

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, May 19, 2020**

**9:00 AM**

**Regular**

**Commission Chambers**

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

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 2 Bryan Lober, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Isnardi

**B. MOMENT OF SILENCE**

Chair Lober called for a moment of silence and asked for everyone to keep George Taylor with National Veterans Homeless Support (NVHS) who passed away a couple days ago in their minds during the moment of silence.

**C. PLEDGE OF ALLEGIANCE: Commissioner John Tobia, District 3**

Commissioner Tobia led the assembly in the Pledge of Allegiance.

**D. MINUTES FOR APPROVAL: March 5, 2020 Zoning**

The Board approved the March 5, 2020, meeting minutes.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.1. Approval of Resolution, Re: Emergency Medical Services (EMS) Week (Commissioner Rita Pritchett, District 1)**

Commissioner Pritchett read aloud, and the Board adopted Resolution No. 20-046, proclaiming May 17 through May 23, 2020, as Emergency Medical Services (EMS) Week.

Chief Mark Schollmeyer, Fire Rescue Director, expressed his appreciation for the Resolution; the theme of which is ready today, preparing for tomorrow; the theme this year seems appropriate as they prepare and continue to prepare for the COVID-19 pandemic and will continue to meet those challenges with not only the Board's support but also the support of the community as well; they have been fantastic so far; and as always, he wants to take a moment to thank the brave men and women out in the trenches each and every day performing outstanding patient care and transporting the sick and injured. He went on to say and those behind the scenes in the EMS bureau keeping this big ship afloat and always moving forward.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Secunder:** Curt Smith

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.3. Resolution recognizing National Safe Boating Week, District 2**

Chair Lober read aloud, and the Board adopted Resolution No. 20-047, proclaiming May 16 through May 22, 2020, as National Safe Boating Week.

Greg Hendricks, U.S. Coast Guard Auxiliary in Central Brevard, expressed his appreciation for the Resolution; during the last few weeks when everyone has been sequestered and things have been shut down, the waterways have been extremely busy; if anyone has been by Kelly Boat Ramp east, it is like a zoo on Fridays and Saturdays; he was talking to Wes Marine the other day and he says for the last three weeks, it has been like Friday and Saturday every day

of the week; therefore, people are getting out and using the waterways and he really appreciates the support of the Board, Matt Culver from Boating Waterways, and Natural Resources, they do a super job and he appreciates being there.

Chair Lober stated he actually thought about volunteering them but there was a deal breaker for him; their office is too close to Ryan's and he does not want to get any bigger than he already is.

Mr. Hendricks advised they have actually moved over to the Veterans Memorial Center.

Chair Lober noted that is right.

Mr. Hendricks advised Chair Lober could get a little exercise between Ryan's and there.

**Result:** ADOPTED

**Mover:** Curt Smith

**Secunder:** Rita Pritchett

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.2. Resolution Recognizing May 15th as Peace Officers Memorial Day and May 11th through 17th as National Police Week, District 5**

Commissioner Isnardi read aloud, and the Board adopted Resolution No. 20-048, proclaiming May 15 as Peace Officers Memorial Day and May 11 through May 17, 2020, as National Police Week. KI/BL

Sheriff Wayne Ivey, Brevard County Sheriff's Office (BCSO), expressed his appreciation for the Resolution and to the Board for the support it provides his Office; he stated his officers are blessed in Brevard County where the citizens and government officials love them; looking at this past week and the National Police Memorial, the names of the fallen on the wall each gave their lives in protection of their community, regardless if they served here or elsewhere in this great Country; unfortunately this year the Police Memorial that takes place in Washington D.C. was unable to be held, the Police Memorial at the Police Hall of Fame was unable to be held because of the impact of COVID-19; however, what has been very evident is that people's hearts have held these fallen heroes in their thoughts and prayers and they are truly blessed for that. He added he would like to thank the Board, not only for his office but for various other Police Departments throughout Brevard County.

**Result:** ADOPTED

**Mover:** Kristine Isnardi

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.4. Resolution recognizing May as Water Safety and Drowning Prevention Month**

Commissioner Smith read aloud, and the Board adopted Resolution No. 20-049, proclaiming May 2020 as Water Safety and Drowning Prevention Month.

Maryanne Ferrera, representative from Rotary, stated on behalf of the Rotary in Brevard County, she would thank the Board of Education and her Godfather, Jim Underwood; secondly, she is a paramedic by heart, a Jersey girl, born and bred, she does not pump her own gas until she gets to Florida, and she was adopted to Josh the Otter; she mentioned she was an educator in schools for almost 50 years in New Jersey, home of the Oreo cookie, baseball, and

Frank Sinatra; however the most important thing is Josh the Otter. She mentioned they did not want to put the big guy into the costume so she brought the little guy; this little guy accompanies her when she goes to schools where they cannot get Josh, the big guy; those in the Rotary in Viera have adopted a new big guy; she mentioned she and friend have taught in Brevard County over 12,000 pre-K and Kindergarten students with the Josh the Otter Program; they also go to the summer programs where they have the swim clubs; however, Commissioner Smith has his own Josh book and he is a volunteer reader in the school system. She and Josh expressed appreciation for the recognition the Board helped to promote.

**Result:** ADOPTED

**Mover:** Curt Smith

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

Chair Lober pulled Item F.17.

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

The Board 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:** Curt Smith

**Second:** Bryan Lober

**F.2. Final Plat Approval, Re: Oakwood Landing Commercial (19SDM00003) (District 4) Developer: Vinings Palm Bay Investment, LLC.**

The Board granted final plat approval; and authorized the Chair to execute the final plat with Vinings Palm Bay Investment, LLC for Oakwood Landing Commercial, subject to minor engineering changes, as applicable, and project does not relieve the developer from obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Curt Smith

**Second:** Bryan Lober

**F.3. Final Plat and Contract Approval, Re: Reeling Park South - Phase 2 (20SD00001) (District 4) Developer: The Viera Company**

The Board granted final plat approval in accordance with Section 62-2841(i) and Section 62-2844; and authorized the Chair to execute the final plat and Contract with The Viera Company for Reeling Park South - Phase 2, subject to minor engineering changes, as applicable, and project does not relieve the developer from obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Curt Smith

**Second:** Bryan Lober

**F.4. Final Plat Approval, Re: The Lakes at Indian River Preserve (Pods 12 and 13) (17SD00018) (District 1)**

**Developer: Indian River Preserve Estates Corp.**

The Board granted final plat approval in accordance with Section 62-2841(i); and authorized the Chair to execute the final plat with Indian River Preserve Estates Corp. for The Lakes at Indian River Preserve (Pods 12 and 13), subject to minor engineering changes, as applicable, and project does not relieve the developer from obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.5. Final Plat and Contract Approval, Re: Harbor Island Beach Club (20SD00006) (District 3)**

**Developer: Phoenix Park Fund V, LP**

The Board granted final plat approval in accordance with Section 62-2841(i) and Section 62-2844; and authorized the Chair to execute the final plat and Contract with Phoenix Park Fund V, LP for Harbor Island Beach Club, subject to minor engineering changes, as applicable, and project does not relieve the developer from obtaining all other necessary jurisdictional permits.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.6. Waiver of Subdivision Perimeter Buffer, Re: Harbor Island Beach Club (20WV00007) (District 3)**

**Developer: Phoenix Park Fund V, LP**

The Board waived Section 62-2883(d) of the subdivision requirements to allow private drainage, public utility easements, and fencing in the northern and southern buffer tracts.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.7. Acceptance, Re: Binding Development Plan with Estrella Funeias Shouppe (19PZ00140) (District 5)**

The Board executed the Binding Development Plan with Estrella Funeia Shouppe.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.8. Acceptance, Re: Binding Development Plan with River Fly-In Condominium, Inc. (District 2)**

The Board executed the Binding Development Plan with River Fly-In Condominium, Inc.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.9. Approval Re: Donation of Sanitary Sewer Easement and Temporary Construction Easement from Ulmer R. McBride for the W01 Force Main as Part of the West Cocoa Utilities Improvement Project - District 1.**

The Board approved and accepted the Sanitary Sewer Easement and Temporary Construction Easement.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.10. Approval Re: Joint Release of Cross Easement with Brent C. Williams as Successor in Interest to Dick and Rebecca Wiebelt - District 4.**

The Board approved, accepted, and authorized the Chair to execute the Joint Release and Cross Easement.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.11. Extension to Continuing Construction Management (At Risk) Services Agreement for SCAT projects**

The Board extended the existing Agreements with Canaveral Construction, Ivey's Construction, and W&J Construction for an additional six (6) months.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.12. Permission to Advertise, Award and Execute Contract for Bridge Maintenance Services - Countywide**

The Board extended the existing Agreements with Canaveral Construction, Ivey's Construction, and W&J Construction for an additional six (6) months.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.13. Approval, Re: Purchase of an Articulating Off-Road Dump Truck off the Florida Sheriffs Association Bid #FSA18-VEH16.0**

The Board approved the purchase of the Florida Sheriff's Association Bid #FSA18-VEH16.0, specification #64 in the amount of \$628,376 for an off-road dump truck.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.14. Permission to authorize the Department Director to execute the attached settlement offer from the Florida Department of Environmental Protection (FDEP) Re: Resolution of Dispute Sarno Road Transfer Station Odors.**

The Board granted permission authorizing Solid Waste Management Director to execute the settlement with FDEP to resolve a compliance dispute regarding odors attributed to the Sarno Transfer Station.

**Result:** APPROVED  
**Mover:** Curt Smith  
**Second:** Bryan Lober

**F.15. Board acceptance and approval of an 80/20 FDOT Public Transportation Grant Agreement for funds to procure a new 100 octane low-lead aviation fuel system (tank) at Valkaria Airport.**

The Board approved and accepted the 80/20 Public Transportation Grant Offer/Agreement for funds related to the procurement of a new 100 octane low-lead aviation fuel system (tank) to be located at Valkaria Airport; authorized the Chair or County Manager to execute the agreement and other documentation on behalf of the County; approved all necessary financial/budget adjustments; authorized staff to initiate and complete the public bidding process; and authorized the County Manager to execute necessary budget change requests.

**Result:** APPROVED  
**Mover:** Curt Smith  
**Second:** Bryan Lober

**F.16. Approval, Re: Granting Signature Authority to Board Chair to sign the Community Needs Assessment (CNA) for the Community Services Block Grant (CSBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding.**

The Board authorized the Chair to execute the CNA for the CSBG CARES Act funding after it has been completed by Housing and Human Services Director; and granted authorization for the Chair to execute all subsequent CNA's once approved by the Housing and Human Services Director.

**Result:** APPROVED  
**Mover:** Curt Smith  
**Second:** Bryan Lober

**F.18. Confirmation of New Members to the Board of Directors of Golf Brevard, Inc.**

The Board approved confirmation of Dick Dunn to the Board of Directors of Golf Brevard, Inc., with said term to expire on June 30, 2022; and Amy Gregory and Scott McLachlan to the Board of Directors of Golf Brevard, Inc. with said terms to expire on June 30, 2023.

**Result:** APPROVED  
**Mover:** Curt Smith  
**Second:** Bryan Lober

**F.19. Adoption, Re: Space Coast Area Transit's 2020 Title VI Program Update for the Federal Transit Administration**

The Board adopted the 2020 Title VI Program Update Report for Space Coast Area Transit as required by the Federal Transit Administration.

**Result:** ADOPTED  
**Mover:** Curt Smith  
**Second:** Bryan Lober

**F.20. Request Approval of 1st Amendment of an Existing Contract between Brevard County and Treasure Coast Medical Associates, Inc. for Firefighter's Physical Exams.**

The Board approved the First Amendment of an existing Contract with the Treasure Coast

Medical Associates, Inc. for firefighter's physical exams.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.21. Authorization: RE: Municipal Review of Local Option Gas Tax (LOGT) Percentages Allocations**

The Board directed the Clerk to mail a copy of the LOGT percentage allocations to each municipality for review; and recommended the Board conduct the final reviews of the allocations at the July 7, 2020, Board meeting.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.22. Approval of Budget Change Requests**

The Board approved the Budget Change Requests.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.23. Resolution approving the issuance of multi-family housing revenue bonds by Brevard County Housing Finance Authority (Millennia Housing Project)**

The Board adopted Resolution No. 20-050, allowing the Housing Finance Authority to apply for an allocation with the Florida Division of Bond Finance and the issuance of multi-family housing revenue bonds to finance the acquisition, rehabilitation, and equipping of Jupiter Ridge, Armstrong Glen, and Sandpoint Village, collectively the Millennia Project.

**Result:** ADOPTED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.24. Appointment(s) / Reappointment(s)**

The Board appointed Jim Barfield to the CFX Environmental Stewardship Committee, with said term expiring June 2022.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconder:** Bryan Lober

**F.17. Request Approval, Re: CARES Act Individual Assistance Program Procedure**

Ian Golden, Housing and Human Services Director, stated the last Board Meeting on May 5, it talked about the \$4.4 million or up to \$4.4 million, that had been set aside out of the CARES Act funding for a rent and mortgage assistance program, a utility and security deposit program, and a food stability program; at that time he mentioned he would be updating the Policy they had used previously and bringing it back to the Board; that is what the Board has in front of it for this Item.

Chair Lober asked if he were to have someone in the Country illegally, would it possible that they would receive funding from us the way that the County is currently structured.

Mr. Golden stated he does not believe so; obviously someone could always potentially try to defraud the County and he is hoping because of the checks and balances that are in the system they would be able to catch that; part of the documentation that they are looking as backup for the program includes income tax returns, bank statements, there is a waiver because they will be looking at Social Security Numbers (SSN), so they will be looking for that information. He reiterated there is a waiver included and attached to the application because he has to let people know that they will need their SSNs and what they do with that information.

Commissioner Tobia stated he wants to thank Mr. Golden for his hard work and dedication that he and his team have put into this past two weeks for the program that is more than \$4 million, it's the omen's work and greatly appreciates that so much so that he is going to do something that he has never done in his political career, in fact he despises politicians that have done this; he is going to do it a little backwards; normally what these folks do is try to amend stuff and then once it is amended they vote against it; and under no circumstances will he be voting forth, these are just his suggestions to make it more palatable. He went to advise that even with these additions, this still does not meet his endorsements; he mentioned the U.S. House just passed a \$3 trillion assistance package on top of what was already appropriated; yes, it has to go through the Senate and yes, it will need the Presidents signature, but he thinks it is probably premature to move for it; the second round has an additional \$1,200 stimulus checks, \$200 billion in hazard pay, and if this is passed with stringent requirements this Board would be no better than the Federal Government which is literally spending people's grandchildren's money; and this Board is doing just that. He continued by saying existing assistance, the rent and mortgage assistance programs, procedures are written and do not have provisions for claw-back, in other words if this money is handed out, the \$4.4 million, and the government passes this additional \$3 trillion or even \$2 trillion expenditure, the County has no way to get this money back; Commissioner Lober has pointed out these individuals have most likely already received \$1,200 stimulus checks, \$500 per child, \$600 per week in federal unemployment, through July 1, and if they are an independent contractor it is done retroactively; the State is a little behind, but it says it is retroactively, the \$275; and in fact there are many media reports that people are receiving more money being unemployed than they were being employed. He went on to say it is also unclear with this program if there would be grant assistance in those situations where the government has halted evictions; he asked if the Board remembers the Governor had extended the eviction period so there are many things already in place; he noted Chair Lober mentioned there are people here illegally, it is good that those people would be caught, but he would take the tact that this money will be going to non-U.S. citizens; those citizen from other countries should be looking to their own nations for assistance during this global crisis; and while the discussion is about \$4.4 million, there is no idea of what the actual cost of administering these funds would be. He added it could be twice that amount or even ten times the amount because the County has no idea what the need is; additionally this program would allow those with felony records to be eligible for these funds; he does not believe the Board should be handing out tax dollars to child molesters or people who abuse their spouses; it is great that it will not be going to people that are here illegally; however, it is not unprecedented, the State of Florida has something called the clean hands provision in which they forbid certain privileges for people that have had felonies. He stated if the Board goes forward with this \$4.4 million, quite possibly non-American citizens and quite possibly people who have committed felonies, will be eligible for these funds; he does not know if there is need from a motion, he does not believe there is consent from the Board but he would certainly like the \$4.4 million that was allocated to be placed back in the unallocated funds; he has no problem with the food assistance that is a help to individuals that are lacking food, but he thinks that anytime the County hands out direct benefits for rent or mortgage, no matter how well it is done, and he believes Mr. Golden has done a great job, he just does not think it is the wise, proper, or conservative thing to do; and he noted quite often when people run they say

they are not going to be like Washington and hand out everyone's grandchildren's money, but by doing this, it is exactly what the Board lambasted Washington for doing. He asked Mr. Golden and the Board to keep that in mind but not let it reflect the hard work that Mr. Golden and his staff have done.

Commissioner Isnardi state the Board Members could probably talk about what they disagree with that Commissioner Tobia just said; it could be argued about for awhile, but if there is this many people willing to speak, obviously Commissioner Tobia is assuming if talking about convicted felons it is assuming the absolute worst and most egregious of crimes and that there is zero chance of rehabilitation; she adamantly disagrees with that; she thinks this money, whether the Board likes it or not, the Federal government clearly has not done their job in multiple areas, not just balancing the budget, but with the broken and disgusting immigration assistance which is a whole other argument, and not the Board's fault as a local government; the County received these funds to help people, businesses, and to employ these same people and because there is a stay on evictions, it does not mean that rent is not still due; and she noted she is obviously going to be opposed to some of Commissioner Tobia's comments and she will wait to hear from the public with what they have to say. She mentioned she likes that he has strict guidelines because it makes sure that the people who actually need it are the ones that get it and it has a very small chance of abuse; there is abuse in everything in government but she likes the direct payments; she actually has people complaining now that they do not want to give out their private information, but if they are needing help it only makes sense that the help go directly to where that need is; she thinks this is great and that Mr. Golden did a fine job with the Policy; and obviously he is not going to be handing out money like a free-for-all without those guidelines in place and without vetting.

Commissioner Pritchett stated she agrees with that; the Federal government got this money and they are trying to use the local governments to funnel it into the communities; as far as the stimulus that was already done with all the families; there is already going to problems with the economy anyway because she thinks there is going to be a recession, people will have to see what Trump pulls off as he seems to have good business savvy; there are always people who are going to abuse; however for the majority of them that are genuinely in a situation, Mr. Golden is doing the analysis and making sure people are not getting a ton of funds in doing this, but she thinks this is substantial. She went on to say she thinks there are a lot of problems, there was over almost 50 percent, she knows Commissioner Tobia knows this number on the people being able to receive funding that are out of work, but there is a big hunk of people that are not able to get those funds right now from unemployment; she knows people who work at churches do not qualify for unemployment, so if the churches have closed down, there is just groups of people who have no income and are trying to figure it out; she knows Mr. Golden is spending up to this amount and he has already told the Board he is doing all this criteria; and she does not imagine he is going to spend this much money. She noted she feels pretty good about what was put in place and she also trusts the community of trying very hard to be responsible with this and she trusts Mr. Golden and the rest of the County staff.

Commissioner Smith stated while he agrees with much of what was said, in fact when he first heard about this \$105 million he thought maybe the County should not give this money out because this is just as Commissioner Tobia said, one more step where the County is spending its Grandchildren's money; it is a government program and everyone knows how wasteful government programs can be; however, the more he thought about it the more he thought government is the cause of this problem, it has overstepped its bounds and stepped on the constitutional rights of everybody in this country; and because of that businesses are going out of business, they have had to shut down, all their employees have been forced not to be able to work and make an income, and so with government causing this, why not help government

help the people that they have hurt. He continued by saying of course there is going to be some monies that fall through the cracks, but he thinks the way Brevard County has looked at it, Mr. Golden is going to give money to the institutions rather than the people, so the people cannot get the money and go buy a jet ski or a bottle of whiskey, it is going to go for their mortgages, rents, and etcetera; he thinks this is about as good as it gets when it comes to a government program helping people and he thinks it is definitely needed; and through no fault of their own, these people are out there suffering, so he thinks it is a good idea especially when he has people like Commissioner Isnardi and Commissioner Pritchett overseeing it, he thinks the County is in good hands, if they are for it he is for it.

Commissioner Isnardi asked what kind of demand has been seen; she inquired if Mr. Golden is keeping a tally on the amount of people; and she asked what the requests are for right now.

Mr. Golden advised what his staff has been doing up to this point is, he did not want to advertise the program until it was brought back to the Board, so what has been done is everyone who spoke at the last Board meeting who indicated they had a need plus all the emails, there has been about 25 people they have reached out to so they could get some initial idea of what they are looking at; the estimate for those 25 is probably an estimate of \$88,000 to \$100,000; the majority of them do have a tie to the Coronavirus, but they will know the exact amount once they are provided the application and staff can go through the documentation because they will take into account what they have received from other sources; and the Policy speaks to the fact that there are going to be other forms potentially. He noted he already knows one of the other forms developing is a request for lease information form and they have already started having conversation with the other agencies in the community that are receiving funds.

Commissioner Isnardi stated it is not unlike any other government agency when someone is requesting some assistance to ask for things like licenses, SSNs, and that sort of thing.

Mr. Golden agreed.

Commissioner Isnardi asked what he is doing to protect their private information.

Mr. Golden responded the information is protected by Sunshine and there is certain aspects of the data that is given that are not released even under a public records request such as their SSN and those types of things.

Commissioner Isnardi asked if he is storing it.

Mr. Golden advised they do store it for the amount of time that is required by State Statute; every records request that request this type of information is always vetted through the County Attorneys Office; and they always redact out any information that is not eligible for release.

Commissioner Isnardi stated she knows there has not been something exactly like this and she asked, based on Mr. Golden's experiences, what does he foresee the County getting flooded with; and she asked if he believes that \$4.4 million is going to meet the immediate needs for what the Board is designing it for.

Mr. Golden explained he is hesitant; his gut feeling is it is not going to be enough, however, he is not going to come back to the Board at this point without having expended any funds; his expectation at this point is that he would probably have a better idea in July when the Board comes back to look at that small business program to give the Board and idea of what the burden rate is as he goes through these dollars; the \$4.4 million with the three different

programs because the food stability program could be significant because the School Board is about to come to the end of the year and they usually ramp down their feeding program to just summer camps; therefore, there is a potential for an increase over the summer months in need under that program. He noted he will have more data regarding that by July as well. He went on to say there is also a difference in how they look at, when the CARES dollars take over from what the Federal Emergency Management Agency (FEMA) is doing up until this point; with FEMA as long as there is a State of Emergency everybody who needs food can come and get food; with the CARES Act there is a requirement that he actually has to tie it the Coronavirus; therefore, whatever the County ends up doing for the food stability program moving forward, they are going to have to somehow build that into the process that they are certifying there is some kind of tie, so that is going to be an interesting process as they move forward with that. He stated there are all these different factors; he knows Hillsborough County gets upwards of 100-plus calls a day for their program; Polk County, he thinks it is partially because the way they designed their program, they did not have a lot of those guidelines in place that Brevard County does, they had about 40,000 people sign up in about 24 hours for their assistance; his staff is looking at multiple avenues for people to be able to access and to provide the applications; they will place the application on the website so people will be able to download it, fill it out, and they can mail it in; he has talked with the libraries and they will have paper copies at the libraries; they are also going to use the libraries as a drop point and he will send staff once a day to pick up any applications there; and they are also looking at online application software so people will be able to fill it out entirely online, including uploading documents and digitally signing and then hopefully using that same program to do it off a mobile phone.

Commissioner Isnardi inquired if Mr. Golden foresees, even if the demand is high, that the \$4.4 million will get him through to July, at least.

Mr. Golden responded that he believes so.

Commissioner Isnardi commented okay; she thanked Mr. Golden; and she advised she is sure there will be more questions after some of the speakers and advised that he take some notes.

Mr. Golden responded he will.

Chair Lober stated essentially the concerns he has with respect to this that have not already been articulated by Commissioner Tobia, he had already discussed the last time everyone was there; it is not that he has any question as to the capability of Mr. Golden or staff, if anything having Mr. Golden and staff working on this makes him more comfortable than he otherwise would be; he just has some concern that he does not know if they are surmountable, just as Commissioner Tobia's concerns, he does not know if they are surmountable; beyond that the only thing he would add to what he has said in the past is in looking at the remaining money that the County has that is potentially still available, if there is a proposal where there is an option to loan the money instead of granting it outright, he would certainly view that a lot more favorably, so it is just something to keep in mind; he is not pushing or twisting arms at this point because obviously it depends on where things go with respect to the Policy and program that is currently in place; however, when things come back down the road, he would not mind looking at loans, whether it be small businesses or otherwise, as opposed to simply handing it out and never having an expectation of getting it back. He continued by saying he thinks the County could potentially do more with that money over the time that it is available, if the County were to loan it out, assuming they were to get some portion of it back, and then turn around and loan that same portion back out again; and with that he will start public comment.

Pam Dirschka stated she is there to advocate the \$40 million in CARES Act Funding, not yet

allocated to be used to provide direct economic support to local families and small businesses beyond the \$4.4 million; she has been affected by COVID-19, everyone has; like many of the Board Members, she was used to going to many events and activities, but the biggest effect to her has been the exposure to many in the community that have critical needs; they need groceries and some need a place to live; and prior to the last County Commission meeting, she had emailed the Board a letter with pictures of just a few she had met and implored that the Board set aside funds for families like them. She mentioned it included a father of a six-month old living in a motel; it also included a little six-year old living in a motel with his mother and grandmother; she has been part of the grocery delivery team that is taking groceries to these families and others in the community who lack transportation and funds; the Mutual Aid Brevard has been there for these families by matching up donations with needs; she read the proposal for the Housing and Human Services Coronavirus Assistance Program; and while it is a good effort and will likely help many in Brevard County and should be expanded, she sincerely doubts it will help a few, if any, of the people she has met the last two months. She went on to say first of all, filling out a paper document and requiring copies like tax returns, bank statements, and pay stubs would be an obstacle for them as they will not have a printer, most will not have transportation even to get to the library as has been suggested, and by the time they are able to put in an application, the funds may well be gone; secondly, some of these families were in tough shape before COVID-19 and it made it harder for them to search for jobs, and will not be reflected in the requirement to show a 25 percent loss of income as 25 percent of zero is zero; third, consider the families who live in a hotel because they have not been able to provide first and last month rent or other expenses of permanent housing; she asked if they would be eligible for funds under this program, she is not sure; she stated they have been stuck in limbo during this current crisis and need help more than most; and she knows there are no easy answers but she does not see a solution in this document. She went on to say here are some suggestions; the families in situations that she has discussed should be able to call to apply as an option and she heard it mentioned they might be able to do it with their phones and that would really be helpful; they need a social worker to help them through the process and a social worker that can go to their applicants location; and three leaving a portion of the funds set aside so it is not gone before they are able to apply. She added the funds need to be distributed quickly.

Jim Kennedy thanked the Board for letting him speak and for taking the first steps in distributing the Federal CARES Act Funds to help the residents of this County; the \$4.4 million is a good first step and a good way to ensure that the second step of the remaining funds are allocated effectively; people have seen that the process suggested for the first step, though still in the preliminary phase, would not be a good model for a much larger roll out that is to come; the need for the paper-based application will be shown to be an obstacle for lower income applicants who sometimes have to rely on libraries, which some are currently closed, to get to computing resources needed to print; this testing phase of spending will show that people with the most need are not the ones to receive the most assistance; and the present plan provides more income assistance to those with higher incomes instead of higher need. He went on to say the CARES Act was intended for the most vulnerable in the society, not necessarily the ones who are the best at filing forms; and he is sure that in the full rollout of the funds provided by the County from the Federal government for the expressed purpose, "fast and direct economic assistance for American workers and families and small businesses, You will ensure that families that were already on the fringe of economic disaster, medical need, housing hardships, and the foundation of the working class are the ones who can more easily and more directly access these funds as the Federal Government intended." He thanked the Board for its time, and the trial rollout of the funding to see that the County Plan is more sorely lacking in forethought and planning, and achieving the required goals as set forth by the 116th Congress and President Trump.

Samantha Nazario stated she is a constituent of Commissioner Isnardi and she is doing an amazing job, along with Commissioner Pritchett and Commissioner Smith; she is there on behalf of allocating more funds towards helping the families in need; in the Eau Gallie corridor alone they have served over 1.2 million meals with the assistance of Matt Susin from the School District Board; there are 1,200 homeless children in Eau Gallie alone; and these families need these monies now and they need to be able to have access to these applications, they cannot wait until July. She went on to say they are in a desperate need, they are living in circumstances where a stimulus check may not exist for them, a food stamp card may not exist for them, and as to Commissioner Tobia's comment, these families work hard; these families are the ones who clean people's toilets, clean the dishes in the restaurants, raise people's children, and they work extremely hard, just because they cannot afford to live like everyone else does not mean they are not entitled to human, basic rights; this is not a moment, this is a movement and it gives the Board the chance to rise up and show the constituents, even if it is not their own District, that the Board Members truly care about them; restaurants like Rolli's in Brevard County for 30 years closed and he cannot open again; and there are millennials living with their families being told it is safe to go back to work even though the County's numbers are rising by 10 to 15 a day. She stated this is devastating, disappointing, and very sad; people cannot even pay their bills and Chair Lober wants them to borrow more money; this is ridiculous and she asked where is the Board's compassion; sympathy is one thing but empathy is another is another; she came from nothing, from the South Bronx; she came from New York in 2003 making six figures to have to work four jobs in Brevard County to maintain her home; she lost her house in 2008 and Brevard County did not have funds to help her keep her house; and right now it needs to help the people in need. She added she agrees with the gentleman before her, this is not about helping rich people keep their nice houses, this is about keeping the poor in a home; it is cheaper to get homeless people into a house than it is to continue to maintain them in the street; they have collected over 6,000 pounds, \$6,000 just by people wanting to help other people in this District; and the fact that the Commissioners sit there and judge whether someone is an immigrant, or people should have this much money in bank, or they should have gotten this or that, and she asked if the Board knows what Brevard County pays and the medium rent in Brevard County is. She advised a one bedroom in Brevard County is \$1,100 and when people are only making \$8 an hour, do the math, it is math not magic; it is absolutely devastating that this is how the Board is treating its constituents, the people that vote for them; she stated excuse her for those Board Members, unlike the three that voted for this, they do not have constituents that suffer from financial hardships, but those three do; they are receiving phone calls, especially Commissioner Isnardi and Commissioner Smith because people are hungry, scared, and they cannot go back to work; and the millennials live with parents that are over the designated age of illness and the County is telling them to go back to work and kill your parents.

Margarita Chavez stated she is there to talk about all the families that are addressed out there day in and day out; she is one of those volunteers that is a translator for the Hispanic community; she was out there during Hurricane Maria when there was a lot of them that needed help with FEMA and all of them; she is still out there in the street helping, even now with the devastation; and there are a lot of families. She went on to say the Coronavirus Mutual Aid Foundation that is here is being helped by the total community not by any outside resources; there are a lot of people digging in their own pockets to help one another because a lot of the agencies are closed and that is a good thing that people can step up to plate and help one another; as was heard earlier, some of these people were talking about people in hotels, well there are people in the woods being pulled out to help and put into hotels because they have been raising kids out there, there are people living in cars that need diapers and etcetera; and money like this needs to be allocated. She mentioned during this meeting they did not hear

what was happening with the food and she asked what is going to be happening with the food because the Commissioners did not say anything; she asked how the money for that is going to be spared out of the monies; some of that money needs to go to not-for-profits out there helping one another, because the community has been stepping out to plate; and as Ms. Nazario said there are people that are struggling, the everyday people who were making it are not making it anymore, so the community needs the Board to step up to the plate. She mentioned she has not seen too many of the Board be on the front page of the newspaper with stepping up to help the community, but she would like to see that, as she is just an individual out there just trying to help; she is not asking to be on the front page, she is a person who is in the background and not wanting the attention; there are so many heroes out here that do not ask for that, but that are asking for the Board, yes the government failed the people, try to step up to the plate and make it better here in Brevard County; show them what this County can do here because the little people that are here are probably the ones taking the money out of their pockets and placing it in the bin to help those in Brevard County; and she asked the Commissioners to please help, the community needs this. She stated there are new people coming in to be part of the new agenda for this County; she hopes the Board hears what this community is going through because it will make a difference; voting is coming up and the people are going to make this happen; she thanked Mr. Golden; and asked the Board to make it happen for the people.

Tara Pagliarini, Executive Director of Family Promise of Brevard, expressed her appreciation for committing funds for housing and food assistance for Brevard County residents to help families stabilize; it has been long known that 40 percent of the community was just one paycheck away from losing everything in the wake of a major life event; unfortunately this is the event and what is being seen in the field as a front line responder, is astonishing; for the past seven years Family Promise of Brevard has provided housing stability for over 2,000 Brevard County residents and during that time they have become a well respected leader in providing housing assistance to families with children; and it is in that light that she came today to share three main takeaways after reading the Policy that she has also shared with Mr. Golden. She continued by saying the first is around collaboration, thankfully there is a handful of agencies providing prevention or housing assistance to the residents facing a housing crisis due to a loss of income during COVID-19; the problem comes in that most of these funding sources are operating in silos without communicating with one another and the fear comes that without a cohesive assistance process for the community, they are encouraging agency-shopping which will not result in the outcomes that they are looking for in the County; it is integral that the funding entities are brought together to discuss funding eligibility and income sources, developing an efficient model that is equitable for everyone; and the second is around maximizing resources, a direct result of collaboration will be that they are able to maximize and leverage their resources to serve as many residents as possible; and if that is going to take place the application must provide a place for an applicant to elaborate on the first question which is has the applicant received funding or received a commitment for funding from any other source, and currently there is no space for it. She went on to say if a households need exceeds their eligibility for the County's funding, other funding sources can potentially partner to make up the difference, but it will not happen if they are not communicating with each other; if a household does not meet the County's eligibility, they may qualify for private funding through other entities like Family Promises of Brevard, however it will not happen if there is no communication with each other; additionally Family Promises of Brevard's housing assistance comes with short term case management focused on landlord mitigation; and their agency along with other BHC providers can work together with the County to maximize funds by negotiating balances with landlords and having late fees waived advocating to keep them housed. She stated the third and last point is around data transparency; all of the housing assistance funds they have dispersed to families over the past three years have been entered

into their shared community database with the Brevard Homeless Coalition called HMIS, Homeless Management Information System; and with that system they can pull up any family that has received services and understand more fully their level of need and current housing interventions.

#### Request Approval, Re: CARES Act Individual Assistance Program Procedure

Pastor Joel Tooley, pastor of the First Church of the Nazarene, stated image with me a 17-year old boy who was raised in Brevard County, attended elementary school, middle school, and Melbourne High School hopefully graduating in June, and recently just graduated from East Florida State College (EFSC), who receives no public assistance as an unaccompanied minor; he is not claimed on the taxes of his parents, this 17-year old ready to become a student at the University of Central Florida (UCF), ready to launch into his dream of studying Political Science so that one day he may be sitting in one those chairs on the dais, representing the needs of the people of this County that has raised him; imagine this 17-year old boy having the dream of when he turns 18, moving out of the home that has cared for him as an unaccompanied minor, hoping to step into this County as a taxpaying, hardworking citizen; this 17-year old boy since the age of 16 has generated his own income by working locally in a store, working endlessly, paying his own taxes, shopping, contributing, purchasing his own school supplies, and this 17-year old boy in the midst of COVID-19 wondering how on earth he would ever be able to afford housing, let alone food, car insurance, and all of the other things that would help him become a meaningful citizen in Brevard County; he is not an undocumented immigrant and thankfully there is a community that supports its undocumented neighbors well, even though they are facing the crisis more tremendously than most; he is not a pedophile, not a spouse abuser, he is a product of elementary schools, middle schools, high schools, and EFSC; he is an excellent, brilliant, young man who is striving to make a difference in his community; and he is wondering where he will be able to take his next step in this County. He asked that the Board to think of those individuals; and as the high schools get ready to graduate, thousands of 18-year olds who are ready to step into Brevard County as emerging leaders, he is praying today that the Board do what is best for those most vulnerable in this community.

Miriam Moore, Executive Director for Brevard Homeless Coalition, expressed he appreciation to the Board for approval of the initial funding to help the community and for allowing her to speak today; she stated the CARES Act funding provides Brevard County a unique opportunity to meet many needs in this community, the needs that have risen as a result of or been directly influenced by COVID-19; the Brevard Homeless Coalition's goal is to prevent and eliminate homelessness in Brevard County; current best estimates are projecting an increase in homelessness by 40 to 45 percent by the end of 2020; and there has been a 15 percent increase in homelessness in Brevard County over the past year. She continued by saying these numbers were recorded in January, long before the people began feeling the impact of COVID-19 locally; the County cannot afford another 40 to 45 percent increase; it is imperative that the County take all measures necessary to ensure CARES Act funding allocated for homeless prevention services, be distributed as quickly as possible in order to lessen the impact of this crisis on the citizens; and they strongly support the implementation of a Policy that will assist many individuals and families and prevent homelessness throughout Brevard County.

Lloyd Dabbs stated he had a speech he wrote this morning but he is kind of throwing it out; he expressed his appreciation to the Board for allowing him to speak and also for allocating the \$4.4 million for mortgage and food assistance because he thinks it is important; he mentioned he wants to speak very briefly on the fact that there is a moral obligation and an economic obligation to solve this problem; the \$4.4 million will not be enough, they can see the writings on the wall on how to allocate that money; he knows there are a lot of people hurting, but they

also need to take a look at the next steps for flattening the economic curve, the health curve has been done and Brevard County has been great; however, the economic aspects are going to be severe so the Board may need to look significantly at the remaining \$40 million that is there to spend. He went on to say by a moral standpoint, there is a moral obligation to assist the people of Brevard County; he has been to the homeless camps, he has been feeding the hungry children of Brevard, he has seen the exponential increase in volume of need that has occurred in Brevard County and it is almost insurmountable; the \$4.4 million is a good start, however, there will have to be significant measures for the remaining \$40 million that focuses on small business loans and innovations making sure to keep Brevard residents employed, but also focus on the nearly 12,000 people who have been impacted due to COVID-19; and he mentioned this money is not just a handout, this is about how to ensure that the economy gets stabilized which will see unemployment increases up to 14 percent which means less tax revenue and less revenue at the County and State level. He noted the County has to have a multi-prong strategy that focuses on who this County is as a people from a morality standpoint, but also economically in deciding how to tackle this; there has to be stronger measures here in Brevard County that ensures the service industry and that the workers are taken care of, small businesses are taken care of, and those that are unemployed have jobs or assistance moving forward; that is the bottom line; and it does not only make moral sense, it makes good economic sense. He stated he would urge the Board to strongly consider their next steps very wisely because any wrong decision in terms of how to approach the economic aspect could cripple the Space Coast's economy for the next 10 to 15 years.

Chair Lober advised staff he is intending to take J.1. after the Board finishes this Item.

George Sanders stated his main concern now is the allocation of funds and how it is being distributed to the elderly; he finds himself in a position, as an elderly person, and his housing is not that great; since this Coronavirus has encumbered society, it has changed; there is a lot of fear that has been going on; he just wants to know from the Board what is being done for the senior citizens as they are suffering; the elderly try to pay their bills, they try to get support, and there is none; the Board talks about allocation but he does not see any allocation, he sees a lot of bottleneck that is being presented through the Board; and he does not think that is appropriate if this is going to be a meaningful society and there is going to be some growth in Brevard County and in the State of Florida. He went on to say now what he does see is that the senior citizens are being left out in this allocation being the fact there is poor housing, so the housing is not there, there seems to be no Commission that is concerned about him and other senior citizens, and he is concerned; and he asked the Board what decisions it has made for the senior citizens in this epidemic. He noted the senior citizens are having financial difficulties, they have medical problems, when they go to the medical doctors, the doctors do not even want to touch them or see them, they want to look at them six feet away and he asked what kind of medical attention that is; he asked how he is going to get any better walking up a flight of stairs when he has a back problem and other ailments; he asked where is his relief and who is concerned about him and other senior citizens like him; he commented they might not be in attendance today, but he will talk for them too; he mentioned the senior citizens need help, they need concern for housing, and concern for proper finance because all the financial structure has been destroyed, their way of life has changed, and they are scared in this society; and he commented he and the Board knows there will not be economic growth if there is so much fear. He inquired where all the fear is coming from; there is really not any medical data that is backing what anyone knows, but there is still all of this fear because all of the news that comes up about people dying; there are all these numbers being thrown out and what it has given back is fear; they really do not need the fear, they need answers, solutions, and protocols that are going to get this society back together again as a cohesiveness for everyone; and he asked the Board if the elderly can get some help.

Namor Thomas stated this bill does not help her at all, she falls through the cracks; she does not have the library to go to and she cannot fill out an application; she needs help to fill out the application; as a disabled person in Titusville she does not know how to get the application, who is going to help them, and how she is going to bring it to Viera without any transportation; and she asked where the disabled people fall into receiving some assistance out of the \$4.4 million; the little bit of fixed income that they have to pay for transportation; she pays for Lynx and it is \$80 one way to get to the hospital; and she mentioned she has pneumonia and she is supposed to be quarantined, but she is not because she is trying to advocate for herself and her friends because they are not getting any help. She continued on by saying they are being stuck inside and prisoners of their own homes; last time she came to a Board meeting, the Board did help her with transportation; she expressed her appreciation to the Board for that; she reiterated she still needs help; she needs the application, she needs help to fill it out, and she does not think she should be on the bottom of the list; her friend Jamie filled out an application, being computer savvy, and she got it; she does not feel like she should be on the bottom of the list for that; she has her receipts and \$800 does not get her far; she asked the Board to help the disabled, they need help; and she noted she is also advocating for a self-employed veteran who has not received anything since March. She asked the Board where the disabled fall; she mentioned the Board needs to look at different avenues on how it distributes the money, especially those in Titusville and the people who are homeless because they need the help; and the small businesses need money too, everyone needs to eat; and she asked again for the Board to help the little ones.

Stacy Patel expressed her appreciation to Mr. Golden for his hard work on this program; she stated she does not think she has slept in the last two months; it was interesting to her that the numbers presented here that there is possibly a \$100,000 need because that would honestly stupefy her; she noted she administers a local Face Book site where the community comes together to provide aid to one another while awaiting aid from the County; the last few weeks have been filled with more and more need; and a woman recently wrote she had been furloughed since mid-March and when talking about her unemployment claim she wrote she ends every phone call in tears, she just purchased her first home, which she worked very hard for, she has been working and paying taxes since she was 15, this is the one time after all those years and she is now forced to rely on her government and it is failing her, she could lose everything. She advised another wrote she is a single mother of an eight-year old and a server full time at a well known restaurant, she has been furloughed and has not received anything, not her taxes, not her stimulus, and not a dime of unemployment; she is so far behind she does not know what to do; another person stated they were in absolute panic mode; and these are the stories she is hearing every single day when she is delivering and sending these folks out to deliver groceries to their neighbors because they cannot feed their kids. She went on to say in Pasco County they initially approved \$4 million in rental and mortgage assistance with a maximum of \$3,500 and Brevard's is \$7,200; their AMI limit was 80 percent and Brevard's is 140 percent, therefore people could make \$105,000 and get those funds if they were a family of five; their application limit of 1,200 residents was reached in 15 minutes on May 7; so far this Board has allocated about the same as Pasco County, \$4.4 million and it is not nearly enough; and she is there to ask the Board for the remaining unallocated funds, \$40 million, to be allocated entirely to direct aid for families and that the \$21 million of unobligated funds be utilized to provide economic support for small businesses. She stated for context, in Polk County where they received \$126 million in CARES Act funding they have allocated \$30 million for Health and Human Service needs and \$40 million for small businesses; in Lee County, the most recent proposal she could find sought \$50 to \$75 million of their \$134.5 million in CARES Act funding to immediate assistance for individuals, families, and local small businesses; and in addition, she would love a couple improvements to the proposed allocation process as recent

research has found the COVID-19 has had a disproportionate impact on low wage earners. She mentioned a new survey from the Federal Reserve found that almost 40 percent of the households earning less than \$40,000 a year experienced at least one job loss in March versus 13 percent of those earning more than \$100,000; and the U.S. Bureau of Labor statistics in 2020 shows that leisure and hospitality workers have an unemployment rate of 39.3 percent.

Sanjay Patel stated it has become abundantly clear that in this community folks are hanging on by a thread; he is there to advocate for more funding to support the people who need it; here is a comment that was posted just yesterday to the mutual aid group, "If I was getting unemployment like I am supposed to be then I would not need additional Federal Aid, but since I've been waiting since March, another stimulus bill will be the only way I can make it through. I pray every day that I will check the Department of Economic Opportunity (DEO) site or my bank account and see that they have finally processed my claim"; that comment quickly had five replies immediately after; there were a couple things said today that he felt he had to address; first off it was deeply disappointing that the first comment about this program was whether illegals are going to get access or eligibility for this; first off no one is illegal; and if anyone looked at the number of undocumented residents in this County, and there is a program that is not anecdotal, there are families struggling, and to throw out a program because a few people might get that support, he finds it ironic as well that the folks who make up a back bone of the economy, especially the service industry, like going out to eat, who is washing the dishes, the toilets, picking the fruits and vegetables in the large farms, these are the people who are dubbed the essential workers because the economy cannot function without them; they pay their taxes, and live in the shadows; and he advised he himself was once undocumented and to vilify a program because a handful of people who are actually starving because they do not have enough to take care of their families is just deplorable. He noted Commissioner Tobia had mentioned those folks who had a felony, if someone has set themselves back by committing a crime, it is infinitely harder to get out of that hole, it is hard to get a job, and every single thing takes it's toll; he commented he completely disagrees; and he thinks the County needs to make sure people have a chance to rehabilitate and get ahead; what this Board is witnessing in the terms of people struggling here, it seems as though every level of government wants to shirk their responsibility; and when people talk about those folks getting \$1,200 in stimulus and \$600 a week from unemployment, he asked last time he came to the Board if it had itself gone onto that system and tried to apply, it is a joke, a catastrophe. He continued by saying the next thing he wants to point out is that there is a chance to have a special legislative session to fix things like these broken unemployment systems; every single legislature in the State House and the State Senate that has constituents in Brevard county voted no against a special session; he thinks this is the time when folks are looking for their last resort; and he stated they need to be helped and helped now.

Catherine Haynes stated she spoke at the May 5, 2020 meeting and her concern then and now pertains to the most vulnerable in this community struggling during the pandemic; she spoke at the last meeting about the lifting of the Statewide moratorium on evictions and foreclosures; fortunately, the Governor extended the moratorium until June 2; fortunately, the Board approved allocating \$4.4 million to housing needs out of the CARES Act that the County received in April; this allocation was, as many of the Board Members indicated, a short term effort to address a long term need; and for instance Commissioner Isnardi stated she concern right now is with people who are suffering and getting them the immediate help that they need. She went on to say the funds were set up and allocated to provide this help; now her concern is will \$4.4 million meet the tremendous needs that will be exposed when the moratorium is lifted; as of May 4, only 48 percent of more than 1.3 million unemployed claims have been paid to needy Florida residents; as of May 14 only 43 percent of those Floridians applying for claims through the Federal Pandemic Unemployment Assistance have been paid; and the Associated

Press ranks Florida as among the slowest states in processing unemployment applications. She continued by saying basically it seems Florida is skimpiest State in the country when it comes to assistance for families struggling to make ends meet; given this, she asked how can most families afford on June 3 to make June's rent or mortgage payment, not to mention that unpaid rent or mortgages during the moratorium are not forgiven or frozen; additionally, many tenants do not have jobs to return to now; allocating \$4.4 million to housing needs was a good start but she asked the Board to please not stop there; she noted people have lost their livelihood through no fault of their own, as Commissioner Smith alluded to; and she asked the Board to please take additional steps to ensure these people do not also lose the roof over their heads.

Charles Tovey stated trickled down theory does not work and he is ashamed of his government and his country; government employees, elected officials, appointed officials he is ashamed of, not all of them, but some of them; he advised he is a convicted felon and he has done double of what was required of him to pay for his crime; his crime was manslaughter, his brakes failed on the way home, three miles to drive his employees home, and the man in front of him was from the Public Defender's Office and he slammed on his brakes, he put on his brakes but the caliper locked up and threw him in the other lane where a man's life was taken for it; he has given everything he can to make amends for that man and everything to the country, but yet he is prejudiced against; and there is no second chance for anybody if they make a mistake or something out of their control, or people who are cased up for things they are not even responsible for. He went on to say there are people in prison getting released after 30 years because they had been wrongfully convicted of a crime; he asked if there is no leeway or care for anything; he mentioned the three State Troopers said that they saw no signs of impairment, felt they could not charge him, and did not charge him, but the State picked up the charges and here he sits; he did all of his sentencing and got out of everything and moved to Melbourne and then Palm Shores; then they did everything against him and used everything they could to run him off his property; no one has helped him and no one has offered to help him no matter if it is a church or any kind of organization, everybody runs from him and they flee like roaches; and he mentioned he does not know why there is no tolerance for anything. He stated when he comes to a meeting and coughs, he gets thrown out of the meeting, but everyone else is allowed with the selective enforcement and friends, that is okay; he noted he has made mistakes, he has made amends, and the rest of his life he will be punished; and he asked why.

Mr. Golden stated normally he does respond back to public comments but he would like to address a few things he has just heard during public comment; first off, people need to remember what these dollars and the rules that came from treasury, require of the County, they have to have an impact from Coronavirus, they are not dollars that are to be used to correct societal ills; he has already had some conversations with agencies regarding the chronically homeless, and if they were homeless prior to the Coronavirus, he cannot assist them with these funds that have been set aside, because that was a previous impact and it is not directly related to the Coronavirus; and that is true of everything that he will be looking at doing under this program. He went on to say with evictions, he has had conversations with his staff; as Commissioner Isnardi had stated, just because there is a moratorium, it does not mean that the bill is not going to come due; the problem is he has a max that is allowable under this Policy, therefore, there is the potential that somebody is going to come and need more than they are eligible for; in that instance the Policy allows for if the landlord will write off the difference or if there is an ability to pay that difference out of some other pot of money, a relative or friend, if not they will not be able to assist them because bottom line is there is no point in paying a landlord \$3,000 if the bill is \$4,000 and they are still going to be evicted once the moratorium is lifted; and those are things they are looking into and they will be very difficult decisions he will have to make; however they are trying to make those decisions in line with the guidance that

has been received from treasury as well as what is in the Policy that has been brought before the Board. He continued by saying the idea of layering funding, he thinks he has already mentioned he is looking at trying to set up meetings with the different funding agencies and looking at what the other agencies in the County are receiving; he was hoping to have that meeting on Thursday; they had to push that back because some of the other municipalities are just starting to open up and they have requested it pushed back to allow them the time to open; his office is moving forward as the Policy allows, to add additional documents; one is going to be a release to request the information so everyone who comes through the program will be able to have that so they can communicate and have that conversation that one of the speakers had talked about regarding all the other avenues of assistance that are being sought by these individuals; and the first question on the application is if they have received anything from anywhere else. He added there is a warning on the application about duplication of benefits; there is also an area further on in the application further on where applicants are asked to list what all those benefits are; he mentioned the Department does try to have heart and there has been some internal conversations regarding if there are some individuals who need further assistance above and beyond what is able to be provided for access, to potentially look at home visits; and if they can do what is necessary to protect them and staff to be able to accommodate those individuals. He noted as for disproportionately helping the higher income, while there is the ability for a family of four under this program who makes up to \$96,882 to receive assistance, people also have to keep in mind they are still going to backing out all the assistance they have already received, plus they might not have as much need as someone who is lower income; someone who is at the higher income level might have had dollars to keep their mortgage two months up to date and now only one month of assistance; they will have that review of their documentation; and he noted they are trying to serve everyone. He advised there is nothing in the CARES Act that requires dollars to be allocated based on age, gender, and social economics, these are dollars that they are trying to get out into the community to provide assistance to the community; while there are some disproportionate impacts to local income, there again, there is no indication that the dollars that came to the County are specifically for those lower income; there are dollars that went directly to the homeless coalition; as part of that conversation with different funders, there are discussions about if people are at a certain income level, the Homeless Coalition can address them; there are dollars that are potentially on the table at the State level for a potential sweep, but if that is the case there might be additional dollars under Housing to address these things; and they would look at those dollars addressing whatever that income population is and then restricting the CARES dollars to the populations that are not being served by those dollars. He mentioned those dollars are going to potentially be a lot smaller pots of money until those dollars run out and they would then look at expanding the population being served with the CARES dollars; they are trying to look at those issues, but they are not going to be able to help everyone; there are people that they are going to have to say no to; those are going to be difficult conversations; and ultimately what they have to do with staff is to make sure they are following the guidance given by the treasury so there are no ill effects or negative consequences for the County.

Commissioner Tobia stated there is a legal term called reliance and he asked if Mr. Golden is concerned if it is \$4 million or \$40 million that is handed out; he stated he is sure there are thousands of people that the Board is not hearing about who had saved two or three months of reserve for just this type of occurrence; however, we are just finding out that there are many that are not and if the County provides two to three months of assistance here, is that taking away the incentive next time there is an issue whether it be a hurricane or, God forbid, another pandemic, that they do not need to save because the County has millions of dollars to hand out; and he asked what is being done to prevent that reliance that these individuals will have, more so than just a direct handout from County, but the stimulus check. He mentioned this is

not just Mr. Golden, but he asked again how this is prevented, how to give these people good economic advice because if the County is just handing money out and not teaching them to be better with their money as they go forward, maybe they do not need a \$2,400 mortgage or whatever; and he asked if there is any educational component. He went on to say he knows Mr. Golden mentioned many other programs that the County had in the past that had educational components and he asked again if there is any educational component to this.

Mr. Golden explained the programs they currently have that provide that educational piece are on-going funding sources; they made that a part of the process; these dollars are crisis dollars; as far as he knows from the CARES Act language itself, there is not a requirement for that type of education; his hope is, because this is a crisis, and because of the population, they are able to serve, with not being able to serve people who have those chronic issues, those people who have not been potentially looking at those issues, somebody who was unemployed prior to the Coronavirus, if they are still unemployed they will not be eligible; one of the comments was 25 percent of zero is still zero, that is true but then there is not proof that impact was from the Coronavirus; as for reliance in the future he does not know that there is any way to control for that other than to hope that the majority of people who are looking for this assistance will, once they are back on their feet, take this as a learning opportunity that they do not ever want to go back through this again; and he believes that was seen after the Great Depression in this country. He added there was a whole generation of people, who as a result of that impact, they were very tight with their money in that generation that followed the Great Depression; the hope is, there is that same kind of learning curve for them; however, there is no plan or no dollars under this for that type of education program. He continued by saying with the other dollars that are available one of the things that was brought before the Board was the substantial amendment for the community development block grant Coronavirus funds; they have expanded out the ability to do public services; there is the potential, and he would have to go back and look, but with that expansion of public service, he was going to bring back to the Board what they would spend those dollars on; he was holding off to see what some of the gaps were once they started implementing some of these other things; and there is the potential to take some of those dollars and provide some of that education Commissioner Tobia is talking about.

#### Request Approval, Re: CARES Act Individual Assistance Program Procedure

Commissioner Isnardi stated Mr. Golden went through the four points she was going to bring up to either comment on or ask about; she thinks a lot of those comments were more directed as a systemic, chronic problem, than a current one that is directly related to the Coronavirus; that family that makes \$96,000 may have two working household members that both lost their jobs; and regardless of whether or not they fall into a different income bracket, that job loss still means they cannot feed their family, so she is glad they are including the very low income to the upper income. She went on to say it is important to mention the free transportation that has been available with Space Coast Area Transit (SCAT) so anyone can get around if they need to; she asked what Mr. Golden is going to be done about the application to make them available and easy for people because that was a complaint that people do not have computers or they cannot print the application; and she inquired if maybe the applications can be left at the libraries.

Mr. Golden responded that is kind of what he had mentioned earlier; he had a discussion with Jeff Thompson, Library Director, to make copies of the application at every library location just like they have with the unemployment applications available; they are also going to make those libraries as drop off points so people will have completed applications and it is only their library that they can get to, they can drop them at the library directly to a librarian or maybe in the book return, and he will sent staff on a daily basis to go pick up those applications to be

processed; he had already mentioned the online software they are looking at; they will also have the ability to do mobile submission; and there was a demonstration yesterday and if it looks good, they can actually implement that potentially this week. He added that would give the ability to take pictures of their documents and upload it directly through their phone. He advised it is a very versatile system; if they are applying online and need to stop the application process to go get documents it will save their place and send a link to be able to pick up where they left off; some of it is just a function of the Department having to have the documents in order to prove and document the need, not only under Coronavirus, but also need for the dollars that the household needs; therefore, it has to be a requirement of the program.

Commissioner Isnardi commented it prevents abuse and it makes sure the people who truly need it are the ones that get it, so it is not just someone saying they need the money when they may not.

Mr. Golden agreed.

Commissioner Isnardi noted the County is responsible for those funds and to handle them correctly to make sure the people who truly need them get them; usually someone who needs help is not too humble to ask for it if they are really suffering; she thinks it is great; and she is really excited. She inquired if Mr. Golden believes the \$4.4 million will get them through until July so the Board has a better idea or if he would feel more comfortable, assuming the Board is supportive, with some more room if the Board goes over that dollar amount.

Mr. Golden stated he thinks, his gut tells him, the need is going to be greater, but he cannot say how much greater.

Chair Lober stated he thinks he can make it a little bit easier, if it is okay with the Board; if Mr. Golden tells him that there is any risk of running out, he will call a Special Meeting; and he asked if that is fair.

Commissioner Smith advised he was going to suggest that but wanted to float it with the rest of the Commission; everyone knows the Board will be off for the month of June, but if Mr. Golden gets to a point where he thinks that he needs some input from the Board, he could request a Special meeting; if anyone is out of town, it could be a virtual meeting to address his concerns; and he noted he would be supportive of that.

Chair Lober noted if Mr. Golden wants a Special Meeting he will set it up for him as long as the Board does not tell him that is not its inclination.

Commissioner Isnardi stated her only feat would be to make sure those funds were available.

Mr. Golden stated he had forgotten he was going to mention regarding the food program because that is his fear that once they get into the summer months that could really take off; he knew there was a question about that and he forgot to mention that in his response back to the speakers; the plan there and what was presented to the Board on May 5 in that staff report was the ability not only to buy commodities for people to make meals themselves, but also complete meals; and the plan is not to, with any of these dollars, just give lump sum dollars to either individuals or agencies. He added the plan which the Emergency Operations Center (EOC) is currently doing which is back-filling food banks, buying the commodities for the food banks, looking at the agencies that do feeding, and the example that is often used is Aging Matters because of Meals on Wheels; there is a current contract with them, so it would be an amendment to the contract; however, it has got to be different, they cannot just use these

dollars to do what their normal program is, there would have to be a tie to Coronavirus and they are still working through that. He went on to say there are other agencies that do feeding of children, the Children's Hunger Project; there are those agencies that they look at trying to buy commodities or buy meals from, but not give lump sums of money; and that would be buying a service.

Commissioner Isnardi advised there are some of those other dollars that are allocated that could probably pull from as well.

Mr. Golden explained the Community Development Block Grant Coronavirus (CDBGCV) dollars could be used for that also.

Jim Liesenfelt, Assistant County Manager, pointed out the impacts have to be related to Coronavirus; if the Board sees that the County is in danger of running out before July, then Mr. Golden can speak with the Board again; and see about setting up a Special Meeting.

Chair Lober stated it does not seem there is much opposition, so if Mr. Golden asks he will get the Special Meeting.

Mr. Liesenfelt advised he needs the Board review and to approve the attached Coronavirus Assistance Program Procedure.

The Board reviewed and accepted the CARES Act Assistance Program procedure.

**Result:** APPROVED

**Mover:** Kristine Isnardi

**Secunder:** Rita Pritchett

**Ayes:** Pritchett, Smith, and Isnardi

**Nay:** Lober, and Tobia

**J.1. Amendments to the 2020 Comprehensive Emergency Management Plan and Adoption of the 2020 Comprehensive Emergency Management Plan as amended.**

Chair Lober inquired if the Board would like a staff introduction of the Item, or if everyone knows what this is about.

Commissioner Isnardi recommended a brief introduction for the public so they are aware.

Eden Bentley, County Attorney, stated in April 2020, the Board requested changes to the Comprehensive Emergency Management Plan (CEMP) to return the Emergency Management voting function to the Board of County Commissioners instead of the Policy Group; she has presented to the Board the proposed changes pursuant to that request, along with the 2020 Plan that is up at the State for review of compliance at this time; and she inquired if the Board wants more detail at this time.

Chair Lober stated maybe the Board should start with public comment because there are a lot of people who have come out and waited a while to speak.

Jim Liesenfelt, Assistant County Attorney, advised he had invited all of the city people to come up; and he asked if they could start with those in the back of the room first.

Commissioner Isnardi inquired why the rules are different for these people as opposed to public comment.

Chair Lober stated because they were asked to come by staff.

Mr. Liesenfelt stated they are city officials and they have been really good about involving staff in their discussions, so he invited them up to the meeting.

Commissioner Isnardi stated she is not opposed to it, but she would ask that it was consistent in the future, so it does not look like the Board is giving favorable treatment to one group of people over another, whether it was the intent or not.

Mr. Liesenfelt responded affirmatively.

Scott Morgan, West Melbourne, expressed his appreciation for allowing him the opportunity to address the Board regarding the proposed amendments to the County's Comprehensive Emergency Management Plan (CEMP).

Chair Lober interjected and asked that the speakers give their names, he knows everyone, but the clerks may not; and he advised this is Scott Morgan with West Melbourne.

Mr. Morgan commented as Chair Lober noted there are several city officials here, both appointed and elected officials; he stated this is a matter of importance to cities; first they want to express their thanks and appreciation to the County Management staff, particularly to the County Attorney for keeping Brevard municipalities informed as she prepared the staff report that the Board is considering in response to the previous Board direction on the subject and the second being Frank Abbate, County Manager; he wanted to let the Board know that most cities are not in favor of the idea of the County Commission or in the event a quorum cannot be assembled during an emergency, one member making decisions about strategic responses during emergencies; and he mentioned this concern is not about the competency or judgment of any particular incumbent, but rather about structure. He went on to say they understand that the current structure was adopted in about 2005 after there were some strategic choices and communication, difficulties were experienced during the back-to-back-to-back 2004 hurricanes; until the COVID-19 pandemic they believe that structure has served everyone pretty well; with that said, they understand that the Commission is likely poised to proceed with the proposed changes in the emergency decision-making structure; and he mentioned in the spirit of cooperation and the desire to work together they wanted to offer some thoughts about both the near term and longer term. He continued by saying for the nearer term setting the COVID-19 pandemic aside for the immediately approaching hurricane season, they would request the Board consider proposing an effective date of the proposed CEMP changes to December 1, 2020; this would allow the Commission to continue to be the decision maker for reopening under the COVID-19 emergency while maintaining the current Policy Group decision-making structure for the coming hurricane season; and for the longer term, and more importantly, it should be recognized that city residents represent more than 60 percent of the population in Brevard County and have significant resources that can be mobilized during Countywide emergencies; and cities share with the County and with other governmental and non-governmental partners significant operational responsibilities, including law enforcement, fire, public works, and utilities. He added as such, in concert and support of the recommendations seven and eight in the staff report, cities respectfully request that the Commission authorize Emergency Management and the County Attorney staff to work with city representatives to seek to formally increase the role cities have in advising the Commission on strategic responses during Countywide emergencies. He stated one potential suggestion is

included in the staff report which would significantly increase city representation as the Board's strategic advisor during emergencies. He went on to thank the Board for the opportunity to provide it with their recommendations as it considers these changes and they look forward to working with the County and its professional management staff in seeking to provide the best possible most integrated, seamless local government responses to future emergencies.

Shannon Lewis, Melbourne City Manager, stated regarding the County's Comprehensive Emergency Management Plan changes, City Council has had an opportunity to review those and the City of Melbourne Council is supportive of the changes that the County Commission has before it today; the Melbourne City Council believes that the Brevard County Commissioners as the governing body, should have the decision-making authority during declared emergencies; with that said, the City does acknowledge the value that the Policy Group brings; and as a strategic advisor, they respectfully request and encourage that the County Commission expand the role of municipalities within that body, that would provide diversity found throughout the County; they have shared an excellent relationship with the County staff, including the Brevard County Emergency Management staff; and they look forward to continuing to work with them and continuing to work for the Board for the benefit of the communities.

Courtney Barker, City of Satellite Beach, expressed her appreciation for the Board's work especially during the pandemic; she recognizes it has been difficult for everyone; she respectfully disagrees with the Commission's direction with Attorney Bentley's suggestion for the County Commission; she believes the hurricane responses have always been really well done and she feels they have also been really great partners during those emergencies; and she advised she would hate to see that change; she does not see that as a problem that really needs to be solved here with that change; and she recommended that the Board look at the Policy Group changes for a longer emergency like a pandemic, something beyond three weeks. She added she thinks that was the Board's concerns in the previous discussions as a County Commission; the City would be supportive of that as well because quite frankly, when they did a City Declaration of Emergency, the City Manager typically takes over at that point, even though they talk to their City Council Members constantly; after about two or three weeks it got strange, it got slow moving and they could not have a City Council meeting and discuss this in a transparent manner which is exactly what they had started doing; she advised they would agree with that and be supportive of that change on a Countywide level for a longer term emergency; however, for the shorter term emergencies, she feels the County really needs to have that very quick reaction and the expertise that comes with Emergency Management staff and longer-serving administrative officials that have been doing this for a very long time; and they think the hurricane response has always worked well in the past, so why change it now. She reiterated the City would support a change for a longer term emergency; and she thanked the Board for allowing the cities to speak. She noted the City would be glad to help the Board out with any changes it wants to make in the future; she mentioned Council agrees that they want to see some more City representation, particularly beach-side city representation, on the Policy Group in the future.

Chair Lober stated he does not know what the Board wants to do with this; he has always wanted to be a good partner with the cities; he has been trying to do that as much as he has been able to over the time he has served in an elected office; he does not have a concern with having the cities more involved or as involved, but with that said, he thinks the point that was just raised by Ms. Barker as far as concern over long term emergencies, that seems to be, at least from what he has taken home from the Commission, it seems to be what the biggest concern was; having the Policy Group make decisions when there is such a long period of time that the Commission can be called to meet without any sort of issue as far as the notice

requirement or otherwise; and he does not know if Attorney Bentley wants to speak as to how this would impact long term emergencies or whether it would impact them in a different way than short term issues or whether this would be universally the same, which would be his understanding.

Attorney Bentley responded this is universally the same as drafted.

Commissioner Tobia thanked the County Attorney's Office for putting together a plan in such a short period of time; he thinks it is bold as well as transparent; this is going to move many of the County procedures to Ordinance as opposed to the closed Comprehensive Plans so more things would be done in Sunshine; it also thinks it is wonderful to bring more input from the partner agencies, our cities, ensuring that County elected officials remain in charge whenever possible; this new strategy group that would be created under this plan would include, and he wants to go over the list because it has not been mentioned, County Manager designee, City or Town Manager from North Brevard, City or Town Manager from Central Brevard, City or Town Manager from South Brevard, City or Town Manager from beach municipality, school superintendent or designee, the Sheriff or designee, County Public Safety Director or designee, County Fire Chief or designee, President of the Space Coast Police Chief's Association, President of the Space Coast Fire Chief's Association, Cocoa or Melbourne Water Utility Director, Florida Department of Health Brevard Representative, and Emergency Management Director; Attorney Bentley, in the staff recommendation has included more people in this all new strategy group which he greatly appreciates; and he stated he has a long motion, but he certainly wants to hear what others thinks because there are many steps, eight or nine to actually put it into place.

Commissioner Isnardi thanked the County Attorney for her hard work on this; she stated she knows it kind of put staff in a unique situation because they obviously have the cities who still want to have a vote; what she took issue from and for a long time, she understands that hurricanes are different, is that there were clear differences on not just what city representatives believed or thought should be happening within their city or thought that the County's rule should be, but even among the Commission because even when the Commission made very clear its position, the representative from the Commission maybe had a different position, which can be respected; she wanted to avoid all of that; she advised the Commission does not go into cities and override their decisions by telling them how to run their cities; and she does not want them to be able to do that with the County. She went on to say they can easily make their own rules, that was made pretty clear when it came to the beach closures; the Board received some pretty scathing emails from elected officials from other municipalities that disagree with the Commission; she does not want to get into that mix again, this Board is who is accountable for County decisions, the ones held accountable by the residents whether the decisions are good or bad, and it needs to be out in the public like Commissioner Tobia just stated; and when there are non-elected people making decisions and voting behind closed doors and not in the Sunshine, people can get the information but it is quite difficult, on something so import as big public policy, she thinks the Board needs to be the one responsible, good or bad, accountable good or bad, and in the public good or bad; she is all for this; she likes it and the idea of having the strategy group to give the Board their input based on the needs of their City; and they always have the option to override within their own municipality, at least with what the Board is doing. She reiterated she like this, she thinks it is long overdue. She noted the Board even had its own County Employees completely against what the Commission's will is; people can love or hate the Board Members, but they are Policy makers so that is just how it has to be; she does not want County staff to be in a position nor does she want this to become a battle with County staff; she has her own heartburn over the way some of the County's own Emergency Management staff handled things; and she has already

addressed that with the Manager, hopefully now moving forward those changes will be made and they will do a better a job. She noted she likes this, she will be anxious to hear the motion, and she will second it if it sounds nice.

Commissioner Pritchett thanked Attorney Bentley for hearing the Board and drafting this; she stated when there are different events happening in the community the Board has to respond with a good response that makes the adequate changes; she likes this also; and she informed Commissioner Tobia if it is a nice motion she will be voting with him as well. She went on to say if the Commission adds on to this Board it is fine, but they will all have to cram into that little room in a hurricane; what she likes about this is the Chair will be able to hear and be able to sign the State of Emergency; when there are things that should come to an ordinance, it needs to come before the Commission; that is what it was elected to do and it has that duty and responsibility; and as has been said many times in meetings, the buck stops at the Commission. She added this is something the Board has to do for its citizens. She noted she represents four cities and she takes great responsibility in doing that; she gets ahold of the City of Titusville and Cocoa; as far as representation of cities, the five Board Members represent all the cities; she gets phone calls all the time from Scott Larese, Titusville City Manager, and they have long conversations; and she cares very deeply about North Brevard and the cities, so there is representation from the County Commission. She continued by saying as far as the Policy Board, she does not know that she has had representation of North Brevard on the Policy Board, so she feels this is a better fit countywide; she likes this and as far as other people wanting to jump in and have an input or be locked into that little room during a crisis, that is fine with her as well; she also thinks it is a good thing because the Board has these conversations open in the public and when it is in the Policy Room it is not open; she listened in to many of them and she was a little surprised after this Board gave direction of wanting to have input that the Policy Group, not that they are not all good people, that it was completely ignored; and that was when she realized the Commission need to make some changes. She mentioned she is hopefully going to support Commissioner Tobia's motion. She advised she received the data from surrounding counties and out of 10 counties, seven of them, the County Commission makes this decision, so this is already in place, what this Board is changing; one of them, the County Manager would be the one to sign it; there is only one, Hillsborough County, that does what Brevard County is doing now, so as far as what other counties in the State are doing, Brevard County is now moving towards what other counties are doing.

Commissioner Smith stated he likes this; he spoke with Attorney Bentley about it several times and she has done outstanding work, she had tremendous insight, she heard what the Board was saying, and she looked at the big picture, and having been in that small little room, the Policy Group worked well in that situation, but the situation the County just incurred, they all know the hiccups and the stumbles that went on; he thinks this solves that problem; and going forward, if there is a hurricane, he thinks the County is in good shape. He added during Hurricane Irma, when he was Chair, he had the benefit of having a lot of people in that room that had gone through it just the year before with Hurricane Matthew, when Jim Barfield was the Chair; they stumbled a few times and they admittedly said the problem was that there was no continuity, there is not a hurricane every year; therefore, the previous hurricane to 2016, when Commissioner Barfield was Chair was in 2004, and most of those people who were in that room were not there this time in 2016, so they were learning on the fly. He continued by saying in 2017, it was a piece of cake, so he thinks the key is continuity; he also thinks this plan will service everyone very well.

Chair Lober commented he is not trying to sway anyone's vote, he just wants to lay out his thoughts in the terms of the way he is voting on this; he was not sure how he was going to vote on this until yesterday; he had a conversation with Jim McKnight, Cocoa Beach City Manager,

and he was vacillating as to which way to go with this and he thinks that essentially won him over; some things to keep in mind, and he is not going to take credit for all of this, as some of these items were brought up to him by others whom he respects locally with partnering cities; Brevard County had among, if not the lowest positivity rate for Coronavirus infections than any of its peers, certainly of any of the adjoining counties; and the Governor was touting Brevard as the example County of what to do and what a success looks like in dealing with a crisis. He went on to say he understands there is always some question as to how much input is the appropriate level of input and he knows no one here is a dictator or totalitarian, but anytime the Board looks to consolidate power, when there is a situation and someone looks at the objective metrics and it is working well, it causes him concern that if there is a subjective benefit, which may well be from implementing some changes, and he believes there are some changes that are appropriate that are among those suggested, he just worries that the Board puts itself in a position where it loses the trust of the partnering cities; and he thinks some of the positives are also some of the negatives and some of the negatives are also some of the positives. He continued by saying for example, in terms of having a slew of non-elected or bulk of the Policy Group consisting of non-elected individuals is good and bad; he believes everyone is well-intended but he sees a situation where there is someone that is up for election that has concerns based upon electability and may not be as inclined to make an unpopular choice that is still the best choice for the constituents; having folks that also have numerous years on staff at the various cities at the School Board, at the police departments, or the Sheriff's Office at the County, they get that institutional knowledge that frankly, no one on the Board has; the most anyone on the Board is entitled to be a commissioner is eight years consecutively; therefore, he thinks trying to work with the cities as much as possible is a good goal. He continued to say that his dealings with the cities have been, if not universally positive or about as close to it as one could expect, given the horrible circumstances that everyone was dealing with; with that said, he thinks that there are some good things; he thinks the Policy Group as it existed is a little lopsided in having too much County staff having input, obviously there is the Fire Chief, Public Safety Director, Emergency Operations Director, the County Manager, the County Attorney, and the Chair of the County Commission; it would be smarter to have a more diversified group or even if it is geographically diversified amongst the different Commission Districts; however, he does not know if he can sign on to something like this because he thinks the concern as far as long term emergencies, and more narrowly tailored toward long term emergencies to have power decision-making come back to the Commission, he would be in favor of that. He stated the problem with this is it is simply too broad; he thinks the cities have done an excellent job and that there is expertise on the Policy Group as it is currently composed; he is not saying it is the be-all end-all and that there are some changes that are appropriate to make; however, he thinks this goes too far in that it addresses all varieties of emergency, not just the variety of emergency that he thinks was more contemplated as being problematic, those that are longer term that really can wait to have the 24 hour notice of the Board where ideas can be hashed out and folks can show up just as they did today to express their opinion and have their input. He mentioned that is essentially where he is at.

Commissioner Tobia stated this came out of staff recommendation so he has not thrown anything in there, but it is nine points; and he made a motion to approve changes to the proposed 2020 Comprehensive Emergency Management Plan (CEMP) submitted to the State of Florida for approval and adoption of the plan as amended per the Resolution; direct staff to implement the same changes to the existing CEMP and submit changes to the State of Florida if necessary; direct staff to make all other minor amendments necessitated by the changes in this section presented in attachment one in the 2020 and the 2016 plans; continue authorization of County Manager, or his designee, to sign extensions of local State of Emergency as needed; continue current delegation of emergency authority of the Vice-Chair until the end of term as Vice-Chair to allow consistency with the existing and ongoing pandemic

procedures; in the event an issue arises regarding FEMA reimbursement eligibility, as well as a result of any proposed action, staff is authorized to take all necessary steps to preserve FEMA eligibility; direct Emergency Management staff and the County Attorney to meet with city representatives to explore options to increase city input and participation in emergency procedures; include city representation in the annual pre-storm session organizational meeting of Emergency Management and the Emergency Operations Center; and direct staff to begin the process to implement emergency procedures through ordinance where practical.

The Board of County Commissioners, in regular session approved changes to the proposed 2020 Comprehensive Emergency Management Plan submitted to the State of Florida for approval; adopted Resolution No. 20-051, amending the 2020 Comprehensive Emergency Management Plan; directed staff to implement the same changes to the existing Comprehensive Emergency Management Plan and submit changes to the State of Florida, if necessary; directed staff to make all other minor amendments necessitated by the changes in the section presented in Attachment 1 in the 2020 and 2016 Plans; continued authorization of the County Manager, or his designee, to sign extensions of local state of emergency as needed; continued current delegation of emergency authority to Vice Chair until the end of term as Vice Chair to allow consistency with existing and ongoing pandemic procedures; authorized staff to take all necessary steps to preserve FEMA eligibility in the event an issue arises regarding FEMA reimbursement eligibility as a result of any of the proposed actions; directed Emergency Management staff and the County Attorney to meet with city representatives to explore options to increase city input and participation in emergency procedures and include the city representatives in the annual pre-storm season organizational meeting of Emergency Management at the Emergency Operations Center; and directed staff to begin the process to implement emergency procedures through ordinance where practical.

**Result:** ADOPTED

**Mover:** John Tobia

**Secunder:** Curt Smith

**Ayes:** Pritchett, Tobia, Smith, and Isnardi

**Nay:** Lober

The Board recessed at 11:03 a.m. and reconvened at 11:13 a.m.

## **G. PUBLIC COMMENTS**

Dennis Jolly stated he has a vacation rental in Cocoa Beach and he wants to address the issue of vacation rentals that are closed in direction by the Governor to the County Board to generate a plan to open the vacation rentals; the novel Coronavirus has impacted Brevard County's vacation rental community in unprecedented ways; the Florida local community and city government leaders issued and implemented directives, regulations, and actions which were disjointed and confusing for the small vacation rental business owner and citizens of the community; at present, everyone is aware that the government has closed stores, beaches, parking, and are now trying to come up with a plan to reactivate the businesses and save the community; the first action was to open up the hotels and inns and keep the vacation rentals closed; and he noted he does not understand the thinking behind that so he came to educate the Board on some of the facts of the vacation rental market and how they operate. He went on to say there are approximately 485 beach vacation rental condominiums now closed in Cocoa Beach and Cape Canaveral, that is not counting the Space Coast beach cities south; there are more vacation rental condominiums than hotel and motel rooms in the market area; the vacation rental condominiums have more stay days than the hotel and motel market; vacation rental condominiums generate more tourist sales tax and vacation tourist tax than the hotel and

motels; and the closed vacation condominiums has been a major loss to the Florida tourist tax monies. He mentioned the Brevard County travel tourist agency is going to spend \$70,000 of tourist tax dollars promoting Brevard hotel and motel stays on freeway signs and brochures; he asked the Board to show him where the County tourist market committee has ever advertised for the vacation condominium market rentals, they never have and it will never happen; and he asked the Board spend some of that tourist tax money on condominium vacation rental marketing advertising.

Chair Lober asked Mr. Jolly to repeat the comment he made about the sales tax or tourist tax collected from the vacation rentals.

Mr. Jolly reiterated the sales tax and tourist tax is generated more by the vacation condominium rentals than by the hotel and motel market in Brevard County.

Chair Lober expressed his appreciating to Mr. Jolly.

Commissioner Tobia stated he normally does not comment, however, he does have a Board Report concerning vacation rentals; as everyone is aware the Governor had made an announcement that would not have given the Board ample time to place it on the Agenda; and he noted that if Mr. Jolly waits until the end of the meeting, he will be making a motion to authorize staff to put together the required documentation to send to Florida Department of Business and Professional Regulation (DBPR) so vacation rentals can open up. He noted that was something that just came through and that is why it was not on the Agenda.

Chair Lober advised depending on how Commissioner Tobia phrases that it is a highly likelihood that he will second that motion.

Mr. Jolly asked that the Board accelerate the plan and get it to the State for its approval because they have the summer market and they have lost all the spring market, which is a major financial impact; and he mentioned they have had to return all of their monies to all of their rental people and now they are cancelling into the June and July market area.

Chair Lober noted Mr. Jolly may get what he wants today.

Charles Tovey stated he did not write a description, it was about his property; about eight years ago a mandatory hearing on all of Brevard County and all the people listed under appeals against the order the County did against him, he went to the meeting and the Sergeant told him if he came back he would be arrested so he went to the County Attorney's Office and told them that and as he was telling them that he was on the Agenda but he could not go, the Sergeant and Deputy Holland were there and found him and they were advised that they could not do that; he did not go back because he did not want to get arrested; so then it progressed and eight years ago with the mandatory hearings, he came up here on a Wednesday and he spoke to Mel Scott and told him he would be packed up and ready to go on Monday; Monday morning came and he came back up to advise them that he was ready to go and while he was doing that they were clearing his property; but when he came on Wednesday to tell the Manager's Office, they gave him a week; and to him a week is seven days, Wednesday to Wednesday. He continued by saying they knew he was packed up and ready to go on Monday and they cleared his property anyway; he asked now what is he supposed to do; he stated there is more he just does not have time with one minute and 25 seconds left; he noted they want him to fill something out again and it is a lie so they can get money; he does not have a home or anything because of the government enforcement; after all of his stuff was taken he paid \$3,000 cash to get it back the day after, then he was postponed for a month and half because

they could not find the keys; and then it was in Daytona, so he finally got the chance to go up there and all of his stuff was piled up and stripped. He mentioned he paid the \$3,000 and he expected all of his personal property back in the condition it was when they left it, all was fixed and all ready to go, but no it was all destroyed and packed up; they deliberately did it; meanwhile he still has all the issues at his property and no one is doing anything about it or to the aggressive criminals that have damaged his life; the reason he comes to these meetings is his God and Savior Jesus Christ directs him to come; and he has no other avenues to go to so he is at the mercy of this Board looking for some way to work this out instead of going to court.

Drew Gruff stated he is in attendance on behalf of Stays In Cocoa Beach and he would like to propose a safe reopening to vacation rentals in Brevard County; he truly recognizes and appreciates the decision made by the Board today; the Order the Board put in place in April was clearly done with the best interest of Brevard County in mind; that Order had purpose and it treated all accommodations in a similar manner and did not allow anyone to accept tourists or leisure guests; he believes it was the right decision and necessary for the benefit of the general public; he commends the Board on its decision not to renew the Order that had expired in May; however, in comparison to measures that were taken by the County, vacation rentals have now been shut down by the State for over 55 days all while hotels, motels, inns, resorts, and timeshares have continued to welcome guests with absolutely no restrictions. He continued by saying to put it simply travelers are already going to be here, and he asked if it really matters if they choose to stay in a hotel or a condominium right next door; in fact vacation rentals actually represent a form of accommodation that better supports the concept of social distancing, be it self check in, fully equipped kitchens, no lobbies, restaurants, or bars; and in addition the Board would be throwing the small local-owned businesses a much needed life line. He added that is an opportunity for these people to start the revival of the economy; last year alone his company paid out \$290,000 in Brevard County tourist taxes alone with another \$385,000 to the State which is roughly \$675,000 just in sales and use tax; if they are forced to close, those taxes go away for good; more importantly than just the tourist tax dollars, they in turn provide much needed jobs for their staff which includes cleaners, maintenance technicians, and building managers; they provide their local businesses, who have been hit the hardest, with the customers they need to get back on their feet; and he stated the community needs these vacation rentals more than ever now, to give money back and get people working again. He stated there has been more than enough time to properly prepare themselves, their staff, and their properties for reopening, recognizing the new guidelines that his industry has started adopting which all conform to Center for Disease Control (CDC) and DBPR guidelines; they are more than prepared than ever to offer safe, clean lodging to travelers today; he recognizes and does not count the impact of the large hotel chains that are in the area, however, creating government policies that are meant to support them at the cost of local residents and small businesses does not seem right at this time; if the County is already welcoming guests from out of State to the local market he would ask that the County make sure that is allowed for vacation rentals as that represents the largest section of the customer base; and at the request of the Governor he would urge the Board to immediately request a reopening of vacation rentals in Brevard County by proposing the adoption of DBPR cleaning framework without restrictions on out-of-State travel or waiting periods.

Cathy Davis stated her and her husband are homeowners and vacation rental owners in Cocoa Beach; they have four private vacation rental homes, all beach side and north of the Pier in Cocoa Beach; in each case they have vastly improved the property that they had purchased; she is speaking to encourage the County to open up the vacation rentals; and also to open them up without unfair restrictions. She continued by saying safety is important but it is not fair to place bands or 72-hour restrictions on vacation rentals when hotels, timeshares, and resorts have none; multiple families have contacted her about their dad being desperate for a private

home, they want to come to Florida and just be with their families, their wife and their kids, they say they do not want a hotel, they want a private home with a private pool and their own kitchen; they also say they want to socially isolate with their families without sharing common spaces with strangers; times are tough and everyone has suffered; she advised they have nine private companies and contractors that they employee in which six have suffered; the cleaners and property managers have no work when there are no guests; and it is difficult to calculate the monies that have been lost, but she can tell the Board the amount that has been actually refunded, and the amount of State and local tax that has been refunded. She added that does not take into account the bookings that have been moved ahead to next year because those are weeks that are lost next year; and it also does not take into account the 29 inquiries and requests that she has turned down in the last two weeks because of the Governor's ban. She went on to say sadly, some of these families have told her that they will go to other beaches in other states and everyone knows if people like it somewhere else they may not come back; worst of all, there seems to be no end in sight for the Florida vacation rentals; and she asked what she is supposed to do about her June bookings, about the proposed 72-hours between the bookings. She stated she would invite the Board to come and visit her vacation homes, she would be glad to provide a tour so it can see for itself why she should be allowed to open with a fair safety plan; and she asked that the Board please give the vacation rentals the same consideration that the hotels, motels, and timeshares have been given.

Barbara Manica stated she manages one of those vacation rentals; families are sheltering together and the majority of the people who come to vacation rentals are families, momma, papa, grandma, grandpa, and the children, so they are already living together, not in every case, but in many cases; these vacation rentals have well equipped modern kitchens; these people are cooking at home and it does not require them to go to a restaurant; and they have private pools so they are not in a public pool. She continued by saying the home she manages is 2,400 square feet, to put eight guests in that it would give each person 300 square feet which is a lot more than the six feet distancing; she would also like to address the 72-hours that apparently the Governor thought was a good idea; she thinks it is excessive and she does not believe they are doing it in the motels; as a manager she goes there and checks the house after it has been cleaned or while it is being cleaned; they use every precaution already; and she asked for the vacation homes be opened back up right away.

Tina Krokenberger stated she lives in Cocoa Beach and manages a complex on the beach near the Pier; her husband and herself are resident managers and have been in Cocoa Beach for six years; they have quite a following and their rental business has been in existence for over 45 years; they only manage one facility but most the owners have people who come back year after year after year; a lot of them are looking forward to coming back in July; she has one tenant that has been coming for 35 years and she is very upset that they may not be able to take her in this year; and she is asking that the County put forth the request to the Governor for reopening the vacation rentals. She mentioned in addition to that it is going to help their housekeeping staff come back and be paid, revenues for State sales and use tax, and the Brevard County Tourist Tax.

Cindy McGrath stated she is a resident of Satellite Beach and a manager at Indian Harbor Beach Club which consist of 43 rentals; additionally she manages 18 other properties in Brevard County; and she is in support of the reopening of short-term rentals. She noted COVID-19 has affected her small business along with her associates and the 61 owners that she represents in managing their units; since the outbreak of COVID-19 they have taken the necessary steps to sanitize all the common areas, including the pool chairs, throughout the day; they are on-sight management so they are able to ensure the social distancing; they also have an outside cleaning company that has taken extra measures to sanitize all the

condominiums; she believes they are a safer and cleaner complex than a normal hotel; and they are licensed with the State of Florida under the Division of Hotels and Timeshares. She asked why they are unable to open like the hotels. She went on to say unlike hotels, their units are individually owned and the prolonged ban of short-term rentals could ultimately put some of the owners at risk of foreclosure; some of the owners are elderly and count on this income to supplement their income; they are safe; and she believes they should be allowed to reopen along with hotels, resorts, and timeshares that have already been allowed to reopen.

Mike Bramson stated he is the president of the Firefighters Union; he thanked the Board for the Resolutions that addressed a lot of aspects to the Public Safety Group and the safety of the citizens of Brevard County and its visitors; along with all the other special interest groups that have been to the podium, those with private interests as well as other on-going situations in Brevard County, Fire Rescue has also had synergistic effect with the COVID-19; it has complicated their response and increased their risks; and the things that happen on a day-to-day basis still exists. He continued by saying people are still to go to the doctors if they are cancer survivors, for heart attacks, and strokes; those things continue to exist and now they have a new angle on how to do things; society is going to call that the new normal; no one knows what is going to happen; the reason he is bringing this up today is because they are opening up Brevard County, there was a trial for the new lifeguards and one of the Board's Resolutions addressed drownings; if there was a successful rescue of a drowning, the requirements for survivability is the same of those with COVID-19; respiratory assistance is going to be required; and that is how this becomes a synergistic affect. He went on to say they are now double-downed on the resources available and their response model; they are also now entering a level of negotiations and the Board is about to go into recess; one of the main key points for him to address the Board together as a group is, if there is an opportunity during negotiations with the County Manager and the Board's negotiator, and there is an opportunity to speak, he hopes the communication between the Commission and the Firefighters stays open; the Board members have talked about Special meetings already and that kind of killed the line item for him; however if there is an opportunity for discussion, he hopes the Board would open that door so they can communicate before July 7; that is a long time for the Firefighters to sit on the sidelines and wonder what is going to happen to them during those negotiations; and he mentioned as they all move forward he would like to thank the Board and the citizens of Brevard County for the overwhelming support of public safety. He added the police officers, the frontlines, nurses, doctors, all the teachers with what they are doing with this unique type of learning, and of course the Fire Department and the Paramedics that do this job every day, COVID-19 or not.

**H.1. Developer's Agreement: Tract G, Indian River Preserve**

**Developer: Indian River Preserve Estates Corp.**

**District 1**

Chair Lober called for public hearing on Developer's Agreement with Indian River Preserve Estates Corporation.

There being no comments or objections, the Board conducted the second public hearing approving the Developer's Agreement with Indian River Preserve Estates Corp.; and authorized the Chair to sign the Termination of Indemnification Agreement as well as any other documents required by the Developer's Agreement.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.2. Petition to Vacate, Re: Ingress/Egress & Well Site Easements - Official Records Book 3947, Page 3259 and Official Records Book 3947, Page 3271 - "Walkabout P.U.D." Plat Book 49, Page 27 - Mims - Florida Land & Cattle Corporation - District 1**

Chair Lober called for public hearing on a petition to vacate two well site easements and part of an ingress/egress easement lying within Walkabout P.U.D. in Sections one and 12, Township 21 South, Range 34 East.

There being no further comments or objections, the Board adopted Resolution No. 20-052, vacating ingress/egress and well site easements, lying in Section 1 and 12, Township 21 South, Range 34 East, Mims, as petitioned by Florida Land and Cattle Corporation.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Seconder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.3. Petition to Vacate, Re: Public Utility Easements - 3341 Biscayne Drive - "Sunset Groves Unit Two" Plat Book 41, Page 34 - Merritt Island - Kevin Zari and Serenella Ciranni Zari - District 2**

Chair Lober called for public hearing on a petition to vacate part of a public utility easement centered along the common line between Lots 2 and 3, Block D, Sunset Groves Unit Two in Section 10, Township 24 South, Range 36 East located in Merritt Island.

There being no further comments or objections, the Board adopted Resolution No. 20-053, vacating part of two public utility easements in Sunset Groves Unit Two Subdivision, Merritt Island, lying in Section 10, Township 24 South, Range 36 East, as petitioned by Kevin Zari and Serenella Ciranni Zari.

**Result:** ADOPTED

**Mover:** Curt Smith

**Seconder:** John Tobia

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.4. Petition to Vacate, Re: Public Utility Easements - A1A - Official Records Book 2417, Page 2451, "Proposed Harbor Island Beach Club" Plat Book N/A, Page N/A - Melbourne Beach - Phoenix Park Fund V LP - District 3**

Chair Lober called for public hearing on a petition to vacate a public utility easement lying within Parcel 5, in Section 20, Township 28 South, Range 38 East, located in Melbourne Beach.

There being no comments or objections, the Board adopted Resolution No. 20-054, vacating part of two public utility easements per Official Records Book 2417, Page 2451, Melbourne Beach, lying in Section 20, Township 28 South, Range 38 East, as petitioned by Phoenix Park Fund V LP.

**Result:** ADOPTED

**Mover:** John Tobia

**Seconder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**H.5. Approval, Re: Permanent Access and Utility Easements (2), Resolution and County Deed Associated with the Development Agreement for Indian River Preserve Estates Corp. - District 1**

Chair Lober called for public hearing on permanent access and two utility easements with the Development Agreement for the Indian River Preserve Estates Corp.

There being no comments or objection, the Board approved and accepted the two Permanent Access and Utility Easements; adopted Resolution No, 20-055; and authorized the Chair to execute the Resolution and County Deed.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.2. Request for the Board of County Commissioners to send a letter to the Nature Conservancy requesting that they conduct a poll for an EEL referendum item.**

Chair Lober stated this is a request for the Board to send a letter to the Nature Conservancy requesting they conduct a poll for an Environmentally Endangered Lands (EELs) referendum.

Vince Lamb stated Bo Platt, Suzanne Valencia, and him are somewhat coordinated on this topic, they are all signed up to talk on it, and he is going to cover the first part; the EEL Program was created by referendum in 1990, approved by a 70 percent vote of Brevard County voters; extended by referendum 20 more years from 2004, another 70 percent vote of the residents; and the ad valorem tax of up to 0.208 mills, maybe 30 percent annual for the average homeowner. He went on to say the funding will expire in 2024; the EEL Program currently manages 25,000 acres in nature sanctuaries plus three education centers in the County; another 20-year referendum could occur in November 2020 or November 2022; professional polling is a part of the referendum process and it was conducted for both the 1990 and 2004 EEL Program referendums as well as the 2016 Lagoon referendum; the nature conservancy has offered to conduct a poll to determine the willingness of Brevard County voters to approve continuing small ad valorem tax assessments that have funded the EEL Program for 20 years; and a carefully selected group of voters, there were 500 for the Lagoon, would be chosen to represent the County demographics by age, geographic distribution, gender, and party affiliation. He continued by saying the poll would collect information regarding what people value most about the EEL Program and of course their willingness to continue by supporting it; the TMC will conduct this poll at now charge or obligation to Brevard County; the poll will be conducted in late June and the results will be compiled in early July and made available to the Board as early as possible, certainly in late July; and the last date for the Board to put a referendum on the ballot is August 17, however, the last meeting currently scheduled is August 4, so that is probably the deadline date for that. He stated his friends and himself are hopeful that if this poll shows strong voter support that the Board will vote to place it on the ballot; the primary reason for doing it in 2020 is to remove the financial uncertainties surrounding the future of this popular program; another reason is that if it fails in 2020 they could revise the approach and try again in 2022; and he mentioned a team of EEL Program advocates are willing and ready to move this forward. He noted this is clearly the last opportunity to move ahead with a polling on this matter.

Commissioner Isnardi noted Mr. Lamb asked her if she could bring this to the Board, so she asked him to come and speak on it, so if he has anything else to add she would ask the Board

to indulge him only because she wanted him, given his history in the program, to speak on it as much as possible and answer any questions the Board may have. She inquired if Mr. Lamb has anything else to add.

Mr. Lamb advised he does not but would to turn it over to Bo Platt and Suzanne Valencia and let them provide their comments; and he mentioned he believes Mike Knight is available as staff to answer any questions the Board might have.

Bo Platt stated he is asking the Board to support the offer by the nature conservancy to conduct a poll to gauge voter support for the continued maintenance of Brevard's environmentally endangered lands; four years ago he worked with a group of Brevard residents on a similar measure to post a referendum for the Lagoon restoration and as the Board knows that referendum passed overwhelmingly and in every precinct in the County; and he mentioned Brevard's residents have voted twice previously to pass referendums protecting Brevard County's natural lands for habitat. He added people love visiting these lands and enjoying nature and visitors from across Florida and from across the world are attracted to Brevard County to visit these lands; they have invested in these lands and he feels it needs to protect the investment by continuing to maintain them; and they believe Brevard County residents will continue to support the protection of the public lands. He went on to say the poll can validate that and it will be done by the nature conservancy at no cost to Brevard residents; it is important for Brevard County to act now to ensure continued funding for the EEL with the three educational centers beyond 2024; they could wait for the next election in 2022, but they would rather act now; employees in these programs work there because they love Brevard County's protected areas but they are concerned about their future and need assurance that they can continue to work and support their families; they have already lost employees that are concerned about job security who have moved to similar jobs in areas where they can be confident about their future; and in situation like this the best employees are often the first to leave because they are the ones with the background and the skills to make them attractive to other employers. He continued by saying they believe Brevard residents are passionate about their environment and they have demonstrated it repeatedly by supporting these kinds of referendums and a no cost poll can verify their support; and he thanked the Board for its consideration.

Suzanne Valencia stated she is speaking as a great grandmother; her great grandson just turned three and his best times are in the outdoors; he loves walking trails, learning to tell the difference between red lichen and green moss, and yes he can do that; he likes to visit every flower he sees and playing in the sand; when times are better she is eager to take him to Sam's house on Pine Island, he will be absolutely awed by the 16-foot giant sloth and by finding the ancient bones in the dig pit and then they will follow the trail around to see the ancient hut and the game and fish laid out over the smoke pit; and whoever has not been there she would suggest they visit. She went on to say the three visitor centers, Sam's house on Pine Island, the Enchanted Forest in Titusville, and the barrier island Center on the south beaches play an important role when educating children of all ages about the natural environment; the centers hold many school children programs and home-schoolers bring their children for the educational programs also; she will not be around when her great grandson is a young man and she does not want him to wonder why her generation did not preserve the precious natural areas. She noted the citizens have overwhelmingly supported the EELs Program for many years and she believes they will continue to do so and that is why she thinks it is important to ask the nature conservancy to conduct a poll for free, to let them hear what the general public has to say; she is confident that the poll will show that the residents appreciate the EEL Program and are willing to continue funding it with the usual ad valorem taxes; and she noted she checks her tax bill and she found out she pays all of \$1.61 a month for the Program and

she thinks the visitors will agree with her.

Commissioner Isnardi stated she brought this to the Board because she spoke with Mr. Lamb and he wanted to have this poll conducted at no cost to the County and she thinks given that, whether or not someone agrees with the EELs Program or whether or not someone would vote for it, 70 percent of the residents that the Board represents, no matter the political party, the bias, or anyone's principal position on things, voted for this so she does not think there is any harm in doing this; and she believes it would more reckless to put something on the ballot without having done some background research, at no cost to the Board to make sure it is something people still desire to do. She noted she has her own reservations about some of the spending of old and buying land that the County cannot maintain and she believes she has made those positions clear over the years; she thinks it is good to get a temporary check on what people are willing to tolerate or whether or not they would be in support of it and whether or not the Board should even bother placing on the ballot because it needs to be cautious of what it loads the ballot with; and she reiterated that is why she asked Mr. Lamb to come because he has a long history with the EELs Program and he is very passionate about it. She added Mr. Lamb is very easy to talk to and she is hoping the Board will allow at least this first step to see where people stand.

Commissioner Tobia stated this is an important issue and the reason is because it is a, what would amount to, assuming all of the referendum was the same as last year, same as 2004, would be about a \$40+ million new tax and the basis for this letter is that the Board govern on polling data instead of principles; he has heard some things that were said that caused reservations because he has done polling before; the speakers mentioned the words verify and validate; they go in with a set bias; and for example, the County gets back that 83 percent of these people want this, well if the question is asked if they would be willing to pay \$0.32 per month to save scrub jays and tortoises, he would imagine people would hear overwhelmingly that they would, but if they were asked if they would approve a \$40 million tax to buy and potentially maintain land he thinks they would find only 20 or 30 percent. He went on to say the Board made it clear on March 10, 2020 that it is not interested in allowing normal referendum process to this charter; he had introduced a measure to call a panel required under the Charter for Amendments and four members of this Board did not want anything to do with that, which he respects and he did not bring up any of his ideas, but now the exact opposite is happening; he would suggest that any person or organization who wishes to see the EELs tax extended, including the nature conservatory, that they need to figure out what needs to be done to place it on the ballot by petition; the process includes Supervisor approval, registering as a pack, and collecting and verifying signatures; of course the nature conservatory and or any other organization can do whatever polling they like without the letter, so this is merely a formality; and he wants the Board to rewind two hours where there were six or seven speakers say they cannot afford money for food and yet the Board is now going to open the door for \$40 million of new taxes. He commented not only does he think this is a bad idea, he thinks it would be irresponsible and reckless of the Board to levy more taxes on people who cannot afford basic sustenance; he appreciates the folks for bringing this forward, he appreciates Commissioner Isnardi for doing that and he thinks Commissioner Smith did that in the past because they wanted to find out where the rest of the Board stood, there would have to be four or five that would be in favor of placing this on the ballot; and he would like to give his position but he does not need a poll in order to dictate where his position is going to be. He stated he wants to be very clear, he does not care if that poll comes back at 103 percent of the respondents are in favor of this tax, he will not be voting in favor of it; to all the folks, there are four other Commissioners, and if they get their votes that is a possibility, but under no circumstance will he be voting for a new tax regardless of whatever the polling is; however, he encourages these people to go ahead and do it through the petition process, but they will not have his support to

do that. He added a thank you, and reiterated he would be voting against asking them to do a letter of a poll.

Commissioner Pritchett mentioned she does support protecting Environmentally Endangered Lands; she does not know if the County should purchase more, but she does know that the money to maintain what the County does have is running out so this is a discussion; she thinks the key thing that he said is it is up in 2024; she agrees with Commissioner Tobia that it gives time if maybe they brought it to the ballot in 2022 to go out and do petitions, she would feel a little better about it; as far as conducting a poll she agrees with Commissioner Isnardi, with no cost to the County, she does not mind if that is what they would like to do; and she does think this is important for the environment, right now she has a lot of concern about the economy, and she struggles with putting any tax increases on the ballot this year that is going to be a new tax, just because she is unsure of the economic situation that everyone is in today. She reiterated if the Board wants to do a poll that is good, they have reached out to her office about putting it on the ballot; she told them she probably is not going to support that this time because of the situation the County is in; however, Commissioner Isnardi has her vote for EEL to go ahead and conduct the poll.

Commissioner Smith stated he just wanted to tell Commissioner Tobia that he appreciates his thoughts and he mostly agrees with him; he obviously respects the different view points, but with Commissioner Pritchett's thoughts, he support this; he thinks it is important and it is a valuable resource that the County has, the natural resources; the people who are enjoying them today like the little boy the lady was talking about, his great grandchildren will be able to enjoy the same things that he did, even though he may not be around; and from that prospective I think it is important. He went on to say he understands and respects the other positions too with the times the world is in, but this is something that he thinks people feel strongly about and he has full confidence in the American public and its ability to bounce back from this as it has so many times before; and he is sure the County is going to bounce back from this. He added he thinks people can look at this objectively and ask themselves if they can afford this or not afford it and if they support or do not support it; he thinks it should be left up to the people; if it is placed on the ballot they can say aye or nay; therefore, he is going to support this.

Chair Lober stated as hard as it is to agree with Commissioner Tobia on something he does agree with him pretty well on this one; with that said, Commissioner Tobia has raised most of the points that he would have brought up in his discussions with this Item; he has had folks tell him it is not a new tax it is just maintaining the millage, and to him it is almost irrelevant whether someone wants to say maintaining an elevated millage is different from a new tax, the affect is the same; the bottom line in his book is, even if this comes to pass for a couple of years, he cannot put himself in a position where he is comfortable voting, to even ask a question about increasing taxes or maintaining an elevated millage; and granted, full well, that the Board is talking about something that will occur in the future, he thinks in his mind, it is almost a slap in the face to the voters that are struggling, as was said, to pay for food and things of that nature. He continued by saying he has spoken with some staff about how the Board can bridge the gap with folks not paying their tax assessments over the next year or two; one of the things that he has been looking at is what the County has in Reserves that it can use to buffer things to a degree; he cannot talk about spending Reserves to a degree and also increases taxes; he cannot balance the two and he cannot maintain that; he noted he does have concerns over the wording of any survey; he thinks when it is handed over to any organization, even a very well intentioned organization, and he has no reason to think the nature conservancy is anything but, it is going to be geared in a way that is designed to get yes as the result or a favorable response; if the people are asked if they want a \$40 million tax, he would love to see that be

the proposition from any group, but it is never going to happen, not in any of the Board Members lifetime; and given that there is at least two and a quarter years before they have to have the signatures to get put on the ballot by the petition process, he does not see the urgency. He added it concerns him, although it was phrased potentially as a positive, that if they were to do it now and it fails, they will have the opportunity to come back later and do it again in a couple years, if it fails now and they manage to word the same proposal in a more rosy fashion, he does not know that it is necessarily a good thing; with that said, he does think that some of the EELs projects have been good projects, Sam's House is a great project in his District and Enchanted Forest in Commissioner Pritchett's District is a great project; however, he cannot, with the current climate with the economics as they currently are reconcile it in his head where he can support it, but he understands where everyone is coming from.

Commissioner Isnardi stated just so everyone is clear, she thought she made it pretty clear in the beginning with the introduction of the Item, this is not suggesting the Board place it on the ballot; she tried to bypass all the political grandstanding by saying this is not based on anyone's political opinion whether or not anyone would support it; she thinks she was the one that yelled the loudest when the Children's Services Council was trying to put out a misleading survey; if that is what happens here then that is obviously going to weigh on whether the Board would even consider placing it on the ballot; she thinks she was pretty adamant about how skewed polls can be; however the reality is the Board needs more information. She went on to say she personally does not have a desire to rush it on the ballot right now because it is so close; this Item is asking for a survey, that is the action being requested for this Item; she does not have a problem doing that because it is not going to cost the County any money; if they do skew the survey or the poll, then that is a testament to what they plan on doing to the people; if they are going to fool the people they will never get her support; however, she does not believe that to be the case. She continued by saying that she would hope that is not the case by them bringing it to Board; she thinks because there are so many people in support of it, whether or not that is her, there are so many people who are in support of this program that she thinks it would be almost a disservice because people have invested money into it, just to say the Board does not care; as far as getting signatures, she thinks that is a great idea and maybe that is the route they end up going; but the Agenda Item was not meant to be the political position on the EELs Program or talking about raising taxes, this was just to say whether or not the Board supports the idea of a poll being conducted; she noted it is okay if the Board does not want to do it, she is not asking anyone to raise taxes, that is not even close to what this Item is; and it may be their intent in the future, but that was not her intent.

Chair Lober stated the problem is he thinks the two are inextricably intertwined, if it is putting the Board, and he is not saying this is necessarily the best analogy, but if there is an Item to have people vote to step on the train track, they are going to get hit by the train eventually; if this is something that indirectly leads the Board to be in a position to where it is more likely to raise taxes in the future, he would grant Commissioner Isnardi full well that she is 100 percent accurate that this, in and of itself, is not going to raise taxes a penny for anyone, he just does not want to take that additional step at this time; and he noted that he respects her opinion and that it is certainly logical from her standpoint.

Commissioner Isnardi commented it is not even close to that; they are not even considering placing it on the ballot; there is not even any language for the ballot; the Board has absolutely nothing, it is so far removed from that; and she mentioned it is okay if Chair Lober disagrees with it, but it is not like it is some hair-brained idea that there is a deadline to get it on the ballot and to give it to the county Attorney, they are not even close to that; however, if the Board does not want to conduct a poll she is okay with that, she just does not want it blown out of proportion. She asked to call the question.

Commissioner Smith stated he would like to make one point; when they did the, and he is assuming they will do the same kind of thing here, when they did the ballot referendum for the waterways sales tax they put the actual wording that they were going to use on the ballot, so it is not going to be skewed to make like it is being suggested, like stepping on a train track or something; it is going to be the actual language that they intend to use on the ballot; and everyone will get a real feel for whether they are being led down a garden path or if they are being straight-forward and this is what it is.

Commissioner Isnardi advised the Board could ask for the poll questions after they have done the survey.

Commissioner Smith went on to say, this is also just giving people a chance to voice their opinions; the Board has its opinion and the public has its opinion; and if the public wants to do it or not do it, it is strictly up to them as far as he is concerned; and he is not going to dictate to the public what they should and should not support.

Commissioner Pritchett stated she agrees with that; polls give the community sometimes an ability to respond to what it is thinking and feeling; as far as them being able to do this, she does not mind; it is always up to the Board for the decision; she just wants the Board to know she is going to really struggle putting anything else on the ballot; she is probably actually going to vote for Commissioner Tobia's budget request this year; and she just does not know where the County is at right now. She mentioned she likes all these people, they are good people; even with the Indian River Lagoon (IRL), a lot of people supported that but she does not know where they would be at this point, if it came up for ballot because, again people are struggling to feed their families; and as far as doing a poll, she thinks it is an okay thing to do and she will support Commissioner Isnardi on that.

Commissioner Isnardi stated it is a motion to approve a letter to send to the natural conservatory requesting a polling survey information regarding EELs.

The Board approved sending a Letter to the Nature Conservancy requesting that they conduct a poll for an EEL referendum item to determine how many voters would vote in favor of small ad valorem to fund the EEL.

**Result:** APPROVED

**Mover:** Kristine Isnardi

**Secunder:** Rita Pritchett

**Ayes:** Pritchett, Smith, and Isnardi

**Nay:** Lober, and Tobia

**J.3. Revocation of Authority of the Barefoot Bay Recreation District to Collect Its Assessments In the Manner Provided for Ad Valorem Taxes Under Chapter 197, Florida Statutes.**

Chair Lober advised this item is revocation of authority of the Barefoot Bay Recreation District to collect its assessments in a manner provided for ad valorem taxes under Chapter 197, Florida Statutes.

The Board approved Barefoot Bay Resolution No. 20-001, calling for a Referendum election, for the electors of Barefoot Bay Recreation District, to consider an amendment to the Barefoot Bay District Charter revoking its authority to collect its assessments in the manner of property taxes.

**Result:** APPROVED

**Mover:** John Tobia

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.4. Proposed FY 2020-2021 Budget of the Bayfront CRA, City of Palm Bay.**

Commissioner Tobia stated since the CRA falls within the District he represents, he and his staff went over the budget, and in all honesty and full disclosure, they missed something and Kathy Wall did not; she found \$20,000 that he thinks was probably an unfortunate misallocation; Ms. Wall got it corrected; and he just wanted to thank her for her detailed work as this is something his staff was staying on top off, and they completely missed it.

The Board approved the proposed FY 2020-2021 budget of the Bayfront Community Redevelopment Agency for the City of Palm Bay.

**Result:** APPROVED

**Mover:** John Tobia

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**J.5. Permission to Advertise Public Hearing to consider application for the 2020 Edward Byrne Memorial Justice Assistance.**

Jim Liesenfelt, Assistant County Manager, stated this Item is the Sheriff's Byrne Memorial Justice Assistance Grant and they are requesting the Board give permission to participate and accept the grant solicitation.

The Board granted permission to advertise a public hearing to consider the FY 2020 Edward Byrne Memorial Justice Assistance Grant Application.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**K. PUBLIC COMMENTS**

Teresa Johns stated she and her husband own two vacation rentals, one in Cape Canaveral and one in Cocoa Beach; they operate them and it happens to be her sole source of income, so her family has been extremely impacted by this; she is not going to go through and re-express what other speakers have done a very good job of expressing; what she would like to do is just add two quick points to make sure the Board considers as it puts together, and she appreciates the fact that it plans to be brought forward as an Item for the Board to look at submitting a plan to the State; and she asked that the Board create a reasonable safety plan that is fair along with what the hotels, motels, and timeshares need to do and not excessive. She mentioned she has a copy of some other counties' plans; two plans were submitted on Friday by other counties already, to the State and she has a copy of one of them; it is only three pages and it basically just outlines the Center for Disease Control (CDC) guidelines and Department of Business and Professional Regulations (DBPR) requirements for lodging; and there are a couple other points in there that she would be happy to share with the Board. She went on to say the second ask would be for the Board to please expedite getting these done;

and she reiterated two counties have already done this and that there are many people anxiously awaiting to reopen their business in a safe manner.

Rachel Sadoff stated she is in attendance with Miriam Ambrose who is the President of Green Gables; she mentioned that Green Gables is on a deadline of June 1 of a hope to buy the property that is located in Melbourne, off of U.S. 1; it is a historical building; and she would like to provide some information to Board. She went on to say it is the Wells house which was built in 1896 and it is the oldest Queen Anne architecture here; Green Gables has been working tirelessly to obtain and purchase this house from the family estate with the deadline nearing; they are \$69,000 short and to date they have raised over \$440,000 to save this property; and she noted COVID-19 caused them a little problem where some of their fundraising could not take place, however, she does believe that money would have been raised. She continued by saying she brings this to the Commission because she is not sure who is aware of this building and this beautiful home and in hopes that it brings to light to the Board something it might be interested in assisting with, if there is something that the County can do to help Green Gables, Ms. Ambrose would obviously be very thankful for that; and Ms. Ambrose is there if the Board has any questions. She added it has been acting as an educational place for children; with COVID-19 if has changed the way that people educate their children; and she advised with distance learning and children not going to class, this has become even more special to her for the children, for the seniors, they have adopted some senior classes and some other items that would be able to help the community and provide a history, and clearly an educational background for the youth.

Krishna Tewatia stated equal rights should be something that is universally guaranteed to the people; ever since the founding fathers set this country up upon the principle of equal rights, they still have to fight against injustice; despite how obvious it has been since the beginning that equality is equality and that this is a God-given right; and that is why he and his friends are there to fight for a human rights ordinance. He continued by saying this is a principle that should be guaranteed throughout the entire country, yet here they are fighting for basic human rights in the County; the cause they fight for may seem like an inconvenience to others and it is a part of the reason no one there has yet agreed to vote for their proposal; to them he must say, civil rights are never over-reaches; the reason the United States exists today is because the founding fathers acknowledged that the purpose of government is to ensure that everyone has their rights protected; and Thomas Jefferson addressed the value of these rights in the Declaration of Independence where he wrote, "That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it." He went on to say leaders such as Martin Luther King and JFK as well as thousands of others have lost their lives for these principles; in this day and age, the decision to fight for them and to enact something like a human rights ordinance is so painfully easy; the rights of one are never more valuable than the rights of another; they can see this simply based off the principle of equality; when the Constitution tells people that they all have religious protection, people cannot forget that it also tells them that they all have equal rights, equal protection, and due process; and they cannot let one person utilize their rights to justify taking away the rights of someone else. He quoted from George Orwell, "We must not allow some people to be more equal than others. We must not live in a world where are rights here in the United States can be compared to the communist dystopia of animal farm," he mentioned yet here he is right now; some people have let their misunderstandings of the LBGQTQ plus community come in the way of their basic human rights; the only over-reach here is saying that one person's freedom should infringe on another; and there is no benefit of letting a tyrannical majority control a group that is every single possible claim to their God-given rights. He stated right now some claim that, due to their religious rights, they should be able to deny the very right to exist in peace to a group whom they misunderstand; this kind of immorality has existed forever, and not to mention the way it

was used against African-Americans during the Civil Rights Movements before that, during it, and since; people cannot allow themselves to be the George Wallace's of the time period, who will forever have their legacies maligned by how they used rights such as religion, to infringe upon the humanity of African-Americans; there is no backing for it in the principles of the government due to equality, even in the realm of religion, there is simply no backing for denying humanity to others who have wronged others in no way; and he can think of no religion where actively degrading other equal human-beings who have done nothing wrong, is okay; and to quote that great woman from earlier, God bless this County.

Chair Lober stated he believes it may have been addressed at the last Commission meeting, there is currently to his understanding, and he welcomes the County Attorney to correct him if he is incorrect or leaves anything out, there is currently at least one challenge in Appellate Court based on the constitutionality of some legislation that is substantially similar, if not almost identical, to what has been proposed; therefore, from his perspective, the reason at present that he has not done anything with respect for this is because he wants to see how that pans out; the last thing he wants to do is put in place legislation that is unconstitutional because that does not benefit anyone by getting false hopes up; and depending on how that turns out he thinks they may see some action one way or the other.

Mr. Tawatia asked Chair Lober if he may speak on that.

Chair Lober advised he could say something real briefly.

Mr. Tawatia stated in talking about the constitutionality of that thing, first of all, before that has been established, he thinks they still have every reason to come and fight to do something about that before they have done something, because if it has not been addressed that way, he might as well address it, and if they were to say that is unconstitutional, they would be there to fight against that; and they would be fighting that fight no matter what. He noted he personally thinks that has no relevance to deciding this issue.

Chair Lober stated he respects that.

Steven Meikle stated he is going to talk about the HRO ordinance; it was January 29, 2019, a young student confined to his currently pernicious thoughts of insignificance drooped over stacks of paperwork, the mood was dismal and encapsulated by somber expression; easing into the piercing light of his table lamp and abrupt stream off utility and purposelessness became suddenly unbearable; this student perhaps constrained by the impediments of societal implicit bias was experiencing an insurmountable internal conflict, as a matter of fact, this student witnessed impertinent disapproval from his beloved grandmother, colleagues, and classmates whose unconditional love was what he ever knew; such deplorable words manifested and vigorously ravished the ability of the student's mind, no longer could he envision a meaningful path of persistence, no longer could the soles of education shield him from the unprecedented words from those that have receptiveness and empathy, this a culminating act ensued, an act that was an empathetic call for help; after the discouraging coming out phone call with his grandmother, the student eyed the buckle on his reversible leather belt, the one hanging in the eerie dark of his closet; visibly distraught and sobbing, the student staggered towards what seemed as an unavoidable escape; as he stood there in silence and solitude his knees eventually caved in words of intrepidation, the formidable and tangible universe was now a sensationalist void, consciousness was seemingly consigned to oblivion; and he advised the Board that was him. He went on to say now that he has lived to tell the tale of attempted suicide, he recognizes that his deleterious and introspection had opposed how others viewed him; having learned the incentive to live he realizes now that the meaning of

life is to accept his authenticity, plead for help in times of need, and invoke reformatory change through advocacy; Harvey Milk did not have a chance to live, all these delighted, impactful lives in the U.S. were lost, not by choice; and legal recognition of sexual and gender minorities in the U.S. is so undermined by the overwhelming stigma in Brevard County and Florida. He stated in Florida there is not a single law that prohibits discrimination against LGBTQ plus people; the absence of legal protection permits work place discharge, house eviction, and the denial of hospitality services to LGBTQ plus people; all these legal actions can ensue just by expressing a certain identity that someone else may not like; having invited this normalcy and been psychologically constrained to what they know as defeatism, the need for LGBTQ plus of this HRO ordinance has never been this preeminent; and inclusivity is the key to opening the gate to universal rapture and human civility. He noted solace lies in diversity and not in uniformity.

Jacob Gelman stated he walked into a government building today built around Codes designed for the establishment of equity; he walked into a government building that, in accordance with the ADA, is accessible to those with disabilities; he asked did these regulations take away his liberty; he walked into a government building today built around laws designed for the establishment of racial equality; he walked into a government building that, in accordance with the Civil Rights Act of 1964, mandates the governments inability to fire based on race; and he asked if these regulations took away his liberty, yet he did not walk into a government building today that includes in the protective classes of individuals sexual orientation and gender identity. He continued by saying he did walk into a government building that has even internal regulations preventing this discrimination; he did not even walk into a building that has any type of anti-discrimination or civil rights ordinance; he asked why the lack of regulation must take away his liberty; he asked is there not universally escribed to values of equality and is equality not a ubiquitous feature of the role of governmental protection, equality not as more but the same; equality being a feature lacking in the building in which he walked into today; and when he considers equality in Brevard, many questions come to mind. He inquired what is equality to that person who is fired because of the Board's inactions; what is equality to that child who sits through government condoned torture in the form of conversion therapy; he noted these questions have no answer because the people asking them have no practical manifestation of equality in the first place; stripped of protection by the Board's inaction, existing with perceived inferiority due to other superiority; and he asked is there not universally ascribed values of democracy and is it not the preconceived ideology that fueled the revolution in which created the nation everyone exists in today. He further stated democracy defined, not merely as equal participation in government, but also as equal protection provided by it; when he considers democracy in Brevard many questions come to mind; what to the government is democracy when it allows the tyranny of the majority; what to the government is democracy when they are disavowing equal participation and political society whilst maintaining subjugation within society more generally; and these questions have no answer because the institution in question within them for as long as there is allowance of inequality has created the conditions for the mitigation of democracy. He continued by saying does the County not universally subscribe to the protection of the Constitution; does the government not accept the State as that entity which protects this Constitution; July 28, 1868, the 14th amendment of the United States Constitution was ratified, in it the establishment of a guarantee stating no State shall deny the equal protection of the laws, yet what to the person without equal protection is the 14th Amendment; what to that person is the guarantee to protect the Constitution; and he noted when attempting to answer that question, Supreme Court Justice Felix Frankfurter stated that it is a fair summary of constitutional history that their liberties have often been forged in cases involving not very nice people, and he tends to agree. He mentioned he agrees because the unjustified subjugation of another entity by a more powerful force does not merely amount to inequality, it amounts to violence and that State which commits it is a violent one; Harvey Milks said before

his assassination, "that hope will never be silent" and he tends to agree with that; he tends to ascribe to the viewpoint that it spreads like wildfire capturing the collective imagination of those willing to dream; and he tends to believe that like wildfire it will burn down every force or institution that stands in its way to the achievement of growth. He asked if he could speak on the court case Chair Lober brought up earlier.

Chair Lober stated in fairness to everyone who was in attendance today he would give him just a few seconds.

Mr. Gelman stated the court case brought up earlier is not asking about the constitutionality, it is simply asking about whether it is implied in the definition of sex, so the Board still has the ability to implement legislation.

L.2. Eden Bentley, County Attorney

Eden Bentley, County Attorney, stated she has no report, however, depending on what Commissioner Tobia says, she may have some documents prepared, but she does not know where that one is going.

L.4. Bryan Lober, Commissioner District 2, Chair

Chair Lober stated he has a few things; he advised he needs to make sure the Commission is okay with something; he spoke with Linda Weatherman prior about the location for U.S. Space Command and she is trying to do what she can within the EDC to encourage it to be located here; he would like to sign off, and she has asked that he sign off on a letter, which is not yet complete, that is going to go a minimum, to Governor DeSantis and also to Space Florida for the purpose of trying to secure U.S. Space Command here in Brevard County; he does not know that there needs to be a formal motion but he asked if anyone on the Board has any objection to that because he would like to do it; and he mentioned whether it helps or not remains to be seen, but it cannot hurt.

Commissioner Smith stated it is a great idea.

Commissioner Isnardi asked if the Board has not already done something similar.

Chair Lober advised he thinks the Board did, but this is essentially going at a different stage in the procedure; Brevard County is still in the running which is a great thing; and if it works then that is excellent and if it does not, then it is no worse off than where it started. He went on to say the only thing beyond that, is to what he expects to come up pretty soon with Commissioner Tobia's report, he thinks there are a few things for the Board to keep in mind because he thinks voting for this, there are going to be some folks wondering if the Board Members have done even the most basic diligence in as far as reopening the vacation rentals; he is still going to vote to reopen them, however, he wants to acknowledge that he understands that most folks who are coming to Brevard County and staying, whether in a hotel, motel, or vacation rental they are coming from higher positivity areas; almost as a universal truth, that is the fact; he also wants to say, to play devil's advocate, most of the folks coming here to stay beach side, are not doing that to self-isolate, they are not going to pay the elevated rates to stay beach side just to sit at home all day or to sit in the condo all day; they are most certainly going to go out and about; however, the truth is that is not a primary consideration for him, the primary consideration for him in terms of any kind of regulation that the Board has looked at, implemented, or considered implementing has been whether or not the health systems are in danger of being overrun, in danger of either not having enough staff, not enough PPE, running out of beds or ventilators, or whatever the case may be. He added keeping up with the healthcare systems in this County, it does not sound like they are remotely in danger of that coming to pass at this point; despite the fact that there will be more people who are sick with

COVID-19 or other things for that matter, coming in, he does not think that in and of itself justifies the Board in taking an authoritarian stance with respect to keeping them shut, especially when this Board did not shut them in the first place; people are ultimately responsible for making their own risk tolerance decisions; and it is tough when talking about legislating subjective standards in terms of what one's risk tolerance ought to be. He mentioned anyone who thinks there is an undue risk by going out, they can stay home; there have been many things that he has stayed home from because he thinks the risk is undue; could the Board legislate something here to reduce the risk, absolutely it could, but he does not know if that is right; he thinks that legislation, in terms of restricting people from doing anything they are otherwise entitled to do or able to do should only be done when there are extreme circumstances, not in the sense now where the Board is looking at either making a restriction or enabling an existing restriction to remain in place; therefore, he is going to support the motion in all likelihood, but he would ask that at the minimum the Board recommend that these folks follow Center for Disease Control (CDC) guidelines and Department of Business and Professional Regulations (DBPR) requirements. He stated he thinks if they are requirements, they are requirements anyway and so he does not know how important it is to get into that, but he would certainly as an aspirational goal, encourage folks to maintain compliance with all the CDC guidelines.

L.5. John Tobia, Commissioner District 3

Commissioner Tobia stated this is the second time he will be doing something that he has not done before; he is going to ask that the Board authorize staff to draft and submit a request to Department of Business and Professional Regulations (DBPR) secretary to operate vacation rentals and to submit a safety plan; just to be clear, there is a meeting next week and he generally does not like to make motions that are substantive in nature during Board Reports, though the Board just got this a couple days ago; and it would be his intent to give authorization, but if anyone is more cautious and wants to wait the next meeting, he would certainly understand. He advised he had mentioned this to the County Attorney, Eden Bentley, and he thinks she has done some work.

Eden Bentley, County Attorney, stated over the weekend she had emailed a copy of the Bay County Plan that was submitted; she was not sure where this was going, so she has a draft of the Bay County Plan but adopted to Brevard County; she did include references to the Center for Disease Control (CDC) and DBPR guidelines; and other than that it is almost exactly like the Bay County order that was submitted. She noted she checked the website last night to see if any of these plans, actually there are seven plans that have been submitted, with Osceola and Bay County being almost identical, she could not see that any had been approved yet. She advised Assistant County Manager, Jim Liesenfelt stated it is still zero today.

The Board authorized the County Attorney to send a request to the DBPR Office of the Secretary to resume the operation of vacation rentals, by submitting a safety plan, and by following the Bay County submitted plan.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

L.6. Curt Smith, Commissioner District 4

Commissioner Smith stated the Board has an opportunity to aid the opening of a business and he is just going to quickly provide the facts; United States Specialty Sports Association (USSSA) has been cancelling their tournaments all throughout this period and because of it

they have not made any money, just like a lot of other businesses; now they have a 75-team tournament scheduled for this coming weekend and they are in limbo because the Governor has not made any decisions about amateur sports; last week he said professional sports were good, so he contacted numerous people, including the Governor's Office, to see if he was inclined to make a decision or what that decision might be; and while the Board was on a break he was informed that the Governor has decided he is going to leave it up to the counties, therefore, it is totally up to the Board if USSSA can run this 75-team tournament. He continued by saying USSSA has been running tournaments in three other states already; they already have down the whole sanitizing bats and balls before they are touched, the social distancing, and as USSSA told him, this is really a better suited place than any other tournaments they have run in the other three states because the dugouts are bigger, there are more fields to play on, and the social distancing is easier; and he is asking the Board if it will support a motion to allow USSSA to open this weekend and put their safety ideas in place to run this tournament.

Chair Lober advised as long as they follow the guidelines he will support opening anything.

Commissioner Tobia inquired if there needs to be a letter sent to the Governor.

Commissioner Smith advised the Governor said it is totally up to the County.

Chair Lober asked Commissioner Smith to modify his motion in an abundance of caution to authorize the Chair to sign any documentation required or correspondence required to effectuate the request.

Commissioner Smith agreed to do that.

The Board authorized USSSA to open on May 23, 2020, with safety measures in place and to be followed by the Centers for Disease Control and Prevention guidelines to hold a scheduled 75-team tournament; and authorized the Chair to sign any documentation required to effectuate the request.

**Result:** APPROVED

**Mover:** Curt Smith

**Secunder:** Bryan Lober

**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

L.7. Kristine Isnardi, Commissioner District 5

Commissioner Isnardi stated she has issue and hopefully it does not get too crazy; she has already brought it to County staff and they are already pulling their hair out; she found out through social media that the County is cancelling summer camp; this is concerning to her because of the social media uproar, residents started reaching out, and concern is the economy is being opened up, people are going back to work, there have already been people who have to modify their childcare or become teachers because they have to teach from home, and people that are now allowed to go back to work, and now the County has cancelled the summer programs; whether or not someone thinks the government should be doing a summer camp is a whole separate issue, the point is it is an affordable program that people were counting on; and canceling this late in the game when they are just now going back to work, she thinks is a bad idea. She mentioned she know that County will probably have to jump through hoops to make it open, but she thinks the County should do whatever it can to make sure those programs are running, even if it is at 50 percent, it is better than nothing; she thinks

the County can follow the guidelines, other places are doing it; and she thinks it would be irresponsible just to cut it out now because people are scrambling.

Chair Lober asked for a little more background in terms of whose is technically running it and where it happens.

Commissioner Isnardi stated the County is running it.

Commissioner Pritchett interjected it is Parks and Recreation running it.

Commissioner Isnardi continued by saying she just found out two days ago that the County was not doing it; she found this out through Face Book because there was a parent who was outraged; whether or not the Board should have been informed in a different way does not matter, that is water under the bridge and she is sure it was not anyone's ill intent not to let the Commissioners know; however, it is obvious that people do not call staff, they call the Commissioners. She went on to say she was told the County cannot do it or it was too hard, but she believes that the County can and she has not been told yet that it cannot; she knows it may be difficult but she wants to see if the Board has a desire to ask the County to do it.

Commissioner Pritchett stated she does not mind, especially if it can be done with a smaller amount; she thinks there was some employee situation where they had to pull it over to help other organizations; and she thinks there were staffing problems, but she agrees with Commissioner Isnardi.

Commissioner Isnardi stated that is not anyone's fault but the County.

Commissioner Pritchett agreed with that.

Commissioner Isnardi noted she knows a lot of teenagers looking for jobs this summer.

Commissioner Pritchett advised there are a lot of places starting to hire again; and she mentioned she would also like, as soon as the Board can, to get the outdoor sports back up and running.

Commissioner Isnardi stated if the County does what it does at other facilities, a simple temperature check at check-in, employees do it.

Commissioner Pritchett stated she has a daycare right now and they are still real low on numbers; parents are starting to go back to work; and they are starting to get the kids back again.

Commissioner Isnardi stated she gets her temperature checked when she goes to her other part-time job, it is just something they do to ensure everyone's safety.

Commissioner Pritchett commented she is sure Commissioner Isnardi has to.

Commissioner Smith inquired if they have one of those things that just gets aimed at someone's head and it does not even have to touch the person.

Commissioner Isnardi commented they have to have a high-end one, otherwise they could take someone's temperature four times and get four different numbers, so they have to have the \$300-\$400 one.

Chair Lober stated it is funny, when he went to the Public Safety building on Florida Avenue in Rockledge, Chief Schollmeyer asked if he could shoot him, and he pulled out his little temperature gauge.

Commissioner Isnardi stated they are better off with the tympanic membrane, like an ear thermometer that with the forehead one that can be bought at Walgreens, just because they are not as accurate as someone would have at the hospital.

Commissioner Pritchett advised the Parks and Recreation Director is there. She reiterated she thinks they were having staffing problems.

Commissioner Isnardi stated they were having staffing problems because they were being pulled because they were anticipating them being closed.

Commissioner Pritchett commented that is correct.

Mary Ellen Donner, Parks and Recreation Director, stated they did take a look at a lot of literature regarding summer camps and the types of precautions they would have to take in order to do this; she and staff had very lengthy discussions and many of them over the last few weeks; some of the issues they came up with is that if they ran a summer camp for ages six through 11, which is shorter than they would have, it would be relatively difficult to keep children six feet apart, which is the main non-contact type of activity; they actually came up with a schematic that had a six-foot block in a gym that they could keep children apart; and that is not necessarily a good type of atmosphere to have for young children that are very interactive and very contact oriented. She continued by saying they looked at the school district to see if there was any type of indication from them as to how they would be proceeding come fall or if they had gone back to school this last two weeks; they had talked about face masks on both staff and the children and thought that their success rate of probably keeping a face mask on a child would not be very good; they talked about having them provide the face mask and staff having replacement face masks if they were to get wet, dirty, or whatever; they also looked at some of the guidelines from some of the other camp associations and they said to do as many things outdoors as they can; and of course in the Florida environment it is very hot and if there is a normal summer it is going to rain every afternoon. She went on to say they looked at the ratio of currently being in phase one, so looking at groups of 10, so there would have to be two counselors per eight children which would dramatically reduce the summer camp enrollment and if they reached capacity that quickly, how would they pick and choose if they had a low number of maybe 50 per facility; they would have to limit that summer camp registration; there would be no field trips and right now there are not a lot of organizations that are open to go on field trips; they would not really be able to have children playing with one another because they are not supposed to be in physical contact; therefore, they thought about individual activities that could occur, but it would not be the fun summer camp. She added they like to give quality programs with as much value to them as their core mission is to be fun but their overriding thought was safety of the children, safety of the children when they go home, and safety of the staff, facilities, and the kids when they come back because they would only be able to control the environment at camp, not anyone who went out of camp; and she noted she will do whatever the Board instructs them to do. She reiterated she had a lot of long conversations with staff and it was a very difficult decision; she mentioned they looked at FIT who cancelled their summer camp three weeks ago; and Indian Harbor Beach, if not mistaken had cancelled their summer camps.

Jim Liesenfelt, Assistant County Manager, stated this was talked about since March, this was

literally one of the first things that went through their heads.

Commissioner Isnardi asked if anyone thought to bring it back to the Board, if this was such a turmoil type of situation, or did anyone think that maybe the Board would ask about it.

Mr. Liesenfelt advised they will be more than happy to do whatever the Board wishes them to do; this years summer camp, and it has been a long time since he's been to summer camp, but it will not be like a normal summer camp; and he just wanted to let the Board know if they could pull this off it would be a reduced capacity.

Commissioner Isnardi commented she does not think life is normal right now for anybody; she thinks that instead of finding reasons why the County cannot do it or why it should not, she thinks it just has to do its best to try to support those people who have to work; again, people do not have enough time, because the County waited to cancel, to come up with other arrangements; and she does not want people not to work because they have to feed their families, and that is where she is coming from. She reiterated she feels the County should do everything it can; if they do the temperature checks, at least that is something, and it is not too cumbersome for people to do; if the County does whatever it can to support that, she does not see why the County should not do it; she would rather the County do its best and not have a completely perfect system and support the people who have to go back to work that counted on that program, whether someone agrees with the government doing the program or not does not matter, maybe that could be a discussion for next summer; and she further stated she thinks, at least for this summer, that because it is so late in the game and because everything is reopening, the County should do what it can to make sure it is supporting those people that are going back to work.

Commissioner Tobia asked the County Attorney if there are any liability issues that this could bring.

Eden Bentley, County Attorney, advised she was writing that she needs to check with Risk Management regarding campers to see if additional waivers will be required.

Commissioner Isnardi advised the County has waivers for a lot of stuff.

Attorney Bentley responded affirmatively; she noted the County needs to check with the insurance company and see exactly what type of waiver they would like; she believes they have been considering this type of issue in other types of fields, she thinks the sports industry has been considering this; therefore, this is not a new question for them, but she does think the County may have to take some extra steps.

Commissioner Isnardi inquired if this is unreasonable or unusual.

Attorney Bentley advised waivers are not unusual, they are routine.

Chair Lober asked if the County Attorney is fairly confident at this juncture that, that it is the variety of liability that the County could in fact have someone waive, he just wonders if it is waiveable.

Attorney Bentley stated that is going to be tested; she does not think there are COVID-19 lawsuits out there already; certainly it is being heard about in the nursing home industry; if the County is taking reasonable precautions, taking their temperature, checking them regularly, and following the guidelines; it is not something that is an absolute answer either way; however

the County will do its best.

Commissioner Smith stated he thinks with this issue it is not an act that someone can say the County caused someone to have the COVID-19 because someone could have contacted it 14 days prior and no one knows; and by going to summer camp, people cannot definitively say that their child got COVID because their child could have gotten it elsewhere.

Commissioner Isnardi inquired how many children cases has there been in Brevard County.

Chair Lober stated the problem, at least in his mind, is that it is not looking at saying it definitely, it only needs better than even, the preponderance is just that; and it is whatever is microscopically over 50.

Commissioner Smith noted he understands that they are not worth the paper they are written on.

Commissioner Isnardi stated the Board just approved 75 teams playing softball and the Board is worried about this.

Chair Lober advised that is them, they are private industry.

Commissioner Pritchett inquired if the County charges for summer camp.

Ms. Donner responded yes.

Commissioner Pritchett noted maybe if the County does this, just because she is going back on work experience, the County is doing this already, it is taking the risk so people can go to work where she is; there is no more than 10 people in a room, the kids are kept isolated, the temperatures are checked when they come in, and it is a lot of work and they do have to run the risk of making sure they are not doing anything to add increased liability; even if someone has a waiver, if anything is done outside of what should be done, it jeopardizes that so she thinks with Commissioner Isnardi's request maybe staff could provide an analysis and a smaller amount; there are also these opportunities that are starting to open up, they are at 30 percent capacity right now, and they offer these at a church; and there are a lot of daycares that are just starting to open. She advised they had to increase their employment because they received the PPP loan, so they have to get their work numbers back up to work force, therefore she thinks there are a lot of opportunities starting to open; as Commissioner Isnardi stated if there are parents that are going to be in a catch 22 maybe the County can do something to come alongside with something; and she would love to see the County get up and going with the kids especially.

Commissioner Isnardi stated maybe a lottery system if they have to limit the amount, that would be fair and equitable.

Commissioner Pritchett agreed.

Commissioner Isnardi inquired if that is fair and equitable.

Chair Lober asked if she is talking Canadian lottery or American lottery.

Ms. Donner advised one of the ideas that they had was that they would perhaps open in only select areas if it was something that the Board desired; they would perhaps look at one camp,

central, north, and south or two camps in central, north, and south; and they talked about perhaps maybe people who are not going back to work might not need the service because they do not at this point, in some instances, have jobs to go back to because the County is still in phase one of the Governor's Plan.

Commissioner Isnardi asked if that can be selected, or can they say someone has to prove their employment or is that discriminatory.

Ms. Donner stated they could say they will open a camp at Viera in Central, they would just pick a camp and when that filled up, perhaps they could move on to another.

Commissioner Isnardi advised she just wants to meet the needs of the people that are relying on that camp.

Mr. Liesenfelt noted what he is hearing is the Board's desire for summer camps, even if it is reduced to make some effort.

Commissioner Pritchett stated she does not want to run the risk of competing with the public sector either, if there is a supply of that; and she asked how to do that.

Commissioner Tobia stated he is just thinking about ways to control attendance.

Commissioner Pritchett noted she knows the capacity at most of those places now are still pretty low and they are trying to build up populations; she does not think there will be a mad rush out for it especially since the County charges; and if it was free, she thinks the County would be in trouble.

Ms. Donner stated to clear up the charge portion, there are certain areas of the County that they charge less because there are economic strategic areas; they want to make sure that people, if the County does this, from Viera do not go up and fill up Titusville's camps because it is at a reduced rate because of where it is; camp fees are the Parks and Recreation fee-based so it is not a daycare, a daycare is much more complicated and more expensive than a summer camp; they have increased staffing that they normally would only have one counselor to 20 children; and instead of one to 20, they would probably need two to eight.

Commissioner Pritchett stated a lot of the children that fit in the lower income criteria, they get ELC so they are paid for fully in a private one too; and she advised Ms. Donner is just going to have to run that and provide the Board with an idea so there are not any children left home by themselves.

Commissioner Isnardi stated if demand gets crazy and unmanageable Ms. Donner can let the Board know and it will do what it can; the Board wants to support her and make sure she has the money and resources she needs to do it; she know the Parks and Recreation budget is not always the largest budget in the County; and she mentioned she wants to help Ms. Donner but she always wants to make sure the Board is supporting the community that is going back into the work force, who have been at home with their children, playing teacher, and everything else waiting for their jobs to open back up.

Commissioner Pritchett suggested another idea may be to get a list of all those facilities that are reopening to get some resources into the parents hands so they have options.

Upon consensus of the Board the meeting adjourned at 12:54 p.m.

ATTEST:

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SCOTT ELLIS, CLERK

\_\_\_\_\_  
BRYAN ANDREW LOBER, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA