB FELTNER, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA