

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, November 10, 2020**

**5:00 PM**

**Regular**

**Commission Chambers**

**A. CALL TO ORDER 5:00 PM**

Rollcall

**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.

**C. PLEDGE OF ALLEGIANCE: Commissioner Curt Smith, District 4**

Commissioner Smith led the assembly in the Pledge of Allegiance.

**H.1. Petition to Vacate, Re: Public Utility & Drainage Easement - 200 Cadiz Court - "Villa De Palmas Unit No. 4" Plat Book 25, Page 120 - Merritt Island - Jared F. and Susanne H. Maher - District 2**

Chair Lober called for a public hearing on a petition to vacate a public utility and drainage easement requested by Jared F. and Susanne H. Maher, located at 200 Cadiz Court, Merritt Island.

There being no comments or objections, the Board adopted Resolution No. 20 143, vacating a public utility and drainage easement in 200 Cadiz Court "Villa De Palmas Unit No. 4" Plat Book 25, Page 120, Merritt Island, as petitioned by Jared F. and Susanne H. Maher.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**H.2. Petition to Vacate, Re: Public Maintenance & Utility Easement - 1040 New Hampton Way - "Catalina Isle Estates Unit Six" Plat Book 20, Page 119 - Merritt Island - Manny and Michelle Canha - District 2**

Chair Lober called for a public hearing on a petition to vacate a public maintenance and utility easement requested by Manny and Michelle Canha, located at 1040 New Hampton Way, Merritt Island.

There being no comments or objections, the Board adopted Resolution No. 20-144, vacating a public maintenance and utility easement in 1040 New Hampton Way "Catalina Isle Estates Unit Six" Plat Book 20, Page 119, Merritt Island, as petitioned by Manny and Michelle Canha.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**D. MINUTES FOR APPROVAL: July 9, 2020 Zoning; July 30, 2020 Special Meeting**

The Board approved the July 9, 2020, Zoning minutes and the July 30, 2020, Special Meeting minutes.

**Result:** APPROVED

**Mover:** Rita Pritchett  
**Seconders:** Bryan Lober  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.1. Resolution Honoring Vincent Grimaldi, District 3**

Commissioner Tobia read aloud, and the Board adopted Resolution No. 20-145, Honoring Vincent Grimaldi.

Commissioner Tobia stated he thought it is wonderful that Mr. Grimaldi left a legacy that when the name Grimaldi is mentioned, one automatically knows chocolate covered potato chips; he asserted that it is a cool legacy to leave, sort of like Disney; people do not remember the man but they remember the legacy that he left; Commissioner Tobia mentioned that it puts a smile on his face every time; and he thanked Vincent Grimaldi's family and stated the Board felt their loss, but Mr. Grimaldi will be remembered for decades to come.

**Result:** ADOPTED  
**Mover:** John Tobia  
**Seconders:** Bryan Lober  
**Ayes:** Pritchett, Lober, Tobia, Smith, and Isnardi

**E.3. Resolution acknowledging National Native American Heritage Month, District 4**

Commissioner Smith read aloud, and the Board adopted Resolution No. 20-146, acknowledging National Native American Heritage Month.

A representative from Native Gatherings, Inc. thanked the Board to allow her organization to receive this wonderful Resolution and Proclamation during Native American Heritage Month; she went on to say that this pandemic has taught everyone many new skills; their event that usually takes place this coming weekend at the beautiful Wickham Park Amphitheater, under the beautiful pine trees, is now a virtual event; they are Ken Burns incarnate here in Brevard County, creating an event that brought together video from across the nation; performers have sent in videos which will be premiered this Saturday and Sunday starting at 11:00 a.m. on their YouTube and Facebook channels; they are very proud to be able to continue that and have the support of their County in so many different ways, including their Tourist Development Grants and COVID funding, because of that they were able to recoup some of their lost revenues, thus keeping the artists going; and she thanked the Board again for this honor.

**Result:** ADOPTED  
**Mover:** Curt Smith  
**Seconders:** 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 stated there was a public comment card for Item F13., resolution approving the issuance by Brevard County Housing Finance Authority of Single Family Mortgage Revenue Bonds or in the alternative, the issuance of Mortgage Credit Certificates, or in the alternative, the issuance of Multi-family Revenue Bonds; and he inquired if anyone would like another item pulled.

**F.1. Waiver Request, Re: Waiver of Wall Requirement for Wrubel Contractor's Office**

**Site Plan (20SP00025 and 20WV00019)**

The Board granted a waiver of Section 62-3202(h)(10) which requires a six-foot masonry or solid wall when commercial developments within a BU-1, BU-2, or Industrial are adjacent to residential zoning.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.2. Waiver Request to Stormwater Management Criteria Section 62-3751, Exhibit A, Brevard County Code Re: South Central Waste Water Treatment Facility Expansion Waiver # 20WV00020**

The Board granted a waiver to the Stormwater Management Criteria to allow the use of an inverted siphon.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.3. Acceptance, Re: Binding Development Plan with Canaveral Landing, LLC (District 1)**

The Board executed a Binding Development Plan with Canaveral Landing, LLC. Said Plan was recorded in 8923/875.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.4. Approval, Re: Drainage Easement for the Kia Dealership Project - District 5.**

The Board approved and accepted the Drainage Easement for the Kia Dealership Project.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.5. Approval, Re: Sidewalk Easement for the Addison Pointe Apartments Project - District 4.**

The Board approved and accepted the Sidewalk Easement for the Addison Pointe Apartments Project.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.6. Approval, Re: Easement and Release for the Viera Boulevard Commercial Center 1 Project - District 4.**

The Board approved and accepted the Drainage Easement; and approved and authorized the Chair to execute the Release of Easement Rights (Drainage Parcel E) for the Viera Boulevard Commercial Center 1 Project.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.7. Adopt Resolution and Release Performance Bond: Reeling Park South, Phase 1 - District 4**

**Developer:** The Viera Company

The Board adopted and executed Resolution No. 20-147, releasing the Contract and Surety Performance Bond dated March 10, 2020, for Reeling Park South, Phase 1.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.8. Permission to execute lease agreement with NOAA on County-owned property**

The Board approved and authorized the County Manager to execute a short-term, 18-month, Lease Agreement with the NOAA for the transmission and reception of weather and emergency broadcast communications on the FAA-owned tower located at the Brevard County Wastewater Treatment Plant, 10001 N. Wickham Rd., Viera; authorized the County Manager, or his designee, to execute the lease and any additional changes, documents, or amendments to the lease, subject to approval by the County Attorney's Office and Risk Management; authorized the payments made to the County be directed to the Brevard County Utility Services Department to cover maintenance and operation of the property; and approved any associated Budget Change Requests.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.9. Approval, RE: Caretaker Services Contracts (District 1, District 2, District 3)**

The Board approved the selection and award of Caretaker Services Contracts with:

- William Mick at Chain of Lakes Park
- James Darville at Fay Lake Wilderness Park
- Robert Johnson at Fox Lake Park
- Robert Weigel at F. Burton Smith Regional Park
- Ivette Gomez at McKnight Family Sports Complex
- Larry Todd Maddox at Long Point Park

- Llewellyn Ehrhart at Maritime Hammock Sanctuary;

and authorized the Parks and Recreation Director, to execute the contracts, subsequent renewals, and further amendments to incorporate standard contract clauses upon County Attorney and Risk Management approval.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.10. Approval of an extension to four (4) Tourism Development Council Beach + Lagoon Grant agreements, three (3) with Brevard County Department of Natural Resources and one (1) with Florida Institute of Technology.**

The Board approved an extension to four Tourism and Lagoon Grant projects; and authorized the Tourism Development Office Director to execute the necessary documentation extending the project deadline to March 31, 2021.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.11. Approval, Re: Fire Protection and Rescue/Emergency Services Agreements with 4 Communities Fire Department (FCFD), Merritt Island Volunteer Fire Department (MIVFD), and Mims Volunteer Fire Department (MVFD).**

The Board approved the Fire Protection and Rescue/Emergency Services Agreement with FCFD, MIVFD, and MVFD.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.12. Request Approval to give a second extension for Closing Date of Land Sale 2020-2401734**

The Board approved a second extension to the closing date from November 30, 2020, to February 1, 2021, to allow the seller additional time to gather necessary documents to clear title defects; and authorized the County Manager, or his designee, to execute the resulting contract amendment to extend the date, subject to approval of the County Attorney's Office.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconders:** Bryan Lober

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

**F.14. Permission to Advertise an Ordinance that will Revise the Membership of the Art in Public Places Advisory Committee and the Terms of the Appointments.**

The Board authorized the advertisement of the ordinance that will revise the term and

membership of the Arts in Public Places Advisory Committee for December 22, 2020.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.14a No Shave November Resolution, District 4**

The Board adopted Resolution No. 20-148, No Shave November to increase prostate awareness.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.15. Appointment(s) / Reappointment(s)**

The Board appointed/reappointed Karen Calle to the Central Brevard Library and Reference Center Advisory Board, with said term to expire December 31, 2022; Susan Rodgers, as alternate, to the Zoning Board of Adjustment, with said term to expire December 31, 2022; Teri Jones to the Economic Development Commission of the Space Coast, with said term to expire December 31, 2021; Pat Woodard to the Employee Benefits Advisory Committee, with said term to expire December 31, 2021; Kamran Sarkarati to the Housing Finance Authority, with said term to expire December 31, 2024; Nick Sanzone to the Marine Advisory Council, with said term to expire December 31, 2022; Marcia Booth to the Parks and Recreation South Service Sector Advisory Board, with said term to expire December 31, 2022; Roger Gangitano to the Parks and Recreation South Service Sector Advisory Board, with said term to expire December 31, 2022; Michelle Balzanto to the Transportation Planning Organization Citizens Advisory Committee, with said term to expire December 31, 2021; and George Bovell, as alternate, to the Transportation Planning Organization Citizens Advisory Committee, with said term to expire December 31, 2021.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**F.13. Resolution approving the issuance by Brevard County Housing Finance Authority of Single Family Mortgage Revenue Bonds or in the alternative, the issuance of Mortgage Credit Certificates, or in the alternative, the issuance of Multifamily Revenue Bonds.**

Peter Carnesale stated the Board may already know that he is against bonds, in general, which have to be paid back with interest by taxpayers of the entire county, especially when they are for something most of the existing residents probably do not want; he believes there is a part of this request asking for the authority to issue Multi-family Revenue Bonds that should be deleted from the request; he stressed he knows that growth in the community, as a whole, is important for the future of Brevard as it increases the tax base, and as a result it benefits everyone; and that multi-family dwellings increase the density of the population. He went on to say, as a whole, they do not provide the tax revenue to offset their costs in dollars or the congestion they cause on the roads; it burdens the other resources; if one looks right here in the neighborhood

one can see congestion has already begun for commuters and residents on Wickham Road, Viera Boulevard, Murrell Road, Stadium Parkway, U.S. Route 1, and many other roads as well; planning out expansion is serious business; and all these things should be taken into consideration. He expressed that he hopes his request is granted; that the congestion will be a little lighter than it would become otherwise; additional tax revenues will offset expansion of the roads and other services, as well; and he thanked the Board.

Angela Abbott, representative of Brevard County Housing Finance Authority, proposed that the request before the Board is to allow the Authority to apply for allocation which could be used for Single-Family or Multi-family Bonds; before bonds would actually be issued, it would be brought before the Board again for consideration; she also stated that the bonds are Revenue Bonds and not General Obligation Bonds; they are paid for by the project; and so, there is no burden on the tax base. She noted that she was available to answer questions.

Chair Lober inquired if the Board would care to make a motion one way or another.

The Board adopted Resolution No. 20-149, to allow the Authority to apply for an allocation with the Florida Division of Bond Finance and to allow for the future issuance by the Authority of single-family mortgage revenue bonds or in the alternative, issuance of mortgage credit certificates, or in the alternative, issuance of multi-family revenue bonds during 2021 through 2023.

**Result:** ADOPTED

**Mover:** Rita Pritchett

**Second:** Curt Smith

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

**I.1. Appeal of Administrative Decision, Re: Island Forest Preserve (20WV00017)**  
**Developer: IFP Merritt Island, LLC District 2**

Chair Lober indicated that he understood from County staff and Ms. Rezanka that there have been some developments in regards to this item number; and he stated he believed it was a Cost Sharing Agreement.

Edward Fontanin, Utility Services Director, replied yes that his department has been working with the developer and the representative, and there is an agreement that is part of the attachment in the revised agenda report; he reported that he believed the representative for the developer has waived the appeal; and if that is the case, his department just needs approval from the Board to allow his department to sign into an agreement and to also get approval for the Budget Change Request (BCR) associated with that.

Chair Lober questioned Mr. Fontanin whether there was reason to deny or take any action to the appeal since the representative waived the appeal and if Mr. Fontanin just wanted the Board to address the Cost Sharing Agreement.

Ms. Rezanka, representative for IFP Merritt Island, LLC, affirmed yes.

Chair Lober stated the Board would go ahead and withdraw the appeal and take a motion to approve the Cost Sharing Agreement.

The Board approved the Infrastructure Cost Sharing Agreement with IFP Merritt Island, LLC; approved the Budget Change Request for the County's cost portion, which will extend the force



main and reuse lines to the Island Forest Preserve development; authorized the Chair to execute the Agreement and any necessary amendments or documentation upon review and approval by the County Attorney's Office; and authorized a Budget Change Request in the amount, not to exceed \$640,000 for the County's portion of the Agreement.

**Result:** APPROVED

**Mover:** Curt Smith

**Seconders:** Rita Pritchett

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

**I.2. Approval of the Tourist Development Council FY 2020-2021 Cultural Support Grant Program recommendations.**

Chair Lober stated there were several public comment cards.

Andrea Young, Vice Chair of the Tourist Development Council (TDC), thanked the Board for the opportunity to speak; she expressed that she wanted to speak on this, because this is her council's Cultural Grants; she stated because of COVID the applicants should get some kind of credit, because this has never happened before; the events that many of them had scheduled for this year did not take place so the applicants had to be resilient; many of them had virtual events; and therefore, this is something they should be commended for. She went on to say that going forward, the Return on Investment (ROI) is not something that was on the original judging criteria; she went back to the original Cultural Marketing Program from 2018-2019; her council tried to make all the questions according to what was on it and what the County was asking for; they only questioned the applicants on what was on Cultural Marketing Program, which she is certain the Board has a copy of; and so nowhere on there is mention of ROI. She stated the applicants were not judged on that; it was not a part of the Cultural Marketing Program at all; her council can certainly do that going forward if she is on that council again; and for this year, for the applicants that have already been scored, she would like to ask the Board for grace by letting the applications go through as they have been submitted. She added the ROI may cause there to be fewer applicants next year; it should be fine, but at least the applicants would know about it going ahead when the applications are written; based on whether the Council adds ROI to the criteria and brings stronger applicants next year, she asks the Board to approve the applications as they are written this year, especially since one of the applications they have is the Native American group that is here tonight; and she thanked the Board for letting her speak.

Chair Lober addressed Ms. Young and stated unless there is something compelling to the contrary from one of the other speakers, he intends to approve this year's list; he mentioned that he thought he could live with it this year in terms of how it was done; he does not want to punish folks for no fault of their own, they find themselves in the situation they are in; and he expressed there are extenuating circumstances this year that hopefully will not exist next year. He asserted he would like to ask her to do whatever she can if she is involved in the sub-committee and the TDC next year, to do whatever she can to try to focus on the ROI, because he will be more of a stickler going forward; given the circumstances this year, he does not want to be overly heavy handed with it; and he reiterated that is where he is at.

Loretta Grella, of the Space Coast Ballet Company, thanked the Board and wanted to reiterate what Ms. Young said so she does not have a lot to say; she pointed out that she is from Space Coast Ballet Company, and they are up for a grant; she wanted to inform the Board about her organization; it has been performing The Nutcracker at the King Center for 18 years; it is their best show that they perform; and they have people come from Orlando and Vero Beach to view

it. She stated the ballet company has the best of the best artistic directors brought in; they have principled dancers from places like New York City Ballet, Boston Ballet, and American Ballet Theater; 95 percent of the cast is local, and five percent are professionals; they have been doing it 18 years; it is the start of everyone's holiday; it sells out, and it is great; and she thanked the Board for considering her organization and supporting it.

Chair Lober stressed he would reiterate some of the comments he made to Ms. Young; he believes there is going to be more of a ROI focus, at least from his perspective, next year; the two ballets that were on the list, from an ROI perspective, at least how they identified it, were not the strongest of all the candidates; and that was a fair way to put it. He suggested that while the ballet company may be able, if the item passes tonight, to use it for the coming year; he does not know if it is necessarily safe to build the subsequent years' budget on the expectation that it will be around next year; and that is to be fully candid as to where he is coming from.

Ms. Grella thanked the Board and confirmed that she noted Chair Lober's comments and that her organization will work on it.

Ms. Jackson stated she was just a citizen and not from any cultural organization; she suggested that the pandemic has revealed that people are social beings and need social and cultural activities; she explained that the County approving a grant based on whether it gets money is really bad business; it looks bad; and she went on to say that if the County previously judged and approved an organization to make it on a list, but then to retract its decision would be upsetting. She noted she wondered with the ROI and the billboards that Commissioner Tobia discussed, what his ROI would be on the ideas he presented before the Board; and that is a question she would like answered.

Chair Lober informed the Board he would not obligate Commissioner Tobia to answer that question.

Ms. Jackson pointed out that the Board is requiring the organizations to show ROI; and if the Board has ideas on what it would rather spend the money on, she thinks it is proper for the Board to show the citizens the ROI for its ideas.

Chair Lober replied okay.

Ms. Jackson reiterated that it was just proper etiquette if nothing else and not business; she went on to say the idea of billboards was discussed; she said her kids wondered who watches billboards anymore; she explained that this is the age of the internet; people go online to plan a vacation; vacation days are planned before they arrive; billboards attract those who are driving around; and it is not very often that someone changes their plans because of a billboard. She stressed again that this is the age of the internet and people do not use billboards anymore; she indicated that Chair Lober had a good idea to have the goals for next year; she agrees with him and thinks that it is good business so the organizations can meet those goals; and she indicated that is all she has to say.

Commissioner Tobia stated he was not going to go over each one of the programs from ballet to dinosaurs, but he will give the Board three reasons; independently, each one of these three reasons suffices as to why the Board should vote no; cumulatively, there should be no question; he referred to the first reason which is Florida State Statute Section 125.014 which stresses that these expenditures shall have, "as one of the main purposes is the attraction of tourists;" and if the Board looks at the spreadsheet, 90 percent of these activities have a majority of attendees that are not, in fact, tourists. He further pointed out that some are as low

as two percent; when an activity draws 98 percent from a local area, he does not see how the Board can find two percent meeting the statutory definition of main purpose of attracting tourists; if it is, he concludes that the Board has clearly failed; the second reason which he said was previously mentioned but it begs repeating, is these organizations have received cumulatively \$197,250 from Coronavirus Aid, Relief, and Economic Security (CARES) money; and their current request is \$175,000. He further explained that the County has made whole these organizations more than what the list will, in fact, do; for the organizations on the last list that had not applied for CARES dollars, the Board had recently allocated an additional \$1.5 million to make up for those charities that had yet not received money; and although he did not have the information, it does not include any additional federal funding they have already received through Paycheck Protection Program (PPP) sources. He stressed that he hates to bring it up, but two Commissioners have a \$5 million dollar pot of money that they could allocate to any one of these organizations; the final third reason is that the Tourist Development Tax (TDT) collections are down 18.5 percent this year, which is roughly \$3 million dollars; they are down so much that at the Board's CARES Workshop, the Tourist Development Office (TDO) requested \$750,000 in additional marketing; and these funds should be allocated accordingly. He pointed out that he is not an expert; he said he suggested the idea of billboards and wants to provide the numbers that were given to him by the marketing office; for instance, with magazines, according to a study done, 12 percent of those who view marketing materials in magazines visit Brevard County; and it is hard to believe, but that is the study the Board commissioned and paid for. He further reiterated that given the fact that the County gets a high rate of return for advertising in magazines, given the fact that these organizations have been made whole when it comes to CARES, and probably over when it comes to PPP funding, and finally and most importantly given the fact that a primary purpose cannot be tourism when there is an organization. He stressed that he was not making these numbers up; the Board has the spreadsheet; there is one organization that is 2.06 percent; another one is 2.83 percent; routinely these are below 10 and 15 percent; therefore, his motion would be to reject legislative finding that these events in attachment A meet the requirement of Florida Statute, and that one of the main purposes of these events is not attraction of tourists; hopefully the office will then fund these in areas whether it be billboards, magazines, or internet; and he informed Chair Lober that was his motion.

Chair Lober responded to Commissioner Tobia by mentioning he accepted his motion; he jokingly asked Commissioner Tobia to tell the Board how he really felt; and he inquired if there was a second motion from the Board.

Commissioner Smith joked and said that was his line.

Chair Lober stated he stole it from Commissioner Smith today.

Commissioner Isnardi inquired how hard it would be to go through the list and find those organizations that do meet the requirement of the State statute; what she is concerned about is the spreadsheet is different from the attachment that was included with the agenda; the two percent that Commissioner Tobia cited from the spreadsheet is not what it says in the Board's agenda; she stressed that she is not saying that Commissioner Tobia is not correct; she is pointing out that the Board has two bits of information that are not consistent; and that is going to be her question.

Commissioner Tobia explained that he would be glad to provide it; he indicated that he did not change this other than print it directly from the Tourism Office; and it is the most recent one that has the ROI, but there is an outside Brevard County Visitor number, as well.

Commissioner Isnardi interrupted and said she has it too; and she reiterated that both pieces that were included in the Board's agenda are not consistent with each other.

Commissioner Tobia replied okay.

Commissioner Isnardi stated that was her question in addition to whether or not...

Commissioner Tobia interrupted by saying he supposes that would have to be the Tourism Office.

Chair Lober inquired if Mr. Cranis would care to comment on that or if he is aware of any potential discrepancy.

Peter Cranis, Tourist Development Director, replied no; he stated he looked at the 11x17 sheet of paper attachment that had the ROI numbers in it.

Commissioner Isnardi remarked that she was looking at the out of County visitors; and she pointed out that Project Number 7 lists two different numbers.

Mr. Cranis informed the Board that the correct number for Project 7, which is the Eau Gallie Arts District, was that they had approximately 1.5 million in attendance last year with 43,000 visitors from outside the County, which represented 2.83 percent; and his department also calculated visitor spending of \$2.3 million, which is an ROI of 502 to one.

Commissioner Isnardi commented that Mr. Cranis' narrative report states that 30 percent are outside of the County, but it also says 2.06 percent.

Mr. Cranis gave his apologies if there is any inconsistency; and he confirmed that the spreadsheet has the accurate numbers.

Chair Lober raised a paper to verify with Mr. Cranis if that was the spreadsheet he was referring to that had the ROI numbers.

Commissioner Isnardi remarked that she has the same one, too, and that is why she does not understand what the other documents are that were included with the packet; and she pointed out that the documents show it is a draft, but that was what is in the Agenda.

Mr. Cranis apologized; and he advised he was not certain what happened with the discrepancy.

Chair Lober expressed he was not aware if he had stated this previously, but he believes at a prior meeting the Board discussed either this or another TDC allocation, he referenced that he talked about tangential or incidental benefit to the local community; he suggested if the County attracts x number of people, and if the County has 50 times x who also show up from the local community, that is great; and he is not certain that in and of itself means that a primary purpose of the allocation or even of the activity is not the attraction of tourists. He stated he is not going to punish a group, because they happen to also disproportionately benefit locals; he does not know if that was the intended goal; he does not know that even if it was not the intended goal if it really impacts what the purpose was; and he thinks the Board can find, legislatively, that a primary purpose was the attraction of tourists irrespective of the percentage of locals that show up versus tourists.

Commissioner Tobia asked Chair Lober if this is the "it is worth spending money on space,

because we have Velcro" type of analogy.

Chair Lober replied he was not certain if he necessarily agreed with that, but if that is how Commissioner Tobia chooses to see it that way then that is okay.

Commissioner Tobia stated he would fall back on the ROI; his thought is whether it was in the packet or not, those are determinations that the Board needs to make; he referenced what Chair Lober pointed out how graphically different the ROIs are concerning these different type of expenditures; some are a factor of, by the numbers provided to the Board, 250 times than that of others; and he appreciates the work that was done, but it is not evident in the product given to the Board. He reiterated if it was narrowed down to those that provide a strong ROI, maybe he could wrap his head around it, but providing thousands of dollars to organizations that draw 190 people to Brevard County with a ROI, with a spending of less than \$10,000, does not really seem as though it is worthy of receiving thousands of dollars to do that; and whether the motion is accepted or not, he will have to merely say that this is not the intent of statute.

Chair Lober mentioned he wanted to address what Commissioner Tobia commented on earlier; he referred to Commissioner Tobia's remark that he might be able to wrap his head around or approve the higher ROIs, Chair Lober stated he had no problem bifurcating it; and he suggested that if Commissioner Tobia wanted to make a motion, after either having his first motion fail due to lack of a second or if he wants withdraw it, then if he wanted to address those over a certain ROI figure he would be happy to accept that as a motion.

Commissioner Pritchett questioned if Mr. Cranis knew the Return On Investment for the County's marketing costs; and if he knew how much return the County gets on every dollar it spends.

Mr. Cranis replied that his department just started doing some studies to that effect; the range that he is currently seeing is approximately 20-30 to one; he apologized to Chair Lober and explained that Mr. Wiesenfeld pointed out to him that the original submission had a description of each project, but the spreadsheet was created when his department went back and looked at the department's numbers and ROI; the prose that has the project number and some information about it is not going to match the data that his department came up with more recently; and that was the reason for the difference.

Chair Lober inquired if Mr. Cranis still stands by the spreadsheet as being the most accurate numbers that the department has.

Mr. Cranis replied affirmatively and remarked that the spreadsheet is the most recent and accurate numbers the department has.

Commissioner Pritchett asked Mr. Cranis if his committee had spent some time creating an analysis for what they provided.

Mr. Cranis replied yes, but the actual analysis was done by staff and not by anybody on the committee.

Commissioner Pritchett explained that she had a hard time not putting this item through, because of the time period the Board has been with it; however, if the Board moves forward with it and since marketing brings in 20-30 to one, she suggested that it may be something the Board may want to throw out; she went on to say that in the business world five to one is considered a good ROI on investment dollars; each one of these is bringing back a positive

ROI, which is good; and that might be a good discussion for the Board to have as it moves forward. She reiterated that she is going to struggle not approving this, because even if the Board pulls out the lower ones, those are the ones receiving minimal amounts of money; she is going to wait to see how the rest of the Board feels; and she probably would support passing it, but she proposes that moving forward the Board should give the TDO some parameters of where it wants the ROI's bottom line to be, since marketing is able to put those kinds of returns in.

Chair Lober mentioned that whoever ends up being on the TDC next year, it will be incumbent on him or her to ensure that this is a focus; he suggested it may not be a bad idea if he or she wants to appoint him or herself to the marketing committee; and he asked the Board, with respect to Commissioner Tobia's motion on the floor, if anyone cares to second it or consider it dead for want of a second. Chair Lober reported that the motion failed for want of a second; and he questioned if the Board had another motion one way or the other.

Commissioner Pritchett motioned to approve.

Chair Lober seconded the motion to approve it as indicated on the spreadsheet that was discussed by the Board; and he asked if there was any further discussion.

The Board approved the legislative finds that Tourist Development Tax Funds are authorized for the Cultural Support Grant Program pursuant to Section 125.0104(5)(a)(3), Florida Statutes, and Section 102-119(3)d, of the Brevard County Code of Ordinances, in that each of the tourist oriented cultural and special events have as one of its main purposes the attraction of tourists, and the entity and the Space Coast Office of Tourism both intend to ensure marketing and promotion of these events to tourists; approved the TDC FY 2020-2021 Cultural Grant Program Recommendations as follows:

\$6,496 to the Titusville Playhouse  
\$2,943 to the Melbourne Chamber Music Society  
\$4,381 to the Museum of Dinosaurs and Ancient Cultures  
\$2,660 to the Central Brevard Art Association  
\$6,030 to the American Police Hall of Fame  
\$4,639 to the Melbourne Main Street  
\$4,581 to the Eau Gallie Arts District  
\$2,832 to the Community Band of Brevard  
\$2,910 to the Space Coast Art Festival  
\$6,197 to the Valiant Air Command  
\$4,564 to the Surfside Playhouse  
\$2,921 to the Green Gables at Historic Riverview Village, Inc.  
\$4,566 to the Space Coast Ballet Company  
\$2,644 to the Central Florida Winds  
\$3,043 to the Native Heritage Gathering, Inc.  
\$4,331 to the Melbourne City Ballet Theatre  
\$4,215 to the Dance Arts Centre  
\$2,854 to the Greater Allen Development Corp.  
\$4,656 to the Brevard Nature Alliance  
\$6,274 to the Brevard Regional Arts Group, Inc.  
\$6,296 to the Brevard Symphony Orchestra  
\$4,631 to the Foosaner Art Museum  
\$2,810 to the Brevard Youth Chorus  
\$5,842 to the Brevard Achievement Center

\$4,681 to the Manav Mandir, Inc. DBA Indiafest  
\$6,252 to the Space Coast Symphony Orchestra  
\$5,831 to the National Air, Sea and Space Foundation  
\$5,809 to the WFIT  
\$3,154 to the Florida Surf Museum  
\$2,871 to the PEACECORE, Inc. DBA bUneke Magazine  
\$4,365 to the Rossetter House Foundation, Inc.  
\$5,986 to the Florida Historical Society, Inc.  
\$4,331 to the Melbourne Municipal Band Association, Inc.  
\$5,886 to the American Space Museum and Space Walk of Fame  
\$2,805 to the Space Coast Cultural Arts and Business Organization Charities  
\$2,865 to the Melbourne Community Orchestra, Inc.  
\$4,656 to the Melbourne Art Festival  
\$6,518 to the Historical Cocoa Village Playhouse, Inc.  
\$2,832 to the Cocoa Beach Main Street, Inc.  
\$2,849 to the Cocoa Beach Art Show, Inc.;

authorized Mr. Cranis to negotiate and sign all necessary grant agreements and related documents upon County Attorney and Risk Management approval to support the grants; and authorized the County Manager to execute necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**Nay:** Tobia, and Isnardi

**J.1. Waiver of Subdivision Perimeter Buffer, Re: Armen Groves Subdivision (20WV00014)**

**Developer:** NAJJAD, Inc.

**District 2**

Tad Calkins, Planning and Development Director, stated he needed the Board's action to table the item; and he noted that it does not need to be tabled to a date certain, because it is not an advertised item.

Chair Lober suggested a motion to continue it until such a time as staff and the applicant are ready to bring it back.

Mr. Calkins replied affirmatively.

The Board tabled the waiver of subdivision perimeter buffer for Armen Groves Subdivision (20WV00014) until staff and the applicant are prepared to present it before the Board.

**Result:** TABLED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**J.2. Approval of the FY 2020-2021 Sport Events Grant Program Guidelines and Grants.**

Peter Cranis, Tourist Development Director, stated there are 10 grants being requested; the Tourist Development Council (TDC) and its subcommittee voted unanimously to support them; the grants are for sporting events that are run by independent operators; some are for-profit, and some are not-for-profit; and it varies depending on the event. He went on to say that there is one call out, which is the Florida Senior Games; that was not submitted as part of a cycle; it was actually a late addition, because the Florida Sports Foundation had an opportunity to move the Senior Games, they wanted to move them from South Florida; they were looking at Brevard, because of the County's success with the Amateur Athletic Union (AAU) Junior Olympics; and they believed that was an opportunity to bring it here. He noted they proposed that it was going to generate 1,000-1,200 athletes, and approximately 1,500 room nights for that project; and the committee received a presentation from the Florida Sports Foundation and supported it, which would be \$12,000.00.

Commissioner Tobia informed Chair Lober that he may be surprised to hear this, but he was going to give the Board some reasons to vote against this allocation; he mentioned he understands that this is predicated on reimbursement of verified room nights, which is unquestionably superior than a direct cash grant; however, he notes that there is a cost to this; and he explained that Mr. Cranis informed him that his staff members spent about 20 hours verifying the room nights and vacation rentals. He further stated that while it is legal and mentioned by Mr. Cranis, he finds it odd that the County is subsidizing for-profit organizations; one of the applications even notes that they just do not make enough profit as to a reason why they need some of this money; another reason he finds quite disturbing is that some of these grants will go towards paying city fees; for example, there is a significant fee charged by Cocoa Beach in the Thunder in the Cocoa Beach Event Budget; and so in other words, the County is giving money to these organizations that one is then turning around and spending thousands on city fees. He went on to explain that some of the events will be held in the County, whether or not the Board awards these grants; for example, the 12th Annual Cocoa Beach Triathlon is not going to be held in Dick Shooter, Idaho with a population of 15; Thunder on Cocoa Beach is not going to be held in Three Way, Arizona, home of 3,708 people; and the Southeast Regional Surfing Championship is not going to be in Sugar Tit, Kentucky, population 6,434. He continued that, regardless, if the Board focuses on the grants that generated more room nights, the County funding and process seem to indicate that improvements can be made; organizations should only get awarded a prorated amount for the number of nights they provide; the way it is set up now, if an organization provides evidence that 80 percent of the room night expectation is met, they then receive the amount; he opined that it should be the full amount that needs to be held accordingly; and additionally, awards can be normalized on a room night basis. He reported that he went over the number of projected room nights in the Sports Committee Award; the surprise is there was no correlation whatsoever; for example, the Flag Football AAU National Championship was being awarded roughly five dollars a room night; another organization was the 12th Annual Cocoa Beach Triathlon and Duathlon; that event was awarded \$25; he reiterated that there is no normalcy if that is the one intent; and he concluded that as the Board deals with the 18.5 percent year over year reduction in revenue, it is imperative that it prioritizes general marketing over events. He added that he was not making this one up, but dog bikini contests is one of them in there; and as such, he suggests the Board reject the recommendation of the TDC and take steps necessary to reallocate towards traditional and digital marketing vendors.

Chair Lober questioned Mr. Cranis if dog bikini contests are some microscopic subsection of one of these.

Mr. Cranis replied it is a subsection of one event that is a fundraiser; it is a surfing event, but as a side event they also have dog surfing and other activities; and it is a fundraiser of the



Humane Society where they have a traditional surfing event that is scored and surfers are awarded first, second, third, etcetera.

Chair Lober asked if that obviously is not one of the for-profit since it is based on one of the organizations...

Mr. Cranis replied no that is a not-for-profit.

Chair Lober expressed that he would like to get, and he thought Commissioner Tobia raised an interesting question, he is not saying that the room nights are the end all be all for every purpose, but he believes there are certain items where they have more value than others; for instance, United States Specialty Sports Association (USSSA) has more value in looking at room nights for obvious reasons; and for something like this he thinks a benefit to locals over and above attracting tourists is something he cannot ignore. He explained that it is not to say that he wants to let them off the hook on their obligation to have a primary purpose of attracting tourists, but if it happens to benefit locals tremendously, as well, it is wonderful, and all the better for that; he questioned, as far as value proposition, why or how is it that what is on the Agenda that is being suggested has a different value for different organizations per room night; he further asked what were the metrics that were used to determine that this event gets x number of dollars per room night, this event gets 1.2x or .7x or whatever the number may be; he advised he wondered why the County is treating them from a room night standpoint at different value levels; and he inquired if there was some other metric that was evaluated to determine the funding levels.

Mr. Cranis responded no sir; the committee and the TDC developed guidelines and in those guidelines it does specify a range of award based on the level of room nights; so for instance, if the room nights are over a thousand, then they are eligible for up to \$20,000, but it does not guarantee them \$20,000; they have to show in their application that there is other purpose; if it is under that, then there is another range; the committee deliberated quite a long time on these, and in some cases the applications were not as strong as others; therefore, they opted rather than giving them the maximum for their category, they would lower it. He went on to explain that is why the grant applications do not all match each other.

Chair Lober reported that it does make a difference to him, but it may or may not to the rest of the Board members, and he inquired how the end vote at the subcommittee level and the TDC level, was this something where they were both unanimous.

Mr. Cranis replied yes, they were both unanimous.

Chair Lober stated that had some weight with him, at least.

Commissioner Pritchett mentioned she wanted to make a comment that most of the grant applications are in Commissioners Lober and Smith's districts; they are heavy tourism districts with the sports and the surf; her question to the Commissioners is if they think these are drawing good tourism; are they creating a good economy in their districts; she believes their opinion on this would weigh heavily upon her; she explained that her district has launches with a good turnout; and she asserted that would make a big difference on what the Commissioners' perspectives are.

Chair Lober suggested he would be happy to jump in unless Commissioner Smith wanted to.

Commissioner Smith replied that he thought that Commissioner Pritchett was absolutely

correct; he gets a lot of feedback, not on bikini contests for dogs, but for most of the other things; the businesses love these events, because it does bring a lot of people in, whether it is locals or out of County residents; they come out of their homes to support these things and the businesses; they are out having breakfasts and lunch; and yes, he hears and sees it.

Chair Lober stated he echoes what Commissioner Smith said without being too repetitious; he thinks the citizens that live in that area are obviously disproportionately benefitting; he is not certain if there is anything wrong with that; and the areas that drive the most into the Tourist Development Tax (TDT) have traditionally received the most from the TDT, whether that is right or wrong is a subjective question. He continued that as far as this year is concerned, and to some degree next year, he thinks it is nice to get back to some sense of normalcy, especially with everything that is still ongoing in the country on a couple of different fronts; if the County can give citizens something they can enjoy doing locally here and also brings in tourists, he is certainly supportive of it this year. He suggested that maybe for next year, although this is just one person out of five's opinion, the Board may want to have a greater degree of focus or perhaps have some level of preferential treatment toward events that are for-profit as supposed to the not-for-profit events; he apologized because he said it backwards; he stated the County should have some preferential treatment towards the not-for-profits events as opposed to the for-profit events; and given where the County sat, there are a few different issues on a national and global scale, he would like for people to have something positive to go out and do when they have been cooped up for months and months on end.

Commissioner Pritchett motioned to approve.

Commissioner Smith seconded.

The Board approved the Tourist Development Council FY 2020-2021 Sport Events Grant Program Guidelines, including insurance requirements language and the anti-lobbying statement; approved the legislative finding that Tourist Development Tax funds are authorized for each grant pursuant to Section 125.0104(5)(a)3, §, and Section 102-119(3)a, (5)a, and (6)a of the Brevard County Code of Ordinances; approved legislative findings, approved funding of the following FY 2020-2021 Sports Grant Applications:

\$12,000 to the Florida Sports Foundation Senior Games (12/3/2020 – 12/14/2020)  
\$10,500 to the Swish Baseball Spring League (2/21/2021 – 3/07/2021)  
\$9,000 to the 57th Annual Easter Surf Festival (4/2/2021 – 4/4/2021)  
\$20,000 to the Eastern Surf Association's Southeast Regional Surfing Championship (4/16/2021 – 4/18/2021)  
\$5,000 to the 12th Annual Cocoa Beach Triathlon and Duathlon (4/18/2021)  
\$2,500 to the Florida Flag Football Association Tournament (5/1/2021 – 5/2/2021)  
\$20,000 to the Thunder of Cocoa Beach Super Boat Race (5/20/2021 – 5/23/2021)  
\$5,000 to the Florida Flag Football Association AAU National Championships (7/10/2021 - 7/11/2021)  
\$2,500 to the Florida Flag Football Association Tournament (8/7/2021 – 8/8/2021)  
\$7,500 to the Rich Salick Pro-Am Surf Fest (9/4/2021 – 9/6/2021);

and authorized Mr. Cranis to negotiate and sign all necessary grant agreements, upon County Attorney and Risk Management approval, and related documents to support the grants.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconded:** Curt Smith

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

**Nay:** Tobia

**J.3. Staff Direction, Re: Community Development Block Grant - Coronavirus (CDBG-CV) Request for Proposal**

Chair Lober informed Ian Golden, Housing and Human Services Director, that before he introduces the item he will be happy to support it; he does not know if anyone wants to hear an introduction; if someone wants to make a motion to approve it he would be happy to go that way; and he left it up to the Board.

Commissioner Pritchett motioned to approve.

Chair Lober seconded it.

Chair Lober inquired from Eden Bentley, County Attorney, if the Board needed anything else on the record.

Attorney Bentley replied no.

The Board reviewed, discussed, and approved the Public Service Activity Priorities for CDBG-CV RFP; authorized the Housing and Human Services Department to conduct a RFP process; authorized the Community Development Block Grant Citizens Advisory Committee as the selection committee to provide funding recommendations; authorized the County Manager, or his designee, to sign contractual agreements, modifications, and amendments for recommended services upon approval of the County Attorney and Risk Management; and authorized the County Manager to execute all necessary Budget Change Requests.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Bryan Lober

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

**J.4. Resolution to Consider an Ad Valorem Tax Abatement for Roswell U.S., LLC d/b/a Roswell Marine**

Chair Lober stated that he did not know if anyone on the Board wanted input or a staff introduction, but he had a couple thoughts before any sort of a motion or vote; he reported that this Item is in his district; he was not exactly thrilled when he saw it on the Agenda prior to getting pulled; and he spoke with the Economic Development Commission (EDC) and the in-house counsel for the company. He related that one of the things he did not believe when he read it, and was extremely skeptical of, was the at least implicit if not explicit threat that the company would take its business or a portion of it to China; he figured if they are spending millions of dollars here why would they pick up and move to China for \$5,000 a year, which did not make sense to him; when he spoke with their in-house counsel and with EDC what he found out is that they already have a manufacturing setup in China; and they have manufactured there previously. He mentioned that the company would not be making as drastic of a change as he thought would be the case; there is at least some realistic possibility that may happen; one of the concerns that he had expressed to both the EDC and company is with respect to local ownership; and he asked them prior to this coming back to the Board to put together a list of citizens that may have any sort of meaningful interest in the company. He

went on to say if they have an interest of a \$100,000 or more he would like to know who they are, because if everyone locally has a number of different businesses that own the supply chain, the fasteners, the logistics, and the inventory systems, if they are all local, he does not know if it would be that easy for them to move to China; so he is waiting for the list; he would not be in a position to approve it outright tonight, but he thinks that moving it for this purpose is something he could live with; and the other thing is with respect to their wages that they listed. He said he is not going to get into the play by play unless someone wants him to, but he thinks the average wage, if they want the full amount, he would like to see them increase that to a degree; he is not going to dispute that it is a very fair average wage; it is a very competitive average wage, but when they are asking for any sort of incentive by way of tax dollars from the government, even if it is only to a portion of what they are paying in taxes, he thinks they would have to go above and beyond, in his mind, what is even competitive and be extremely competitive, in order to justify the County giving them some sort of a break; otherwise, when this comes back in full disclosure he is probably not going to support giving them the full amount that they requested. He reiterated that he is happy to support for tonight's purposes, but they have a little bit of an uphill battle to keep his support when it comes back; and he does not know who wants to make a motion on this Item.

Commissioner Smith made a motion to approve.

Chair Lober explained that he is waiting; he has a motion from Commissioner Smith to approve; he is waiting to get a few bits of information from the company; when they get that to him he will certainly be in a better position to know what he is inclined to do; he just does not want someone to see his approval of this tonight as an indication that he is absolutely on board, because frankly if he was asked tonight to make the end decision it would be a no; he wants to give them an opportunity to put together a few things that he can look at; and if they make a case he will support it, but if they do not or if there is a question, then he will not.

Commissioner Pritchett seconded the motion.

Commissioner Isnardi noted that she would be cautious if Chair Lober is debating about whether or not to support this when it comes back; and she stressed that obviously Chair Lober can think for himself and make his own decisions, but she does not want it to be a negotiation between him and the EDC or him and the company without the Board's approval.

Chair Lober concurred.

Commissioner Isnardi added that taxpayers supported the tax abatement; she thinks the County needs jobs available to all residents, not just engineers with \$70,000 a year jobs; she welcomes jobs in all pay scales, because the residents have a varied skill set; she would be very supportive of this because she knows the County is very good at clawing back if they do not provide or fulfill their end of the bargain; and she wants to be cautious.

Chair Lober stated he does not disagree; he apologized for being anything less than completely clear; he discussed if it is a relatively low paying job, such as a \$9 an hour job, but they are paying \$12 an hour, that is excellent; wherever the company is on the scale or bell curve, he wants to make sure they are on the high end for that industry; and so if the industry standard is \$49,000 a year, he would rather see that they are a bit above that.

Commissioner Isnardi expressed that she appreciated his opinion, but as a government, the County does not pay their employees as far as where they should be; and it might even be middle ground as far as industry standard goes.

Chair Lober agreed.

Commissioner Isnardi remarked that even the County government fails at that; she just wants to be cautious, because taxpayers approved the tax abatement program for businesses so she wants to make sure that those jobs are available for residents that meet those skill sets; she explained that if people do not want to work they are not going to work for a low wage; she does not think it should disqualify the company for applying for the tax abatement; and she noted that was her two cents.

Commissioner Smith added if the company qualifies they qualify.

Commissioner Isnardi stressed that she did not want to start telling the company what they need to pay their employees, because it is not the Board's job to tell private businesses what they should be doing with their employees; and she understands that the company is asking for an abatement.

Chair Lober responded affirmatively.

Commissioner Isnardi stated that is all; that is not a requirement, and that is not what voters approved; and it was not a requirement on there that they have a minimum wage.

Chair Lober responded by saying that nothing says it cannot be a factor either.

Commissioner Isnardi affirmed; and she stated she just wants it known that it is not the Board making that request, it is Commissioner Lober.

Chair Lober said fair enough.

Commissioner Pritchett indicated that as an FYI, they are all going to be making a minimum of \$15 an hour.

Chair Lober agreed.

The Board adopted Resolution No. 20-150, qualifying Roswell U.S., LLC d/b/a Roswell Marine, as an eligible business under the County's Tax Abatement Program; and authorized for the advertisement of a public hearing to consider adopting an Ad Valorem Tax Exemption ordinance for the Board of County Commissioners meeting on December 8, 2020.

**Result:** ADOPTED

**Mover:** Curt Smith

**Second:** Rita Pritchett

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

**Nay:** Tobia

## **J.5 Option to Extend Lease Terms for District 1, 3 and 5 County Commission Offices**

Commissioner Isnardi motioned to approve.

Commissioner Pritchett seconded.

The Board executed and approved the option to extend Lease Agreement terms for Districts 1, 3, and 5 Commission Offices for additional four-year terms.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Seconded:** Bryan Lober

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

L.3. Rita Pritchett, Commissioner District 1, Vice Chair

Commissioner Pritchett noted that she had one request; she explained that the Board made the motion at the CARES meeting to do the \$5 million for each district; she said she did support each of the Board members to have those decisions; she indicated that she talked with the County Manager; she explained that there could be a little situation, as far as the Public Safety money going back from the two districts; and it could possibly lose its ability to have the freedom that it has right now, as far as the Public Safety Funds. She suggested the Board take a little pause until the next meeting, until the staff figures out if the funds are able to go back to Public Safety so it does not lose the freedom that staff has established recently; and she inquired from Mr. Abbate if what she was stating was correct.

Frank Abbate, County Manager, replied yes; he informed the Board there is an issue that he discussed with Commissioner Pritchett relating to the two Commissioners who were going to reallocate money into the Public Safety Fund and where those dollars came from; he said that after speaking with the County Attorney, it is an unresolved issue; if it came from reimbursement from Payroll and Benefits, there would be more freedom with that money, and it would not have to be spent by the end of December; and if it came from just the pool of money and was put into the Public Safety Fund, just the initial \$105 million put into there would have to go through Tetra Tech. He went on to say the money would have to be spent by the end of December; he mentioned that the Board did not address that during the Workshop; and so that is what the outstanding issue would be.

Commissioner Pritchett proposed the Board come back to the next meeting and do that; the other thing she mentioned was Scott Ellis; she believes the Board will be okay, but she wants to request when the Board comes back the next meeting that the Board be ready for it; she recommended the Board let the public know where the Commissioners are going to be spending their COVID funds in their districts; and she desires it to be done in a public meeting. She stressed that it would help and bring a lot of comfort to Mr. Ellis; she thinks that the Board will be ready for it at that time; and the Board will be able to agree to move forward.

Chair Lober noted that he would make every effort to try to have everything lined up; he may not have the exact values, just depending on where things go; at this point, to put everyone a little closer on the same page he is on, he is having staff look at a number of different potential allocations; the \$5 million that was assigned to District 2, will in all likelihood be used to fund a variety of different things, at least as it stands now; and he is having staff research the legality and propriety of some of the expenditures. He continued that one of the items he was looking at is Hazard Pay for the firefighters; it would be a one-time allocation to each of the firefighters that actually respond and put themselves in a position where they might be exposed to COVID; he does not know if that is something that the County can do; he does not know if that is something it cannot do; and he believes that is something that is an ongoing question. He went on to say that another item he is looking at is potentially awarding some money to help the construction of the Emergency Operations Center (EOC) or at least to offset that to some degree; there are a number of different initiatives that his office and also, to an extent, Merritt

Island Redevelopment Agency (MIRA) has been helping him research, things that are district specific; he does not have all of the numbers or know if all of the avenues he is looking at will qualify; and some probably will and some probably will not.

Commissioner Pritchett stated she thinks they are getting close to a time-zone; she hopes by the Zoning meeting on December 3 the Board can probably come back with...

Chair Lober stated that was fair.

Commissioner Pritchett went on to say that the Commissioners can come back with what they are doing so the Board can approve it; it will give Mr. Ellis some comfort; and the Board will know what the Commissioners are doing with the funds, as well.

Chair Lober expressed that the way things are now, he suggested that maybe the best thing to do if there is some ambiguity or concern with respect to the issue of Districts 3 and 5 funds having the time...

Commissioner Pritchett assured Chair Lober she supported him; and she stated from Mr. Ellis' perspective, it would give him great comfort.

Chair Lober revealed that he did not know if Mr. Ellis will be in that position much longer; if Mr. Ellis, with all respect, refuses to cut a check, unless his successor shares his opinion, he does not know if the issue would exist in a few weeks from that time; and he indicated he looked into it and does not agree with Mr. Ellis' legal position.

Commissioner Pritchett responded by saying she did not agree either.

Chair Lober mentioned he is not certain whether Mr. Ellis has sought or not sought an opinion or multiple opinions on that; he revealed he has absolutely no idea; he does not want the Board's hands to be forced if it is doing something that is proper at this point; and he suggested the Board may want to consider, and he would be happy to second, is if the Board has specific concern as to the Districts 3 and 5 allocations, to move to authorize staff or request that staff either get an opinion from Tetra Tech or alternatively authorize them to expend some number of dollars in having outside counsel look at it.

Commissioner Pritchett noted she thought staff was already doing that.

Mr. Abbate reported that if the Board made a motion that the dollars for Districts 3 and 5, rather than coming out of the CARES \$105 million fund, came out of what staff had recommended, it recommended to create a Public Safety Fund so that it is \$10 million additional dollars that are public, Sheriff and Fire Rescue, Payroll and Benefit dollars; those will be the dollars that staff would move from \$13 to \$23 million; and if the Board wanted to do it that way, then the issue would be resolved.

Commissioner Pritchett questioned if Commissioner Isnardi was good with that, because she had allocated that is where she wanted her money to go; and she apologized for overstepping.

Chair Lober apologized and said Commissioner Tobia and then Commissioner Isnardi was next.

Commissioner Pritchett apologized again.

Chair Lober expressed it was okay and not to worry.

Commissioner Isnardi asserted that from the beginning she did not want \$5 million dollars per district; she understands why Commissioners may have made that decision, but she thinks she was with Commissioner Tobia in the belief that each district should not have \$5 million to do with what they please; it needs to be part of COVID CARES funding that takes care of the whole County; so she is happy to make that motion that those \$10 million; and she guesses essentially that the total of \$10 million does not come to our districts. She questioned staff if that would be the motion it was looking for.

Mr. Abbate explained that the way he worded it was the dollars would be used to reimburse the Payroll that the Board had discussed at the Workshop; Payroll dollars, and then put those dollars into the Public Safety Fund; and staff is already doing that for the other \$13 million.

Chair Lober stated for the sake of decent minutes that this is the very explicit understanding that this obviates any allocation from Districts 3 and 5 as to the \$5 million a piece that was essentially delegated to each of the Commissioners to do with as they please within the confines of the criteria.

Commissioner Isnardi questioned how does that work considering that the Board voted without Districts 3 and 5 to give the all the Commissioners money; she questioned how can the Board give the Commissioners money, but yet it does not go to the Commissioners; and she asked if the money just has to be reallocated.

Mr. Abbate confirmed that the Board would be reallocating it.

Commissioner Isnardi replied okay; and she stated she was going to make a motion, assuming Commissioner Tobia is okay with that motion.

Chair Lober stated he proposes before the Board makes motions, he wants to inquire from Shannon Wilson, Assistant County Attorney, if she likes how this is phrased or if there is something she wants to see added or removed from this; and he just wants to make sure that the Board is not causing more problems by trying to resolve an issue.

Assistant County Attorney Wilson, recommended that she would clarify that the \$5 million allocated to Commissioners Tobia and Isnardi's Districts would go towards the pay for the Payroll, and the money that would normally go towards Payroll would now be allocated to the Public Safety Fund.

Chair Lober inquired from Commissioner Isnardi if that is what her motion contemplates.

Commissioner Isnardi responded affirmatively.

Commissioner Pritchett indicated to Commissioner Isnardi if she would like to state that District 1's funds would go to Jess Parrish Hospital that she would not need to do anything different with it.

Commissioner Isnardi expressed that she would just keep that separate if that is what Commissioner Pritchett wanted to do; she stressed that she was happy to support Commissioner Pritchett with that; she also stated that it is not because her District does not want the money or that she does not want to take care of her district; her position, which she believes is Commissioner Tobia's position also from what he said at the meeting, is that they



wanted their dollars to cover everyone in the District; and she believes that is the best way to allocate the funds in that way.

Chair Lober pointed out he did not want to convolute the motion; he informed the Board there was a motion; and inquired if there was a second on that.

Commissioner Tobia seconded the motion.

The Board clarified the previous Board action from the November 5, 2020, Workshop by approving District 3 and District 5 Commissioners direct their respective allotment of \$5 million, each, in CARES Act funding to be spent as a reimbursement to payroll and benefits for public safety personnel expenses with such reimbursed funds being transferred to the Public Safety Fund.

**Result:** APPROVED

**Mover:** Kristine Isnardi

**Second:** John Tobia

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

Commissioner Pritchett stated if the Board did not mind she would like to go ahead and clean hers out now, and the Board can make motions on Commissioners Smith's and Lober's when they come back.

Chair Lober replied that he did not think Commissioner Pritchett needed a motion at this point as long as it is vetted by Tetra Tech.

Commissioner Isnardi proposed that Commissioner Pritchett be specific with her motion to cover COVID.

Commissioner Pritchett replied yes, it has to be COVID related, Tetra Tech, and low-risk.

Chair Lober questioned Attorney Bentley if the Board needed a motion.

Eden Bentley, County Attorney, stated that given the Board's prior motions, at the Workshop they were not exactly clear as staff would like them, they would appreciate a motion with the conditions that it is CARES related, impacted by COVID, Tetra Tech approved, and there is an agreement with a clawback and audit provision.

Commissioner Pritchett replied okay; she stated she would like to make a motion that District 1 will apply their funds to Jess Parrish Hospital; it will be COVID-related; and it will go through Tetra Tech for their approval.

Commissioner Smith stated the Board should agree to limit it to CARES funded, Tetra Tech approved.

Attorney Bentley said CARES related.

Commissioner Smith reiterated CARES related.

Chair Lober pointed out that he thinks the Board has already done that.

Commissioner Smith mentioned that is what he thought.

Commissioner Pritchett explained that Attorney Bentley is asking for a clearer motion.

Chair Lober noted that he was happy to accept the motion, but he wants to make sure that the Board addresses whatever the underlying concern is; and if there is something that staff needs clarification on he would rather just clarify it and make sure everyone is on the same page, because the Board is talking about a lot of money.

Attorney Bentley stated her staff was looking for clarification, because during the last workshop meeting the Board did state CARES criteria and Tetra Tech approved a number of times, but when the final motion was made it was a little bit unclear; and that is why she is asking for clarification.

Commissioner Pritchett stated she said low-risk also.

Chair Lober explained that he thinks the bottom line is, and if someone feels differently it can be addressed, but as to Districts 3 and 5 to those \$5 million a piece, he thinks that is now addressed to everyone's satisfaction; as to the others, his understanding, and if someone feels differently let the Board figure it out now, it has to be an expense that is considered a low-risk expense per Tetra Tech, and it has to be something that occurs within Brevard County and not necessarily within the individual Commissioner's district or it could potentially span multiple districts like the Hazard Pay he was talking about would not benefit more than others necessarily; and it would apply from the South end to the North end.

Commissioner Pritchett stressed that she was comfortable anyway; she is just ready, since they were all cleaned up; she is just wanting to clean this one up too while the Board is still working on it.

Chair Lober stated it was one of those things that she already has the authority to do it; and he hates to ask permission to do what she can already do.

Commissioner Isnardi inquired if Commissioner Pritchett wanted to do the motion; and she went on to say that she thinks Commissioner Pritchett's thinking may be that she wants it clear to everybody where she wants those funds to go.

Commissioner Pritchett replied yes, because she already decided it.

Commissioner Isnardi stated she was happy to second her motion.

Commissioner Tobia indicated he was already under the impression that the Board had already delegated that authority to the individual Commissioner to make those determinations with the guidelines that was specified; that was what made Mr. Ellis so excited; he continued that if the Board does go through this motion, he voted against delegating these funds to the individual Commissioners; and that is why he, and he assumes Commissioner Isnardi, decided to reallocate those funds back to the Public Safety Fund, which was generally under the control of the County Manager's Office. He informed the Board if this does come up it is not that he is against a Commissioner's decision to allocate the money towards any one organization; it is just an indication that his initial vote of nay was against allocating the initial \$5 million to everyone's stance; it does not matter who a Commissioner allocates the money to unless it is back to the larger pot, which was his intention; he stressed that he did not want Commissioner Pritchett to think that her \$5 million going to Parrish is impure or improper; and he just does not like the idea of the Commissioners having \$5 million to delegate as they wish.

Commissioner Isnardi stated while she agrees with Commissioner Tobia as well, the Board is sort of stuck where they are; she indicated that her thoughts are not much different than Commissioner Tobia's; she stressed that she and Commissioner Tobia have already allocated their funds back to Public Safety, which she is fine with; and she is fine with the reimbursement to Parrish. She said she thought she made it pretty clear during the Workshop; she stressed that Commissioner Pritchett is choosing to use those funds, which whether or not she agrees with that it should have went to each District, she is not going to not support her motion because that is within her power to do it with those funds; and she said the one positive is that it is going to one; she will support it only because that is the authority that she has based on the previous motion of the Board; and she is okay with that.

Chair Lober indicated that he will support it if it is something she wants to do.

Commissioner Pritchett stated she would support Chair Lober on his.

Chair Lober stressed he does not want there to be confusion in terms of viewing this as setting a precedent where Commissioners have to come back after the Board has given the authority; he does not want to have to come back to get everyone's blessing even if they would bless it anyway; he would rather just go and get it done; and his thought is as long as it passes the criteria as to the portion that was allocated for District 2 to disperse according to the criteria the Board discussed. He further explained he is happy to let the Board know where he is at during any meeting; he does not plan on coming back to ask permission to allocate what he has already been authorized to allocate; he suggested that Commissioner Tobia may be worried that he is going to give the money to Bare Assets; he apologized to the business owners of Bare Assets; and that is not going to be on the recipient list as far as he is concerned. He went on to say that it is, disproportionately as he can tell, it is going to be things that benefit the entirety of Brevard County; there may be some items that are specific to District 2; he is not going to mislead the Board and tell it otherwise; if there is an allocation to the Port, obviously that is disproportionately going to help District 2; he just does not know at this point; and with that caveat, with that qualification, he does not plan on asking for permission as Commissioner Pritchett is cordially doing. He affirmed that he would go ahead and support it; he indicated there was a motion; he inquired if there was a second; and he confirmed there was a second.

The Board approved providing \$5 million of CARES Act Funds to the Parrish Medical Center from District 1, with it being COVID related, vetted through Tetra Tech, and being low-risk.

Chair Lober apologized for over-complicating it a little bit; but he figured if the Board can hash it out now and have everyone have a degree of clarity, at least the Board can do what it can on that front.

**Result:** APPROVED

**Mover:** Rita Pritchett

**Second:** Kristine Isnardi

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

**Nay:** Tobia

**L.7. Kristine Isnardi, Commissioner District 5**

Commissioner Isnardi reported by the swearing in on the 17th, she is changing her last name; and she just did not want to shock anybody on the Board.

Chair Lober inquired if it was going to be Garfunkel.

Commissioner Isnardi said pretty much.

Commissioner Smith inquired if she was changing it to Smith.

Commissioner Isnardi responded by saying that is how rumors get started.

Upon Consensus of the Board, the meeting was adjourned at 6:10 p.m.

ATTEST:

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