

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, May 23, 2023**

**9:00 AM**

**Commission Chambers**

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

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

**C. PLEDGE OF ALLEGIANCE**

Commissioner Goodson led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL**

The Board approved the April 18, 2023, Regular Meeting Minutes.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** Rob Feltner

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

**E.1. Resolution acknowledging National Public Works Week**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 23-046, acknowledging May 21, 27, 2023, as National Public Works Week.

**Result:** ADOPTED

**Mover:** Rob Feltner

**Second:** Tom Goodson

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

Marc Bernath, Public Works Director, expressed his appreciation to the Board for the Resolution; he stated with government investment and services, infrastructure, and utility investments throughout the 1930's, the course of Public Works and the trajectory of the shared history changed dramatically over the last near century; in 1937, a group of Public Works leaders formed the American Public Works Association (APWA); in 1960, the APWA received an official endorsement from the U.S. Senate to organize its first National Public Works Week, as a celebration to raise awareness about the important work done by the Public Works professionals; and since then, the Public Works Week has grown into an international event that celebrates the contributions of those who plan, design, build, operate, and maintain infrastructure and public facilities that keep the communities running smoothly. He continued by saying Public Works, in this context, is not just defined by the Department he leads, but rather the broader community of professionals that help provide infrastructure, water, wastewater, stormwater, solid waste, and many other related tasks; the staff behind these essential services are what makes the community a great place to live and work; to that end, he is present on behalf of the four County Departments that lead these tasks and the nearly 750 employees combined; the men and women behind him represent these Departments and are professionals on the front-lines, not just Monday through Friday, but also during emergencies and natural disasters ensuring that critical services continue to operate even in the most challenging of circumstances; and this year's theme 'Connecting the World Through Public Works' highlights the way Public Works professionals connect people physically through infrastructure and inspirationally through services to their communities. He commented by recognizing Public Works Week, the Board is acknowledging the hard work, dedication, and expertise of these professionals; they are also reminding themselves of the importance of investing in infrastructure and the people who maintain it; without their tireless efforts, the communities would not be vibrant, connected, and the safe places people call home; and for those listening

in the chambers or online, if they believe they have what it takes to make a difference in the community, or know someone who does, please go to [brevardfl.gov](http://brevardfl.gov), to apply for the administrative assistants, accountants, maintenance workers, Heating, Ventilation, and Air Conditioning (HVAC) mechanics, equipment operators, utility mechanics, construction coordinators, engineers, environmental scientists, and a lot in between, the County is hiring. He reiterated his appreciation to the Board for this Resolution; and he pointed out together they can build and maintain a brighter future for all of Brevard County.

**E.3. Resolution acknowledging May 12, 2023 as National Childcare Provider Appreciation Day.**

Chair Pritchett read aloud, and the Board adopted Resolution No. 23-047, acknowledging May 12, 2023, as National Childcare Provider Appreciation Day.

**Result:** ADOPTED

**Mover:** Rob Feltner

**Second:** John Tobia

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

Alan Bergman, Chair of Early Learning Coalition of Brevard, stated as technology keeps moving forward, the children need to be ready to accept the roles; the role of all-simplified things like auto mechanics, which has even become computer-generated; there has to be basic rounding in the sciences, the Science, Technology, Engineering, and Mathematics (STEM) field; they changed their company logo to have a rocket on it, which sort of indicates what Brevard County is about; and it is about moving forward and reaching for the stars. He went on to say if the children are prepared at an early age to like and accept the sciences, it is giving them a head start; that is their goal; they are also tying it to Miami University that has a starting program in STEM technology programs, and wants them to be a part of it; they are going to come onboard with that, as if they do not have enough to deal with already; and he expressed his thanks to the Board for the Resolution.

Laura Gambino, Chief Executive Officer for Early Learning Coalition of Brevard, expressed her appreciation to the Board for the recognition; she stated this is for the childcare providers; they are the teachers, the leaders, the directors, and the Volunteer Prekindergarten Education Program (VPK) teachers who are making the difference in the community; and they are preparing the future workforce, preparing children in the K-12 system.

Chair Pritchett stated she has noticed during this time, both parents have to work; she expressed her appreciation to Early Learning Coalition of Brevard for providing a safe environment for the children to grow up in; and she commented it is necessary to keep the high quality of care.

**E.2. Resolution acknowledging Gold Star Families in Brevard County in the month of May.**

Commissioner Feltner read aloud, and the Board adopted Resolution No. 23-048, acknowledging the month of May as Gold Star Families Month.

**Result:** ADOPTED

**Mover:** Rob Feltner

**Second:** John Tobia

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

Dorothy Pearsall, representing Gold Star Families, expressed her appreciation to the Board for approving this Resolution; Gold Star Families are sometimes the forgotten lot; they are the ones who raised their children to be the heroes that they are; they are the ones who grieve the loss of their children; and Rolling Thunder, on an annual basis, has what is called the Flame of Freedom to honor all of the Gold Star Families. She noted her husband, Donald Pearsall, will now speak so the Board can hear it first from a Gold Star father.

Donald Pearsall, Gold Star father, stated he lost his son in Desert Storm in the 1990's; he was in Kuwait guarding a company called Boots and Coots who were at the time extinguishing the oil well fires in Kuwait; he took a lot of gas, and unfortunately, because of the oil well fires, he passed shortly thereafter; and he expressed his appreciation to the Board for acknowledging this. He went on to say it is very important to a lot of them; the hurt never goes away; those who experience this can understand it; and Rolling Thunder is a group of concerned veterans who help each other and the community.

**F.1. Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Arthropod Control Budget Amendment**

The Board approved and authorized the Chair to execute the State of Florida, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, Arthropod Control Budget Amendment.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.2. Florida Department of Environmental Protection Grant WG006 - Merritt Island Zone G Septic-to-Sewer - District 2**

The Board executed and approved the FDEP Grant WG006-Merritt Island Zone G Septic-to-Sewer; authorized the County Manager to execute any future amendments to this contract; and authorized the County Manager to approve related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.3. Florida Department of Transportation Joint Participation Agreement and Memorandum of Agreement for cost-sharing and nutrient credit sharing of the Sykes Creek Zone N Septic-to-Sewer Project.**

The Board executed and approved the FDOT Joint Planning Agreement (JPA) and MOA; authorized the County Manager to execute any future amendments; and authorized the County Manager to approve related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.4. Florida Department of Environmental Protection Grant WG012 - Sykes Creek Zone R Septic-to-Sewer - District 2**

The Board approved the FDEP Grant WG012-Sykes Creek Zone R Septic-to-Sewer; authorized the County Manager to execute any future amendments to this contract; and authorized the County Manager to approve related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.5. Florida Department of Environmental Protection Grant for Brevard County Rain Barrel Workshops**

The Board executed and approved the FDEP Agreement Number NF111, after review and approval by the County Attorney's Office and Risk Management; authorized the change of venue to Leon County; authorized the County Manager to sign amendments; and approved processing related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.6. Florida Department of Environmental Protection Grant WG054 - Sykes Creek Zone M Septic-to-Sewer - District 2**

The Board executed and approved the FDEP Grant WG054-Sykes Creek Zone M Septic-to-Sewer; authorized the County Manager to execute any future amendments to this contract; and authorized the County Manager to approve related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.7. Florida Department of Environmental Protection Grants WG009 - South Beaches Zone A, WG010 - South Central Zone A, WG011 - South Central Zone D, WG072 - Micco Sewer Extension.**

The Board approved entering four grant contracts for the listed Septic-to-Sewer Projects, WG009-South Beaches Zone A, WG010-South Central Zone A, WG011-South Central Zone D, and WG072-Micco Sewer Extension; authorized the Chair to execute the grant contracts, subject to approval by Risk Management, Purchasing Services, and the County Attorney's Office; authorized the County Manager to execute any future amendments to these contracts; and authorized the County Manager to approve related Budget Change Requests.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.8. Approval RE: Transportation Impact Fee Technical Advisory Committee for the South Beaches Benefit District Project Funding Recommendations (Districts 3, 4 and 5)**

The Board approved Project Funding Recommendations in the amount of \$250,000 as prepared by the Technical Advisory Committee on May 15, 2023; and authorized the Budget Office to execute any Budget Change Requests necessary for implementing this appropriation.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.9. Final Plat Approval, Re: Laurasia - Phase 1 Replat Developer: The Viera Company District 4**

The Board granted final plat approval for Laurasia-Phase 1 Replat-Developer: The Viera

Company; and authorized the Chair to sign the final plat.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.10. Approval RE: Educational Facilities Impact Fee Deferral Contract for the St. Stephen's Way Affordable Housing Development between the Brevard County Board of County Commissioners, Brevard County Public Schools and St. Stephen's Way Inc.**

The Board authorized the Chair to execute the Educational Facilities Impact Fee Deferral Contract for the St. Stephen's Way Affordable Housing Development upon approval and execution by the Brevard County School Board and the developer as currently presented and attached; authorized the County Attorney's Office to record the Notice of Assessment, as currently presented and attached; and authorized the County Attorney's office to record the Notice of Assessment, as currently presented within the Contract and which constitutes a lien on the property for the deferred balance of \$77,620.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.11. Adopt Resolution and Release Performance Bond: Adelaide Subdivision, Phase 6A - District 4  
Developer: The Viera Company**

The Board adopted Resolution No. 23-049, releasing the Contract and Surety Performance Bond dated April 19, 2022, for Adelaide Subdivision, Phase 6A, Developer: The Viera Company.

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.12. Adopt Resolution and Release Performance Bond: Adelaide Subdivision, Phase 6B - District 4  
Developer: The Viera Company**

The Board adopted Resolution No. 23-050, releasing the Contract and Surety Performance Bond dated November 3, 2022, for Adelaide Subdivision, Phase 6B, Developer: The Viera Company.

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.13. Adopt Resolution and Release Performance Bond: Del Webb at Viera, Phase 1 Subdivision - District 4  
Developer: The Viera Company**

The Board adopted Resolution No. 23-051, releasing the Contract and Surety Performance Bond dated January 25, 2022, for Del Webb at Viera, Phase 1 Subdivision, Developer: The Viera Company.

**Result:** ADOPTED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.14. Approval, Re: Dedication of Sanitary Sewer Easement from RNK Viera, Inc. for the Venezia Wine Bar Project - District 4.**

The Board approved and accepted the Sanitary Sewer Easement from RNK Viera, Inc. for the Venezia Wine Bar Project.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.15. Approval, Re: Dedication of Temporary Construction Easement Agreement and Special Warranty Deed from Yuge Deals, LLLP for the Commercial Retail Store (CRS) Eber Boulevard Project - District 3.**

The Board approved and accepted Temporary Construction Easement Agreement and Special Warranty Deed from Yuge Deals, LLLP for the CRS Eber Boulevard Project.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.16. Approval, Re: Corrective Public Utility, Drainage, and Right-of Way Easement from Thomas J. Clark and Lynn C. Clark for the Sunset Avenue Road Improvement Project Phase 2, District 1.**

The Board approved and accepted Corrective Public Utility, Drainage, and Right-of-Way Easement from Thomas J. Clark and Lynn C. Clark for the Sunset Avenue Road Improvement Project, Phase 2.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.17. Amendment 3 - Public Transportation Grant Agreement, Hangar Development Construction Phase Funding at Valkaria Airport**

The Board approved and authorized the Chair to execute Amendment 3 to the existing Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) for hangar development at Valkaria Airport; and authorized all necessary Budget Change Requests associated with this Agreement.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.18. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-up Grant Agreement, Re: Fiscal Year 2023 Space Coast Area Transit Low-No Emission Competitive Grant Program (Section 5339c) from Federal Transit Administration**

The Board adopted and authorized the Chair to sign Authorizing Resolution No. 23-052; authorized the Chair to sign the Grant Application Form SF424; approved the use of the Florida Department of Transportation (FDOT) Toll Revenue Credits; authorized the Chair to sign the Designation of Signature Authority allowing staff to submit the Grant electronically; authorized

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

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.19. Approval, Re: Authorizing Resolution, Grant Application, Use of Toll Revenue Credits, Execution of Follow-Up Master Grant Agreement with the Federal Transit Administration, FY2023 Brevard County Transit Federal Capital and Operating Assistance Urbanized Area Grant**

The Board approved, adopted, and authorized the following actions for the FY2023 Section 5307/5339 Urbanized Formula Program, Capital and Operating Assistance Grant from the Federal Transit Administration in the amount of \$8,699,463:

- The Chair to sign the Authorizing Resolution
- Adopted Authorizing Resolution No. 23-053
- The Chair to sign the Grant Application, SF-424 Form
- The use of Florida Department of Transportation (FDOT) Toll Revenue Credits
- The Chair to sign the Designation of Signature Authority, allowing staff to submit the grant electronically
- The Transit Services Director to execute and submit the Grant Master Agreement electronically, contingent upon the County Attorney and Risk Management approvals
- The Transit Services Director to execute any additional follow-up documentation, resolutions, and amendments necessary to secure these funds
- The County Manager to execute any necessary Budget Change Requests

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.20. Approval, Re: Authorizing Resolution, Grant Recipient Information Form and Execution of Follow-up Grant Agreement for SFY 2024 Florida Commission for the Transportation Disadvantaged Trip & Equipment Grant**

The Board approved, adopted, and authorized the following actions:

- The Chair to sign the Authorizing Resolution
- Adopted Authorizing Resolution No. 23-054
- The Chair to sign the Grant Recipient Information Form
- The Chair to execute the Grant Agreement, contingent upon County Attorney and Risk Management approval
- The Transit Services Director to execute any additional follow-up documentation, resolutions, and amendments to secure these funds
- The County Manager to execute any necessary Budget Change Requests

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Tom Goodson

**F.21. Delegation of Authority for 2023 Hurricane Season**



The Board delegated authority as described below beginning immediately, and ending December 31, 2023:

- Allowing the current Chair or Vice Chair of the Board of County Commissioners to have authority to declare a Local State of Emergency for any tropical cyclone event during the 2023 season after obtaining input from the County Manager, Emergency Management Director, and/or Emergency Coordination Group
- Allowing the County Manager, and/or his designee, to sign extensions to any Local State of Emergency
- Allowing the current Chair or Vice Chair of the Board of County Commissioners to have the authority to order Emergency Protective Actions, including implementing any restrictions necessary to protect life and property as a direct result of storm impacts after obtaining input from the Emergency Management Director and the Emergency Coordination Group, including, but not limited to, issuing Evacuation Orders (area included, timing, effective date, and termination) and Shelter Operations decisions (which shelters to open and timing); and if the Chair or Vice Chair is not available, this authority would then be delegated to the County Manager

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.22. Board Approval: Interlocal agreement between Brevard County and the City of Satellite Beach for Automatic Aid.**

The Board executed and approved the Interlocal Agreement with the City of Satellite Beach for automatic aid; and delegated the County Manager the authority to execute amendments or renewal options as outlined in the Agreement.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.23. Allocation of American Rescue Plan Act of 2021 (ARPA) funds to qualified projects**

The Board approved the identified uses of ARPA funds, which align with Board direction of the allocation of ARPA first tranche funds on July 20, 2021; authorized the County Manager to execute all necessary Budget Change Requests for ARPA-funded expenditures approved by the Board; authorized Purchasing Services to issue and award competitive solicitations; and authorized the County Manager to execute all contracts, contract amendments, task orders, work orders, and any necessary extensions upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

**Result:** APPROVED

**Mover:** John Tobia

**Seconded:** Tom Goodson

**F.24. Adopt a Resolution and the Execution of the First Amendment to the Interlocal Agreement between Brevard County, Florida, and the Local Government Finance Commission**

The Board adopted Resolution No. 23-055; and executed the First Amendment to the Interlocal Agreement between Brevard County and the Local Government Finance Commission to enable public agencies to finance or refinance capital projects and other government needs permitted

by Florida law at the lowest interest cost possible and benefit from the economies of scale associated with large-scale financing which may otherwise be unrealized if separate financing is undertaken.

**Result:** ADOPTED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.25. Approval, Re: Memorandum of Understanding between Brevard County and external governmental agencies to publish legal notices and advertisements on the Brevard County website.**

The Board approved the MOU between Brevard County and external governmental agencies to publish legal notices and advertisements on the Brevard County website; and authorized the County Manager to execute the MOU on behalf of the Board of County Commissioners.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.26. Renewal of Annual Property Insurance Program effective 6/1/2023**

The Board authorized the Risk Manager to bind and secure placement of the County's Property Insurance coverage as presented and recommended by Brown and Brown, the County's property/casualty insurance broker, with an effective date of June 1, 2023, at a cost not to exceed \$4,118,685.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.27. Bill Folder**

The Board acknowledged receipt of the Bill Folder.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.28. Acknowledgement, Re: Brevard County Annual Comprehensive Financial Report for the fiscal year ended September 30, 2022 and Brevard County Annual Financial Audits Report for the fiscal year ended September 30, 2022**

The Board acknowledged receipt of the Brevard County Annual Comprehensive Finance Report for the Fiscal Year ended September 30, 2022, and the Brevard County Annual Financial Audits Report for the Fiscal year ended September 30, 2022.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**F.29. Interlocal Agreement with the Town of Malabar, re: the Management of the Malabar Scrub Sanctuary**

The Board approved and executed the Interlocal Agreement between Brevard County, Florida, and the Town of Malabar, Florida, regarding the management of the Malabar Scrub Sanctuary.

**Result:** APPROVED

**Mover:** John Tobia

**Seconders:** Tom Goodson

**G.1. Public Hearing RE: Brevard County HOME Investment Partnerships Program (HOME) Fiscal Year 2023-2024 Annual Action Plan**

Chair Pritchett called for a public hearing to consider Brevard County HOME Fiscal Year 2023-2024 Annual Action Plan.

Ian Golden, Housing and Human Services Director, stated the Item before the Board is the first of two for the Annual Action Plan; this one is required by Housing and Urban Development (HUD), the County's funding source; they require that the County has an initial hearing to accept input from the public on creation of the plan itself; and he asked the Board to give the opportunity to the public if he or she wants to comment.

There being no comments or objections, the Board held the first public hearing to solicit input into the FY 2023-24 Annual Action Plan, as required by HUD, prior to the proposed Annual Action Plan being published for final comments.

**Result:** CONTINUED

**Mover:** John Tobia

**Seconders:** Rob Feltner

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

**G.2. Petition to Vacate, Re: Public Utility & Drainage Easement- 915 Sequoia Street - "Replat of Haven Green, Pinewood Section" Plat Book 24, Page 102 - Barefoot Bay - Deborah L. Dalton - District 3**

Chair Pritchett called for a public hearing to consider a resolution vacating a portion of a public utility and drainage easement in Plat "Replat of Haven Green, Pinewood Section", Barefoot Bay, as petitioned by Deborah L. Dalton.

Marc Bernath, Public Works Director, stated this is a petition to vacate a public utility and drainage easement in District 3; and it is a six-foot wide public utility and drainage easement to allow a covered carport to remain.

There being no comments or objections, the Board adopted Resolution No. 23-056, vacating part of a public utility and drainage easement, "Replat of Haven Green, Pinewood Section" in Section 10, Township 30 South, Range 38 East.

**Result:** ADOPTED

**Mover:** John Tobia

**Seconders:** Rob Feltner

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

**G.3. Public Hearing, Re: Ordinance Amending Chapter 90-Social Services, Creating a New Article IV, "Workforce and Supportive Housing Trust Fund."**

Chair Pritchett called for a public hearing to consider an ordinance to amend Chapter 90-Social Services, Creating a New Article IV, "Workforce and Supportive Housing Trust Fund."

Ian Golden, Housing and Human Services Director, stated this Item is requesting the Board's final approval for the creation of Article IV, in Chapter 90, of the Code of Ordinances for the

Workforce and Supportive Housing Trust Fund; and the language supports the ballot language the voters approved this past November.

There being no comments or objections, the Board adopted Ordinance No. 23-12, amending Chapter 90-Social Services, of the Brevard County Code of Ordinances; creating a new Article IV-Workforce and Supportive Housing Trust Fund; providing for purpose and intent, definitions, and establishing the Brevard County Workforce and Supportive Housing Trust Fund; and providing for conflicting provisions, severability, codification, and an effective date.

**Result:** ADOPTED

**Mover:** John Tobia

**Second:** Rob Feltner

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

**I.1. Legislative intent and permission to advertise an amendment to Chapter 62, Article X, Division 5, entitled Floodplain Protection.**

Amanda Elmore, Natural Resources Management Deputy Director, stated this is permission to advertise amendments to the Floodplain Protection Code, Chapter 62, Article X, Division 5; currently in the North Merritt Island area, staff does not have the ability to issue permits for accessory structures requiring fill; and this amendment would explore options for allowing that as long as there was no adverse impact to the area.

Commissioner Goodson asked how this will affect the existing buildings that are already there.

Ms. Elmore responded this would be for new structures only.

Commissioner Goodson asked who would have the comment to say it affects them downstream.

Ms. Elmore replied staff has a hydraulic and hydrological model, so that can be used to determine impacts on the neighborhood, but it would be part of the permit review process.

Commissioner Goodson inquired if Ms. Elmore thinks it would be extreme, or would it be fair.

Ms. Elmore advised it would really depend on the parcel, the area, and how much fill is required for the structure; but the ordinance requires that those impacts are offset.

Commissioner Goodson asked if fill required for the house has no bearing at all.

Ms. Elmore replied this is for accessory structures; and compensatory storage must also be provided for fill required for primary structures.

The Board approved legislative intent and permission to advertise an amendment to Chapter 62, Article X, Division 5 (Floodplain Protection), Section 62-3724(4)(e), prohibiting accessory structures requiring fill in unincorporated North Merritt Island (NMI), north of Hall Road.

**Result:** APPROVED

**Mover:** Tom Goodson

**Second:** John Tobia

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

## **I.2. 2023 Brevard County Fire Rescue, Ocean Rescue Assessment**

Frank Abbate, County Manager, stated the Item before the Board is the promised ocean rescue assessment that Fire Rescue has conducted, it is a rather comprehensive document that was sent out to the Commissioners, and was included in the Agenda Package as an attachment to Item I.2.; staff looked at historically what has been done in Brevard County as it relates to ocean lifeguard services, and that has grown and developed over time in light of a variety of incidences that occurred late last year and early this year, as the report indicates, a variety of things that Ocean Rescue and Lifeguard Program did to enhance the services; but there are also future opportunities; what staff did is they put together a package that provides the Board data about what has happened in different areas of the County, and what has been done with partnerships with certain cities that are making some contributions to some of the temporary lifeguard stands that the County has in its seasonal program; and staff has given the Board a cost analysis. He pointed out staff is here this morning to answer any questions that the Board may have about the assessment, and to follow any direction that the Board may want to provide concerning how to proceed from this point forward.

Sandra Sullivan stated this Item interested her a great deal having seen the drownings on the beaches, and having been following this for a while; the scientific studies show that the type of sand the County is using from the Port, and more riptides and drownings are a consequence of it; the County is looking at about \$1.5 million funding lifeguards to cities who are charging parking on some of these parks that belong to the County that it has given to cities; the idea, as stated by one of the Commissioners, was that beach parks are liabilities to the County, so it hands these parks off to do away with that liability; but in fact, the County is continuing with those liabilities for sand re-nourishment and lifeguards; she asked why the County is handing off parks to cities that charge parking while the County is still paying for lifeguards; and that is almost \$1.5 million of lifeguard services to these cities that are charging for parking. She commented it goes to a bigger picture; free County parks that people pay with their taxes, but instead of making a potential difficult decision and choosing to have premium parks with the extra services the County charges for, it gives them to the cities that put that in place; the problem is the citizens are not just taxed by the County, they pay the cities for passes; now the citizens are getting taxed for parks that were former County parks; and really what should be done is having the vision to have a common product across-the-County. She advised to do what Collier County does; Collier County has a pass where people can go to all of their parks; that would take care of this; have the cities to pay their fair share of the lifeguards; if they are charging for parking, they should be paying for their lifeguards; and they are pulling in a lot more money. She noted what is really heartburn for her is when they are former County parks.

Commissioner Tobia expressed his appreciation to staff for putting this comprehensive report together; he stated this was numerous agencies that came together, not only to give the Board some background, but to make some suggestions; he learned quite a bit, so he wants to point some highlights out; and then, he wants to go in a direction by making a motion here in the end. He went on to say it is very apparent that lifeguards work; over 390 rip current rescues have been performed just from November 2022 and March 2023; since 2009, 2010 when the full-time towers were first installed, there have been zero drowning deaths at lifeguard-protected beaches during operational hours; however, the hiccup is the County still has many vacancies due to reoccurring challenges; Ocean Rescue has averaged 40 percent vacancies in seasonal positions since the pandemic; and currently the County is at 51 vacancies of 118 positions, both full-time and part-time. He pointed out those are the challenges the County is facing; the County does have partners; the Statute is pretty clear that it does not require the County to pay for lifeguards; in fact, according to Article X, Section 1104, of the Constitution, it states that the State owns what is defined as the mean, high-water lines, which is actually where the deaths occur in the water; and by saying it is the County's

responsibility, it is technically not true, constitutionally it is the State. He commented the cities pay 26 percent of the County's total cost for the seasonal towers, and the cities pay zero percent for full-time towers; by averaging those and putting them together, and a person would be completely incorrect; in total, when adding it up, the cities pay \$145,280 of \$2.67 million; in other words, they pay 5.4 percent of the total; and the County pays 94.6 percent of the responsibility. He stated the cities responsibility to provide lifeguards should mimic that of law enforcement responsibilities; if there is a shooting or a fire in a park with a city, the local municipality's law enforcement is called; Commissioner Goodson aptly pointed out that the cities have almost \$2.5 million in combined, dedicated parking revenue; therefore, they should provide lifeguard services within their city limits as the County should provide lifeguard services does in unincorporated Brevard; and Commissioner Pritchett's constituents should not be paying into the General Fund for lifeguards through property taxes for beaches that are in Districts 2, 3, 4, or 5. He asked what the solutions are now that the finances have been laid out; the Board may think the first suggestion is to approve priorities one through three as outlined in the 2023 Rescue Assessment; safety is of paramount priority to Brevard County; even though the County does not charge for parking in its parks, it shows good faith; and the County needs to come up with the additional funds to support its lifeguard services through 2022-2023. He added he is sure everyone read the report, but for the people who did not have the benefit to read it ahead of time, those priorities include upgrading two seasonal towers at the Indialantic boardwalk at North Spessard Holland to full-time towers, relocating the two seasonal towers to Spessard Holland and Juan Ponce Deleon Landing, and in good faith he suggests the County cover the costs for those upgrades for the 2022-2023 Indialantic boardwalk even though it is located in the Town of Indialantic; he asked what the additional costs are; he stated over the cost of a year, and it will not be a full year, that additional cost that would be burdened would be about \$898,000; the funding source would be 2022-2023 re-allocation of funds from this year's budget would take care, almost immediately, of what the Board has before it; what it would also do is give the cities the ability to start getting their ducks in order, and allocating some of those parking funds to cover their fair share of that; and the second, and more important one, is the solutions beginning in the 2023-2024 year. He continued by saying the solution would be, and his suggestion, to fully-staff unincorporated Brevard parks first; number two, recruit, train, and maintain a pool of lifeguards; number three, transfer funding responsibilities, including capital and operational costs, for lifeguard towers located, both seasonal and full, at a city or privately-maintained park located within city limits; in other words, the County would be a pass-through, no profits will be made, staff can create a consistent cost of a guideline for all of the cities, so it is done equitably and fairly; and revenues from paid-parking can support these at the city parks. He stated for example, the Town of Indialantic, the actual 2021-2022 for Nance Park were \$411,000 alone; the cost estimate for a full-time tower at Indialantic is \$362,000, leaving them leftover money; if a city thinks it can provide the services more efficiently than Brevard County, then by all means they would have the right to provide those lifeguards to do that; but give the cities until the beginning of 2022-2023 year to decide to proceed; and this would be quite a bit of a change for the 2023-2024 year, which could be roughly a net savings for the County of almost \$1.5 million. He noted the County's responsibility would still be slightly over \$1 million to those parks in unincorporated areas; the parks that would be affected are Cocoa Beach Pier, Shepard Park, Coconuts, Tulip Avenue, Boardwalk, and Ocean Avenue; for future discussion Brevard County continues to provide and fund lifeguard towers, both seasonal and full, that are maintained and owned by the County until these parks can be turned over to the cities in which they are located; the County needs to start looking at turning over those parks to the cities so they not only have the ability not only to provide lifeguard services, but maintain the parks that are located within their city; and he would be glad to go over those, but that is a long-term project that hopefully the Board will begin to access. He advised he would be more than willing to go over how to do this; he has a motion; but he would like to hear comments and thoughts before he goes over what contracts the

County has in place and what the motion would be to ask staff to help fix some of these issues; and those are his thoughts on how the Board can tackle this immediately and in the 2023-2024 Fiscal Year.

Commissioner Feltner asked when talking about vacancies for lifeguards, and he understands in the seasonal, in the summer, the County relies on a lot of recent high school graduates and such to be the lifeguards, can they do that at 17 or do they have to be 18.

Chief Patrick Voltaire, Fire Rescue Director, replied they are actually trained at 16 years old, so folks as young as 16 will come in for the training; and since the report has been finished, they just processed 19 additional, so they are close to 75 seasonal lifeguards right now, which is very close to the pre-COVID numbers.

Commissioner Goodson advised he totally agrees with Commissioner Tobia, there is going to have to be a time when the cities pick up this expense; the Board is giving them funds this year to be prepared for the next fiscal year; he was utterly amazed what it costs for a lifeguard; and it makes him want to be young again.

Chair Pritchett advised she wants to commend Commissioner Tobia on this; she is with him that there needs to be more lifeguards on the beach; and she asked if the County has \$800,000 to do this right now.

Mr. Abbate responded staff will make whatever adjustments in the budget that are necessary; they will make those adjustments if that is the Board's direction, and change current priorities that are there; the money is not readily there; however, he will work with staff; and since the Board is only talking about one-quarter of the year, staff will find money in the current budget at least to get it through this year until the cities take over in the next fiscal year.

Chair Pritchett asked if one-quarter of a year is still \$800,000.

Mr. Abbate replied for the cities to take over everything that they are doing, he thinks it would be somewhat close to that number.

Chair Pritchett asked what if the cities just say no, what happens then; and how long is this negotiation going to take.

Mr. Abbate responded he does not know; if this is similar to the CRA's, what staff dealt with took a significantly longer period of time; the Board direction was to only continue it through this season; it would up to the cities to decide when the new fiscal year starts if they wanted coverage; the Board is not under any other obligation outside of the current agreements in place; whereas, Commissioner Tobia mentioned they were paying 26 percent of seasonal lifeguards; but that would only go into the next year; staff would have to make adjustments to those existing agreements; and the ones the County does not have agreements with, the Board is free to do as it pleases as it relates to where the County is paying the full costs of the full-time towers, which is at 100 percent right now.

Chair Pritchett pointed out that Commissioner Tobia got a little more aggressive than she would have, but she does like his proposal if the Board can pull it off; she loves that Commissioner Tobia has the County as taking care of the Brevard County beaches at 100 percent, as it should do that; from what the County went through with the COVID season, she is not going to be willing for this Board to ever give up those beaches it already has, because it gave the County the ability to leave the beaches open at the Governors direction so people could go

outside at the beach; the County must maintain control of those beaches for the good of the citizens; the ones that do charge for parking should have full responsibility, but maybe the ones who do not, the County and the cities could do a 50/50; since everyone uses the beaches up and down the coast, she thinks it would not be bad for the County to do a 50/50 for those ones that do not charge for parking; and that is just her thought on it. She continued by saying if there is a way to get some of the funding through the Tourist Development Taxes (TDT) to reimburse the County and cities for some of these, because she really believes these lifeguards are very important for the tourist development areas; again, her District does not get any of those funds, it goes to those places with lifeguards; but it is important that there is safety on the beaches; and by looking at the best bang for the bucks, it may be a good thing for the Board to look at even though it is not always popular. She noted Commissioner Tobia has always been heavy on public safety; she thinks he gave his first round of ARPA funds to Public Safety; she reiterated that Commissioner Tobia did a lot of great work on this; and the County Manager's report was wonderful.

Commissioner Feltner stated he and the County Attorney talked before regarding the TDT funds being used to pay for some of the things with parks, and that money saved from the parks to go into the General Funds to be used for other things, including lifeguards; and he asked if some tourism taxes could be used for lifeguards.

Morris Richardson, County Attorney, responded historically there was an opinion that except for some smaller counties that are specifically authorized by Statute, the counties cannot use TDT for lifeguards; however, there have been some changes in Statutes since those opinions of the Attorney General, which are pretty dated opinions; in addition, with the changes of Statutes, the County has a particular statutory authorization regarding lifeguards in Brevard County; and he thinks those things combined open the door for the Board to at least fund the capital improvements, consisting of new towers and the operation, and maintenance of those towers with TDT.

Commissioner Goodson stated he is sure the TDT never runs out of money; the Board surely goes to it all of the time; and he asked liability wise, if the city does not want to pay, does the County have any liability to provide them with full towers.

Attorney Richardson replied the County does not have a legal obligation to provide towers within the cities; it does have the ability to due to a special law that applies in Brevard County; typically, dollars could not be spent from the unincorporated exclusively within incorporated limits, so what the Board has is a 'may'; and the County is authorized and empowered to pay for maintenance and operation of lifeguard towers in municipal limits, the County is not required to other than by agreement. He pointed out the County does have standing agreements with several of the municipalities right now.

Commissioner Goodson asked if there is anywhere where the cities come back to help the County with money that anyone is aware of.

Mr. Abbate responded outside of what they have currently agreed to, that is the limit of 26 percent for some seasonal towers.

Commissioner Goodson inquired if there is any city on any other playing field where they come back with money to help the County.

Mr. Abbate advised no, not that he is aware of.



Commissioner Goodson asked if the State owns the high water line, main water line.

Attorney Richardson responded the State owns down the beach from the mean water line; and the State holds it in trust for the people.

Commissioner Goodson stated the Community Redevelopment Agencies (CRA) did not perform, they are not going to perform in this; they will have to be dragged to the trough to get them to pay; but yet they deserve to pay, it is not all of the County's; he asked what would be next, which is his only comment; and he does support Commissioner Tobia on his proposal.

Chair Pritchett stated just a thought to see if Commissioner Tobia would consider the cities that are not charging parking that the County goes ahead and helps out with that, because the County citizens do utilize that; and she thinks that part might be fair. She added for Commissioner Tobia to start those negotiations; she knows how long that takes; it will be difficult for them to come up with their budget; but if they are already charging for parking, they have a way to do it.

Commissioner Tobia advised Chair Pritchett made a suggestion the last time, and he thought it was a great idea; unfortunately, Attorney Richardson poo pooed it, so he wants to blame the County Attorney; Chair Pritchett suggested a TDT loan to cover that differential in costs; the Statutes got in the way; and he reiterated he will blame the County Attorney. He went on to say he spoke with the County Manager and he was the one to figure out the way to reallocate those dollars to cover that, so he did not want Chair Pritchett to think her suggestion was not heard; second of all, the 50/50 split he does not think is necessary, because the parks he is looking at all charge for parking; in the 2023/2024 Fiscal Year there is the Cocoa Beach Pier that has metered parking, Shepard Park, Coconuts, which has private parking, as well as metered parking, Tulips, which has metered parking, Boardwalk has metered parking, and Ocean Avenue has metered parking; in fact, the second page he distributed has those amounts; and the County has 10 Memorandum of Understandings (MOU) with Cocoa Beach which expire September 4, 2023, so as the County goes into negotiations it does not have an existing contract on that. He explained the County has Interlocal Agreements (ILA) with Indialantic and Melbourne Beach that end February 28, 2027; while that may sound problematic, it is not; when these contracts were agreed upon, thankfully the County had an agreement, which they allowed them to be amended annually to adjust for dates of service and to increase rates actually no less than CPI; here the County would be potentially increasing this to actual costs; and he has ran the motion by staff to make sure it meets the goals that he laid out.

The Board discussed the 2023 Brevard County Fire Rescue, Ocean Rescue Assessment; approved Priorities 1-3 as written in the Brevard County Fire Rescue 2023 Ocean Rescue Assessment; directed staff to move forward with tower upgrades as soon as possible:

- Cost to achieve priorities will be funded by the County, reallocating from this year's budget, and making adjustments to the FY23-24 budget;
- County funding for full-time Indialantic Boardwalk lifeguard tower to expire at the end of FY22-23;
- Authorized the County Manager to make any necessary budget adjustments to accomplish any ocean lifeguard staffing modifications that the Board directs;

directed staff to negotiate annual service contracts, as directed by the Board, with the City of Cocoa Beach, Town of Indialantic, and Town of Melbourne Beach, and any other municipalities, in which the Towns or City are billed at actual cost for parks maintained by the Town or City in which they are located:

- Staff shall bring the negotiated agreements to the Brevard County Board of County Commissioners (BoCC) for approval within 60 days of closed of negotiations;

if the cities object, staff will come back to the BoCC for direction; and if the cities elect not to use lifeguard services by Brevard County, staff will readjust their extreme recruiting efforts accordingly.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

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

Chair Pritchett reiterated that she wants the County to work on doing some of the TDT capital improvements just to help give some relief to the cities.

### **I.3. Seeking Citizen Input Regarding an Elevated Boardwalk and Associated Amenities**

Commissioner Tobia stated the purpose of this Item is to seek citizen input on expanding an existing beach access in Indialantic; District 3 American Rescue Plan Act (ARPA) funds were used to get renderings done to visualize the changes; amenities would include a new, raised wooden walkway with new guardrails, a new split rail fence, showers and bike racks, and sea turtle safe lights will also be included; as there is no District 5 Commissioner currently, he thought it would be pertinent to seek input from the local citizens before making any decisions; and he has reached out to the District 5 Office concerning this. He continued by saying his office would send letters to homeowners within a 500-foot radius, and collect the input; these are hopefully the citizens who would be using the access most; and this project would be funded again with District 3 ARPA funds should the Board decide to move forward.

The Board approved and authorized the District 3 Office to send letters on behalf of the Board to the surrounding neighbors that are within a 500-foot radius of the beach access located in Indialantic, across from Beach Street, and asking for input regarding improvements to the access; and to bring back to the Board the findings once collected.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Rob Feltner

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

### **I.4. Approval Re: Access Route to Grissom Parkway for Lakes at Cocoa Groves, LLC - District 1**

Chair Pritchett stated she has been working on this project since she was like seven months into her office; her staff has met with the community and builders of the subdivision; a lawsuit was lost a little while ago, and she wants to try to figure out how to get in and out; it has been a lot of work; and what was done by pulling all of the great minds together, they came up with something that may work. She commented the entities that are building the subdivision have a lot of hurdles to still get through; but she picked this as what would be the best for the community for them to move forward to see if they can go ahead and do all of the required work; they have a big road ahead of them; and she would appreciate the Board's support on this as she has spent a lot of hours on it.

The Board approved the access route to Grissom Parkway for the Lakes at Cocoa Groves, LLC

within the existing 60-foot right-of-way of Osage/Angelica Streets as conceptually depicted in Attachment A of the Agenda Report.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Tom Goodson

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

- J.6. Reports, Re: Rita Pritchett, Commissioner District 1, Chair  
Chair Pritchett wished Commissioner Feltner a Happy Birthday.

**K. PUBLIC COMMENTS**

Chair Pritchett passed the gavel to Vice, Vice Chair Tobia.

Commissioner Tobia expressed his appreciation to the Board for the responsibility that has been entrusted to him for this; he stated he thinks it was probably a bad decision by the rest of the Board; these are things he had planned had he ever been elected Chair of the Board; and that never happened, so getting a little taste of that is greatly appreciated. He noted when his daughter was in school he always asked her what she learned, so he wants to pass some stuff on; today is National Drinking with Chickens Day; he moved into Florida useless facts; annually, thousands of Floridians stand at the State line and toss dead fish into Alabama; in Alabama they call this mana from heaven; and it is an annual mullet toss hosted by Flora-Bama Beach Bar in Pensacola. He continued by saying this day in Florida history is on this day in 1898, the Florida School for the Deaf and Blind graduated their first students, Artemas Pope and Cora Carlton, who later married; the most famous graduate was Ray Charles who did not graduate but he obviously had an illustrious career; finally, he thinks the Board can agree it has a great staff; he reached out to the heads of departments asking for submissions; and each time he will be highlighting someone who the Board may not see on a consistent basis, but that makes its job so much easier. He added Michelle Summers has 18 years of service to Brevard County Parks and Recreation Department; she is currently the Parks Financial Coordinator; she loves budgets and numbers; she has been in Brevard County since 2004, 18 years in various positions throughout Parks and Recreation Department; and he received this from the Parks and Recreation Director. He explained the Parks and Recreation Director told him that Michelle excels in her position, and has done an excellent job filling in for the vacant Support Services Manager; her sense of humor is awesome; and she always finds a way to make work fun. He went on to say Michelle is married to a wonderful husband, she has two children and two grandchildren, two dogs, she loves to vacation in the mountains, and she just bought a decked out Ford F-150 truck. He expressed his appreciation to Michelle as she makes the Board's job much easier.

Daniel Callan stated he is present to represent Courtney Palms Apartments and East Coast Christian Center; the whole Merritt Island area has a problem; the high cost of rent has tripled; during the past six months, they had eight residents pass away due to stress; they are not giving these people any opportunities to make arrangements; and they are just evicting them in three or four days. He commented when people come to him asking what they should do, he tells them to come to face the people who have the power; they need help now; people are moving out every day; school students are dropping as there are not as many seen; and he has seen the homeless double in almost six months. He advised it is going to get worse until they get help; and he is here asking for help.

Doris Varner stated she works with East Coast Christian Church in Merritt Island; they have a big food bank at their church; they have a serious problem; she had a gentleman contact her

who had a two-bedroom apartment raise from \$1,100 to \$2,000; every week at the food bank they have 550 to 600 people needing food; and there are people coming through the food bank with their furniture in their cars. She went on by saying there are people coming through in their senior years; there was a couple who came in who both have physical problems who bought a trailer in a trailer park; a big company came in and bought the trailer park; they do not have money to buy food now because the rent was doubled; and it is okay to raise the rent a little bit, but to double and triple it is horrible. She stated these low-income places have been bought out by big companies from up north, and they are only giving people a certain amount of time to get out; a lady was told she had 10 days to get out, and now they are sticking her with an \$1,800 security deposit as she was one day off; she reiterated they need serious help in this community in Brevard County; people are going hungry and homeless; and the church is doing its best to help these people. She asked the Board for help for these people; she lives in a Recreational Vehicle (RV); they are rezoning and it is hard to find a place for RV's; she is 65 and cannot go too much more; and she is standing for the seniors in asking the Board for its help.

Diana Kronenberg stated she is a volunteer for Space Coast Bunnies; it is the domestic rabbit rescue group here in Brevard County; she asked the Board to meet with her group to work on some solutions in dealing with the ever-increasing rabbit dumping crisis being experienced in the County; she advised their rescue repeatedly gets calls about dumped rabbits and accidental litters; and in one case, a family bought two rabbits, which the pet store said they were both female, but one was male and one was female. She went on by saying they ended up with two accidental litters of 15 babies in two months; they spent thousands of dollars on spay/neuter surgeries for all 17 rabbits, where each surgery can cost from \$300 to \$800, depending on the clinic; this could have all been avoided if the pet store was more careful in determining the sex of the rabbits; this is not the only time their rescue has gotten calls from families with accidental litters after pet stores sold them what they claimed were same sex pairs; often families cannot afford to keep all of these rabbits, they just release them out into the wild; and they quickly multiply into colonies like the one in Rockledge a couple of years ago. She commented their rescue is all volunteer-based, and they cannot handle the ever increasing volume of these dumped rabbits alone anymore; she asked again for the Board consider meeting with them to discuss some solutions to prevent out-of-control colonies from developing here like is happening in other Florida counties.

Commissioner Feltner noted he met with Ms. Kronenberg's group yesterday, and they had a good conversation; he expressed his appreciation to the group for the information they shared; and he stated he and the group will continue to talk over the coming months after the Board's break.

Izabelle Brooks stated she wanted to bring a light to a heavy issue regarding defenseless rabbits in the surrounding areas that need their help; rabbits are being dumped in the neighborhoods daily; the owners think they are doing something good for their animals by setting them free, but it is a death sentence; they are not like wild rabbits that know how to take care of themselves, protect themselves, or to find proper food; and most people do not realize how much like dogs and cats they are. She continued by saying bunnies are so very sweet and loving, they are so misunderstood, and they do not deserve to go through this slow and scary death that comes to them if they are not rescued; all rabbits have such individual personalities; she has two sweet babies at home that are her emotional support and her whole world; they can do all sorts of tricks; and they make her so happy. She explained people dumping rabbits is a huge issue, but people do it lightly because they do not know any better; for example, how would a person feel if he or she was visiting a different country and people were buying puppies because they are cute, and then dumping them because it is hard to take care of them; a

person would see these innocent, young dogs suffering, and he or she would educate the people that dogs are sweet, loving, loyal, have such big personalities, and they need help; educating people is what they are trying to do because when a person knows better, he or she does better; and no animal deserves to suffer like this. She pointed out rabbits are getting terribly sick, injured, poisoned by angry residents, and they are all suffering; there are so many ways to work together to handle this situation; she asked the Board to please consider helping in any way it can; and she noted together it can bring comfort, full bellies, and safety to the ones who do not have a voice to cry out for help.

Traci Graf stated she is a nurse and owns Avid Home Care in Merritt Island; she had a group of local people come to her regarding an article she had written about homelessness in seniors; she is definitely being their advocate; it was recommended by multiple people that they come to the meeting to speak to the Board today about this; and bottom line is eight, large low-income housing complexes have been bought out by a company from New Jersey called Opus Management. She commented Opus bought it in January 2022; rents have all been raised, most of them going into effect on June 1st; there has been, she does not know how many evictions, because it is a total of 1,500 apartments; there are two buildings in Titusville, two in Cape Canaveral, and four in Merritt Island; and most of these people are now on Brevard County streets. She noted since her business is in Central Merritt Island on North Courtenay Parkway, she takes care of senior citizens, she felt it was necessary for her to raise awareness with other business owners that these seniors are going to be behind their buildings, churches, and every wooded lot that can be found in Merritt Island; they are going to be in people's backyards; they have nowhere to go; they are being evicted without their belongings; they can only go so far as many of them do not drive; and they have been living in these absolutely deplorable complexes for 16-plus years, because that is the only place they can afford to live. She stated it is not because seniors want to live there or because they are collecting benefits, they are living off of Social Security Income they earned, but they cannot afford the rent; they are the cheapest apartments in the area; there is no place else for them to go; there has been a clean sweep; and Country Club Apartments is practically empty. She pointed out this is a real problem; she feels like there are a lot of people working on it, but nobody working together; there are a lot of great programs out there like Housing for Homeless; she is trying to find private property owners who will partner with these places to rent to seniors on fixed incomes; and she has been trying very hard on this for several months.

Chair Pritchett expressed her appreciation to Ms. Graf for coming before the Board because she put forth a solution of what to do; she stated this is daunting; people are coming together to help with this problem as well; Ms. Graf recommended reaching out to Governor DeSantis; and that is something everyone can do. She noted everything has doubled in price; and the cost of food has gone up, in her opinion, 50 percent.

Sandra Sullivan stated this past week was the Affordable Housing Summit, an all-day event, which was very informative; there is a lot of money, almost \$1 billion, coming from the State to help with affordable housing; but, in her opinion, it does not really address the underlying causes for more meaningful legislation to help address the problem rather than provide more socialism-type solutions; insurance is the number one issue; and in June, the reinsurance market will give new ratings to the companies. She noted the State lost nine insurance companies last year; Citizens is going from 1.2 million policies to 2 million policies; with that, they have to underwrite that risk; there will be rate increases there; and Federal Emergency Management Agency (FEMA) flood insurance in many areas in Florida is going up over 200 percent. She advised all of this really affects the fixed income people; there are 58,000 veterans in Brevard County; she is very concerned about the people in her community; what the County does also affects the citizens' taxes; and it concerns her greatly about the budget

workshop, which was canceled. She stated the County has transportation capacity problems; there are roads that are at capacity; that number is \$699 million for unfunded capacity improvements; the County kicked the can down-the-road on the dump until it ran out of dump space at Sarno; and then it started building a dump that takes five years to build. She commented her understanding is with long lines at Sarno that Waste Management is asking for more money; the County is kicking the can down-the-road on transportation, because impact fees have not been increased in 23 years; other impact fees have not been increased in 32 years; the County is burdening the people; and even on affordable housing, the Board needs to get ahead of the impact of allowing the developers to not pay property tax. She advised then there are waived impacts fees and fees that are not even consistent with Consumer Price Index (CPI); she asked who is going to pay for this; she stated it is going to be the people; that is the people on fixed incomes, veterans, and people who are barely scraping by; and she asked the Board to look at a socialist country like Venezuela where there is the elite and then the poor. She pointed out Brevard County is losing its middle class; and she encouraged the Board to get ahead of this and to be proactive.

Keith Johnson stated he just wants to bring light to the short-term rental industry that has impacted Brevard County and the State of Florida significantly throughout the last five or six years; he made a request to speak with Commissioner Goodson recently, and he hopes he received his email; he would still like to meet with Commissioner Goodson and discuss some options; Brevard County, in his area of South Tropical Trail, has a 90-day rental restriction; and he thinks that was instituted in 2011. He went on to say it really did not address the needs of today's rental market; the reason he says this is because, for example, Naples when the hurricane went through, he housed under emergency authority, people who transplanted over to Brevard County because they did not have a home to live in; he paid \$13,000 in fines from Brevard County because he was housing people under the short-term rental program; and recently he was assessed \$20,000 by Brevard County for neighbors accusing him of having his friends at his home. He mentioned there is nothing on the short-term rental guidelines as to how he reports family, friends, and invitees to his home versus having a neighbor accuse him of having short-term rentals; the special magistrate listened to both sides; he had a 90-day contract; he is also a realtor with Berkshire Hathaway; he had a 90-day written agreement for someone to stay in his house; and he was accused of short-term rentals. He noted there has to be devised some way to either have a standard, a guideline, or reporting system; he does not know if the County Commissioners report his or her families and friends in their homes to the County, he knows he does not; but if there needs to be a vetting system, it needs to be done, because he is getting blamed for something that is not occurring; in addition, he knows the short-term rental market has been a hotbed for Brevard County and many other counties because of maybe the complaints, the noise, the trash, and the parking; the people he has that did come under a short-term rental were multi-generational families looking for space that hotels and resorts cannot provide; and they want to take advantage of beautiful Brevard County wildlife. He pointed out people want to see fish, dolphins, and manatees play; they cannot get that at a beach hotel or resort; and he encouraged the Board to devise a plan to address the short-term rental.

Upon consensus of the Board, the meeting adjourned at 10:24 a.m.

ATTEST:

_____ RACHEL M. SADOFF, CLERK	_____ RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS	
BREVARD COUNTY, FLORIDA	