



## **SOUTH AREA PARKS AND RECREATION South Beach Community Park Referendum Committee**

Regular Meeting  
June 12, 2007

A Regular meeting of the Parks and Recreation Department, South Beach Community Park Referendum Committee, was conducted on Tuesday June 12, 2007, at 6:30 p.m. at the Melbourne Beach Public Library, 324 Ocean Avenue, Melbourne Beach, Florida.

### **MEMBERS PRESENT**

Janet Adam  
Susan Margaritondo  
Susan Simoes  
Robert Arthur  
Thomas Moore  
Kathi Arms  
Jim Rosasco  
Kathy McInerny  
Celena Bardos  
Marty Almberg  
Dean Given

### **MEMBERS ABSENT**

Ceil Wilson  
Paul Tritaik – ex-officio

### **STAFF PRESENT**

Jeff Whitehead, South Area Parks Operations Manager  
Dave Moore, Maintenance Superintendent  
Bill Ross, Construction Manager  
Don Lusk, Brevard County Parks & Recreation Director  
Gustavo Vergara, Special Projects Coordinator

### **PUBLIC**

James Dean	Linda Fry
Pat Pasley	David Fry
Dave Pasley	Lisa Burrows
Kent Bradley	Paula McNutt
Linda Bradley	Mike Lake
Trudie Infantini and 2 daughters	

## **MEETING CALL TO ORDER**

Ms. Simoes called the meeting to order at 6:33p.m. Mr. Vergara called the roll, and Ms. Simoes noted that a quorum was present and that the meeting would be conducted.

## **APPROVAL OF MINUTES**

Minutes from the January 16, 2007, regular meeting were accepted.

## **STAFF REPORTS**

Committee members were provided with a copy of the October 2006 Audit Report

### **Jeff Whitehead**

Mr. Whitehead turned the floor to Mr. Don Lusk

### **Don Lusk**

Mr. Lusk introduced himself as the Parks & Recreation director. He stated that he wanted to discuss two things that evening, and the first was the Audit Report. He stated that the report had two parts to it; the first part was everything that happened up to the first referendum in 2000, and that a lot of recommendations in this part was for the Board of County Commissioners. Mr. Lusk stated that one of the things that he agreed with this part of the Audit and thinks should be done was long range planning for Parks & Recreation. He stated that he has spent most of the time was the post referendum part of the Audit, specially the management part of the Audit. He explained that the way the money was managed in the past was that all of it was in one big pot, and that depending on what project was moving at the time, money was allocated to that project. Mr. Lusk stated that the way he was going to try to manage the money for the projects was to allocate a certain amount of money to each project once cost estimates are done, and that if a project was going to exceed the budgeted amount, he would have to go before the board of county commissioners before any money is moved. He stated that he would be willing to come in the future and discuss the audit in further detail if the committee members wanted him to. Mr. Lusk stated that he and his department were in favor of property tax reform, and what the committee members needed to understand about property tax reform was that the operating dollars, not the bonded dollars, for the referendum projects was directly affected by this reform, which means that there may be some facilities built which could not be supported financially from an operating side. Mr. Lusk stated that he has heard about the South Beach Community project since Chuck Nelson was the parks & Recreation Director, and that this was one of the projects that has had problems with the committee coming to consensus about what the committee wants for the park, one of the issues being the size or whether or not the community wants a community center, Skate Park versus Tennis Courts, and other issues not directly tied to the committee but regarding the right of way and vacating of Mullet Creek road. Mr. Lusk then stated that his idea was that he wanted to have a community presentation and discussion about the conceptual plan which the committee had approved and designed. Mr. Lusk also stated that depending on the outcome of the property tax reform, he may

have to make some tough decisions about what projects get built. Mr. Lusk stated that there are other kinds of facilities that have been designed that people might want to take a look at and provide input into what they want.

### **David Moore**

Mr. Moore stated that since the committee had met, there had been two grand openings, one at POW/MIA Park, and one at Viera Regional Community Center. He stated that this was his busiest time of the year with summer camps and little league tournaments happening at Viera Regional Community Park.

### **Gustavo Vergara.**

Mr. Vergara stated that there was a packet attached with pictures of Viera regional Community Center (attached), as well as a site plan of the community center. He also stated that there was an aerial photo of the Park site which showed that the area had been cleared, and that there was also a new site plan attached which showed the new pavilions and a designated dog park and skate park area.

### **Jeff Whitehead**

Mr. Whitehead stated that there was going to be a kids fishing derby at rotary Park on Saturday, June 16 at Rotary Park at Suntree at 8:00 a.m. and that on June 21<sup>st</sup>, there was going to be a big skateboard event at Viera Regional called Big Rigging.

### **OLD BUSINESS**

Kathy McInerney stated that on the February 18<sup>th</sup>, 2003 minutes Mr. Masson stated that the smaller 20 x 20 pavilion was added between the playground area and the activity area as requested by the committee, and left the 40 x 60 pavilion in the plan. She also stated that on the May 21, 2002 minutes Mr. Eder made a motion to approve \$10,000 for fencing along Carmen St. and \$50,000 for exercise equipment inside the community center. She stated that Ms. Margaritondo seconded that motion and that it was unanimously approved. She also stated that she had a copy of a brochure put out by Brevard County Parks and recreation, dated July 2002, and that included in that brochure was a skate park, bocce ball/shuffle board/horse shoe arena, sand volleyball court, basketball court, pedway, pavilion, community center, playground and multipurpose field. She stated that in January 2003, another Parks & Rec. brochure stated that same amenities for the South Beach Community park. She stated that she didn't see how there were so many questions about what the south beaches area was getting for the park.

Thomas Moore stated that he wasn't sure if Mr. Lusk was opening the door for further discussion about the community center with the community meeting that Commissioner Voltz wanted to have, and Mr. Lusk replied that it was him who felt that further discussion with the community needed to take place. Mr. Moore then stated that the brochures passed out in 2000 were what sold the referendum, both in 2000 and 2006, and

that voters not only approved it twice, but many times at the committee meetings. Mr. Moore stated that other than a meeting as an information session with the public as to what is going on, there should not be any more discussion on the elements of the park. He stated that the group had been there and done that for seven years. Ms. Simoes stated that each member of the committee is from a different part of the community, and that the committee does reflect the community. She followed by saying that many of the committee members worked very hard for the past seven years, and sat through meetings at Immaculate Conception church with hundreds of people telling staff exactly what they wanted, and that the committee worked from that. She stated that they weren't sitting there as individuals saying this is what I want, it was a whole process that the whole south beaches community was involved with.

Susan Margaritondo asked if it was definite that the committee would have to go over all elements of the park again? Mr. Lusk responded that he wanted to have a community meeting where people would give input regarding having to make any cuts. Ms. Margaritondo stated that the committee had been together for 7 years, and that if anyone in the community wanted to put their input on the park, they could have done so at the public committee meetings, and that the committee members had donated 7 years of their time, and that if this was true, she would quit immediately. She said that she will not continue being a committee member. Mr. Lusk stated that he was positive that there would be no harm to have other folks from the community come together and give their input on the park. Ms. Margaritondo asked what folks? Mr. Lusk replied "I don't know." Mr. Moore stated that they invited the public today, and only 13 people showed up.

Dean Given asked what was the correct amount of land appropriated to this project, and Mr. Ross responded that he thought it was 66 acres, but didn't have anything in front of him to confirm that. Mr. Whitehead then stated that it was 68.6 acres.

Janet Adam asked how many architectural firms had redesigned the park, and Mr. Lusk responded that the same architect had been on the project from the beginning. Ms. Adam asked what the time frame did the Audit report cover? Mr. Lusk responded that it covered from 1998 until 2006. He said that it was issued in October 2006 and that it wasn't discussed until January 2007.

Marty Almberg reiterated what Mr. Moore said, which was that voters passed two referendums and people knew what they were voting for, and that in 7 years no one had given them anything, and that now that there is a site plan, and money ready to build it there would be no money to operate the park? Mr. Almberg also stated that he felt that staff was trying to put a public meeting together in order to get the size of the project knocked down in order to reduce cost, and that they would end up with something else than what the public voted for.

Kathy Arms stated that she understood that the county was dealing with a budget and that she did not want a building put in which was going to deteriorate because no one was there to take care of it. She asked where the money was which was appropriated for that project, and that if the county could not move forward with the community center, why

couldn't they move forward with other element of the park. She stated that the community was upset, and that they saw that the area was cleared and that people wanted to use the park. Mr. Lusk responded that the way the county handled the money in the past was as one big pot, and that as projects were moving, those projects received the funds necessary to keep building, and that as money ran thin, projects that were being built received the money, and parks that weren't being built did not get any money. Mr. Lusk stated that in August 2006 he went to the Board of county commissioners went through a prioritization process and that South beach community park was one of the projects that they decided to move forward with because there was a contractor on site at the time. He stated that money was still there to finish the project, and that the property tax reform does not impact the money to build the park, but it does impact the operating part of the money, and that even though it was passed twice by the voters, legislators aren't hearing that and are trying to make cuts to that portion of the budget anyway.

Celena Bardos asked Mr. Lusk what happens to the money from South Beach Community Park if the Project doesn't go through. Mr. Lusk responded that he would be presenting a budget for each individual project on July 10<sup>th</sup>, and that if the Board of County Commissioners approved that budget, he could not touch the money for those projects. She also asked if the site plan that had been provided was what was going to be built at that site, and Mr. Lusk responded that everything she saw on that site plan, was what was going to be built. She also mentioned that there were 3 gators in the pond and that they were kind of aggressive, and Mr. Dave Moore stated that he would call Animal services the next day.

Jim Rosasco stated that there was a list of committee members and that many changes had been done and that the committee kept stating that they were representing the community, and Mr. Rosasco wanted to know what part of the community they represented. Ms. Simoes Proceeded to introduce all members and what role they played in the community. Mr. Rosasco stated that the 18,000sq ft Community Center was for more than just the community that immediately surrounded the park. He stated that when the committee was first put together, 8 committee members represented 4 home owner associations, and he asked if the people from the homeowner association were authorized to speak on behalf of that home owner association and if so why it took two people to vote from the homeowner association, he followed by stating that he didn't feel that the committee did not represent all of the south beaches. Mr. Rosasco proceeded to read a memo from Scott Knox telling chuck nelson that the county did not have to follow what the green pamphlet said, he then proceeded to state a sentence from page 18 from the 2006 audit report. Mr. Rosasco stated that in the 2000 elections there were 10,074 registered voters in the 4 precincts , and that the same 4 precincts had 9,600 registered voters, and he stated that the community center was too big for that community. He asked that as a tax payer, why you would build a building that you cannot staff. Ms. Simoes stated that she knew how Mr. Rosasco felt because he wrote a letter to the home town news stating his case.

Sue Simoes stated that south Brevard County voted to make sure that the county had enough money to build the projects in the areas that were in the original referendum but

had run out of money to finish because of whatever circumstances. She stated that most everybody on the committee fought tooth and nail to get voters to go out to the community and get them to vote for the referendum projects. She stated that she asked a lot of the community and worked really hard to let the public know that there was a chance for the county to purchase 233 acres which would not be built on by realtors, and that the community center and park impacted less than 10 acres of that whole property. She followed by stating that the south beaches community pays a lot in taxes and doesn't have much infrastructure to show for it, and that the community deserved a small park and community center. She stated that she talked to about 5,000 people in her community about a community center to help not have 293 acres go to parcels which was what was happening at that time. She stated that the new community center would be a blessing for the community, and that that acreage was one of the last parcels picked up after 9/11 for land preservation. She stated that bottom line the people voted for the referendum, and that she was not willing to listen to whatever excuses for what happened with the money or what mistakes staff made in the past, and that in 2006, north Brevard didn't pass their referendum, and the south area did pass their referendum, and that the committee had hundreds of people come to meetings at immaculate conception and had people speak constantly, and representing children that are in high school now that though that they would have a gym to go into. She stated that the library and two small churches as all that the community had to have any meetings, and the community voted twice to have what was told to them, which was the 18,000 sq ft community center, and she went to many meetings with many local committees that she serves on and promised them that if they voted for the county to have the referendum money, they would get their community center, and now all of a sudden people are questioning what the referendum stood for? That's what the referendum stood for, and the people spoke. She explained that the committee sat with the budget and went through it penny by penny, and they put the elements in that the community told them what they wanted. She also asked that there was supposed to be a designated pool area, and she didn't see it in the design plan, and that the committee had been told a long time about that there might be a grant in the far future for a community pool, and asked bill Ross where the pool was in the conceptual design. She stated that the people who live on Carmen street were severely impacted from when the area was opened and graded, and that the people who live there gets their house sand blasted every time the wind comes up in the area, and that it wasn't fair to those people that the county opened up that area and impacted the people who live on that street, and asked that no matter what happens with the county commissioners, the county had to help the people who live on that upper part of the street, and that issue was as important as the gators or any other eminent issues. She then asked Mr. Lusk if the vacating on the road depended on whether or not the tax roll back happened, and Mr. Lusk responded no. She then stated that the committee promised the citizens a skate park, and that from there it went to a concrete pad, and she wanted to make sure that the skateboard area could happen if private donors funded the project and that it would not have to be fully staffed, and Mr. Whitehead that he could not toss out the whole liability issue because it depended on how the area was constructed. She then asked about the Tennis Courts, and Mr. Vergara quoted minutes from 11/20/2001 where the concept of having tennis courts at the park was first brought up. She asked if the new road was in the correct location. Mr. Ross stated that it was surveyed in the correct location. Ms.

Simoes then asked what was the percentage or impact of the tax rollback on the Parks & Recreation department, and Mr. Lusk stated that he prepared a 30% budget reduction, and stated that a similar community center was built at sharps, and the cost to operate a community center of this size was 500,000 per year. Mr. Whitehead stated that the community center actually had less than 12,000 sq ft of usable space, and the rest of the area was hall ways, office for staff closets, etc. She also asked that when things start being cut, the committee is informed as to why their project was cut and allow the committee to have some input. Ms. McNerny stated that she had brought up the issue of a large community center and the committee was told that it would be cost efficient to put the same building that was being built at Viera and sharps, and that when she brought up that the cost of building a smaller building would offset the cost of designing a different building, there was a lot of mumbling and no concise response was given. Mr. Moore also stated that not only was the committee not given a choice on the size of the building, but that the committee voted on the size of the building so the committee could move on from the same issue that Mr. Rosasco brought up seven years ago that the community needed the building, and Mr. Moore stated that the community needed the Community center now more than ever because of the rising fuel costs, and that the 15 X 15 small Florindana building was not big enough to accommodate the needs of the community, and that if a facility was there, people would use it. Mr. Moore stated that what his community would like him to say is why is the community center holding up progress on the park? He stated that there are numerous amenities that could be put in it's place, and that the his community would not like to hear that the whole project is being reopened for discussion again, but rather the order that things will be built in, he stated that the South beaches community could already be playing tennis, basketball and skateboarding on the local skate park, and he welcomed Mr. Rosasco to try to drum up enough support to reduce the size of the community center again, which he couldn't do in the past and will not be able to do again, and that the committee had a consensus on the size of the building. Mr. Given stated that on the Parks & Recreation website there were 21 projects initiated, and that 14 out of the 21 projects were way ahead of theirs, and he felt that the little guy was getting the short end of the stick because of residential density or whatever the factor. Mr. Rosasco stated that he wasn't against building a small community center, but that the community did not need an 18,000 sq ft community center. Ms. Simoes stated that the committee took a tour of similar facilities and that is when they decided that that size community center was appropriate for the community. Ms. McNerny made a **MOTION** to recommend to staff of Parks & Recreation Department to try and proceed with the portions of the park that have already begun. Ms. Margaritondo seconded it. Discussion ensued about the motion. Motion did not carry 2-9. Janet Adam made a **MOTION** for Parks & Recreation to continue with the park the way it was designed and voted and printed on the brochure, Tom Moore Seconded it, Discussion ensued and it was decided to make an **AMENDMENT** to the motion, to continue with the site plan that was presented to the committee at the current meeting, Dean Given seconded it, Amendment to the motion Unanimously approved 9-1. Original **MOTION DENIED** 8-1

## **NEW BUSINESS**

NONE

## **PUBLIC INPUT**

Roger McKay – Mr. McKay commended the committee for all their hard work; he stated that the state had just purchased 600 more acres to save as preservation area. He asked Ms. Simoes how he could communicate with the committee, and that prior to Mr. Given coming on the committee, the woodlands did not have any input to the committee. Ms. Simoes stated that he needed to speak with the woodlands representative and that Mr. Vergara was the Parks & Recreation Liaison and that he could contact Mr. Vergara with any questions. He also stated that Commissioner Voltz was capable of handling a meeting and her office was very easy to communicate with, and the Parks & Recreation department was very difficult to communicate with in the last 4 years he had been attending the meetings. Mr. Lusk stated that Mr. McKay had his email address and to feel free to communicate with him anytime.

Pat Pasley – She supports what Mr. Lusk is doing with a public meeting, and that people that live outside of the area should be considered because during the summer a lot of the snowbirds that lived in the area were away. She also mentioned that \$50,000 in exercise equipment was too much and that there was a gymnasium in the area, and having all this exercise equipment in the community center would bankrupt a local business, which would lead to another empty building in the area. She also mentioned that along with exercise equipment came maintenance and more staff to help in spotting, and supervising the area. Ms. Simoes stated that at the time the decision was made, there was no local gym in the area.

Dave Pasley – Mr. Pasley thanked the committee for the documentation given of the conceptual site plan. He also said that he felt the community did not need an 18,000 sq ft building. He stated that the community didn't need a 9,000 sq ft air conditioned gym, and that kids could go outside and sweat a little.

Linda Bradley – She stated that the community should get the community center while it could, and as soon as you could. She asked to not make the community wait any longer with this project. She commended the committee with all the work they had done. She asked that the committee and the Parks & Recreation department be prepared and sell the conceptual plan to the community at the public meeting with Ms. Voltz. She stated that she attended a meeting with commissioner Voltz that was an ill conceived, ill prepared meeting. She stated that every body should be prepared and to put a brave face forward and that the community would rally behind the project.

Trudy Infantiny – She stated that if The Parks & Recreation department was going to move forward with the conceptual plan as designed, they may want to consider re-contacting BRPH, because they were terminated because of bad engineering plans from Kimley Horn. She felt that BRPH would honor their original contract if the county would go back to them.

Mike Lake – He stated that the county should move as quick with the park. He followed by stating that there had been incompetence by the Parks & Recreation department. He stated that he had worked on many expensive projects, and that he knew that something

could be broken out of a bid very easily, and set it aside and do the other parts of the projects. He stated that the county should move forward with the project with the parts that don't require supervision and that the money was there for those parts because of the bonds. He also stated that there was a lot of interest by the community to donate money for the Skate Park and approved engineering plans and people ready to build it like at Flutie field a few years ago.

### **ADJOURNMENT**

Seeing no further business, Ms. Simoes called for a motion to adjourn. Ms. McInerny made a MOTION to adjourn, Ms. Margaritondo seconded, Unanimously Approved