

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, August 8, 2023**

**5:00 PM**

**Regular**

**Commission Chambers**

Rollcall

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

**A. CALL TO ORDER 5:03 PM**

**C. PLEDGE OF ALLEGIANCE: Commissioner Tom Goodson, Vice-Chair, District 2**

Commissioner Goodson led the assembly in the Pledge of Allegiance.

Chair Pritchett advised Item I.5., Board Discussion, Re: Waste Management's Request for a Rate Adjustment Beyond Annual CPI-Garbage & Trash Index, was removed from the Agenda; and if anyone is present today for that Item, the funds are going to stay the same, there is not going to be change in that.

**D. MINUTES FOR APPROVAL**

The Board approved the minutes for the July 13, 2023, Zoning meeting.

**Result:** APPROVED

**Mover:** Jason Steele

**Secunder:** Rob Feltner

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

**E.2. Resolution Proclaiming the Month of August 2023 as National Breastfeeding Month (D1)**

Chair Pritchett read aloud, and the Board adopted Resolution No. 23-066, proclaiming the month of August 2023 as National Breastfeeding Month.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Secunder:** Rob Feltner

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

A representative from Women's, Infants, and Children (WIC) thanked the Board for being champions for breast feeding in the community; and she stated the support of the Board makes all of the difference for moms and babies.

**E.1. Resolution to Recognize August 21, 2023, as National Fentanyl Prevention and Awareness Day**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 23-067, recognizing August 21, 2023, as National Fentanyl Prevention and Awareness Day.

Suzy Pereira, Founder and Chairman of the Blue Plaid Society, expressed her appreciation to the Board on behalf of herself who lost her only son and only child to fentanyl poisoning, and on behalf of all of the thousands of families who have lost their children and loved ones to fentanyl poisoning; she stated each year on August 21st they will hold that day and go forward to educate the community and the State about illicit fentanyl poisoning, and how just two milligrams, or even one pill, can kill a person, their loved one, or a child; and that is the message and the education that they want to spread to get those numbers down. She pointed out Florida is number two in the nation for fentanyl poisoning deaths; Florida follows California

which is at 11,000; Florida this year is at 7,000; Texas is next at 5,000; she would like to see Florida get lower; and they would do that by educating the public through the 2023 Fentanyl Summit. She went on to say the Board Members have an invitation to come to the Summit; it is on Monday, August 21st; there are also invitations in the back of the room; they would really appreciate the Board's support; and if the Commissioners can come, it would be great.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconder:** Jason Steele

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

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

The Board approved and authorized the disbursement of Educational Facilities Impact Fees in the amount of \$8,520,914.84 to the School Board of Brevard County in accordance with the terms of the interlocal agreement; and authorized the Budget Office to execute necessary Budget Change Requests to implement this disbursement.

**Result:** APPROVED

**Mover:** Jason Steele

**Seconder:** John Tobia

**F.2. Approval Re: Interlocal Agreement with Merritt Island Redevelopment Agency (MIRA) for Road Widening - South Courtenay Parkway (Cone Road to Fortenberry Road) - District 2.**

The Board approved and authorized the Chair to execute the Interlocal Agreement with MIRA for Road Widening – South Courtenay Parkway (Cone Road to Fortenberry Road); approved any necessary Budget Change Requests associated with this action; and delegated authorization to the County Manager to execute any contract-related documents contingent upon approval by the County Attorney's Office, Risk Management, and Purchasing Services.

**Result:** APPROVED

**Mover:** Jason Steele

**Seconder:** John Tobia

**F.3. Adopt Resolution and Release Performance Bond: Cove at Morrow Place (FKA Morrow Place at Walkabout) - District 1**

**Developer:** D.R. Horton, Inc.

The Board adopted Resolution No. 23-068, releasing the Contract and Surety Performance Bond dated May 3, 2022, for Cove at Morrow Place (FKA Morrow Place at Walkabout) – Developer: D.R. Horton, Inc.

**Result:** ADOPTED

**Mover:** Jason Steele

**Seconder:** John Tobia

**F.4. Approval Re: Third Amendment to Interlocal Agreement Regarding St. Johns Heritage Parkway Intersection and Babcock Street - Districts 3 and 5**

The Board approved and authorized the Chair to execute the Third Amendment to Interlocal Agreement regarding St. Johns Heritage Parkway Intersection and Babcock Street providing for the extension to April 26, 2024, for the City of Palm Bay to complete the utility relocation and construction of the Phase 3 improvements; and authorized the County Manager to grant subsequent time extensions, if requested by the City, for Phase 3.

**Result:** APPROVED  
**Mover:** Jason Steele  
**Seconder:** John Tobia

**F.5. Approval, RE: Revisions to Board of County Commissioner's Policy BCC-57 - Indigent Cremation Program**

The Board approved the revised Board Policy BCC-57 – Indigent Cremation Program.

**Result:** APPROVED  
**Mover:** Jason Steele  
**Seconder:** John Tobia

**F.6. Approval of FY23-24 Liability, Workers' Compensation, Crime, Pollution and Aviation Insurance**

The Board approved placement of the County's Auto General, Professional, Crime, Cyber, Aircraft and Aviation Liability, Workers' Compensation and Pollution insurance coverage at a cost not to exceed \$2,184,430; and authorized the Risk Manager to bind coverage.

**Result:** APPROVED  
**Mover:** Jason Steele  
**Seconder:** John Tobia

**F.7. Amendment to BCC-97, Board Meeting Rules and Procedures, Clarifying Notice Requirements when an Item is Continued to a Subsequent Meeting**

The Board approved amending Board Policy BCC-97, Board Meeting Rules and Procedures, to clarify that when consideration of a proposed county ordinance, resolution, or other action is continued to a subsequent meeting, no further notice is required.

**Result:** APPROVED  
**Mover:** Jason Steele  
**Seconder:** John Tobia

**F.8. Approval of Settlement with Spectrum Sunshine State, LLC (formerly Bright House Networks, LLC) in Brevard County v. Karl G. Owens, et. al, Case Number 05-2018-CA-019771**

The Board approved the Settlement with Spectrum Sunshine State, LLC (formerly Bright House Networks, LLC) in Brevard County v. Karl G. Owens, et al – Case Number 05-2018-CA-019771.

**Result:** APPROVED  
**Mover:** Jason Steele  
**Seconder:** John Tobia

**F.9. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed Therese A. Ferguson to the Art in Public Places Advisory Committee, with term expiring December 31, 2024; Virginia Hamilton and Kelly Kervin to the Central and South Brevard Public Library Advisory Board, with terms expiring August 8, 2025; and Stephen Holmberg to the Citizen Budget Review Committee, with term expiring December 31, 2025.

**Result:** APPROVED  
**Mover:** Jason Steele

**Seconder:** John Tobia

**F.10. Approval of Resolution and Real Estate Contract for Sale of Property in County Owned Commerce Park in Titusville**

The Board adopted Resolution No. 23-069, authorizing conveyance of real property interest in a parcel with the Spaceport Commerce Park (SCP) to Olympian LED, Inc.; approved the Contract for Sale and Purchase, permitting the sale of approximately 4.5 acres of land in the County-Owned SCP, Titusville for \$225,000 (or \$50,000 per acre) to the company known as Olympian LED, Inc.; and authorized the Chair to execute all documents in connections thereof.

**Result:** ADOPTED

**Mover:** Jason Steele

**Seconder:** John Tobia

**F.11. Bill Folder**

The Board acknowledged the receipt of the Bill Folder.

**Result:** APPROVED

**Mover:** Jason Steele

**Seconder:** John Tobia

**F.12. Precinct Boundaries - Altered and Added (Chapter 101.001 (1) Florida Statutes)**

The Board approved the revised precinct boundaries due to an annexation by the City of Titusville as well as revision due to a recent law change and School Board Redistricting.

**Result:** APPROVED

**Mover:** Jason Steele

**Seconder:** John Tobia

**I.1. Performance Bond Reduction: Pineda Boulevard West Extension Segments F, G, & H, Phases 1 -3 - District 4**

**Developer:** The Viera Company

Chair Pritchett advised she has a request to move Item I.1. to the top of the Agenda; and this is in District 4.

The Board, in accordance with Section 62-2844(b), authorized the release of a portion, \$8,740,873.43, of the Performance Bond provided with Contract dated August 30, 2022, for the Pineda Boulevard West Extension Segments F, G, and H, Phases 1-3 Subdivision/Road Plat, and Developer – The Viera Company.

**Result:** APPROVED

**Mover:** Rob Feltner

**Seconder:** Jason Steele

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

**G.1. Permission to Participate in and Accept two (2) U.S. Dept. of Justice 2023 Edward Byrne Memorial Justice Assistance Grants.**

Chair Pritchett called for a public hearing to consider permission to participate in and acceptance of two (2) Edward Byrne Memorial Justice Assistance Grant applications. Frank Abbate, County Manager, stated this is the Department of Justice 2023 Edward Byrne Memorial Justice Assistance Grants that will be assisting the Sheriff's Office with a new Crime Enforcement position, as well as County-wide transportation from the various cities to the Jail

for those who are incarcerated.

There being no further comments or objections, the Board granted permission for Brevard County Sheriff's Office to participate in and accept two (2) Edward Byrne Memorial Justice Assistance Grant applications; designated the Brevard County Sheriff's Office as the point of contact; authorized the Chair to execute the necessary contractual agreements, modifications, and amendments; and authorized the County Manager to execute necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Tom Goodson

**Seconded:** John Tobia

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

**G.2. Public Interest Determination: Wetland Impacts for Florida Power and Light (FPL) Service Center, Port St. John Parkway & Grissom Road (District 1)**

Chair Pritchett called for a public hearing to consider a public interest determination for wetland impacts for Florida Power and Light (FPL) Service Center, Port St. John Parkway, and Grissom Road.

Amanda Elmore, Natural Resources Management Deputy Director, stated this Item is a public wetlands Public Interest Determination impact for the new FPL center in Port St. John; there are three small wetlands totaling .237 acres; they are high-functioning wetlands, meaning that they do require Board approval; mitigation will be provided; and the facility will support day-to-day and storm operations, and increase grid reliability.

There being no further comments or objections, the Board, in accordance with Chapter 62, Article X, Division 4, Section 62-3694(c)(3)b, granted a Public Interest Determination (PID) for wetland impacts proposed for the construction of a Service Center on the referenced parcels located at the intersection of Port St. John Parkway and Grissom Road, as requested by Kimley Horn and Associates, Inc., on behalf of FPL.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Jason Steele

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

**G.3. Petition to Vacate, Re: Public Utility & Drainage Easement- 705 Casa Grande Drive - "Suntree PUD, Stage 14, Tract 10, Unit 3" Plat Book 29, Page 63 - Melbourne - Yama Graff - District 4**

Chair Pritchett called for a public hearing to consider a petition to vacate a public utility and drainage easement at 705 Casa Grande Drive, "Suntree PUD, Stage 14, Tract 10, Unit 3" in Melbourne, as petitioned by Yama Graff.

Susan Jackson, Public Works Assistant Director, stated this is a petition to vacate a portion of a 10-foot public utility and drainage easement located at 705 Casa Grande Drive, Suntree, District 4; the property owner, Yama Graff, has asked the Board to approve the vacating because he has a pool and a screen enclosure that is located inside the easement; he would like the improvements to remain and to remove the encroachment; all related County agencies and utilities have been contacted; and to date, they have received no objections.

There being no further comments or objections, the Board adopted Resolution No. 23-070, vacating public utility and drainage easement at 705 Casa Grande Drive, Melbourne, as petitioned by Yama Graff.

**Result:** ADOPTED

**Mover:** Rob Feltner

**Seconder:** John Tobia

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

**G.4. A Public Hearing to Consider an Ad Valorem Tax Abatement Ordinance for L3Harris Technologies, Inc. (Project LEO).**

Chair Pritchett called for a public hearing to consider an ordinance for Ad Valorem Tax Abatement for L3Harris Technologies, Inc. (Project LEO).

Karen Conde, Assistant to the County Manager, stated this Item is a public hearing to consider an ad valorem tax abatement ordinance for L3Harris Technologies, Inc. for Project LEO; the Ad Valorem Tax Abatement Council convened on July 25, 2023, to review the application submitted by L3Harris Technologies, Inc. for Project LEO, and has provided the Board with its recommendation of 100 percent of abatement for 10 years; and this evening present is Edgar Campa Palafox, Vice President, Business Development, Economic Development Commission of Florida's Space Coast and Scott Gibbons, Senior Director of Operations, L3Harris Technologies, Inc., to answer any questions the Board may have with regards to this Item.

Sandra Sullivan stated she has already spoken on this Item at a previous meeting; she would like to add that she did a records request for past annual reporting from previous abatements that have been done by the County; to this point, she was very surprised to see there are no checks and balances to see that the promises made by a particular entity are actually looked at, that they deliver what they promise; while economic development is really good, having checks and balances to ensure that the commitments made for the number of employees that it will generate are actually followed through with; and instead, the reporting is just that, what they did in terms of improvements to the buildings and the resulted property taxes discount that they get. She continued by saying she would urge the Board, from the fiscal responsibilities side, to implement some sort of checks and balances process so that the commitments being made are actually upheld by the companies in the promises they are making to the County.

Scott Gibbons, Senior Director of Operations with L3Harris Technologies, Inc., stated just as a quick, set of prepared remarks, he wants to acknowledge that L3Harris is presently seeking approval for their ad valorem tax abatements; they are the largest defense provider in the State of Florida, and a large presence in Brevard County with over 7,000 employees working in this area; recently, the company has been working very hard to grow their impact in the community, as well as their impact in their business with their customers; and they have done large acquisitions of other companies, growing the organization, and they are trying to drive toward having some organic growth within the facilities in Brevard County. He went on to say he is here to discuss two projects; the first is Project LEO, which is a facility being used to produce classified satellites for national defense and security; it is an \$80 million investment in a new building that will create hundreds of jobs at an average salary of over \$100,000 each; the second project is Project SAMT, which is Secure Advanced Manufacturing Technology center that will produce classified, unique advanced manufacturing capabilities; and it was a multi hundred million dollar investment that will generate hundreds of jobs at over \$100,000 annual

average salary. He noted the request abatement is necessary to ensure the economic closure of these deals; the vacant land they are proposing these be built on is additional tax revenue that will come into the County on the order of about \$9.6 million over the 10 years, as well as create a tremendous Gross Domestic Product (GDP) impact, both direct and indirect, from L3Harris' contributions; they would like to proceed in this County; however, they are also evaluating doing this facility in other locations such as North Carolina, Arizona, Texas, and Indiana where they had discussions with local governments and had generous tax abatements that were provided by those states as well to help them expand their facilities. He advised most notably in Indiana they recently expanded their sensor production facility thanks to some tax abatements and economic values that have allowed them to be successful there; that state has continuously added that they are willing to help them expand; their preference is to do that work here in Brevard County; he encouraged the Board to consider the direct, as well as the indirect impacts; there is a large community of citizens who work at L3Harris; they are a big part of the community as to making charitable donations; and it is over \$9 million since 2019. He pointed

out they helped provide for the expansion for the Brevard Zoo, cleanup of the Indian River Lagoon, as well as mentoring students in the Brevard County Schools; they would like to continue to reinvest in their employees in the County so they can continue to make an impact to the community; but they need help economically to make feasible projects so they can continue this grow of their business in the area.

Edgar Campa Palafox, Vice President, Business Development, Economic Development Commission of Florida's Space Coast, stated they are here supporting the applications on behalf of Project LEO and Project SAMT; they have been managing these projects for probably the last year or so; as Mr. Gibbons mentioned, they are in a competitive situation with other states that are looking for these projects, specifically Project LEO; the states, as Mr. Gibbons mentioned, are Arizona, Colorado, Indiana, North Carolina, and Texas, which are states looking for this project; and in general, and they mentioned this in other projects, the State of Florida does not compete well with incentives. He went on to say in the last 10 years, incentives have been pared down, so they rely a lot on incentives offered by local jurisdictions in order to compete for these projects, so that is the importance of having these tax abatement programs eligible for companies that meet the requirement in order to apply for them; Project LEO, the first project being discussed, is actually proposing a new building on an empty parcel in their Palm Bay campus for about 93,000 square feet of high tech manufacturing space; specifically, this project will be expecting to create 101 new jobs over three years, with an average wage of about \$100,000 per job; the current average wage for the County is \$55,000; and these salaries being proposed by the company exceed beyond that average wage; and from an investment prospective, the total capital investment for Project LEO is \$83 million. He commented out of that, \$70 million is for building and construction, and the remaining \$13 million is for manufacturing equipment; the positions they are looking to hire for ranges from engineering, production technician, configuration management, data management, material management, quality assurance, facilities, and security; the application is looking for 10 years for 100 percent of tax abatement; however, there are other monies flowing from other jurisdictions; and the School District, Water Management District, and other jurisdiction districts do not abate that millage, so it will be flowing to those jurisdictions; and the Economic Development Commission (EDC) is supporting this application.

Commissioner Tobia stated the EDC has not called, emailed, or requested a meeting regarding this project; Paragraph 3, Section D, of the Grant Agreement states the EDC's focus should be on working with elected officials and community partners to develop a competitive business environment in the County; the EDC has given \$1.4 million annually, but does not meet this basic tenant as he did not get a single email; and many of these questions he is going to ask



could have been handled ahead of time, but the EDC did not reach out. He apologized to Mr. Gibbons before he asks him a series of questions if he does not mind. He asked Mr. Gibbons if according to Securities and Exchange Commission (SEC) statements, is it fair to say L3Harris Technologies, Inc. in 2019 had gross profits of \$2.3 billion, in 2020 \$2.5 billion, and in 2021, \$5.3 billion.

Mr. Gibbons replied affirmatively.

Commissioner Tobia stated the Chief Executive Officer (CEO) of L3Harris, Christopher Kubasik's total compensation as reported by the Securities and Exchange Commission (SEC) for 2022 before annual bonuses was \$16.7 million; and he asked if that is correct.

Mr. Gibbons responded he is not personally knowledgeable of his salary, but if Commissioner Tobia pulled this from their annual statement, then it would be correct.

Commissioner Tobia stated it was mentioned in the report that they were considering locations in Arizona, Colorado, Indiana, North Carolina, and Texas, as well as Palm Bay; and he asked what specific tax abatements, and how much money he was offered or was being abated by any of these other localities.

Mr. Gibbons advised due to non disclosure agreements, he cannot go into specific details in a public forum; but he can say they have had ongoing discussions with local and state governments, officials, as well as economic councils in those locations; and they have actively already received tax abatements to expand existing facilities they have in those states, as well as received proposals to continue to expand facilities in those locations.

Commissioner Tobia inquired if they received abatements, but Mr. Gibbons cannot tell the Board how much they are.

Mr. Gibbons responded no, he cannot do that.

Commissioner Tobia asked if it is fair to say that Palm Bay is the headquarters of two of the three L3Harris business segments.

Mr. Gibbons replied it is fair to say that.

Commissioner Tobia asked if it is fair to say that Palm Bay is soon to be the headquarters for Aerojet Rocketdyne recently purchased for \$4.7 billion.

Mr. Gibbons responded L3Harris Corporate will continue to be headquartered in Brevard County at this time; and Aerojet Rocketdyne does not have operations in Brevard County at the moment.

Commissioner Tobia inquired if there are plans for it to be in Brevard County.

Mr. Gibbons advised he does not have any information to support that.

Commissioner Tobia asked if it is fair to say that Palm Bay is where they have nearly two million square feet of building.

Mr. Gibbons replied he does not know the exact number, but it is fair to say they have relatively large square footage of facilities in Brevard County.

Commissioner Tobia asked if it is fair to say L3Harris has been located in Palm Bay for the last 45 years.

Mr. Gibbons responded yes, they have been headquartered in Brevard since 1978.

Commissioner Tobia commented thanks for rubbing it in, he was born in 1978, 45 years is a long time. He asked if Palm Bay is where L3Harris built \$130 million "high tech nerve center."

Mr. Gibbons advised that is correct.

Commissioner Tobia inquired if L3Harris has received any Brevard County tax abatements.

Mr. Gibbons replied they definitely received city tax abatements, and he believes for the high tech center they also received County tax abatements.

Commissioner Tobia asked if any are currently running right now.

Mr. Gibbons responded he does not have that information with him.

Commissioner Tobia asked if he does not know if he is receiving any tax abatements from Brevard County right now.

Mr. Gibbons stated he does not personally know, but there are colleagues that may know.

Commissioner Tobia noted they are; he just wants to point out how important these are to his company. He advised these next questions will go to the EDC. He asked does Rogue Valley Microdevices relocate to Palm Bay without the abatement from Brevard County.

Mr. Campa Palafox replied the project Rogue Valley received an enhanced offer by the City of Palm Bay after the County declined their application.

Commissioner Tobia asked if that is a yes.

Mr. Campa Palafox commented Rogue Valley received an enhanced support by the City of Palm Bay to compensate for the loss of the incentive application from Brevard County, so they did locate here with an enhanced support from the City.

Commissioner Tobia stated he has a problem with a timeline that went on, and it ends in a question; he finds this very troubling, it happened after, and unfortunately, he may have found something similar; on December 22nd the Board authorized the Space Coast EDC to conduct an economic impact study regarding a tax abatement for Rogue Valley Microdevices, Inc.; the ordinance presented at the January 24, 2023, Board meeting clearly stated, "RVM has informed Brevard County that it may either purchase the property or lease the property in the future;" and he asked if Mr. Campa Palafox was aware the property was actually purchased almost a month previous, according to the Property Appraiser's website, December 30, 2022. He stated one of two things happened, either the EDC was negligent and did not know this information, or the EDC was being dishonest considering that Rogue Valley purchased the property before they came and told the Board that if they did not get the incentive they would not come there; and he asked Mr. Campa Palafox if they were negligent or they were fibbing.

Mr. Campa Palafox replied the moment they brought the application forward for Rogue Valley

Microdevices, the company did not inform them that they had executed their option to purchase a building; later it became public record; and they found out after the second hearing when the application was denied.

Commissioner Tobia remarked he will take that as negligent, because that is the EDC's job; this comes down to an assumption, the whole economic system comes down to assumption; economic development is based on an assumption that companies, and it was said by the senior director of operations, will not locate here without abatements; for a scientific method to work there has to be a control; and the Board created that control when it voted to deny Rogue Valley Microdevices their abatement. He went on by saying by looking at question number 16

on page 3 of the supplemental application, it shows very clearly that Rogue Valley said if they did not receive that abatement, they would not come here; they were not provided the abatement; and they decided to locate here without said resources from Brevard County. He stated he has questions that will go directly to this for L3Harris in just a minute; he wants to give the Board four reasons to deny this, and a fifth reason why the Board should kindly ask the EDC to disband immediately; the Board does not have to approve this; the 2014 voter referendum read, "shall the Board of County Commissioners of Brevard County, Florida, continue to authorize to grant;" and he reiterated the Board does not have to. He added the Board made a decision as a body the last time not to provide the incentive to Rogue Valley, and they came here anyway; the Board exercised that choice, and he is asking it to exercise that choice; two, the abatement is one eighth of one percent of L3Harris Technology's total profit margin; they are headquartered here, they have already received one tax abatement that a senior member of Harris did not know they were getting; and this is how important these are to Harris, they do not even know they are getting them. He stated to put that into perspective, L3Harris' gross profit is larger than the entire County budget by a factor of two; number three, Palm Bay has already granted L3Harris over \$11 million in tax abatements that passed unanimously on July 20th; number four, Brevard County is a wonderful place to locate; he reiterated Rogue Valley Microdevices did not get the abatement and decided to come here anyway for that very reason; L3Harris is already located here, they have been here 45 years; and they are going to come here anyway. He advised L3Harris Technology has a fiduciary responsibility to their shareholders; last quarter, they returned \$338 million to their shareholders;

they are doing a great job; and nearly \$1 billion last year, according to an L3Harris investor letter. He continued by saying this Board has a fiduciary responsibility to the taxpayers of Brevard County, including fully funding infrastructure and the Lagoon, not adding to the bottom line of L3Harris; he was going to end it there, and he does not do this very often, but Brian Bond in his office caught this; the Board has a packet in front of it; Mr. Gibbons may not be aware of this, as he was not aware of the last company purchasing land, so why the heck would he be aware of this as it is only public record; but Mr. Bond was grabbing some backup data from the Property Appraiser's website. He asked if that is the property L3Harris is looking at potentially constructing two new buildings.

Mr. Gibbons replied he assumes Commissioner Tobia is referring to the red outlined box on the graft.

Commissioner Tobia responded affirmatively.

Mr. Gibbons advised yes, that is two locations they are planning to build Project LEO and Project SAMT.

Commissioner Tobia asked if they get the incentive.

Mr. Gibbons responded if they get the incentive; he stated that is the intended place to build these; and rezoning this was a requirement of the City of Palm Bay in order to get financing for the buildings.

Commissioner Tobia stated the next one is a notice of commencement; he had to look up what a notice of commencement is; it is a formal, publicly filed, in County records to signify that a construction project is beginning; he has two notices, but there were three, he left one out for a structure L3Harris was going to build to manage this project; the scary thing was this was just notarized on the 18th, so Palm Bay, when they decided to, in his opinion, wrongly give L3Harris the million dollars; they did not have access to this; and he just saw this yesterday. He went on to say the notice of commencement is to demolish a building on that property, and his favorite one, to construct a new facility on that property, so this is notarized by a Timothy Rodriguez on the 12th of June 2023; he expressed his appreciation to the Clerk for her diligence on getting this up; he asked what is going to be constructed here; and he asked why are they moving forward as the Board has not voted yet to give them the tax abatement.

Mr. Gibbons replied the facility being demolished is an older facility that is not being actively used; it is considered a decommissioned facility, and it is a safety hazard to the employees on the campus, so it is being demolished not to make room for a new facility, but to provide safety to their employees; there is insufficient detail on this particular document for him to know what this new facility is; and he does not have enough information to answer that.

Commissioner Tobia advised the owner information says L3Harris, 2400 Palm Bay Road NE, Palm Bay, Florida, 32905; and he asked if Mr. Gibbons is familiar with that.

Mr. Gibbons responded that is their primary campus.

Commissioner Tobia pointed out the contractor that is doing this is the Austin Company at 2235 North Courtenay Parkway, Suite A, Merritt Island, Florida, 32952; and he asked if Mr. Gibbons is familiar with the company that is doing the construction on this property that they may or may not go forward with. He went on to say it provides the section, township, and range, subdivision, and lot; and it does not get more specific than this certified document.

Mr. Gibbons advised he is familiar with the Austin Company; they are helping them with design services for building; but the physical location has not yet been decided.

Commissioner Tobia inquired why L3Harris would have a building designed for a piece of property that they do not plan to build on.

Mr. Gibbons replied the buildings are being designed generically to fit in a certain size of space needed for manufacturing activities, it is not designed specifically for any given plot of land.

Commissioner Tobia noted yet this particular plot of land where there is ingress and egress, and avoid the land, he imagines it is a wetland, he obviously has no idea; but he is not the one moving forward with it.

Mr. Gibbons stated he would say similar to other locations, other states, they may be evaluating.

Commissioner Tobia asked if they have the exact same plot of land with water in the same places.

Mr. Gibbons pointed out they are required to secure third-party financing in order to pay for these deals; and as part of that, they had to rezone facilities so they can go out and get that financing attached to specific tax lots, different parcels.

Commissioner Tobia stated if it walks like a duck, quacks like a duck, it wants \$18 million of taxpayer money; what he would like to do with this, and he will throw a motion out here, because there are a lot of questions he is sure.

Chair Pritchett advised there are a lot of lights.

Commissioner Tobia made a motion to continue this Item to August 22, 2023; he advised he would like to deny this; but maybe they have some good explanations; he would have loved to have given him more; and the EDC did not ask for a meeting on this stuff, they did not send an email, and he is sure they did L3Harris a disservice the same way they have done him. He pointed out to be clear, this was both on Project LEO and Project SAMT, so he will not be going over the same thing for the second one, there is no difference there; and he expressed his appreciation to Mr. Gibbons.

Commissioner Steele stated he has a great deal of respect for Commissioner Tobia; he thinks that probably one of the reasons why EDC nor Harris came to visit him is because they already know what his answer would be; his answer is no, his answer is no, his answer is no; he does not support EDC; he does not support abatements of taxes; and he respects that and he gets it. He went on to say in 1950 a company by the name of Radiation came here; when they came here they started growing; it was the life blood of this County; it continued to grow; and it continued to do things that were absolutely worthwhile for this County. He noted he does not know what Microsoft Rogue Valley has to do with this at all, so that has, in his opinion, nothing to do with it; by the way, he did talk to Jessica Gomez today from that company, and she was highly upset they did not receive an abatement; she was pleased she received one in Palm Bay; she doubts very seriously if she will come back and ask for an abatement now knowing she did not get one then; but let him assure the Board, everything that Commissioner Tobia said about the amount of money that L3Harris made is true; and he asked if the Board wants that to go someplace else. He pointed out this is the life blood of this County; the Harris Corporation has done everything, L3Harris Corporation has done everything in its power to make this a community that is tremendous; this over 200 jobs and over \$200 million worth of investment into this County; this is about spinoff jobs of about 15 persons per job; and he asked how many people are needed to make this County any better. He stated not too long ago, maybe eight or 10 years, the Challenger exploded; after the Challenger exploded, there was major depression in Brevard County; it went downhill for an extended period of time until the County started with Enterprise Florida and Space Florida, and the program was started to start bringing corporations in that were not necessarily defense oriented, but had a combination of defense and capitalism; he asked how that was done; and he stated it was done by specific incentives. He advised he appreciated Ms. Sullivan's comment in regards to the jobs, but this is not a particular job where people are counted that are going to be employed; the jobs that were on the incentives were set on a Certified Path Method (CPM); after they got 50 jobs, there was a certain situation; this is a different type of incentive; and the County has an opportunity here that if the world goes to hell in a handbasket, and one of the rockets blow up, it will have a particular situation where there are great jobs in Brevard County. He continued by saying he does not know whether L3Harris will not come here; but he will tell the Board something right now, when he was on Space Florida and Enterprise Florida boards, when the Harris Corporation wanted to move its headquarters, holy crap; if a person wants to talk about ruining a community, take Harris out of this County and see what happens to the community; he is in

favor of an abatement; and they have done more for this community than anyone else that he knows of. He reiterated that he likes Commissioner Tobia, he is consistent, he appreciates and respects that, and he is a great researcher; they just have a difference of opinion on this issue; and he prays he has enough votes today to get an abatement for these taxes for the Harris Corporation; and he thinks the County is gambling if it does not give it to them.

Commissioner Goodson stated this is getting to be really interesting; he bets Mr. Gibbons will not come back in front of Commissioner Tobia unless he does his homework; he has heard all of the great things about L3Harris, and that is true; he has been in Brevard County for 65 years; and he has not heard a thing about the people that go to work every day, run a business, and do not ask for a tax abatement. He pointed out if they are making that kind of money, he does not know why L3Harris needs a tax abatement; when the Challenger blew up, yes, things slowed down, but the ones who own businesses went to work the next day; they paid their taxes; they tried to find employees, so how about them; and he complimented both Commissioners. He went on by saying if a person knows anything about Commissioner Tobia, he or she better come prepared; if a person knows anything about Commissioner Steele, he is very passionate; he gets concerned when people are making that kind of money, and then want more money; if they were going to pay their taxes today and could not, he wonders how the County would treat them; and he asked would they get an abatement.

Chair Pritchett stated if a person has been in Brevard County long enough, that they went through the great decline of the bank mess, real estate mess; that was when she started getting into this stuff, watching the hard time the County had; it did not do a good job in insulating itself as far as having different types of businesses move into the area; she does not know how the people in the south area handled it, but in the north they were hungry; every third house was vacant; and the area was relying on the space industry. She went on by saying she is an accountant, so she got involved in this to try to figure out ways to stimulate income, because if an investment is not made, there is no return; she does not know if anyone received a refund on the gas lately when they gave out the shares of stock, but if a person does not own any, he or she did not get one; she reiterated anytime a person is looking for any kind of return on investment, an investment must be made, so what the Board has to do is look at those things that are great investments; if she is correct on this, the abatements are not money the County is paying to them, they are money that the County will not be collecting; and what that means is the County is not putting any money to apply towards this. She noted if they can fulfill what they said they will do, then the Board is going to give them the ability not to do that; if they put nothing there, the County gets nothing; she kind of wishes former Commissioner Smith was up here right now, because he would really give the old one, two on the Blue Origin and what the Board had to do for that incentive; that really helped stimulate North Brevard, because it started bringing a lot more of the space-related industry as far as building the satellites and all of those things; and it really helped bring North Brevard back into the game, otherwise the rest of the County would still be supporting a lot of North Brevard issues as they just did not have the jobs. She continued by saying she agrees small businesses are great, but there is only so long the County can keep moving the same dollar around the city; the Board has to have these industries come in that bring the money in from other parts of the nation so that new money comes in here; from all of the wisdom of the people who were up here before her, and they were a bunch of smart people, they brought in good investments; and Brevard County was number one in the nation as far as business growth through the time period where it went through all of that COVID-19 mess. She stated the Board has made good decisions in the past; she wishes she could take credit for it, but she cannot; she studied them and she learned; she believes this is another one of those, it is the Department of Defense; and she really has a strong feeling the Department of Defense has probably never going to have any issues. She commented just from looking at the economy, it has been good; the County has had American

Rescue Plan Act (ARPA) and Coronavirus Aid, Relief, and Economic Security Act (CARES) funds, government has been throwing out the cash; the County is about to pay the price on it soon; the Board will be leaving it with the other guys when he or she tries to figure this out; and there is going to be that cycle and the County will feel it. She advised she thinks it is a project that will insulate the community later when that comes, because she is a mom and a grand mom, and she wants everyone to be able to feed his or her families at that time, and not have to move out of the area; Commissioner Steele does have her support on this, plus it is in his District; if they were in District 1, she would help them and take them with both feet in, because she is doing whatever she can to keep her people working; and she does not want everyone to have to be on welfare, as she is just over it.

Commissioner Tobia stated Chair Pritchett brought up a very good point, and this is no insult to Commissioner Feltner, but sometimes he misses former Commissioner Smith; he would have these wonderful stories where he would wonder if there was a point coming; there was always a soft landing on these; and he always walked away knowing a little bit more about the issue and a little bit more about Commissioner Smith. He went on by saying he grew up in England; he did marginally well at school; he then moved to Florida; he was in seventh grade, and when the report cards came out; he got some A's and B's; and his brother, the local doctor, got always straight A's. He pointed out he saw these kids run to their parents after and they would get money for an A and a little less money for a B; he never saw this, this did not happen in England, so he went to his mom and dad and said he got a bunch of A's and some B's, and everyone is getting money, he would like to get money; and his dad said son, that is not the way it works. He stated his dad said success comes from working hard, and if he works hard to get an A, he should not reward him; the A is good enough; it will help him go to college, and take out less loans; and it did not make much sense to him at the time, but he did not need to be incentivized in order to get good grades. He noted L3Harris does not need to be incentivized to create more jobs, because the more jobs they create, the more money they are able to return to their shareholders; he is going to let this ride; he asked to continue it; he is going to pull that motion and hopes to hear a different motion; and hopefully it will go in a different direction than that. He stated he hopes the Board acts in a responsible manner and go in a direction that L3Harris does extremely well, just not on the back of small business owners and taxpayers.

Motion by Commissioner Steele to approve the tax abatement for L3Harris.

Commissioner Feltner stated he voted against this before on the application process; not because he does not think they are a wonderful company; he is happy to help L3Harris with anything else that he possibly can; he just knows that the County has real, serious economic challenges headed its way; and for that reason, he cannot vote for it.

Chair Pritchett asked if this incentive does not go through as far as this aspect of this project, will this project come to Palm Bay.

Mr. Campa-Palafox replied that is always the risk when in competitive situations with other states; and as the County is competing for investment, there is a risk of this investment going somewhere else.

Chair Pritchett inquired if that is a strong risk right now; she stated she knows when doing the Blue Origin, someone else was about to get them, and if the County had not done what it did, it would have never gotten Blue Origin, because it is just a different day; it is not a person's daddy's economics anymore, this is the real world out there, and people are competing for big businesses; the million dollar question is, is it going to cost Brevard County's citizens if the

Board does not do this competition; and she asked Commissioner Tobia to restate his motion.

Commissioner Tobia pointed out he requested to pull that motion and to let it ride.

Chair Pritchett seconded Commissioner Steele's motion to approve Project LEO.

There being no further comments or objections, the Board denied request for an ordinance for an Economic Development Ad Valorem Tax Abatement to L3Harris Technologies, Inc. (Project LEO) for 10 years at 100 percent of the real and tangible personal property that the company invests in Brevard County.

**Result:** DENIED

**Mover:** Jason Steele

**Seconded:** Rita Pritchett

**Ayes:** Pritchett, and Steele

**Nay:** Goodson, Tobia, and Feltner

**G.5. A Public Hearing to Consider an Ad Valorem Tax Abatement Ordinance for L3Harris Technologies, Inc. (Project SAMT).**

Chair Pritchett called for a public hearing to consider an ordinance for Ad Valorem Tax Abatement for L3Harris Technologies, Inc. (Project SAMT).

Karen Conde, Assistant to the County Manager, stated this Item is a public hearing to consider an ad valorem tax abatement ordinance for L3Harris Technologies, Inc. Project SAMT; and the ad valorem tax abatement council convened on July 25, 2023, to review the applications submitted by L3Harris Technologies and has provided the Board with its recommendation of 100 percent abatement for 10 years.

Motion by Commissioner Steele, seconded by Chair Pritchett, to approve ad valorem tax abatement ordinance for L3Harris Technologies, Inc. Project SAMT.

There being no further comments or objections, the Board denied request for an ordinance for Economic Development Ad Valorem Tax Abatement to L3Harris Technologies, Inc., (Project SAMT) for 10 years at 100 percent of the real and tangible personal property that the Company invests in Brevard County.

**Result:** DENIED

**Mover:** Jason Steele

**Seconded:** Rita Pritchett

**Ayes:** Pritchett, and Steele

**Nay:** Goodson, Tobia, and Feltner

**H.1. Acknowledgement of Receipt and Board Direction, Re: Merritt Island Feasibility Study**

Chair Pritchett stated there has been a lot of information out there; some of it has been good, some not so good; she is going to go through the cards; she asked, because there is a large group, for everyone to talk clearly; and no yaying or booing, so people do not feel funny stating what their opinion is on this.



Commissioner Tobia stated if the Board Members can give his or her two seconds on this, it may help with some of the comments so they can be directed in a certain direction, so he wants to just lay it out where he is at this time; of the \$40,000 approved on March 7, 2023, the County has currently spent roughly half of that \$22,300; he has been contacted by numerous citizens regarding this study on both sides; he does not want to vote on this item without getting more community feedback; and that is very important. He continued by saying under Section 1b4 of the contract it states, "At the request of the County, the consultant will make up to three public presentations describing the feasibility study;" therefore, he would like to suggest having a consultant hold a community meeting in Merritt Island for public engagement; after that meeting being held, the consultant can send each Commissioner individually a one-page summary of the meeting; he is not prepared to take action on this because he thinks it is extremely important that not just the folks that can come from Merritt Island to Viera be able to voice their opinion; and they are more than welcome to speak, which the Board greatly appreciates. He noted he wants to give everyone in Merritt Island the ability to be in their backyard and voice their opinion on whatever that is; he is very glad for what is being said; but he will have a motion at the end to have a meeting for as many people that want to show up in Merritt Island as possible.

Commissioner Goodson advised all the Board is doing today is voting to accept the feasibility study; it does not favor against it or for it; it does not favor incorporation; it is just the acceptance; and he asked the County Attorney if that is correct.

Morris Richardson, County Attorney, replied he is correct, that is the requested action.

Commissioner Goodson inquired if the study completed everything that is in State Statute.

Attorney Richardson responded the study has completed the items that are required by State Statute.

Chair Pritchett stated Commissioner Goodson is the District 2 Commissioner; he is a great person who really loves his community; from hearing some constituents, she thinks Commissioner Goodson wanted to see what everybody wanted; the Board hears a lot of information from Merritt Island about these concerns quite often; and through the years the community has shown up and had a lot of communication to the Board. She went on to say Commissioner Tobia was able to help Commissioner Goodson, being a new Commissioner with some funds if they wanted to go ahead and do a study; this is all about Merritt Island and what the community wants; whether it comes back, whoever gets the study, they are going to have to sell the community; it has nothing to do with the Board, it is whatever the community wants to do; to be honest, the County will lose a lot of tax dollars if this were to happen, so it is not her favorite thing to happen; the Board is here to take care of the community; and if it is something Merritt Island would not want, the community should have a voice to say if they want it. She commented all this is doing is getting some data together whether it is good or bad; it is up to Merritt Island to decide what they want to do; taxation with representation, it should always be in the citizens' court; she reiterated this is just a study the County prepared for the citizens of Merritt Island; and she noted she hopes by the end, that it is what the citizens want to do.

Commissioner Steele stated all of this is fine and dandy, but the problem is, no matter what the study says, there is a State Representative Tyler Sirois, who's District it is, who is absolutely opposed to doing anything at all; he does not know if the State Representative is going to submit a proposal to allow this to happen; he asked if the County is throwing good money after bad; he stated for the last 50 years people of Merritt Island have been going through the same

thing; and every time, Merritt Island stays in the County. He commented here the County goes again with a situation where somehow or another giving the people of Merritt Island a right to do it, but it does not look like there is going to be cooperation from the Legislature; and without cooperation from the Legislature, the County is just wasting money.

Commissioner Feltner asked if the Board does not vote to accept the study tonight for the incorporation going forward, can the group still petition the Legislature without the Board accepting the study.

Attorney Richardson responded it has no impact whatsoever; the group can still petition the Legislature, they can take the study that is now a public record, and they can submit it to the Legislature along with the proposed municipal charter; but as the Chair and Commissioner Steele referenced, it is up to the Legislature whether they move it forward via special act.

Commissioner Feltner inquired what monies are owed the consultant at this point; does the Board need to vote to accept this tonight in order to pay him the last bit, or is that already taken care of; and what is the situation there.

Attorney Richardson advised his invoice either has been paid, or will be paid, regardless of acceptance, so that has no affect; and the only fiscal impact would be if the Board took Commissioner Tobia's recommendation of scheduling an additional public meeting.

Commissioner Goodson stated the citizens elected Tyler Sirois, but yet he is saying the people are not smart enough to vote; he does not care if the citizens vote no or not; he lives in Rockledge, at the southern end of the District; he does not care how the people vote, yes or no, city or no city; he greatly cares about Merritt Island and the people; he will make a motion to accept it because it has already been paid for; and if the Board goes along with additional meetings, it will have to go with an hourly rate. He noted this does not imply the Board is for the city or not for the city; and it just means the Board is accepting the report.

Commissioner Steele stated he would second the motion.

Chair Pritchett advised she is still going through the cards.

Commissioner Feltner stated he understands his friend Representative Sirois does not want to carry this bill; but he asked could, another member of the Legislative Delegation be the sponsor of a local bill should the Delegation decide to move that forward.

Attorney Richardson replied that is possible; the inter-workings of this once it goes to the Legislature are a little arcane to him, he is not sure when it gets to the local Delegation whether they take a vote and a majority can move it forward, or whether there needs to be a sponsor from each House from a local Delegation; he does not know those workings; and the County has not had one since 2006 with the Grant-Valkaria incorporation.

Commissioner Feltner commented with respect, the Board has some former members here; his recollection is, having worked for the Legislature, is that somebody else from the Delegation could carry it; and it would be an impediment, that is agreed, but he does not think it kills the issue just because one member does not want to sponsor it.

The Board acknowledged receipt of the Merritt Island Feasibility Study from BJM Consulting, Inc.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Jason Steele

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

**Nay:** Feltner

Chair Pritchett stated this is just housekeeping; it is really up to the citizens; they will have the report and can do what they want with it; they live there, it is really up to them to do; and that is the America they live in, they get to figure it out and vote on it.

Commissioner Goodson advised the people of Merritt Island are going to trade the five of them up there for five closer to home, so be careful what they want, because they may not like those five as well as they like Commissioner Tobia.

Diane Locklair stated she has been here, on Merritt Island, since the mid 1950's, except for 10 years because of the Apollo moon landing on her dad's transfer; the Merritt Island Preservation Committee that really should be called the Merritt Island Development Committee, because she does not see any kind of preservation of Merritt Island in what they are attempting to do; there is no representation of her; and there is a statement on the last page of the feasibility study. She pointed out it is listed as how a person views the governance of Merritt Island as presently being provided by Brevard County; it says it should be sent to every property owner; and not sneaky like this. She went on by saying that is exactly how she feels; it has been very sneaky; it should have come to the voters first; it did not; and then it should have come here. She stated there was no straw poll, no discussion; in the Florida TODAY when they talked about how the House Representative is against this, Andy Barber said, "I am going to do some politicking with other members of the Brevard County Delegation to the Florida Legislature to seek their support, as well as reaching out to Mayors in Brevard's 16 existing cities and towns;" she stated that sounds like a threat; that sounds like they are going to do whatever they have to; he claims to have no skin in the game; and she does not buy it. She remarked they want to turn wetlands into river walks and into commercial entities; and she does not think so.

Chair Pritchett asked the audience to remember not to make any responses when people speak; and she really wants people to feel free to speak and say whatever is on their heart.

Catherine Baldwin stated she has been in Brevard County since 1972, and in Merritt Island since 1998; she thought she tried to keep abreast of what is going on with the County Commission; but she was really surprised when she heard that all of this money was going to get paid for a survey of something that she does not know of a single person who will support this; it seems like wasted money to her; she wishes it could have come to the people first; and she has no faith that making Merritt Island a city would be any good for any of them. She continued by saying the current millage is half of the millage of the City of Cocoa; the City of Cocoa is now raising their millage; she does not want her millage rate to double; they are having enough trouble keeping their insurance, paying their mortgages, paying the gas prices; and she reiterated she does not see how this could be any good for her, but more money out of her pocket wasted just as the thousands of dollars that was wasted on the survey.

Dennis Reilly stated he likes Commissioner Tobia; he did his homework, he held these guys accountable, he caught them, and he was ahead of them; he hopes he does the same thing for this; that shows a lot of character; he voted for Commissioner Goodson every time he was there; he has friends who are his friends who are old timers; the comments they gave to him

about Commissioner Goodson were very good; and he hopes, in this case, Commissioner Goodson lives up to those comments, investigates, and does everything for the citizens that is right. He went on by saying he thought the Board's vote was premature before hearing from the speakers; he is looking for conflicts of interests that commissions can have of friends and everything else, and they vote that way; now they are stuck with another West Palm Beach in Merritt Island; he thinks that is what it is going to become for Port Canaveral and Cocoa Beach; and North Merritt Island is going to become West Palm Beach.

Bob White, Chairman of the Republican Liberty Caucus of Florida, and immediate past Chairman of the Republican Liberty Caucus in Brevard County, stated they exist as an organization to hold their party and to hold the elected officials, elected Republicans, accountable to the three Jeffersonian principals of personal liberty, limited government, and free markets; he knows this is not the Board that will ultimately make the decision as to whether or not this referendum gets placed on the ballot, but he can assure the Commission that his organization will be doing everything it possibly can on behalf of the citizens of Merritt Island and Brevard County in general to stop what is going to be essentially an additional layer of government; and the Board cannot, as an organization, support limited government without absolutely opposing, in no uncertain terms, the creation of an entirely new layer of government. He added, number two, the principal of personal liberty; no offense to any Commissioner who is an elected County official here today, but government at every level, at some point, encroaches upon personal liberty; that is just the relationship between government and citizens, so here is another reason, based on their principals, to oppose this; and ultimately the same thing is true of free markets. He stated at some point government comes into conflict with the ability of citizens to be able to exercise their right to operate a business and function in a free market; and he can assure the Board that on behalf of his organization, they will be doing everything they can to stop this from ever making it onto the ballot in the first place.

Andy Paryzek stated he has been in Merritt Island for a few years, but has been in Brevard County since the 1980's; what he wants to talk about is that the Board just accepted this; but yet, the Request for Proposals (RFP) statement of services, Section C, gives the result; it says data analysis to support the incorporation is necessary and financially feasible; this was supposed to be a feasibility study to determine whether it was feasible; and that says that is the answer right there. He went on to say the RFP never defined the term 'committee', so he asked who the committee was that identified and corroborated with the consultant; that should be in the RFP documents; having just retired from Department of Defense (DOD), source selection, he did a lot of acquisition; he knows RFP's and source selection; and this would never cut it in the federal government. He pointed out the feasibility study date is inconsistent as far as populations; it says at one point they have 45,000; but then in the population section of the feasibility study it says they have 15,000; 15,000 with the area that is being covered does not constitute the requirements; 45,000, he is not sure where that number came from; and the census data says said like 34,000, so the data is everywhere as there is no consistency.

Jack Smink stated he is a citizen of Merritt Island, Florida; he opposes this independent study; it is interesting that none of the Commissioners have asked the high-level staff in open public meeting about some of the core questions constituents have asked; it is nearly certain that these conversations have taken place behind closed doors; and he asked why not put them out in the sunshine. He went on by saying John Denninghoff, Frank Abbate, and Kathy Wall have been employed by Brevard County for many years; they have dealt with local governments' services, capital expenses, interlocal agreements, and budget Countywide full-time, and for longer than any of the Commissioners, with all due respect; given their long-standing expertise, they are likely in the best position to conclude the likely outcome of incorporation of Merritt Island; if the Commission wants to show that it is interested in truthfully informing the public, 8it

or she has the ability to show its commitment by putting out the truth by asking John Denninghoff, Frank Abbate, and Kathy Wall the following questions; and he remarked what a sham.

Larry McInerney asked why the citizens' tax dollars were used to pay for this if it was requested by private concerns, developers; he pointed out this was all done behind closed doors, sneaky, in comments; the whole thing stinks; it reminds him of a scene from Blazing Saddles; Harvey Korman's character was trying to grab land; and that is what is being done, trying to grab land, and it is sneaky. He continued by saying the developers, the people who requested this thing, should be the ones who pay for it; if that were done, it would probably be better documented; it is a joke, it is incomplete; and he asked how the Board can accept something that is so incomplete.

Mary Watkins stated she is speaking on her behalf, as well as her husband's behalf; they are both lifelong residents of Merritt Island; she asked how this study came up; she stated they had a public vote on Merritt Island becoming a city sometime in the last 20 years she is sure; and it was voted down soundly. She commented she heard nothing of the study until it was completed; she asked again why the Board accepted something that the people have already pointed out they had such major problems with; having worked with the Census Bureau, to have that many failures in the number of residents listed in Merritt Island should show the Board there are some problems; she is sorry the Board accepted a study that is so incomplete and so poorly done; and she is disappointed with the County Commissioners that her tax dollars paid for this study.

Chair Pritchett pointed out just because the Board received it, does not mean the Commissioners like it, it just acknowledges the Board has it in hand.

Jenn Parrish stated she had a speech prepared, but realizing the Board adopted before it heard all of the constituents that it represents is just an absolute disappointment; the process was completely circumvented; the Board went completely around the folks who it is representing; and it is not fair and not right. She explained she has lived in Merritt Island since 2008; what is being done right now is unfair to the constituents; the Board is not listening; that is its primary role that it represents its citizens within its districts; and she is really unhappy with this result.

Chair Pritchett remarked the Board acknowledged a report; it is acknowledging it has it; the Commission is not for it or against it; and no matter what a person read on Facebook, it is the truth.

Gregory Sakala stated he moved to Merritt Island in 1978 when he went to work at the Space Center where he worked for 40 years; before that, in the late 1970's, 1974 to 1978, he was a councilman for the City of Hialeah Gardens in Dade County; they were 2.6 square miles, 1,800 registered voters, and about 4,000 population; and he helped write the 1977 budget. He went on to say the total budget at that time was \$897,682; that was 50 years ago; that number today would be \$10 to \$15 million for a town 1/9th the size of the report stated people; just the general city government was \$105,000; and that would be \$1 to \$1.5 million. He noted the police department was \$307,000, they had 15 officers; they had less officers on duty than is in this room right now on any given shift; and if it cost the city \$900,000 to supply services to 1/10th of the population, the study's numbers are wrong.

John Weiler stated he has reviewed the Merritt Island feasibility study; from his standpoint, he considers it a fantasy report; from what he can tell from the report, it does not meet the

requirements of the RFP; it does not meet State Statute; and it does not list major reasons for proposing a boundary change, and a statement of when an actual development is expected. He went on by saying a five-year operational plan, including staffing, building, acquisition, debt issuance, capital expenditures, and a budget is not there; the bottom line is a small group of biased people got this study funded; he is asking the Board to reject it; he is here speaking, but the Board already voted before they got to talk; and many of them on Merritt Island who have lived there for decades do not want another layer of government with additional taxes, fees, and regulations. He stated the Board may ask why it is a fantasy report; he asked the Board if they believe that five people can run a city of 45,000 people; he stated the City of Cape Canaveral has less than 11,000, and they have 53 full-time employees; the report is a fantasy, it is a farce, the Board should never have paid for it, and it should never have authorized it; and it was an illegal action in his opinion.

Sandra Sullivan stated in five years she does not ever recall the Board taking a vote before the citizens have had a chance to speak; the appropriate response today would be to terminate this contract for non-performance; it did not meet the conditions of the RFP; and it did not meet the conditions of the State Statute. She went on to say in text messages to District 3 Commissioner, she had that this was a poorly written report; in her conversations with District 4, she said this did not meet the requirements of the State; she asked why this was approved today; she stated when Grant-Valkaria did their incorporation study, they paid for it; and the County did not pay for it. She inquired why when the County was contacted in November it did not put this to an Agenda Item in January; she commented according to Policy BCC-97, the Board is not allowed to take a vote under Public Comment; this was snuck through without the people knowing; and she asked why the Board did that. She advised in 2012 a vote was rescinded for a feasibility study; in five years coming to these meetings not once has she ever seen a vote rescinded, so that was a really big deal; she asked what the appropriate next step is; she stated according to the procedures document, for Port St. John, they did a referendum to the people to let the people decide if they wanted a feasibility study; and this study is for special interests. She continued by saying in the RFP there is special interests, namely Amazon as a contact that is on that committee consulting with BJM; this is a biased report; and the Board should be ashamed.

Michael Wilson stated he is a resident of Merritt Island and the Chairman of the Space Coast Patriots; he asked why the Board would have public comment if it does not want to listen to the constituents before it votes; he stated that is simply bazaar; and it makes no sense. He commented beyond that, accepting this study is a farce; this study is a joke; he wants to read to the Board one thing; the Board Members should have all read this study very carefully, and should have analyzed it. He noted the Commission is the people's representatives; the Board is supposed to represent them; but all it has done so far is to consider having another meeting or leaving it up to the State Legislature; on Page 4 of the executive summary of the SWAT analysis, it says, "We're going to create an innovative type of local government. It is going to be a prototype;" he noted he is in manufacturing; and prototype means an experiment, a trial to see if this will work. He stated if the Board believes the same things about a prototype, it knows this is an experiment; he asked why the Board would accept an experiment for its constituents so that a group of nine people who formed this committee decide for the 45,000 people that he or she is much smarter, and that they know how to run a like government as a prototype or experiment; and he asked the Board to change its vote tonight and not to accept acknowledgement of this report.

Chair Pritchett reiterated whether she likes the report or not, she has it in her hands, and she voted that she received the report; that is all this is; she does not necessarily like it; and the Board has no jurisdiction on this and will not do another darned thing as it is up to the citizens if

they want to use it or not. She stated again the Board is not saying it is behind this or that it likes everything in it, the Commissioners were just voting that it has been received; and it is a housekeeping vote.

Claudette Bish stated she is a resident of North Merritt Island; she has been here for six years; she spent 50 years in Miami-Dade, Broward County; it took her a long time for her to get up here; and she was amazed when she heard this. She went on to say she has spoken to over 30 of her neighbors, people who have lived there most of their lives, and they say no to this; they absolutely do not want anything to do with this about Merritt Island becoming a city; they see what is happening in North Merritt Island right now with the flooding, lack of roads, the traffic jams, and that stuff; and she reiterated she came from Broward County, she saw what the developers did, and what they are going to try to do here, so they say no.

Rocket Weiler stated she has lived on South Tropical Trail for 34 years; she has seen her neighborhood go from orange groves to suburbs; as painful as the loss of nature and agriculture has been, it would be far worse to see commercial buildings and high-rises popping up spoiling the character of her home; growth and development does not benefit citizens, it only benefits the politicians who are pushing it; when a small group of opportunistic outsiders conspire to push urbanization against the wishes of citizens who actually live here, that is blatant encroachment; and they, the Islanders, will not abide such callous steamrolling. She went on by saying they like their Island just the way it is; they are wise enough to realize that big government is as pernicious as citrus canker and for the same reasons; uncontrolled government bloat must be vigilantly fought; and she is proud of all of her fellow Islanders for standing up to the ruin of their piece of paradise.

Katie Delaney stated she agrees with some of the constituents, as she is pretty disappointed that a vote was made before the people were even heard; that is literally the Board's number one job as representatives to hear the people and vote thereafter; as far as the feasibility study goes, the city charter does not match up with the feasibility study, so if they are not consistent, there is already issues; and the technicalities of this study is messed up. She went on to say that it was just approved knowing there are mistakes . . .

Chair Pritchett advised no, the Board did not approve it, it just accepted the study.

Ms. Delaney pointed out the Board should not have accepted it in her opinion; and the Chair is taking her time, she is so sorry.

Chair Pritchett noted she will add the time on; she cannot tell the audience enough on that; but she cannot argue this, so she is just going to let Ms. Delaney say it.

Ms. Delaney continued by saying the fact the public gets stopped all of the time while they are speaking is not right; they are the public, they are the ones who the Board serves; now she has lost her train of thought; that is why it is not okay for elected officials to interrupt the public as they are speaking; and she asked where is the transparency in any of this.

Jack Ratterman stated he moved there when they had three paved roads, so he hopes he has an idea what is going on; he will tap into what Commissioner Tobia said about school, when he went through school he was an honor student at Merritt Island High School; as a history teacher, he thinks he has some ideas and fears about groups that meet in private, not in the light of the day; and a person does not know who the members are or what their background is. He explained when that happens, there is no good that ever comes to that, that he ever remembers in history; that is what happened with the preservation group; the only reason that

Merritt Islanders would vote for incorporation would be to slow down the development; development and flooding are their two big issues; when going to a seafood restaurant, a person may find one catch of the day, and the others are Alaskan King Crab and Mahi Mahi; and he asked if the river cannot be cleaned up, how is the city going to clean up this island. He commented the hottest place in Hell is for the people who ride the fence.

Don Bricker stated he respectfully takes his name off for speaking; and the Board Members already have enough egg on his or her faces.

Coleman McCaskey stated basically, he likes his neighbors; he had some idea that Merritt Island Redevelopment Agency (MIRA) existed, and it makes sense to guide growth along commercial corridors; like his neighbors, he had no idea a pack was recently formed under the name of MIPC, which is thinks is the Merritt Island Preservation Committee; it seems like instead of preserving community values, by its actions it seems like it is dead-set on higher property values; so far it appears that Merritt Island Redevelopment Agency (MIRA) has created a lot of confusion via the many versions of the feasibility study; but confusion is exactly what is needed to push something through this quick. He noted the document has many versions, no version numbers, changed daily up to the date of submission, and they did not have a lot of time to study it; he is not going to lambaste it anymore as it has pretty much been done; one thing that hit him is there is a city on the west coast called Listeria; and it looks like they are using the same playbook with the same players as is being used here. He pointed out a boogiemans is created, and over there the boogiemans was the Bonita Springs Annexation; Brevard County is the boogiemans here; they are creating a false tension to rile up the emotions of the citizens to demand change; all of the narratives are in place, so when the solution that appears, on the surface to slow development, it will actually proceed at a record pace; next to run incorporation through at light speed while the narrative was that it was a grassroots movement; and it was, in fact, ignited by a well-oiled machine like the Merritt Island attempt.

Tony Falanga stated he has been a resident of Merritt Island for over 45 years; he would like his fellow residents to ask the Commission for change; this feasibility report should have never even been addressed until the majority of the residents of Merritt Island agreed to it; it is really that simple; since the study was paid for by Merritt Island taxes, the residents should have been the ones that officially requested the study; and if someone else requested the study, they should pay for it. He went on by saying he read the study and it did point out some short-comings in Merritt Island, no different than any other community, Cocoa, Rockledge, or Titusville; the short-comings can all be addressed by the existing government means and the taxes if properly managed by the government agencies; and these were the taxes paid for by Merritt Island residents for their community. He advised fortunately, this is just the first step; MIRA or any other organization that pursues the system has to start here; he asked the residents to ask the County Commissioners to change the existing requirements so that the majority of the residents make feasibility studies in behalf of their community; second, send a message that incorporation is not a vote wanted on the November 24th ballot; and avoid the further loss of taxes.

Elizabeth Michelman stated about two and one-half weeks ago she found out that Merritt Island was considering incorporation, or some people want them to consider it; she is here with both Republicans and Democrats and it is something they all agree on; the Board has done the amazing, and she is proud of it; however, now that the Board has passed this without even letting them speak, she does have a question; and she asked what is the consequence of the Board's acceptance, and have the Commissioners just legitimized this report. She advised some of the Commissioners are shaking his or her heads, but she does not agree with them; the Board has just given it legitimacy, so now BJM can come talk with the people about their



findings; there are a lot of smart people in this room that have told the Board it is a farce; the numbers are wrong, the information is incorrect; she asked why on the first page does it say they have 44,000-plus people who live on Merritt island; they do not; and according to the U.S. Census, they have 34,000 and change. She asked why that number; she stated there are issues that maybe there needs to be 1.5 people per acre in order to actually become a city; she asked do they meet the requirement; she noted there are so many more questions; she asked when the Board says they are going to vote on it, but Mr. Barber who is literally stating he is going to do politicking, what does that mean; and she remarked it means they are getting screwed. She stated she is not in favor.

\*The meeting recessed at 6:54 p.m., and reconvened at 7:04 p.m.

Deanna Reiter stated she has lived in Florida for 33 years, 18 of which were on Merritt Island; if Merritt Island becomes a city, which she hopes they do not, she is worried about higher taxes, bigger government, private property rights, which is her very favorite thing in the whole world, big companies kind of pushing out the smaller companies, and low-income housing; she heard low-income housing was one of the priorities she heard they wanted; she is just wondering where that would go; and that opens the door to other issues like schools and all kinds of different things. She went on to say also what worries her is the reduction or change of their services; that concerns her because one of the things she would hate is to lose Sheriff Ivey; she loves that man; he is just so good; and he does so much for them. She pointed out she does not know how the system could work, but she understands he could get flipped away from them, and they would not have him anymore.

Commissioner Goodson stated since he was elected in November, and the way it sounds everyone talked about development, there has been three things permitted on Merritt Island, other than single-family homes; a Wawa on SR 520, a car wash on SR 520, and apartments by Veterans Memorial was permitted; if a person knows anything about permitting, like building docks on the river, people have to go through the Army Corp of Engineers; it takes a lifetime, they move like a glacier; to get a permit in this County to build a subdivision, a person has to go through John Denninghoff, Assistant County Manager, who is second worst to the Army Corp of Engineers; and he asked people who lived on Merritt Island for a lifetime cannot raise oranges, do not have enough land to raise cows, so if they do a planned community and want to make money after all of these years, what is wrong with that as it is the American way. He went on to say for people to be prepared to look in the mirror sometimes, but to at least give his or her neighbor consideration and listen to them.

## **H.2. Approval to Issue Solid Waste Management System Revenue Bonds, Series 2023 within the Parameters Established by the Board of County Commissioners**

Tom Mulligan, Solid Waste Management Director, stated this Item is regarding financing of the Solid Waste Management systems capital improvement program; in the Item, four requests are being made; it is requesting the Board establish the parameters for public sale of the Solid Waste Management System Revenue Bonds, Series 2023; that includes a not to exceed \$55 million aggregate principal amount; they are requesting the Board to approve the amended and restated Solid Waste Management System Bond resolution and supplemental resolution; and to authorize the Chair to sign those resolutions. He went on to say they are requesting the Board delegate authority to the Chair for the authorization, execution, and delivery of a purchase contract with the underwriters of the Series 2023 Bonds; and they are requesting that the Board authorize the County Manager to make the necessary budget amendments to recognize the bond proceeds, and to establish the funds and accounts required by the System Revenue Bond resolution.

Sandra Sullivan stated looking at the numbers, they all are supposed to be fiscal conservatives, when a budget is done, the most conservative numbers are supposed to be used, not the pie-in-the-sky numbers; looking at what the impact fees offset this debt is, it is at two and one-half times over five years; it is a 255 percent increase in impact fees, so either the County is planning to increase impact fees, which she would love nothing more, because impact fees have not been updated in 32 years, or the transportation ones in 23 years, or it is planning on having a heck of a lot of development in Brevard County, in fact, 255 percent; now that is a pie-in-the-sky number from her perspective, because it is unrealistic; and she asked what happens if the market takes a turn. She pointed out this is not fiscally sound; this is like the Board did, in her opinion, with kicking the can down the road on even starting a dump to where it is much more expensive, double the costs; the County waited almost until it ran out of space at Sarno to start building a dump that takes five years; the County is kicking the can down the road hoping it will have that level of growth, 255 percent over five years, so it can pay off over \$55 million in debt, which it will need every cent of, because it is right now trucking trash to the most expensive facility it has, an industrial dump, which is much more expensive to build; and she is very disappointed.

The Board established the following parameters for the public sale of the Solid Waste Management System Revenue Bonds, Series 2023 (Series 2023 Bonds): not to exceed \$55 million aggregate principal amount, an underwriting discount (including management fee and expenses) not in excess of 0.40 percent of the par amount of the Series 2023 Bonds, and true interest cost for the Series 2023 Bonds of not exceeding 5 percent, and the final maturity being no later than September 1, 2053; the Amended and Restated Solid Waste Management System Bond Resolution 23-071, and Supplemental Resolution No. 23-072; authorized and adopted the Resolutions; delegated authority to the Chair for the authorization, execution, and delivery of a purchase contract with the underwriters of the Series 2023 Bonds within the parameters established by the Board; and authorized the County Manager to make the necessary budget amendments to recognize the bond proceeds from the issuance of the Series 2023 Bonds, and establish the funds and accounts required by the Amended and Restated Solid Waste Management System Revenue Bond Resolution.

**Result:** ADOPTED

**Mover:** Jason Steele

**Secunder:** John Tobia

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

**I.2. Approval, Re: FY 2023-24 Tourist Development Council (TDC) Capital Facilities Grant Program Application, Funding, Guidelines, and Committee Score Sheet.**

Peter Cranis, Tourism Development Office Director, stated this is coming from the Tourist Development Council (TDC); it is a recommendation to approve the Capital Facilities Grant program application, funding, guidelines, and scoresheet.

The Board approved the Tourist Development Council's FY 2023-24 TDC Capital Facilities Grant Program Application, funding, guidelines, and committee score sheet; approved funding of the FY 2023-24 Capital Facilities Grant Program applications which shall come before the Board for a final funding approval as the grant application cycle commences; granted legislative finding that Tourist Development Tax (TDT) funds are authorized for each grant pursuant to Section 125.0104(5)(a), Florida Statutes, and Section 102-119(3)c of the Brevard County Code of Ordinances, because each grant supports an activity or event which has as one of its main purposes the attraction of tourists as evidenced by the promotion of the activity, service, venue, or event to tourists from outside of Brevard County; and authorized the Tourism Development

Director to negotiate and sign all necessary grant agreements and related documents, upon approval by the County Attorney's Office, Risk Management, and Purchasing Services.

**Result:** APPROVED

**Mover:** Tom Goodson

**Secunder:** Jason Steele

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

**Nay:** Tobia

**I.3. Approval, Re: Tourist Development Council FY 2023-24 Cultural Support Grant Program recommendations.**

Peter Cranis, Tourism Development Office Director, stated this is another recommendation coming from the Tourist Development Council (TDC) to approve 25 cultural grants with the total amount of \$530,000.

Chair Pritchett provided information to the Board; she stated a while ago the Board was discussing using funds that had built up in the cultural account to move to capital projects and maybe some other projects, such as lifeguards; the last time she told the Board she was not going to vote for anymore of the cultural funds, because she does not like what the County is doing with them; she does not think the County has the right flow with what it is doing the same things over and over; the world she lives in, people vote with their money; and if they do not show up by now voting to keep something, it might mean they do not care enough about it to keep it. She noted that is part of her heartburn; she has been on the Board for a while; at first she was learning it; then there was a couple of times that it was doubled because they had extra funds, and Commissioner Tobia caught it; and it is taxpayer dollars. She noted the Board has to be good stewards of the money; she is looking for the best return on investments as far as these funds; she has been talking to the County Attorney a little about this; at the end of this year there is going to be \$1.4 million in this account; and what can be done is to move this over to the marketing dollars. She explained the County is allowed to do that; it has to use up to 10 percent of the first two pennies, but it does not mean the Board has to do it, so it can be moved right into marketing; she believes the marketing funds are going to get a better definition from the County Attorney; but, as of right now, he thinks that it is doable, that the Board can use that to pay for the lifeguards the County need to pay for; and if people are not surviving Brevard County beaches, it is going to clobber its tourism. She added if the County had a couple of projects that are fairly good, she thinks it is better they get reimbursed out of the marketing funds for marketing done outside of Brevard County if it is truly trying to get heads in beds; if there are some good projects and that needs to help increase the size of the project, then the Board would kind of take care of things like maybe something good going on like airshows; she feels a lot better giving a reimbursement on marketing they do; these are her ideas, and she thinks they a good ones; and so the Board knows, she already said this the last time this was discussed, she will not vote for anything else it does in the cultural funds, because she is not comfortable with them. She pointed out this is a good solution, it saves the County a lot of money, and it takes care of the lifeguard situation.

Commissioner Tobia advised he had gone in a much more specific route, focused this in on lifeguards; he likes the way Commissioner Steele had gone with this in finding a way to do it; however, Chair Pritchett's plan is better because it offers more leeway, so the Chair has his full support on this; he also expressed his appreciation to Commissioner Steele for putting that out there, because he thinks this is a plan that could not only help the County but help the cities as well; he stated this is collected within the municipalities; and he did not think there was an alley

for that, but he was absolutely wrong. He noted he will be supporting the Chair's proposal; it is better than his; and he again expressed his appreciation to the Chair for her leadership, as well as Commissioner Steele for bringing up the idea that the County spend resources to fund lifeguards.

Commissioner Feltner stated he was thinking the same thing over the last week; he stated his appreciation to Commissioner Steele for bringing back this important issue; if the County markets the beach and lifeguard services, then it can use Tourist Development Taxes (TDT) for paying for lifeguards; he asked the County Attorney to give clarification; and then he has a follow up.

Morris Richardson, County Attorney, advised he will be bringing back to the Board the requested report at its meeting on the 22nd; initially, yes, the Board is allowed to use the marketing portion of the funds; it is allowed to use them on activities, services, venues, and events as long as the activities, services, venues, and events has as one its main services attraction of tourists as evidenced by the promotion of the activity, services, venue, or event, lifeguards, beach safety, things of that nature to attract tourists, and to prevent the perception that this is a dangerous place to come; and it can qualify as long as it has been promoted and marketed to draw tourism.

Commissioner Feltner stated in this motion that Chair Pritchett has, a portion of this will be spend on marketing the beach and lifeguard services; and he asked what portion of that is the County able to use for the lifeguards.

Attorney Richardson replied he has not talked dollars, because he needs direction from the Board, so he has not talked figures with Mr. Cranis and what this would mean; but the idea is the Board would allocate a certain amount of funding to the service, and then it would use some marketing funding to advertise and promote the existence of that service.

Commissioner Feltner stated he is ready to vote tonight this way, too, if the Board can clearly say that of this amount, so much is going to have to go to marketing Brevard County's beaches and lifeguard services, and the other portion can be spent on the lifeguards.

Frank Abbate, County Manager, explained depending on what the Board direction is, he thinks it can do up to the full amount going to the lifeguard services, as long as in the marketing, in the dollars that are currently allocated, it is doing a sufficient amount, and that is what would have to be looked at, of advertising that markets the beaches and those lifeguard services; and it could be even be tweaks of some of the marketing that is ongoing, and then all of those funds could be used if that is what the Board chose to do.

Attorney Richardson pointed out that is exactly right; the Board can even go beyond that; but it can certainly use whatever it is transferring over; and then it would not be impacting the marketing the Board is already doing.

Commissioner Feltner inquired if any TDT then be available for lifeguards in the municipalities, or is this only unincorporated Brevard potentially.

Attorney Richardson responded a little bit of a spoiler, he knows the direction for the report was to do this in unincorporated, but the Florida Constitution says when a countywide tax is collected, it cannot be used exclusively for the benefit of the unincorporated, so the County would necessarily have to spend some of that in the locations in municipalities; the Board would have discretion in terms of do not spend it where it is not needed; but the Board has a report

that has identified some localities and municipalities where lifeguards are needed, so if lifeguard services are funded with TDT, that includes funding lifeguard services within municipalities as well, or else the Board cannot do it.

Chair Pritchett asked if the Board can determine the amount in each area.

Attorney Richardson advised the Board can as long as it is not arbitrary, as long as it is based on need and things like that.

Commissioner Goodson stated he would like to consider a motion to table this until staff tells the Board how much money, if the cities are going to be responsible for any kick-in, and that way, because the Board just got through a long session where people were saying it votes without knowing what it is voting on, so he would like to table this until there is an understanding of how much money and where it is going.

Chair Pritchett advised she already has the data.

Commissioner Goodson stated it is a quick vote if the Board is going to throw it on the table and expect him to vote on it.

Chair Pritchett stated her main vote is that she is not going to spend any more money on cultural, she already told the Board that months ago, so she thinks it needs to be moved somewhere where it is a little bit more responsible with a return on investment.

Commissioner Steele stated he had a motion, but this is much better than he could imagine; he knows the Chair is not interested in any more cultural grants; he knows if he could have gotten away with that earlier on, he would have eliminated the cultural grants totally himself; but the bottom line is the Commission has to let these people know, who thought they were going to potentially get, because of the recommendation of the TDC, some monies; and he asked what would they do, would they be able to come in and ask for some of these monies.

Chair Pritchett replied her thought on that is to go to the marketing and get reimbursed for marketing, if it is marketing out of Brevard County, so that was her thought of giving some help there, some love, if the County is truly doing the heads on beds.

Commissioner Steele stated in going with Commissioner Goodson's proposal on tabling it, and he appreciates that, but just to let the Board know, he has sat down with the County Attorney, County Manager, and a variety of other people in regards to being able to get to this particular point; the amount is very simple \$1,440,000; the County Attorney tonight said the Board can use as much of it as it wants as long as the County is fair to the cities; and some of it can be done with marketing and some of it for the actual lifeguards. He noted he can see the advertising is the Board has people's backs, to come to Brevard County where he or she is safe; Ron Jon's has offered to potentially contribute some additional money to the County for the Drown Zero Program, so a lot of good things can happen with this; he would love to walk away from here tonight with this proposal accepted and approved; he does not know what good it would be to table it because what is being talked about is \$1,440,000, and that is the basis for the number; the County Attorney said the Board can use the funds; and he does not know why it would be delayed.

Commissioner Tobia stated he thinks the Board is really very close here; Commissioner Goodson's suggestion to table is not unwise; but moving it over to the marketing portion does not signify the Board is providing X in marketing and Y in lifeguards; he thinks it is very similar

and the Board will end up in the same place; his numbers are a little bit different; the County is expected to collect \$1.08 million in new revenue from these two pennies, or 10 percent of the two pennies; and there is also \$962,000 in carry-forward, so it is a little over \$2 million. He continued to say by looking at the lifeguard study the Board had before, including the capital, it is about \$3.4 million in total, so that would be somewhere in the neighborhood of 30 percent coverage; initially, he was not too interested in covering the cost of the municipalities; but unfortunately, the Florida Constitution screwed that idea up; and wisely so, he thinks the Board should spread the wealth, and this would allow the Board to do that. He pointed out when the Board asks for a pay-in, the County can provide some of that; he agrees with Commissioner Goodson in not voting on the specifics of which goes to marketing and which goes to lifeguards right now; that is what actually his motion did; and that is why he said that Chair Pritchett's idea was wiser, because the Board would be just putting it in that bucket; and the report the Board gets back from the County Attorney in two weeks, it can help determine how much goes in one, or it may even punt it to the TDC to ask what their opinion is and then make a decision. He advised he would not vote for it individually, but putting it in that bucket, again, is a wise idea; and he thinks tabling it and putting it there are very similar.

Lisa Campana stated she appreciates the Board is not giving any money to the cultural development; however, she does not want to push it down the road either; she does want to expose the sexualization of children that goes on with the space coast events that they put on that some of the money was a grant they had asked for; she attended the Space Coast Pride Festival last year; and what she witnessed there was absolutely sexualizing children. She went on by saying the City of Melbourne failed to properly permit the event; there were many violations; one of them was they did not reveal all of the vendors names and what they were supplying; they were giving out sexual toys to children; and there are more things if the Board wants to ask her personally, she will say it as it is very embarrassing to even mention what they are giving to children. She noted the children fell through the cracks due to the City of Melbourne's neglect; they should have never been given those permits, and she would like to recommend that anything that involves children, is sifted through a very fine comb when it comes to funding . . .

Commissioner Steele asked if he can say something.

Chair Pritchett asked if it can wait until after the speakers.

Commissioner Steele replied he thought if he said it, that it might stop all of this, because this is a moot point at this point in time.

Chair Pritchett noted the Board is not voting on it.

Commissioner Steele advised the public are welcome to comment, but it is a moot point, the Board is not going forward with cultural grants tonight.

Chair Pritchett pointed out Commissioner Steele is correct.

Commissioner Steele stated if they want to get it off of their chest, fine.

Frank Campana stated he would like to speak about future things that down-the-road may happen; he is the father of nine, and the grandfather of 15 children; he goes down there to preach the gospel; he wants to give those people the good news; they go down there with a gentle, loving spirit; and what he saw down there, he has been doing this for three years, and there are a lot of confused children down there. He went on to say the suicide rate is the

second highest amongst all of the children from ages 15 to 19, so when they go down there, all they are trying to do is, he saw a lot of confused children; there are 107 different genders out there; these children are tremendously confused and looking for acceptance; and what they do is to go out there and to give them hope. He commented what he saw out there is the perversion and the indoctrination of these young youths; these are children being talked about; the parents drop the children off thinking it is a family-friendly event, and it is not; just because he was preaching the gospel, they were handing him vile things, which he will not even speak of; and he is just letting the Board know this. He stated some of the things that were handed to the youth, he went out there to talk to the other youth, was offensive and repulsive; as a Christian man, he sees they should not be parading around their sins; God resists the proud but he gives grace to the humble; they should be a nation of humble people loving God and God's way; he loves those people down there, that is why he goes to preach the good news; but he also loves the children and he does not want them to be indoctrinated. He advised they need some help; there used to be a thing, Klinger was Section 8; he was trying to be mentally unfit for service; that is what a man wearing a dress trying to reach children is, he is mentally unfit; he is putting it before the children's eyes; and it is indoctrination to perversion and pedophilia.

Michael Adkins stated he does not want any of his tax dollars going to any kind of pride event; he grew up here; he was in drama, theatre, and choir; he knew plenty of gay kids; but he remembers growing up, the debate about civil unions, and being told yes, this is all they want, it is fine; he said, why not, he is a libertarian, he does not care; and he was very surprised when it turned out not to be enough and they wanted this. He pointed out as soon as gay marriage came around, people were literally going door to door trying to find people they could persecute and attack; at every single stage over the past 20 years he has found himself feeling more and more like a fool when he was young, because every ounce of kindness that was given was turned into a weapon to hurt people; he does not want that coming to his town where he is raising his daughter any more than it already is; the Board is tabling this, which is cool; but he can also remember some years ago when the School Board, just across the street, had a proposal that was pretty unpopular; the room was absolutely packed; and a person could not find a seat as every place was filled with people. He went on to say every single voice opposed the proposal; the School Board said no, they were not going to do that; a couple of weeks later they had another meeting; announced it on the end of the agenda; and the very thing that the room was filled to the brim with people saying he or she did not want this, was passed. He mentioned he hopes going forward he deeply hopes that is not the intent going forward by tabling this tonight.

Rachel Ruberte stated she does not think the citizens' tax dollars should be funding cultural grants in any way, especially not organizations like Space Coast Pride who as recipients have promoted a celebration of sexual preference and perverse behavior in front of the eyes of the children through pride celebrations and drag queen story time; she thinks it is extremely inappropriate; and it is important to remember, there is no place in Brevard County for this.

Seth Tweeddale stated he is a pastor here with Suntree Grace in Melbourne; a lot of these people are church congregants who came out; they were actually street preaching at the Space Coast Pride Fest, and they witnessed it all; the City of Melbourne went against them; he is so encouraged that the Board's decisions here to not go forward with these cultural things; but then they transferred their culture to what type of culture do they want to establish here in Brevard County; and the County wants to establish the culture of life with lifeguards and things. He went on by saying another thing he would like to push as well, if a culture of life is going to be established, is establishing a culture of life that begins with the preborn; he would love for Brevard County to be a sanctuary for the unborn; right now there is no abortion clinics here, but

Florida is number three when it comes to abortions; with all of the Republican establishments, it is unacceptable; what is being pushed now is for sanctuary cities for the unborn where no abortions are performed; and right now over 50 percent of abortions are performed with the abortion pill; and he would like for the Board to consider using that in its marketing to say it is a County of life, a sanctuary city for the unborn, and no babies are being murdered on its watch. He noted by God, people will be judged by what they do with their children, the sexualization of Space Coast Pride, and the murdering of the babies in the womb that are being done by the citizens.

Katie Delaney expressed her appreciation to the Board for allocating the money to something more productive for the community; and she stated when the Commission does something great, the people want to make sure they express their appreciation, and that it listens to the people, just like when it does something they do not like, the people should say so as well.

Ruth Kaufhold, Director of Brevard Citizens Defending Freedom, stated their mission is to educate, equip, and empower American citizens to stand up for and preserve freedom for themselves and future generations, to resolve breaches of freedom and liberty through local awareness, local light, and local action; she is a child of the most high God, the great 'I am'; she is a sister to the Lord Jesus Christ and she is a student of the holy spirit of the great 'I am'; she is not confused about her origin or her identity; and she is an American citizen who believes America was founded on the principals of Christianity from where people have their moral foundation, the holy bible. She went on to say she is not without sin either, but she recognizes that a religion and morality are the indispensable supports the education of citizens to know right from wrong, and to move that forward in government; this situation with Space Coast Pride was known to her about their activities in years past; they hosted their own festivals and such around the County, especially in the City of Melbourne; but now the Brevard County Commission was considering providing them a grant of \$15,000 of the tax dollars of the citizens of Brevard County; and she is not sure exactly what is to be proud of in an organization that promotes sin, unlawful, and lude behavior in front of the children. She advised unlawful and sinful behavior never results in anything positive; the results of actions tonight will result in same activities happening around the country if that was to happen or is considered in the future; they do not want people parading around naked in the city in front of their children; and if someone wants to have an alternative lifestyle, they should pay for it on their own.

Pamela Castellana stated it is an interesting dance tonight; she finds it curious that each Commissioner appointed representatives to the TDC, and apparently he or she opposes every suggestion that the TDC has made; the idea of funding lifeguards sounds great; she has six grandchildren, three of whom live at the beach; she would love to have safer beaches; and the seven grant proposals being debated tonight is a total of \$105,000. She went on by saying according to Commissioner Tobia's math, the County will still have around \$2 million for those lifeguards; Pride Fest meets every requirement for the tourism grants, period; Melbourne Police Chief Gillespie walked the entire route many times; he watched Drag Queen Story Hour with her, as did former Chair Isnardi's husband, the event that seems to be most obsessed with, and found no illegal activity; she asked him if he witnessed any illegal activity which would be illegal today under the new LGBT legislation passed by Florida's State Legislature, with the support of every Brevard County Legislator, the only answer he could possibly give is no; and the Board knows this. She explained Drag Queen Story Hour features a Mother Goose looking performer dressed from neck to toe reading a book on welcoming everyone; she reiterated, she knows because she was there; Commissioner Steele said he would support pulling cultural grant funding for organizations that attract between 1,000 and 2,500 out-of-County visitors, which is literally the requirement for the \$15,000 grant; other cultural icons in the County are listed, including the Melbourne Art Festival, Surfside Playhouse, saying they want to find a way



to resolve this peacefully and without conflict; there is nothing to resolve; and the seven organizations met the requirements, none of them are in violation of any law, the funds are available, and the only possible resolution is to leave the grants in place, or the Board can tell the businesses in downtown Melbourne that an extra 1,500 to 2,000 visitors a day are not worth it.

Rob McCarthy stated he is a Brevard County parent of three school-aged children who is very concerned after hearing there will be a vote to have tax dollars fund Drag Queen Story time; there is no place for this slippery slope of child pedophile grooming here in Brevard County; this is vile and unacceptable; grown men need to keep their cross-dressing fetishes in their own private adult life, and far away from children; and no one cares what adults do in private. He pointed out they are hell bent in gaining access to the kids, and Brevard County parents will not tolerate this; he asked the Board to please support its parents, and help protect the children; not only is this disturbing and inappropriate in of itself, but make no mistake, these people will not stop until Brevard County ends up like New York where tax dollars are paying grown men in women's underwear to do strip dances in front of children in public schools, or California where teachers are telling kids not to use the word 'pedophile' because it is mean and hurts pedophiles' feelings; he expressed his appreciation to the Board for voting against this; and he noted the overwhelming majority of voters will appreciate and remember this.

Sandra Sullivan stated the history of the lifeguards is that, as stated on this Commission numerous times over the last five years, it wants to get rid of the Brevard County Parks and give them to the municipalities, so it can get rid of the liability; she saw that Brevard County had parks that are charging for parking, parks that the County gave cities, that are now charging the residents for parking, they are premium parks; and the County is paying for the lifeguards. She continued by saying the County did not get rid of the liability, it is continuing the liability; in March the Board had a meeting, and the idea was for parks that are charging for parking that they would pay a greater share; it was a great meeting in March and progress was made; her concern when District 5 Commissioner was appointed, is he would bring his lobbying to this bench, to this dais; and her concern with District 5 lobbying is in the meeting in March, Satellite Beach also wanted lifeguards this year. She added that was a key point; what this appears to her, based on the legal opinion that was given in March, is that the Board could not use the TDC funds; all of a sudden that was switched, and now suddenly the Board can; and she asked if this is lobbying from the dais for his three cities that he represented.

Commissioner Steele stated he is sick and tired of Ms. Sullivan's accusations that he is lobbying for the City of Satellite Beach; he asked her to keep her opinions to herself; he pointed out he resigned his position as a lobbyist period; he is doing the best job that he can; and if Ms. Sullivan keeps it up, he will file a defamation of character lawsuit against her. He asked her again to knock it off.

Commissioner Feltner asked if it would be cleaner if the Board did a motion to deny the cultural grants, and to come back; he thinks the Board has a question as to a motion; and that is still out there.

Chair Pritchett stated it can be moved to a marketing portion; the Board needs to come back with recommendations to the TDC, and a discussion needs to be had on how to divvy up those funds; if there are worthy cultural arts, they can always apply for help with reimbursement for marketing if it is bringing heads in beds; she would like to, if there are the votes, to deny the cultural and move that money into the marketing; and then the Board can come back and decide how to use the marketing funds for lifeguards and for marketing.

Commissioner Feltner asked if that is the \$1.7 million or the \$1.44 million.

Chair Pritchett asked if there is a \$900,000 amount in there right now, and if that is correct.

Mr. Abbate advised that is the anticipated cash carry forward; at the beginning of the year if the \$530,000 is added that was in this Agenda Item to the \$900,000, so it would be at about \$1.44 million.

Commissioner Tobia made a motion to deny the Tourist Development Council's recommendations to approve funding for the FY 2023-24 Cultural Grant Program applications; and to direct staff to redirect the funds into the Marketing Budget.

Commissioner Goodson asked if this will be looked at like by the Harry T. and Harriet V. Moore Foundation as discriminatory by cancelling all of these that have already been vetted.

Attorney Richardson replied it is not discriminatory because the Board is not singling anyone out, it is not granting any of the grant awards, so he would be hard-pressed to find any basis to charge discrimination on it.

The Board denied the Tourist Development Council's recommendations to approve funding for the FY 2023-24 Cultural Grant Program applications; and to direct staff to redirect the funds into the Marketing Budget.

**Result:** DENIED

**Mover:** John Tobia

**Second:** Jason Steele

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

**I.4. Approval, Re: Tourist Development Council's recommended funding for Brevard Cultural Alliance Professional Services Contract for FY 2023-24.**

Chair Pritchett advised she thinks it would be better to table this right now seeing that the Board has taken a large portion of the Cultural Alliance professions business away from what they will be doing, so she thinks the Board needs to relook at the service they made; she thinks a while ago she mentioned to them that they needed to find other outside money, and it was a good time to start weaning, so she was not going to support an uptick in the contract anyway; but she thinks in all fairness, it would be good to table this so the Board can find out what services there are and if it is still a service to Brevard County that can be used as government; and she thinks that is just something that should be looked at.

Commissioner Feltner stated he thinks the Board has to continue this to a certain date and time.

Morris Richardson, County Attorney, advised technically, under Roberts Rules of Order, if something is being moved to a future meeting, it is continued; if the Board is going to move a public hearing item that has been advertised to a future meeting, it would state on the record the date of the meeting, location, and time; and for a regular Agenda Item, the Board does not have to do that.

The Board continued the request for approval of the Brevard County Cultural Alliance Professional Services Contract for FY 2023-24 to the August 22, 2023, Board of County Commissioners Meeting.

**Result:** CONTINUED

**Mover:** John Tobia

**Second:** Rob Feltner

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

Mike LaFortune stated his original purpose for coming was to thank the Board for its past and continuing support of tourism development dollars, including going towards cultural activities in whatever form it takes in the process that this is going through; he was a product of Brevard County schools; he moved here in the 1970's; he has been to school in pretty much all of the Commissioner Districts at one point of time or the other, with a single mom; and he was a real handful for her. He went on to say he is 100 percent certain that the reason there is a gate with a key code on the Merritt Island Airport that a person has to unlock to get onto the airport runway is because he and his friends used to go across that runway back in the day; at Merritt Island High School and other entities, the arts really turned his life around; having access to those kinds of programs for kids like him, and kids who do not look like him, who need that in their lives is very import; and he is a living testimony to that. He commented he and his wife came back to this County bringing their out-of-town salaries back to contribute to the community, and to volunteer in the community, so his kid and other kids could have that opportunity that turned him around; when he was doing that, his wife was at Surfside Playhouse finding her voice and herself; his son has volunteered in a number of ways with the schools and arts organizations; and it has given him a productive outlet. He stated now his son is serving in Tallahassee learning about leadership and making a difference; in a County like Brevard, which is a great place to live, great place to do business, low taxation, limited government, and all of the things they care about, but to also have that vibrancy is really important; he was driving with a realtor in the north County during the down years when she was telling him about they could not get doctors to Parrish from Ashville, NC or Raleigh, NC, because the County did not have the vibrancy here; a lot of people worked hard to bring vibrancy to those communities; and that contributed to turning around activity in the North County, a quality of life that brought them and others here, and when the Board is thinking about businesses staying, thinking about the families it needs to attract to create their opportunities, and the tax base for this community, he thinks vibrancy is key. He added it comes from the beaches, from athletics, from the churches, and from the arts community; and he is in support of smart use of the tax dollars in support of culture in the community.

Report, Re: Chair Rita Pritchett, District 1

Chair Pritchett provided the Board with a letter from Georganna Gillette, Executive Director, Space Coast Transportation Planning Organization, asked if she could sign and send to the Office of the Secretary of Transportation; it is pretty simple; but she needs to get the Board's approval for her to send this. She noted it is about Ellis Road.

Commissioner Feltner advised the County is applying for a grant from the Federal government to help with Ellis Road widening; this is very similar to a letter that Congressman Posey sent, he thinks, just in the last week; and it mirrors it.

The Board authorized the Chair to write a letter to the Office of the Secretary of Transportation in support of a grant for the Ellis Road Widening Project.

**Result:** APPROVED

**Mover:** Rob Feltner

**Second:** John Tobia

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

## **K. PUBLIC COMMENTS**

Chairman Pritchett passed the gavel to Vice-Vice Chair Tobia.

Vice-Vice Chair Tobia today, according to nationaltoday.com is National Sneak Some Zucchini onto Your Neighbor's Porch Day; those images in the slides were not generated by him, they are AI generated; useless Florida fact is Carrabelle, Florida, which is in the Panhandle, has the world's smallest police station located in an old phone booth; and the Board has more deputies here than would fit into that phone booth. He went on by saying this day in Florida history, the Florida Legislature adopted a State seal; most importantly County employee recognition is for Lauren Holman; she is an Engineer III in Public Works; she has served the County for over six years in the Development Review Group; she has consistently stepped up to provide leadership and training to junior staff, she is always professional and friendly, and is a great example of what a County employee should be; and she is a loving wife and mother of two. He advised she is not here today because she is with her two kids for parent/teacher time, so she has prioritized and has done so very well; she enjoys running and traveling with her family; she also volunteers to coach her kids' school cross-country team; and she is another great County employee.

Sandra Sullivan stated she would like to talk about the wetlands and flooding in North Merritt Island; in coming here for five years, what has citizen-driven, filled this room more than any other issue has been flooding on North Merritt Island and into Merritt Island; she provided the Board with a picture of a national wetland inventory; she pointed out Merritt Island is like a big bowl; and when it gets rain, even like in the last two weeks, they get flooding. She provided a document with the number of complaints; she stated in 2017 when the County had Irma, they had 58 complaints; last year when the County had Hurricane Ian there were 79 complaints; and there is a trend upward. She stated she found it interesting when talking with Joe from BJM; he told her the greatest issue to incorporation was the flooding impacted by Federal interests; she did not really understand that until she started digging into it; there are a lot of reports on the flooding; this is just a 10-year storm, which happens more often than 10 years; and looking at the document, houses are underwater. She showed the Board another document; she stated with this one, the recommendation was to reduce the density from one unit per acre to one unit per two and one-half acres; there is also a 2018 study where a person can see in the red is a coastal high hazard area; and that is in the very north, so the boundary starts at Nasa Boulevard. She added this document is from the North Merritt Island Special District, and a person can see it includes the Federal lands in the Merritt Island District; but BJM removes that; what is not in that study is why they removed it; and hence, it is a violation of State Statutes.

Upon consensus of the Board, the meeting adjourned at 8:01 p.m.