

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Tuesday, December 8, 2020

5:00 PM

Regular

Commission Chambers

A. CALL TO ORDER 5:00 PM

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 Zonka

B. MOMENT OF SILENCE

Chair Pritchett led the assembly in a moment of silence.

C. PLEDGE OF ALLEGIANCE: Bryan Lober, District 2

Commissioner Lober led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL: July 21, 2020 Regular; August 4, 2020 Special; August 6, 2020 Zoning; Sept. 3, 2020

The Board approved the July 21, 2020 Regular, August 4, 2020 Special, August 6, 2020 and September 3, 2020 Zoning meeting minutes.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

Ayes: Pritchett, Lober, Smith, and Zonka

Ayes: Pritchett, Lober, Smith, and Zonka

Absent: Tobia

Absent: Tobia

E.1. National Homeless Persons' Memorial Day, December 21, 2020 (District 4)

Commissioner Smith read aloud, and the Board adopted Resolution No. 20-153, proclaiming December 21, 2020, as National Homeless Persons' Memorial Day.

Liz Alward, Chairperson of the Homeless Coalition, stated the numbers each year keep increasing; when she saw the number 43 and the names on the list, this list only goes through September, so the Board's efforts with the CARES Act funding and getting it into the community, keeping these people housed is just remarkable; and she just wanted the Board to know that the Coalition is there for the Board. She introduced Jeff Njus, the Executive Director with Daily Bread, and she mentioned they have a great program in the City of Melbourne that they started called Street to Home; that program has really gotten off the ground and they are going to try to do it in other cities as well; and she will let Mr. Njus introduce the locations of the memorial services.

Mr. Njus thanked the Board for its support; he advised they have two observances in the County; one is at Daily Bread in Melbourne at 815 East Fee Avenue, and then one in Titusville at Sandpoint Park, 101 North Washington Avenue; it can be a somber occasion to remember the ones that people care for who have passed away and have experienced homelessness, but it is also a reminder to the community to work together to find solutions; and he is proud of those in Brevard County for doing just that. He went on to say homelessness is the kind of challenge that only be addressed when the community comes together; he thanked the Board for its work; and he thanked everyone in Brevard County for helping them solve this issue.

Result: ADOPTED

Mover: Curt Smith

Second: Bryan Lober

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

Chair Pritchett Announcement

Chair Pritchett advised she is going to change the Agenda just a little; she had a request to move Item J.3. to the front; she is going to move Item H.2. to the very end of the meeting; she thinks everything else will move pretty quickly; and she mentioned would like to request from the Board a motion to make public comment two minutes as she expects 80-90 public comment cards, and she would like to move through them quickly.

The Board approved allowing two minutes for Public Comment during this meeting.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

F. 2. Final Plat and Contract Approval, Re: Bridgewater South at Viera Section 1 (20FM00006) (District 4)

Developer: WCI Communities, LLC.

The Board executed and granted Final Plat approval for Bridgewater South at Viera Section 1, (20FM00006) – WCI Communities, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits; and executed and approved the Subdivision Infrastructure Contract.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 3. Approval Re: Request #18 for Disbursement of Educational Facilities Impact Fees (Districts 1 - 5).

The Board authorized the disbursement of Educational Facilities Impact Fees in the amount of \$4,019,490.19, to the School Board of Brevard County, in accordance with the terms of the Interlocal Agreement; and authorized the County Manager to execute any budget changes required to implement the disbursement.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 4. Approval, Re: Reuse Line Easement for the Bromley Drive Expansion Project - District 4.

The Board approved and accepted the Reuse Line Easement for the Bromley Drive expansion Project.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 5. Approval, Re: Conveyance of Additional Three Feet Needed for Lift Station U-94 - District 4.

The Board approved and accepted the Special Warranty Deed for conveyance of additional three feet needed for Lift Station U-94.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 6. Approval of Resolution and Lease Agreement RE: Office Space for Representative Rene Plascencia, Florida House District 50

The Board executed and adopted Resolution No. 20-154, authorizing the non-competitive lease of County property; and executed and approved the Lease Agreement of County property (office space) at the North Brevard County Government Center to Representative Rene Plascencia.

Result: ADOPTED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 7. Approval of revisions to Board Policy BCC-28 Pre-Qualification of Construction Bidders Prior to Award

The Board approved the minor revisions to Policy BCC-28.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 8. Approval of License Agreement with Florida Power & Light and Brevard County for Monitoring Wells at the Port St. John Wastewater Treatment Plant

The Board approved the License Agreement with FPL for monitoring wells at the Port St. John Wastewater Treatment Plant.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

F. 9. Approval, Re: Brevard County Space Coast Area Transit Public Transportation Agency Safety Plan 2020 and Safety Management System Framework and Implementation Guide 2020

The Board executed and approved the PTASP 2020 and the SMS Framework Implementation Guide 2020.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 10. Approval to award Emergency Medical Services (EMS) Grant funds to Brevard County EMS providers for 2020/2021

The Board approved to award EMS Grant funds to local EMS providers who have submitted grant applications, with funding for this request provided to the County from the State Department of Health; and authorized the County Manager, or his designee, to approve any associated Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 11. Approval of Budget Change Requests

The Board approved the Budget Change Requests.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 12. Request Approval for the Sale of Surplus Real Property, Located at 472 Gray Road, Cocoa by Sealed Bidding Process

A super majority vote of the Board of County Commissioners is required to approve this item per Sec. 2-244, Code of Ordinances of Brevard County.

The Board authorized the advertisement for sale of a surplus parcel of real property located at 472 Gray Road, Cocoa via the sealed bidding process in accordance with §125.35(1)(a); and established a minimum bid requirement of \$87,000 based on the most recently completed appraisal of the parcel.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 13. BCC Policy 25, Procurement - Revision to Policy Regarding E-Verify Policy

The Board approved the revised Policy BCC-25, Procurement.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 14. Group Health Insurance Stop Loss (Excess Insurance) placement

The Board approved the renewal of Stop Loss Insurance with Symetra Financial for the self-insured Group Health Insurance Program; and authorized the Human Resources Director to execute all documents necessary to bind this coverage effective January 1, 2021.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 16. Permission to Advertise Public Hearing to consider application for the 2021 Edward Byrne Memorial Justice Assistance.

The Board granted the Brevard County Sheriff's Office (BCSO) permission to advertise a public hearing to consider application for the 2021 Edward Byrne Memorial Justice Assistance, with costs for the advertisement being the responsibility of BCSO.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 17. Appointment(s) / Reappointment(s)

The Board appointed/reappointed William Huffman to the Zoning Board of Adjustment, as an alternate, with said term to expire December 31, 2021; Mayor Rob Medina to the Tourist Development Council, with said term to expire December 31, 2022; Adrienne Baughman to the Suntree/Viera Public Library Advisory Board, with said term to expire December 31, 2021; Vic Luebker to Employee Benefits Advisory Committee, with said term to expire December 31, 2021; William Pezzillo to Emergency Medical Services Review Committee, with said term to expire December 31, 2021; Clifford Barber to Contractors Licensing Board, with said term to expire December 31, 2021; Albert Underwood to the Contractors Licensing Board, with said term to expire December 31, 2021; Nancy Mitts to Art in Public Places, with said term to expire December 31, 2021; Martin Lamb, David Miller, and Rodney Honeycutt to Transportation Planning Organization, with said terms to expire December 31, 2021; Marcia Newell and Martha Noffel to Titusville Public Library Board, with said terms to expire December 31, 2022; Arnold Benson and Randy Rodriguez to North Brevard Commission on Parks and Recreation, with said terms to expire December 31, 2022; Wendy Porter-Hyde to Port St. John Dependent Special District, with said term to expire December 31, 2024; Nate Smith to Employee Benefits, with said term to expire December 31, 2021; Rich Sutter and Holly Carver to Economic Development Commission of the Space Coast, with said terms to expire December 31, 2021; Matthew Grigajitis to Community Action Board, with said appointment to expire December 31, 2023; and Ashley Molozaiy to Community Action Board, with said term to expire December 31, 2021.

Result: APPROVED

Mover: Curt Smith

Seconders: Kristine Zonka

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

F. 18. Resolution recognizing The Children's Hunger Project Day (District 2)

The Board adopted Resolution No. 20-155, recognizing The Children's Hunger Project Day.

Result: APPROVED

Mover: Curt Smith

Seconded: Kristine Zonka

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

**F. 1. Final Plat Approval, Re: Georgiana Reserve Subdivision, (18SD00017) (District 2)
Developer: Georgiana Community Developers, LLC.**

Tad Calkins, Planning and Development Director, stated this is a request for the Board to grant final plat approval for the Georgiana Reserve Subdivision and contract; and to authorize the Chair to sign the contract; it is located in District 2; and the subdivision contains 36 homes and is on 21 acres.

Autumn Clayborn stated she was born and raised in Brevard County; until 2020, she had never been so disappointed in this County, from the leaders, the police, the Sheriff, and most importantly some people through the community; she once believed she lived in the best County and nothing bad could ever happen here like injustices; 2020 has shown her that she has been misled and unveiled the big elephant in the room that in fact, Brevard is in fact corrupt; and someone needs to get to the root of it and fix it right away. She continued by saying people cannot be afraid of change because it does not fit other people's agenda; and she mentioned the community expects more transparency from the leaders and the Police Department.

Commissioner Pritchett tried to advise Ms. Clayborn that the Item she chose to speak on is not correct.

Ms. Clayborn continued saying the people demanded the release of Jordan Gregory Edward's last moments, even protested for it and did not receive it until Wayne Ivey was re-elected, which was very concerning to her.

Chair Pritchett tried to interject once again.

Ms. Clayborn continued by saying this was very concerning to her because he only wanted to release it if he won, which got her the message and concern because he claimed it was fake, but it happened purposefully; she came to speak today just to bring it to the Board's attention that people are trying to bring attention to what happened between the two boys and the officers; and they do need the Board to pay more attention to their little community in Cocoa. She went on to say Commissioner Pritchett has never been to Cocoa and she is their Commissioner; she has never been to the low-income places; they need help in those low-income places and the Board has let the residents down; the Board needs to stand up and help them because they are asking for help; she mentioned there might not be a lot of them, but there are some who are really trying; and she apologized for getting off of topic, but she had to let the Board know that they need its help, and they need Chair Pritchett's help because she is their Commissioner. She added that they need her more right now than they ever have because her and her friends are in fear for their lives.

Chair Pritchett advised the audience if anyone wants to speak on any topic to please sign up for public comment; from now on she is going to stop people from talking if they are under an Item that is off-topic; and she asked for a motion to approve this Item.

The Board executed and granted Final Plat approval for Georgiana Reserve Subdivision, (18SD00017) – Georgiana Community Developers, LLC, subject to minor engineering changes, as applicable, and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Bryan Lober

Second: Kristine Zonka

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

J. 3. Appointment of North Brevard Hospital District Board Members.

Frank Abbate, County Manager, stated Item J.3. is a request for the Board to make the appointments to the North Brevard Hospital District; there were three applicants; the first two would be reappointments; and their resumes were contained as part of the Agenda packet.

Chair Pritchett stated Dr. Mikitarian is there and this is her Board; Dr. Shah is someone she would like to put in and she thinks Stan Retz is incredibly wonderful with the finance; and unless there is other conversations by the Board she would love to receive a motion on those two.

The Board appointed/reappointed Ashok C. Shah, M.D. and Stan Retz to the North Brevard County Hospital District Board, with said terms to expire December 31, 2024.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

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

G. PUBLIC COMMENTS

Sandra Sullivan stated she was in attendance a few meetings ago and she spoke about the Hightower Preserve; it was mentioned by Commissioner Lober to get some feedback by the County Attorney, Eden Bentley, on what some legal options might be; she just wanted to follow-up with a few notes; she sent the Board Members an email the other day; three-quarters of the Park was a County-incorporated area and it was annexed for the purpose of creating this preserve and they trusted the City of Satellite Beach; and now they feel like they have not held up their end of the bargain. She continued by saying both the City and the County were required to make County Plan changes; they included banning density increases and banned moving density on the Coastal High Hazard Area (CHHA) which is the barrier island; basically at this point, the easiest way, she sees as a solution, is to get a hold of the agreement signed by the Air Force Secretary and Patrick Family Housing; in there it specifies 819 units to the north of Shearwater and 419 multi-family; with what has been built already, there are 196 units left to be developed; and this agreement lays out what is allowed to be on that property across the street. She added it would be the most expedient way to protect that preserve; she has exhausted her resources; the County is telling her that four or five hours it will have to charge her and she has already paid \$150 for some document recently; however, this is as much in the County's interest to look into this issue as it is hers; and she does not think it is fair that she has to pay hundreds and hundreds of dollars for documents when she is performing a community service that is really the County's obligation in following up on this.

Cliff Repperger stated he is an attorney with White Bird and represents Barefoot Bay Recreation District; he is in attendance because based on interpretation made by the Florida

Association of Special Districts, Barefoot Bay Recreation District, which is an independent Special District in District 3, made a Coronavirus Aid, Relief, and Economic Support (CARES) Act funding request through District 3 for various unreimbursed costs under the CARES Act; that request was forwarded to staff and a determination was made that Barefoot Bay Recreation District needed to be treated like a municipality for purposes of the funding request that was made; in accordance with direction from the County Attorney's Office, the Barefoot Bay Recreation District Board of Trustees approved an Interlocal Agreement to be considered for the CARES Act funding related to the Interlocal Agreements the County has with the municipalities; and that was approved by the Board of Trustees of the Barefoot Bay Recreation District last Friday, December 4. He added he has provided a copy of that executed agreement to the Clerk. He went on to say they are respectfully asking that the Board make a motion to treat Barefoot Bay Recreation District as a municipality and to approve the interlocal agreement so that the funding request can be considered by staff.

Commissioner Tobia mentioned to the best of his knowledge CARES Act funding has not gone to special districts with the exception of the Hospital District in County Commission District 1; he does not know how this would open up a can of worms; Mr. Repperger is absolutely correct, but this is a last minute request, the Board does not have any numbers as to what the total request is; he certainly would not have a problem approving this as long as it did not obligate the Board to make any expenditures; and he certainly would not want to do that without knowing how much it would potentially cost, what other special districts would come and ask for similar amounts. He went on to say Mr. Repperger contacted him and he was very clear that he did not want to do anything unilaterally, he thought this would be better handled by the Board; and Mr. Repperger can provide the numbers.

Mr. Repperger stated the total request that was made was \$37,141.82, but there was paperwork that was filed today that was submitted in accordance with the guidelines; he believes it may only be a total of \$6,933.55; that is what is actually reimbursable so the original request was for the \$37,000 figure, but he believes that may only be that smaller figure that is actually reimbursable; but, it is being evaluated right now, by staff.

Frank Abbate, County Manager, stated he just wanted to clarify that in the comments that were made, staff did not say that they are required to do this, what staff said was that if the Board chose it could treat them like a municipality and that is what the request would have to be; that is really what the request is today; if the Board chose to do that, what would happen is they would have to enter into an interlocal agreement as he stated; and staff has already provided a draft for one and they have already had it executed so that phase would already be done. He went on to say then those expenses would be vetted by Tetra Tech once again; because this all would have to be taken care by December 30, staff has already started that process in the event that the Board chose to do that, so for those dollars, staff would have it before any check was issued, vetted by Tetra Tech to make sure they were being treated as staff would have treated any other municipality that had applied; and basically they would be running out of time because by December 30, all these funds would need to be expended under the CARES Act, therefore, they would move as rapidly as they could if the Board chose to get that done, but he does not know that there would be any other Districts who would be able to come in because they would have to ask the Board for permission, as what is happening tonight. He reiterated if that were to happen the County would have to have those expended in accordance with CARES Act requirements by December 30, 2020.

Commissioner Lober stated since this is something to his understanding that falls entirely in Commissioner Tobia's District, obviously the end result, what comes after a staff evaluation, if that is the way the Board goes, will be up to the Board, but he is just curious what

Commissioner Tobia's position is because either way he stands on this, he is likely to support him.

Commissioner Tobia stated that is a rapid change right there from 30-something thousand to \$6,000; this is the first time he has heard that; whether it is \$30,000 or \$6,000, he thinks it is unfair to drop this on the rest of the Board at this point; \$6,000 is a lot more palatable; and had he known that was all, he would have certainly sent something out saying that, that is a reimbursement for Personal Protective Equipment (PPE), but the larger issue is that other districts will not have the opportunity to put in a similar request. He continued by saying this is something he got four days ago and he does not think it is very fair to the Board to make an ask when the Board has not seen the numbers; he will go along with the Board on this one and that is exactly what he told Mr. Repperger; he mentioned he gave his \$5 million back; however, if he had funds he would probably expend the \$6,000.

Commissioner Lober stated as far as giving it back, he thinks quite technically Commissioner Tobia allocated the money to the Public Safety Fund; he does not think it is merely a technical difference; and that said, if Commissioner Tobia would like to reallocate a portion of that he would be happy to second a motion to accomplish that.

Commissioner Tobia advised he appreciates that but he would absolutely not make that motion.

Commissioner Zonka inquired if there are funds available that have not been allocated, aside from that \$5 million.

Mr. Abbate responded yes.

Commissioner Zonka noted that was her question; and she inquired if that meant there would no longer be a need to allocate a portion of the \$5 million that was given for the Public Safety Fund.

Mr. Abbate advised if the Board directs, staff would treat them like it does any other municipality.

Commissioner Smith stated he comes at this from perhaps a different angle than some of the other Commissioners; this is CARES money and it is supposed to go to people and communities in need; the County has it and if someone qualifies for it, he would most definitely support it whether it was \$6,000 or \$36,000; and he would like to make a motion that whatever anyone qualifies for, that is what they would get out of the CARES funding. He commented now if he can get a second and a third vote, then whatever they qualify for they will get.

Commissioner Zonka advised she will second the motion; she stated she thinks maybe commissioner Smith needs to make the motion to treat them as a municipality; and she asked if that was cleaner.

Commissioner Smith stated okay he will include that.

Commissioner Tobia inquired from staff if that \$37,000 being cut down to \$6,000 was a reimbursement for PPE expenditures.

Mr. Repperger noted that was the PPE carve out that he was referring to.

Commissioner Tobia stated he appreciates that; some of it was for staff reimbursement; there were some other things that were not as cut and dry; the \$6,000 seemed the most reasonable of that amount; he did not want to allocate this money or at least infer that he would support it without the rest of the Board; however, he will be voting for it with a first and a second.

Mr. Repperger expressed his appreciation to the Board.

The Board approved to enter into an Interlocal Agreement between Brevard County Board of County Commissioners and Barefoot Bay Recreation District in respect to CARES Act funding.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

H.1. Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing and Resolution approving the issuance of Capital Trust Agency Educational Facilities Revenue Bonds (Pineapple Cove Classical Academy at West Melbourne, Inc. Project), Series 2020 (the "Bonds")

Eden Bentley, County Attorney, stated this is a public hearing for purposes of the Federal Tax Equity and Fiscal Responsibility Act (TEFRA) as required by section 147(F) of the Internal Revenue Code of 1986 as amended regarding the possible issuance by the Capital Trust Agency of one or more installments or series of its educational facilities revenue bonds for Pineapple Cove Classical Academy at West Melbourne Inc., Series 2020 (the Bonds) an aggregate principal amount of not to exceed \$36 million; at this point the Board needs to open the public hearing; and she inquired if the Chair has any cards from the applicant on this Item.

Chair Pritchett advised it is the only card she has.

Attorney Bentley inquired if it indicates they are only in attendance for information.

Chair Pritchett responded affirmatively.

Attorney Bentley inquired if there is anyone in the audience who wishes to speak for or against the Bonds or the project to be financed thereby.

Chair Pritchett advised there are no cards.

Attorney Bentley announced there are no cards and no one is appearing at the podium; she asked if there has been any written communication received by any Board Member; she stated to let the record reflect that there is head shaking that there has been no written communication received; the Board can now conclude public hearing; and the Board may consider adoption of the TEFRA resolution.

The Board held a public hearing on the proposed bonds and there being no comments or objections, it adopted Resolution No. 20-156, approving, solely for the purposes of Section 147(F) of the Internal Revenue Code and Section 163.01, Florida Statutes, the issuance by the Capital Trust Agency of its Educational Facilities Revenue Bonds (Pineapple Cove Classical Academy at West Melbourne, Inc., Project), Series 2020, in one or more installments or series, either taxable or tax-exempt, or both, pursuant to a Plan of Finance, in an aggregate principal amount not to exceed \$36,000,000, for the purpose of financing and possibly refinancing costs

of the herein described facility, and providing an effective date.

Result: ADOPTED

Mover: Bryan Lober

Seconders: Curt Smith

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

H.3. Petition to Vacate, Re: Public Utility & Drainage Easement - 4105 Dianthus Lane - “Lake View Hills Unit No. 2 Section B” Plat Book 21, Page 52 - Titusville - William L. and Brenda J. Hattaway - District 1

Chair Pritchett called for a public hearing on a petition to vacate a public utility and drainage easement requested by William L. and Brenda J. Hattaway for 4105 Dianthus Lane in Lake View Hills Unit No. 2, Section B, Titusville.

Marc Bernath, Public Works Director, stated this is a petition to vacate a public utility and drainage easement at 4105 Dianthus Lane in District 1.

There being no further comments or objections, the Board adopted Resolution No. 20-157, vacating a portion of a public utility and drainage easement in Lake View Hills, Unit No. 2, Section B Subdivision, Titusville, lying in Section 30, Township 21 South, Range 35 East, as petitioned by William L. and Brenda J. Hattaway.

Result: ADOPTED

Mover: Bryan Lober

Seconders: Curt Smith

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

H.4. Petition to Vacate, Re: Part of a 30.0 ft. wide, unopened Public Right of Way - Blocks 24 & 25 - “A Re-plat of Section 17 of Indian River Park” Plat Book 02, Page 75, Section 17 Township 20G S., Range 35 E. - Mims - Thomas Merchant - District 1

Chair Pritchett called for a public hearing on a petition to vacate part of a 30-foot wide, unopened public right-of-way requested by Thomas Merchant located at blocks 24 and 25, “A re-plat of Section 17 of Indian River Park” in Mims.

Marc Bernath, Public Works Director, stated this is petition to vacate part of a 30-foot wide unopened public right-of-way, a re-plat of Section 17 of Indian River park, located in Mims, north of Maeber Road and east of Highway U.S. 1 in District 1.

There being no further comments or objections, the Board adopted Resolution No. 20-158, vacating part of a 30-foot wide unopened public right-of-way between blocks 24 and 25, “A re-plat of Section 17 of Indian River Park”, Section 17, Township 20G South, Range 35 East, Mims as petitioned by Thomas Merchant.

Result: ADOPTED

Mover: Bryan Lober

Seconders: Kristine Zonka

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

H.5. Ordinance to Consider an Economic Development Ad Valorem Exemption for

Roswell U.S., LLC d/b/a Roswell Marine (Roswell)

Chair Pritchett called for public hearing on an ordinance to consider an economic development Ad Valorem exemption for Roswell U.S., LLC doing business as Roswell Marine.

Kathy Wall, Assistant to County Manager, stated this is the request for an ordinance to consider an economic development ad valorem exemption for Roswell U.S., LLC d/b/a Roswell Marine for eight years at 80 percent of the tangible personal property added to the County's tax roll; they are going to be adding 21 new positions within 24 months; the average salary being \$53,714; and they are investing a little over \$1 million. She added this abatement will be about \$4,200 a year for the eight years.

Commissioner Lober advised he is not going to twist anyone's arm on this and certainly the Board is free to vote, however it wants, despite this being in his District; he will not get into all of it, but he mentioned he had asked their in-house counsel, who is a very good attorney, if they would request that the company send him certain information; to date he has not received any of this; he does not blame the attorney by any means; he does not care to guess as to why he has not received it at this point; and for that reason he is not comfortable supporting it.

Chair Pritchett inquired if Commissioner Lober wants it tabled.

Commissioner Lober advised if someone wants to table it, he is not going to oppose it, he would certainly vote along with that; and he can provide more information if the Board would like.

There being no further comments or objections, the Board continued the public hearing for an ordinance granting economic development Ad Valorem exemption for Roswell U.S., LLC d/b/a Roswell Marine to the December 22, 2020, Board of County Commissioners meeting.

Result: CONTINUED

Mover: Curt Smith

Seconder: Bryan Lober

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

J. 1. Re-Appointment of Members and Alternates to the Save Our Indian River Lagoon Citizen Oversight Committee and Permission to Advertise for Volunteers to Fill Vacant Seats.

Virginia Barker, Natural Resources Management Director, stated this is reappointment of willing volunteer members and alternates to the Save Our Indian River Lagoon (SOIRL) Citizen Oversight Committee (COC) and permission to advertise for volunteers to fill the vacant seats; the requested action has five parts; the first is to review the packet; the second is to reappoint the voting members and the alternates that have been recommended by the Space Coast League of Cities; the third part is to consider reappointing five voting members and alternates previously ranked and appointed by the County Commission who are interested in continuing their terms, this includes Kimberly Newton who was recently appointed by the Board to finish out a term vacated early by Melissa Martin; the fourth is to consider promoting two alternates up into the board members' seats to fill those vacancies; and lastly, to authorize advertising whatever seats remain vacant after the previous four actions.

Peter Carnesale stated he is representing the Viera East Community Development District; the SOIRL COC would probably be interested in the work now under way and the presentation that will be made at the Viera East Community Development District's (VECDD) next meeting at

7:00 p.m. December 17, 2020, at the Faith Viera Church, 5550 Faith Avenue Drive, Rockledge; it will be regarding their stormwater management education project; the project is in its infancy but it shows great promise as it has Viera East Community (VEC)'s involvement and a site to begin a model; although it is designed to help reduce pollution in the St. Johns River it is easily adapted for the Lagoon; the program is being worked on by a group, including Brevard County's Natural Resources Management Department, the VECDD, the University of Florida, and other individuals as well; he feels it may be helpful, once developed, to apply it to the entire County to protect all the waterways; and he thinks it would be good to work together.

Commissioner Lober commented this is one of those committees where he thinks that having people with an independent voice, and it is not meant to suggest that anyone does not have an independent voice, but given the nature of this committee and the history it has had with this Board, he thinks it is incredibly important that the Board look at people who have enough fortitude to make decisions and engage in positions that are not necessarily the status quo and do not necessarily go along with what the majority want; this is one of those where he thinks the Board has an opportunity in looking at appointments; he certainly has nothing against either of the two alternates but he thinks the fact that they were recommended by the immediate past chair of the committee, that to him, does not do much in the way of making him feel comfortable, given that it is looking at a committee, not a monarchy where there is one individual giving direction for everyone else to follow; and his thought is, regardless of who the individual Commissioners may wish to pick, he hopes it is going to be someone who has enough of a spine to do the right thing. He reiterated this is not to criticize anyone whose name has been put forth on the Agenda Report or any attachments; quite frankly, people like Pete Carnesale or Sandra Sullivan he would be happy to have someone like them who have an independent streak along either of their fronts; and he noted he does not have a strong feeling as to who individually it ought to be, just that the individual or those individuals really have an independence so they can operate for the betterment of the community.

Commissioner Smith stated he agrees with Commissioner Lober but he does not see any evidence that these people do not have an independent streak and that they were nominated by the chair is probably more of a formality than an opinion on that person's part; they are supported by most of the people who he knows that are involved with the IRL; and he made a motion to approve the appointments.

Chair Pritchett asked Ms. Barker if she wants the Board to approve the League of Cities and then do the empty seats as well, in other words, two separate motions.

Ms. Barker responded either way.

Commissioner Smith advised his motion was to approve all of them; and he inquired if there are three.

Ms. Barker informed there are seven voting members from League of Cities, five reappointments for the Board, and promoting the two.

Commissioner Smith responded affirmatively.

Commissioner Tobia stated he is going to have to vote against this; he would rather see it bifurcated and there is one reason for it; he does not disagree with anything Commissioner Lober said; his issue would be the promotion of the alternates would leave space open, and instead of the County choosing, it would be the League of Cities; he thinks it is meant to be that the League of Cities make their nominations and the Board usually approves them, but the

Board would be giving up two of its nominations if it were to extend an invitation to the two alternates; he would support everything else with the exception of that; and since it is wrapped into the one motion, he would have to respectively vote against it. He added staff can better explain that because the makeup of this is not only with the League of Cities and the Board, there are certain qualifications, education, and technology, so there would need to be a diagram to figure all of that stuff out; and he just wants to make sure the Board has its choice and the cities have their choice and that it is kept separately, and this would unfortunately merge those two.

Commissioner Smith stated he recognizes Commissioner Tobia's thoughts but he thinks that is part of the way this is designed; he inquired with Ms. Barker if that is the way it is set up so that when two vacancies occur or one vacancy occurs from one side, the other side gets to fill the alternate; and he asked her to explain that.

Ms. Barker advised for each of the seven fields of expertise there is a voting member and an alternate seat; the Board has four out of seven of the member seats and the League has three out of the seven member seats; whoever fills the member seat, the other body gets to select the alternate; in this case if the Board is promoting someone who was previously selected by the League of Cities into the Board's seat and then the League of Cities gets to go through all the applications for new appointments and make a recommendation for refilling; and she mentioned if the Board wants to see what applications are out there first, she is going to have to advertise regardless, so she could advertise those two seats, bring those applicants, and then the Board could decide whether it wants to promote or choose a new applicant.

Commissioner Smith advised that he understands where she is coming from so he does not have a problem promoting them or reviewing them.

Commissioner Tobia stated one of the people is Vinnie Taranto who came to his office; he thinks he would be promoted up; he was very impressive, he shows up to all the meetings, and unless a superstar comes, Mr. Taranto would get his support; however, his opinion would be for the Board to see the applicants and go from that direction.

Commissioner Smith stated he thinks the Board is all pulling in the same direction.

Chair Pritchett asked Commissioner Smith to amend his motion.

Commissioner Smith responded affirmatively.

Commissioner Lober stated he is going to support this the way it is phrased.

The Board reviewed meeting attendance records, resumes, and applications of SOIRL COC members seeking reappointment; reappointed COC voting members and alternates recommended by the Space Coast League of Cities; reappointed voting members and alternates previously ranked and appointed by the County Commission who are willing to continue their service; and authorized staff to advertise for new applicants for specific seats representing vacant fields of expertise on the COC.

Result: APPROVED

Mover: Curt Smith

Second: Kristine Zonka

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

J. 2. Appointments to the Environmentally Endangered Lands Program Selection and Management Committee

Mary Ellen Donner, Parks and Recreation Director, stated staff is interested in soliciting which of the four proposed options the Board would like for her to use to fulfill for the Program Selection and Management Committee for the Environmentally Endangered Lands (EELs) Program; there are eight members on this committee whose positions are expiring at the end of December; option one was to reappoint the seven that are currently on the committee and appoint Mac McLouth as the Tourist Development Council (TDC) representative; this action would take a supermajority of the Board; option two is to reappoint the science members who served less than eight years, which are the five members as outlined plus Mac McLouth as the TDC representative; option three is a bit of an anomaly, there are three members who are currently serving on this committee and are unable to attend in-person meetings because they work for an organization that has told them that they are not allowed to do so; therefore, it provides a difficulty in getting a quorum, therefore, option three is to appoint the five people who are currently on the board that can attend meetings, Mac McLouth, and advertise the other three positions; and the forth option is just to appoint the TDC representative and take all of the positions out for advertisement. She explained it would take about 90 days to take these positions out, advertise them, and bring them back; and that is the direction staff is looking for from the Board.

Commissioner Lober stated the two that seem the most reasonable, given the concerns, are options three and two and in that order; just as his concern with the prior Items were not intended by any means to be a slight to those folks that are mentioned, if they simply are not permitted to attend meetings, as long as there is an in-person requirement and he does not know when that will be lifted, he thinks option three is the safest; however, he would also support option two if the Board is comfortable with that; and he thinks those are the only two that really seem to make sense.

The Board reappointed all current science members on the Selection and Management Committee who can attend meetings in-person; appointed Mac McLouth as the TDC representative of the Selection and Management Committee; and directed staff to advertise and fill the three remaining science positions with those who can attend in-person meetings with the opportunity for the current members to reapply.

Result: APPROVED

Mover: Bryan Lober

Second: Curt Smith

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

H.2. Amendments to Chapter 62, Article VI, Zoning Regulations, Relating to Vacation Rental as a Permitted Use in Certain Zoning Classifications.

Chair Pritchett called for public hearing on an amendment to chapter 62, Article VI, Zoning Regulations relating to vacation rental as a permitted use in certain zoning classifications; she advised the Board she thought it could have a little dialogue so she would like to let the public know where it is at; she would like to start there; and she asked the Commissioners to weigh in on their thoughts. She noted the Board may be able to determine where it is going before public comment.

Commissioner Lober stated this is kind of a crazy Item in the sense that he has had more people reach out to him on this than he has on probably the Coronavirus issues and Waste Management issues combined, which were the two hottest button issues up to this point;

people reached out and expressed opinions that had some logic behind it, and that were respectful, God bless them; he would never criticize them, but there were a lot of things that were done and said that he thinks are just unproductive; and he really does not want to come across as chastising anyone, but he wants to mention some of the things that people could perhaps maybe approach differently if there's a similar issue in the future dealing with anything zoning related or property related. He went on to say that copying staff, for instance the County Manager or the County Attorney, which has been done countless times on an individuals preference with respect to a Policy decision really is not helpful; he says that because staff members including the County Manager and County Attorney and/or the Planning and Development Director do not make Policy decisions, they implement the Policy that is sent out by this Board; and copying them, in effect, does not do anything but cause them to have to expend time going through the weeds and messages where they do not even fall within the decision making authority. He continued by saying he is not sure where it originated from, but there were countless numbers of emails that had both the County Attorney and the County Manager copied on; he knows that support staff in the County Managers Office were receiving calls as well as Planning and Development; he does not know if that accomplished anything whatsoever; and there are some other personal pet peeves like emailing with all caps, using a bunch of exclamation points, or having someone's spouse and all the family members emailing shortly after the first from the same account. He mentioned there were a lot of copy and paste emails where there was absolutely no new logic added to it; there was one individual that emailed six times this afternoon on the same issue; an individual claiming that he or she voted for one of the Board members when living in a different District is interesting, or claiming that one will not vote for any of the Board Members when four of the Board Members are not able to run for another term, or in his case where one does not reside in his District, but he would hope that any individual would prefer that they have an elected official that is not so spineless that they would change their vote because of a threat of not being voted for in the future, regardless of what that person's position was; and there were some ludicrous claims, two about prostitution being associated with this and another about child molestation increasing as a result of easing vacation rental policies. He stated the individual who sent that and two other emails on the subject, conveniently did not say boo about hotels or unlawful overnight rentals allowing sexual predators to have access and in no less than three emails, he also did not hear anything about most molestations involving someone that the victim is familiar with not some creepy dude or lady that comes to stay for a night or two; there was a lot of complaining about disrespectful vacation renters; he has been a vacation renter, last year he went to Hawaii and there were no complaints from anyone, they were quiet and did not really cause anyone any issues; and frankly, some of the extreme language and extreme positions from the emails in opposition were, to him, more disrespectful than most of the vacation renters he has ever come across. He continued by saying in the future, if one wants to reach out, it would help if the constituent would let him know where he or she lives; the issue is with hundreds of emails on this, it detracted from his ability to actually respond to all of his constituents because he could not figure out who was a constituent and who was not; there are no at-large seats on the County Commission; other counties may be different, he is not sure; he would say that the bulk of the people that reached out to his office were from another District besides his own; and for those who would say that the Board members are all County Commissioners, there is a fellow named Kevin Kramer who is a U.S. Senator, that does not mean that his constituents include all Americans, by definition his constituents are limited to those folks that reside within his District's boundaries in North Dakota. He noted he is a County Commissioner and he tries to look out for the needs of the County, but when it comes to it, if there is a conflict between what his constituents want and what other District's constituents want, he is going to have to go in the way that helps his own constituents above other people's concerns if there is a differentiator or a discrepancy there. He mentioned he just wants to say he has spent tens of hours going through constituent contacts and actually most of that is from non-constituent contact; he has

done his due diligence on this and he has spoken with a variety of staff members at length about this; as such, regardless of what he hears this evening, and he does not think he has said this on any other issue in the past two-plus years that he has done this, his vote is not going to change, regardless of what anyone has to say, he has already done his due diligence and there is nothing else left to be heard; despite a lot of the nasty emails that he received from people that were in opposition to this, he happens to think the opposition itself is the correct stance; and he is not going to hold it against those people who reached out six times or that made ludicrous claims. He stated he is going to do what he thinks is in the best interest of my constituents irrespective of what the Board hears this evening he will be voting against it.

Chair Pritchett stated she is not supporting this either; she did not support it last time it went through; but she wants to hear from the other Commissioners because she wants to see if there is even enough momentum for it to pass with a second.

Commissioner Smith commented he found Commissioner Lober's diatribe entertaining; he agrees with what Commissioner Lober says, but that is American democracy; these people are very passionate; they do not know the rules and if they copy someone like the County Manager or Assistant County Managers whether it matters or not, they are just reaching out to anybody that they hope can grab something; if they were not so passionate, they would understand that what they were doing was not helping their cause, but they were emotional; and he noted the Chair wants to know the Commissioners' positions and his position is to vote against this.

Commissioner Zonka stated according to the rules of public hearings, obviously she will hear everybody out, but judging by just not the numbers of calls and emails that the offices received, she is a big property rights advocate through and through, but when people's own property rights are not protected that is where she has issue; she does not just have emails from this Item coming to the Agenda this evening, she had constituent complaints long before this issue came to the Board; she has some photos of just what goes on in unincorporated Indialantic at these house rentals that supposedly only rent to 10 or less people for six months or more, which they do not; they do not even comply with the rules that the County has in place; and by law she has to say she will hear everybody out, but she is pretty strongly opposed to this.

Chair Pritchett advised she is just going to see if there is a motion and a second; and she will allow people to still speak if they want to, but she has a feeling that it will help a lot of people feel comfort. She inquired if there is a motion.

Commissioner Zonka inquired with Eden Bentley, County Attorney, if the Board is required to...

Chair Pritchett advised she had asked previously.

Eden Bentley, County Attorney, stated the Board will need to let them speak, but it can do the motion and second.

Chair Pritchett inquired if there is a motion to pass this Item.

Commissioner Lober advised he will move to deny it.

Commissioner Zonka advised she will second it.

Chair Pritchett stated she is going to do the other one first because it could die for the lack of a second. She inquired again if there is a motion to approve it.

Motion to approve dies for lack of a second.

Chair Pritchett commented just so everyone knows this motion is not going to be approved; she has comment cards if anyone still wants to speak they may; she advised this Item will not be passed if that helps a little bit; and she informed the speakers will have exactly two minutes. She noted she heard there is almost 100 people wanting to speak.

Commissioner Tobia asked Chair Pritchett if he could reserve a minute or two at the end, after listening to the speakers.

Chair Pritchett commented she understands what Commissioner Tobia is doing and she will allow him.

Mitchell Roffer stated he has been there several times in the past relating to the Indian River Lagoon (IRL); he is really happy to hear that the Board did not second this; this is failing and it is very concerning about the amount of nutrients still going to the Lagoon; he thinks this would add even more to it; he thinks it is really critical to protect the Lagoon; there is already a fish kill going on now; and even though this issue was not as well advertised as others he has been involved with, there was a group that formed organically in Melbourne Shores and by the time this was over they had 1,600 petitions and 67,000 people interacting on FaceBook. He continued on to say this is an interesting thing; he has two more pages for the record, of signed notes; but he does not know what the procedure is.

Chair Pritchett advised him to give them to the Clerks to become part of the public record.

Cheryl Hernandez thanked the Board for its votes. She stated her family decided to move to Brevard County for the quiet, peaceful neighborhood and they were hoping to keep it that way; the research that she did was on the economic aspects in allowing vacation rentals into residential neighborhoods; one of the things with some of the studies that have come forth, not considered was whether those people using Airbnbs would have taken their trip anyway, if they had stayed in hotels or otherwise and their response by far was yes; only two to four percent of those using Airbnbs said they would not have taken their trip if those were not available; and many studies vastly overstate the value of short-term rentals and how they contribute to local communities by failing to account for the fact that much of the spending would have been done anyway by travelers staying in hotels or other accommodations. She went on to say, also when Airbnb and short-term rentals expand in a city, it is just traveler business from hotels to Airbnb listing leading to downward price pressure for hotels and the primary appeal of Airbnb to most travelers is lower priced accommodations; even if the same tax rate were applied were paid on Airbnb rentals as is paid in hotel rooms and if vacation rentals were actually licensed to paying their taxes, the lower Airbnb prices would lead to less tax revenue accruing to local governments; according to public records on the Florida Department of Business and Professional Regulation (DBPR) and the Brevard County Tax Collector site no more than 22 percent of Brevard County Airbnb and Vacation Rentals By Owner (VRBO) active listings are currently licensed with the State and fewer than 15 percent are licensed in the County; and in 2018 alone, the County Tax Collector sent out over 800 letters to vacation rentals suspected of tax fraud, yet the current system has no enforcement capabilities. She mentioned they sent out letters, but they do not have any way to follow-up; and it was nice that the Board took a stand.

Aaron Adams stated the Board has in its Agenda Packet an op-ed from John Cavanaugh who is a republican State Legislator from Arizona; he thinks this is important because Mr. Cavanaugh shares the mistake that was made in 2016; Arizona passed a vacation rental law that is very similar to what's being proposed here; he thinks it is worth sharing some of Mr.

Cavanaugh's statement from a letter he published in the South Florida Sun Sentinel as an op-ed in February; and he read, "We did not envision that houses rented exclusively for parties, weddings, and large events would pop up in formerly quiet neighborhoods. We did not anticipate that a tourist destination like the town of Sedona would see almost a third of its housing converted to short-term rentals creating an affordable housing crisis that has forced out families and caused one of the city's two elementary schools to close. With the explosion of vacation rentals in the past few years, the problems have grown, noise, parties, and illegal activities have drastically increased in our communities. As a former Police officer I understand the challenges of enforcing violations on these abuses." He continued to read, "I also know that the drain that it caused us on our local law enforcement resources, which are funded by local tax paying residents;" he advised he had an email exchange from Mr. Cavanaugh last week asking what the status is now; this is four years after the past initial Legislation; he had stated, "This is still very bad."; and he went on to explain it has been four years and they still cannot fix it. He stated he anticipates this may come up again, and he would appreciate the Board remembering the statements that it will hear today.

Ayn Samuelson stated as the Board knows South Patrick Residents Association was instrumental in helping craft this ordinance back in 2006, so it is near and dear to their hearts because this issue had arisen actually in the subdivision in which she lives; she is a property rights advocate herself and she believes that there are many different ways to gain economic advantage from one's properties; people can rent them, and right now as a homesteader in the unincorporated area, people can rent a room out without any issues; people can rent for 90 days or more, people can rent for six months, seven months, or a year; and from her experience of over the past 40 years of owning income property, she would encourage people to check the law, it is incumbent upon anyone who is buying property to make sure what things are permitted and what is not. She went on to say in her residential area, they are actually residential and are not setup for commercial; she is not equipped to handle it in any such way whatsoever; as the Board knows she feels very strongly about the health, safety, and welfare of this community, and one of the functions of government is to certainly have land use and zoning laws to support this end; and she thanked the Board for its vote tonight.

Clive Booker stated he will make this brief; obviously the news is great; he thanked the Board for allowing him to present his case; he mentioned he thinks this is really highlighting the importance of Planning and Zoning, working with the communities in a way that is sensitive to some areas that really do require much more due diligence than others; obviously the beaches, south beaches, and unincorporated Brevard County is one of them; and he read, "In the event the homeowners association decided to fight vacation rentals all our legal avenues would be basically stripped away. In addition, we understood the proposed change in zoning would violate the Comprehensive Plan, it would violate 2B, 3A and B, 4A, 5B, E, and G of the future land use element, and violate 7.1 of the Coastal Management Element. It would also violate the hurricane evacuation rule of the Coastal High Hazard Element. The unincorporated area of the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet is actually designated a Coastal High Hazard Zone, therefore, the Comprehensive Plan states it. The densities within the Coastal High Hazard Zone must be limited and development should be directed outside of this area. Brevard County should not increase residential density designations for properties located on the barrier between the southern boundary of Melbourne Beach and Sebastian Inlet." He thanked the Board again for letting the public speak.

Susan Simoes stated she is one of the founders of the Melbourne Beach Library; she served on the board for the Melbourne Beach Community Center; this is like A Christmas Carol, past, present, and future; she is the ghost of Christmas past; she is the past president of the Barrier Island Preservation and Protection Association which was founded after they designated the

Archie Carr Wildlife Refuge; it is the largest nesting area for Loggerhead Turtles in the northern hemisphere; and they have worked very hard with the County Commissioners, including Nancy Higgs for the Comprehensive Plan for Brevard County including emergency, fire, community centers, libraries, ambulances, water, and land use. She went on to say they made sure that in South Melbourne Beach they were zoned one unit per acre from Crystal Lake South and four units per acre north; and they have taxed themselves for the purchase of the parcels of Environmentally Endangered Lands, helped the County in acquisition of 60 acres for 293 acres of a grapefruit grove which in return, the State acquired the remaining 233 acres on Honest Johns Island for preservation. She mentioned that Commissioner Tobia is the representative of District three and that his office in the past being in South Melbourne Beach, he could see how hard they have worked keeping it pristine; they feel that allowing vacation rentals would not fit well within the character of the area; and she thanked the Board for its vote against the second amendment in Charter 62.

Scott Coghill stated he would like to commend the council, even Commissioner Tobia, even though he did not agree with the rest of the Board, he has the right to agree to disagree, that is a fundamental part of a representative democracy; he respects him for that; he noted he just wanted to thank the Board; in 1960, his dad built the house he lives in today for \$14,500; over the course of some 60 years they have paid \$123,000 in property taxes, and that is a lot of money in taxes; and he is really glad the Board Members are good representatives of Brevard County and he applauds the decision that it made this evening.

Patricia Keller stated she basically just wanted to thank everyone who voted against this; she used to own property and still owns a place in the Florida Keys, years ago and they used to allow short-term rentals; finally a General down there decided he had enough, so he got a petition together and he got enough signatures for it to go on the ballot; and it passed so now people cannot rent for less than 30 days down there. She mentioned when she sees something like that and knows what happened that really scares people, when something like this comes up and somebody wants to do vacation rentals in a residential neighborhood, it turns into commercial use with the residential use; she inquired how the appraiser would look at it and zoning, etc.; she is thankful for what the Board did today, because it has really upset her when she thought she was going to have to fight this; and she asked what the next step is.

Chair Pritchett advised her that it died for the lack of a second so it is no longer an issue.

Ms. Keller inquired, so the issue is gone completely.

Chair Pritchett responded affirmatively.

Mike Sego thanked the Board for voting against this; he stated it made a lot of people very happy; and he wished everyone a Merry Christmas and Happy New Year.

Dolores Conway thanked the Board and stated she appreciates the Board's work, they are all balanced and great Commissioners.

Sandra Sullivan thanked the Board. She stated the communities mean a lot, family-oriented communities, kids biking and walking to school, it means a lot the way this Board voted tonight.

Isabelle DeSantis thanked the Board for its vote. She mentioned she has a very small business; she owns the Florida Beach Motel, a five room place and she has been there for 26 years; the place was built in 1952, and so was she; she thinks if it would have been a change of zoning, she could have seen garage repair, massage therapy; and she is very concerned with

the Lagoon. She thanked the Board again for its vote.

Mark Shantis expressed his appreciation to the Board; he stated everyone ought to sit down after this and address the notification issue in the Code and the ordinance; if the Board wants to change the zoning on one property, more people have to be notified than basically someone would have to notify if they are changing the zoning for a quarter million people; and this could have all been avoided had the County gone out and notified the public first, surveyed people first, and asked people what they thought. He went on to say people could have received all this information without having to go through the process that it went through; he encourages the Board members, if one of them wants to bring something up that everybody should say okay and see how much demand there is for it with their constituents first; if then there is not a lot of demand, discuss whether it should even be brought forward or not because that is thousands of hours of volunteers, lots of money, interactions between staff and hundreds and hundreds of people that are using up hours at \$30 or \$40 an hour on government time; and that does not need to take place if the notification is done properly in the beginning. He stated to read the Code, it basically says there can be a little ad placed in Florida TODAY which has 25,000 people of paid circulation, including electronic, and there are 25,000 people circulation for a quarter of a million people whose lives it affects, so that is only notifying 10 percent of the people; the Board can expect this as it is only the tip of the iceberg and most of the people could not come today because of the virus; and he asked the Board to keep that in mind.

Dana Nasypany thanked the Board for its decision; she stated she feels Commissioner Lober's pain, she sat on the School Board in New York for eight years and she received many such emails and hate mail; and she gave a big shout out to Brevard County employees who kept everyone safe and made sure the public was able to see the proceedings.

Kirk Souter stated he is representing the Woodlands Home Owners Association; he was going to speak on what is bad and what is good about this issue, but he will let everybody else speak on that; he is addressing Commissioner Lober because he brought something up earlier and maybe he can answer the question for him; he had a meeting with Commissioner Tobia about a month ago with seven other residents on beach side; this issue was discussed and at the end of the meeting they asked what they were to do about this and Commissioner Tobia had told them specifically, to go call and email every one of the Commissioners, all five of them; and he stressed that it was important because all five of the Commissioners are going to be voting on this. He noted he took that information back and it was disseminated to all of his neighbors; it was emailed, they called, made signs, the neighbors really came together and they all made the emails and phone calls; some of them might not have been as nice as the Board would have liked, but that is the reason; and one of his neighbors who emailed Commissioner Lober and he received a response saying, he was wasting his time because he was not one of Commissioner Lober's constituents. He went on to say this gentleman emailed back and explained why, but that may answer the question as to why all of the Commissioners received emails; it was because they were told to do so; he went on to thank the Board for making the right decision; and he thanked all of the community members and residents throughout all of Brevard County who took the time, effort, and the money to fight this good cause and he believes the outcome was the right thing.

Robert Luger stated he thinks one day the Board Members will all look back at this and be proud of its choice; and he thanked the Board for its decision.

Toni Chan stated as the Board can see by the response from her neighbors up and down the beach side area, the barrier island does not want short-term rentals; the Board heard them; and they are very thankful that their voices were heard and they are proud of their Commissioners

for taking the right action even if not everyone is on beach side.

Pamela Boardman stated she just wanted to thank the Board as well; she mentioned they had been advised that the Board is making decisions and to contact all the Commission members; and she stated to Commissioner Pritchett that she believes she is the only Commissioner with her own voice, and if it is not her voice, her secretary sounds exactly like her.

James McGrath stated the Board kind of took the wind out of his sails with its vote and he thanked the Board for doing so, he really appreciates it; this past October 23 there was a meeting with Commissioner Tobia and he walked out of that meeting feeling grim; there were eight residents there and they started a grass roots movement which he believes was impetus for a lot of the emails to the Commission members; he wanted to thank the Commissioners for putting some common sense into this vote; and he just could not believe that this Board would take something that was grandfathered in and throw it away in such a beautiful area. He continued to say he wanted to thank the grass root people that came with the movement in bringing this forward; and he wished the Board a Merry Christmas.

Joan Vaughan stated the true value of a person is not about how much money they have or their title, its about doing what is right for families, for the next generation, living with integrity, honor, virtue, and moral standards; this life people live is very short, but people's legacy will live on forever; and she thanked the Board for doing what was right for people's families, children, elders, and for the priceless treasure of where people live and all the natural habitats.

Tim Street stated he is there to be the second least popular guy, just behind Commissioner Tobia; he is actually for private property rights as long as they do not infringe on the private property rights of other people; he thinks that is a really wise way to look at this; he has been told for a long time that short-term vacation rentals are the devil; he hears a lot of really nice people get emotional because they are arguing from an emotional standpoint; and while he understands that, he is hearing things about extra nutrients going into the Lagoon, or traffic, but when the Board talks about zoning doing commercial enterprises in a residential area, he wonders if the Board is going to take away landlord rights to rent out their single family homes in a long-term rental in a 12-month lease. He continued if anyone has a bad neighbor, one would pray to God that they are a short-term transient renter because that owner can have that person kicked out in a matter of hours and if they do not leave it becomes a second-degree misdemeanor; long-term tenants are protected and good luck trying to kick them out today, especially with COVID-19, they are there forever; it is going to take someone months to get rid of them; he hears concerns about parties, and he asked if there are not any disturbance of the peace laws already on the books; he inquired what happens when it is an owner of a home, what difference does it matter if it is a short-term rental or long-term rental; and in fact, the owner of a short-term vacation rental actually has a financial incentive to not only disallow parties but if there is a party, they can kick that person out, keep 100 percent of the revenue from that trip, and then get rid of all the wear and tear on the house. He added some of the biggest eye soars he has ever seen in neighborhoods, are long-term rentals; and some of the most beautiful homes in showroom condition, kept to the top of the peak condition, are short-term vacation rentals.

Chair Lober stated just a couple of quick comments; the gentleman that came up prior to Mr. Sauter, had mentioned the circulation of Florida TODAY is 25,000 and he will take that as accurate for the sake of argument, he does not know if it is or not, but to presume that 100 percent of the people who read the paper, read the legal ads, he thinks is pretty much a fallacy; he would be shocked if it were even a single percent of that; he thinks the couple times when that issue has come up in the past and the Board polled the audience, not one person has

shown up on account of something that went into a legal ad; irrespective of the other opinions that were expressed by that gentleman; he does agree with the point that legal ads in the Florida TODAY or elsewhere do not accomplish anything and it is unfortunately a mandate that is put upon the Board of County Commissioners; and it really serves no useful function apart from keeping the newspapers in business. He continued on by saying other than that he was trying to find the email that Mr. Sauter referenced to his apparent buddy, the only thing he has seen that are even close to that were sent to folks that emailed numerous times; and certainly, if he was a little more direct with someone who sent three emails or six emails, it is what it is and people get what they get.

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

H.2. Amendments to Chapter 62, Article VI, Zoning Regulations, Relating to Vacation Rental as a Permitted Use in Certain Zoning Classifications.

Commissioner Zonka stated she wanted to pass this out to the Commission just in case this Item ever comes back; the reason she did this is because this is just one property that she asked them to send her pictures where one can clearly see just on the deck alone there are 20 people on a rental that is supposed to be a maximum of 10 people; her staff was able to book a room for a week and it is a rental that has a minimum rental time frame of 90 days; he was able to book a week, twice, and able to get to the check out and everything, so they are not following the rules; her office receives numerous complaints about this property and it is unincorporated Indian River; and their max is 10 people. She mentioned it is never 10 people, Code is called constantly, Sheriff's Department, and otherwise; she is a huge property rights person, if anyone knows or have seen her over the many years she has served in public office, she is all for it; but when the property rights and the desired profit of other people affects the neighbors that live here, tax paying neighbors that live here, that is awful because if that were the case and the County allowed people to zone whatever they wanted, what would stop a water slide or amusement park from going in someone's subdivision; that is about as ridiculous as it is because no matter where the line is drawn, a line will have to be drawn; there are plenty of commercial properties and rental properties, tons of hotels, and a lot of available properties if people want to invest in those Airbnb properties; and when people work that hard in this community, they are just trying to raise their family and then they have to deal with not just spring breakers but with people having big family reunions. She stated these people do not care what they do to this property and they do not care about the public disturbances, they do not care that there is trash in their neighbor's yards; she knows she would not buy a house in that neighborhood; now it has affected the property rights of the people who live there that are already paying taxes and are contributing members of the community; that is why she took this position; she thinks the residents have made it very clear to everyone on the Board that this is not the route they want to go; and there are plenty of rental properties out there and there is never a shortage in the area. She explained she just wanted her position to be known, so people would understand where she is coming from.

Commissioner Tobia stated he first wanted to thank staff for diligently dealing with all this; he apologized to his fellow Commissioners for asking them to take on this added burden; he pointed out that by his count 16 speakers came up against it and not one spoke about their property rights being infringed; in fact, each and every one talked about abridging other people's property rights; he thinks it is very unfair to say that he is a property rights person but it certainly does not, it flies in the face of this argument, but there were two arguments; and he has hundreds, he did not want to categorize them until some of the speakers came up, some were a little ludicrous but some of them were brought up here. He mentioned he understands passion, but passion and reality are two different things; he looked for crime and believe it or

not the University of Florida and the University of Massachusetts did a study of the correlation between Airbnb rentals and violent crime and they did it as far away as Orange, Osceola, and Seminole County; their research, which was conducted in the last couple years, of which he has a copy of, they showed there was a negative correlation between Airbnbs and violent crime; in other words, Airbnbs brought less crime; it is not anecdotal evidence here it is one that has passed muster; the next one that was talked about was property values, and again the studies just do not back up the points made, in fact many of the speakers were arguing on both sides of it; and as people talk about affordable housing, what affordable housing means is that housing gets more expensive, which is actually correct. He continued by saying the Wharton School of Business of which the President went, released two years ago the effects of home-sharing on house pricing and rental evidence from Airbnb showed a positive correlation between short-term rentals and home values; some brief talking points because even though the Board's opinions have been made, he just wants to argue that they probably are not backed with any empirical data; however, the right to rent has traditionally been part of the bundle of property rights and as a conservative he believes property rights are fundamental in nature and any regulation infringement on those rights should be clear and narrow. He stated it has been made point, by fellow Commissioners that noise, open containers, parking, golf carts, and trash, but all of that is currently covered under Code Enforcement and none which would be abridged, the existing Code takes care of all that; furthermore, this Board continues to vote and spend Tourist Development Tax (TDT) dollars which vacation rentals generate on things like dog bikini contests; if the Board wishes to continue spending in this manner it sure needs to find ways to generate additional tourism tax revenue; the Board did not want to go there, but there were 16 speakers and he appreciates that; there was quite a conservative effort, nodailyrentals.com on FaceBook and some pictures, one which Commissioner Zonka pointed out, and it is really unfortunate to point out, but to him it is important because there is systemic and structural racism that takes place still to this day in America; all 16 speakers were not of color, but the four pictures that were on that, were all of people of color; he thinks that is very distressing that there are white people not wanting people of color; and he noted he did not post those pictures, but all four of the pictures were of those of color. He went on to say he is not claiming that anyone has racist tendencies, but it is a little strange and he thinks the Board needs recognize that; he also has trouble finding it a coincidence when there is 100 percent on one side and 100 percent on another; he knows everyone has, or at least he hopes everyone has pure motives, but that really does not help; to his fellow Commissioners, he remembers when he was elected, Commissioner Smith said it takes three votes, and he was absolutely correct, but he is going to put a challenge to this Board to be bold; when each of them looks at the Agendas he wants them to ask themselves how many times they put something on there; he made a promise to a constituent that said they were having trouble making ends meet to pay their mortgage because of a family issue in which a primary bread winner left and that person wanted to keep their house; it would have been very easy to get 10 emails and he has heard that 99 percent of the people were against it; that is 99 percent of the people here, but if the Board believes that 15 people represent the entire Commission of Brevard County that is absolutely untrue; when he looked in the south beaches between the previous selection and the one that just took place, he actually picked up votes; therefore, there is no logic to the argument that takes place. He continued by saying his charge to the Board, and when it comes to the stuff with the Fire Union, he could not disagree any more with Commissioner Lober, but he is bold; he is out there saying he is willing to vote to bust the cap, willing to raise fees to support a public union, and although he disagrees with that sentiment, Commissioner Lober is being bold; he would challenge that to the rest of this Board, to look at the next Agenda and see where their name is by something that is going to leave a legacy other than a traffic light, a resolution for something that really has no significance whatsoever; this Board is entrusted with quite a responsibility and he would encourage the Board to use that; sometimes it is not going to be popular, but neither was the Civil Rights Act of 1968, when African

Americans were not being afforded mortgages because they were moving into white neighborhoods and the white land owners did not want desegregation to take place; and even though his book is this thick with failures on this County Commission, he is glad he brought each and every one of them. He noted he will be handing them off to whoever decides to succeed him; and he hopes that person decides to bring the debates. He reiterated he would lend that challenge to the rest of the Board, short of Commissioner Lober because he seems to bring it each and every time. He stated he appreciates the Board going through this; and he looks forward to the Board members bringing those issues.

Commissioner Smith stated he would like to thank Commissioner Tobia for his diatribe that the Board just listened to, he agrees with that sentiment and believes that bold is good; it is an honor to serve with each of those on this Board because each person brings something different to the community; and he thinks that makes the body of the Board a stronger body. He mentioned as far as being bold, he has worked closely with Eden Bentley, County Attorney, with bringing prayer back to the Commission, so that will be appearing on the next meeting Agenda; he thinks that is pretty bold and leaves a legacy; Attorney Bentley is pretty confident this is bullet proof; and he is proud to bring that forward for the Board's perusal and hopefully its approval. He went on to say that with vacation rentals he brings a first-hand education and experience to that; he owned a condo in Key Largo for 20 years, he sold it three years ago, and it was a 44-unit building right on the ocean and he was grandfathered in; the lady was right, they did have a vote in Key Largo in Monroe County and it limited rentals to 30 days, but he was grandfathered in and he was allowed to rent by the night or the week, and when Vrbo first came out back in 1999, the way it worked was one would take pictures and the owner was charged for the pictures, so if one wanted 30 pictures, and the more pictures one had the further up the list they went and the higher on the list the better chance one had of renting their place out; the key for him was that he was the ultimate landlord because they would put the people interested in contact with him personally and he could talk to them; for him that was good because he refused to rent to people from Dade and Broward County; there were many people in his building that did not really care about who they rented to just as long as they received that rent check; he thinks that is what is being discussed now, if there is an irresponsible landlord and they only care about the rent check, they do not screen the people; and the reason he would not rent to people in Broward and Dade County was because many of his fellow owners did and a big percentage of them turned out to be a problem because they would say they were coming with their wife and five-year old, but they would show up with their wife, five year-old, 14 of their cousins, aunts and uncles in a two bedroom unit; and inevitably there were problems where beer cans were thrown off the balconies, language, and police were being called, so it just got to be a nuisance. He reiterated he made it a point not to rent to those people. He stated in those 20 years he did not have one complaint from a fellow owner because he screened people and asked them what they did, where they were from, when they were coming, and whatever information he could get to make a decision whether he wanted to rent to them; he did not care if they were black or any other color, Puerto Rican, Filipino, the only thing he cared about was if they were responsible; that was key for him; and he appreciates Commissioner Tobia and his strong feelings on this issue. He mentioned he thinks this is what makes the Board the unique body that it is; he thinks people were very emotional tonight; some were more emotional than they were factual, but they got their point across; and he commented that is his two-cents worth.

Commissioner Zonka stated she is not sure what pictures Commissioner Tobia was talking about on Facebook, she does not belong to that; she included one picture with her packet that was sent to her office; she noted not all the magic happens at the Board meetings; this is where the show happens; most of their offices work hard every single day and the real work is done in their offices every damn day; they help people, they are proud of the work they do, yes

it is traffic lights and yes it is boring, it is ditch digging, it is helping people navigate with the COVID grant process, it is helping people link up with jobs, and she reiterated they do quite a bit in her office and she is very proud of that; she finds it interesting that this is coming from someone who wore a mime costume to the last meeting; in reality, this is the show and each Board member is a politician; she typically gets told what she should or should not say but she is just herself and that is what people are going to get; and just because she does not bring Items that she knows are going to go down in flames, she will not apologize for that. She continued to say Commissioner Tobia comparing his Items to the Civil Rights Act of 1968, she does not even know what to say to that.

Chair Pritchett stated as far as the vacation rentals, she thinks her second year on City Council something had come up with it and they actually traveled to Tallahassee to lobby Rich Workman to not do it, so this has been going on for awhile; in her District there is nothing there that would fit; the thought of it, when one travels and goes to a hotel there is some security there, but when people are in their homes it is a little different; and everyone has a different opinion on it, she is adamantly against it, but that is what makes up a wonderful governing body, like this one where each Board Member has different things to bring to the table.

Eden Bentley, County Attorney, inquired if the Board wants to cancel the second public hearing.

There being no further comments or objections, the Board canceled the second public hearing to Amend Chapter 62, Article VI, Zoning Regulations relating to Vacation Rentals as a permitted use in certain zoning classifications.

Result: APPROVED

Mover: Curt Smith

Second: Bryan Lober

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

L.1. Frank Abbate, County Manager

Frank Abbate, County Manager, stated he would like to request permission from the Board to change the date of the Fiscal Year 2021/2022 tentative budget hearing; on the Board's calendar he has approved it for Thursday, September 9, but he would like to move it to Monday, September 13, 2021, because Florida Statute requires that it not be scheduled on the same day as the School Board is scheduled; and when he developed that calendar, he did not know that the School Board was going to set it for the same date, so he needs to change it to September 13 and needs Board approval to do so.

The Board approved rescheduling the FY 2021/2022 Tentative Budget Hearing from Thursday, September 9, 2021 to Monday, September 13, 2021.

Result: APPROVED

Mover: Kristine Zonka

Second: Curt Smith

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

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

L.2. Eden Bentley, County Attorney

Eden Bentley, County Attorney, stated pursuant to Sections 447.309 and 447.605 of Florida Statutes, she is requesting an executive session to discuss the status of the current collective

bargaining negotiations with the International Association of Fire Fighters (IAFF) to take place immediately after the December 22, 2020, Board of County Commissioners meeting.

The Board approved the request to hold an executive session for discussion of the status of the current collective bargaining negotiations with IAFF on December 22, 2020, at the conclusion of the Board of County Commissioners meeting.

Result: APPROVED

Mover: Kristine Zonka

Second: Curt Smith

Ayes: Pritchett, Smith, and Zonka

Nay: Lober, and Tobia

L.4. Bryan Lober, Commissioner District 2

Commissioner Lober stated Tim Street was brave coming to the lectern and taking the position that he took; Commissioner Tobia certainly keeps this interesting and it is far better to hear some of his proposals than to get bogged down in some of the routine that can often times get somewhat monotonous; even if he disagrees with a number of Commissioner Tobia's motions, he respects the fact that he does what he feels is right; and as peculiar as things may sometimes be, every once in a while Commissioner Tobia comes up with something he enthusiastically supports, although the downside to that is they both go down in flames on those topics. He continued by saying he wanted to give the Board a heads up, he knows Chair Pritchett had asked while he was doing allocations or getting allocations ready just to keep everyone in the loop about this; and he referred to an audience member and told him, as a firefighter if he takes any offense to anything he says or thinks his colleagues would take offense, he wants him to come slap him in the face.

Chair Pritchett jokingly asked if anyone else could jump in on that.

Commissioner Lober responded no, just that gentleman; he mentioned he wanted to talk about a few of the allocations; one of them is going to be to an organization called, Ready for Life Brevard and it is actually headed up by one of the most fundamentally decent human beings he has ever come across, a woman named Pam Bress; what they do is take kids that "age out" of foster care and they help them get employment, stable housing, and that is really essentially what they exist to do; these are older teens, young adults in the 18 years old range; he also believes they are in the process or will be soon of moving into the Melbourne Housing Authority building which he believes is in District 5, but he is not sure; and he is setting aside \$25,000 of the \$5 million to help them accomplish their goals. He continued by saying hopefully he is not going to get slapped for that one; the next one up is in Chair Pritchett's District and it is a food pantry called Hummingbird Pantry and it is run by a woman named Gina Stanford; he was amazed when he spoke with them, by the volume of service that they have been providing this year and their year over year compared to pre-COVID times, is a high multiple; for example, previously they had one semi a week coming and now they are potentially up to six semis a week; on an off week they may have as few as two; they are between two and six times the volume they were pre-COVID; and it does not look like it is going to slow down anytime soon according to Ms. Stanford. He went on to say they are operating at this point with one relatively unreliable forklift; he asked her what the organization's needs were to try to bring them up to speed and help cope with the demand that they are seeing that has been increased on account of COVID; she indicated that a second more reliable forklift and a pallet jack would help them take these four and a half hour loads and cut them down substantially and also have the added

reliability factor so they do not have to cancel things; and he noted he is setting aside \$40,000 for them to secure a second more reliable forklift and a pallet jack. He stated lastly this one is kind of a unique one, he is going to set aside up to \$165,000 max, and assuming everyone takes him up on this and that it looks like they would qualify for, those folks in Brevard County Fire Rescue (BCFR) that serve as first responders that respond to at least one call during the period of time that COVID is in place and that also the folks that are patrol deputies with Brevard County Sheriff's Office (BCSO) who respond to at least one call; ballpark, and he may be off a little bit with the numbers, but for BCFR he is looking at 450-ish and from Sheriff Wayne Ivey, there are about 650 patrol deputies so that is potentially 1,100 people; to incentivize but not by any means require them to get the COVID vaccination when it is available, so that these folks who interact with other first responders, who people rely on when there are bad situations and who interact with each other, if they have any intention of getting it or if they are ambivalent about getting it, he hopes this incentivizes them to go out and get it; the idea is for the vaccines that he has heard announced at this point, they require two administrations according to the schedule that he has seen; if that is the case for vaccines that it requires getting stuck twice he would give them \$75 irrespective of what their insurance does or does not cover, this is over and above whatever their existing coverage would be; they are probably going to be covered in full or substantially in full anyway, but he would give them for each of the two administrations \$75 a piece so up to \$150, or if they come up in the future with a single does vaccine, regardless of who releases it, he would just give them a flat \$100 for that; it is not going to enrich anyone but it is something to encourage them to get vaccinated if they have any interest at all; and for those who do not want to do it then he is not going to twist anyone's arm for something they do not want to do. He noted for the small business program he is still working out the details with the Budget Office Director and staff; he thinks he will have some more direction probably toward the end of the month; he believes what he will do on account of December 22 meeting having just been cancelled, he will have a memo put together and send it out that way, kind of the traditional course; he will release it out to Giles Malone and Dave Berman so the media have a chance, and if Don Walker, SCGTV Director, wants to send it to anyone else that he has as a contact, then he certainly would not say no, really whatever he wants to do with it, he can; and essentially that is where he is at.

L.5. John Tobia, Commissioner District 3

Commissioner Tobia stated happy Hanukkah and he noted that it starts in a couple of days.

L.6. Curt Smith, Commissioner District 4

Commissioner Smith stated he would like to commend Commissioner Lober, he was definitely thinking outside of the box; he loves when people think outside of the box; he is happy to be there and is honored to work with each of the Board Members; and he wished everyone a happy Hanukkah.

L.7. Kristine Zonka, Commissioner District 5, Vice Chair

Commissioner Zonka stated she is not trying to get into a big, long-arguing discussion over COVID dollars, but this is exactly what she did not want to happen; she did not want the Board members piece-mealing and handing it out like candy because to her that is what it feels like; she does not agree with incentivizing people to get a vaccination, she thinks the first responders are first on the list; she would rather if there was an incentive program that it would be for COVID mandatory overtime; she is not sure what the rules are, so she will get with County staff; she mentioned she may propose to stop the insanity and that the Board come up with a plan to just use those funds for what they are designed for, maybe put the unallocated funds into the Public Safety account; and she reiterated this is exactly what she did not want to happen, for it to become a slush fund for the Board members to hand it out, such as this charity is deserving and this one is not, because she does not want to be judged by what the Board does and does not do. She added she does not think this is what that was designed for,

therefore, she may bring something back next week.

Chair Pritchett stated she saw where Commissioner Zonka had spent some time on that and the Board will be ready for some discussion if it needs to.

Adjourn

Upon consensus of the Board, the meeting was adjourned at 6:58 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

RITA PRITCHETT, CHAIR
BOARD OF COUNTY COMMISSIONERS

COUNTY, FLORIDA

BREVARD