



Regular

Brevard County Board Of County Commissioners Governing Board Of The Brevard Mosquito Control District Governing Board Of The Barefoot Bay Water And Sewer District

2725 Judge Fran Jamieson Way

Viera, FL 32940

Agenda

Tuesday, July 6, 2021

**If you wish to speak to any item on the agenda, please fill out a speaker card. Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.**

**The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.**

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

**B. INTENTIONALLY OMITTED**

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

**D. MINUTES FOR APPROVAL: February 18, 2021 Workshop; February 23, 2021 Regular; March 4, 2021 Zoning; March 23, 2021 Regular; April 6, 2021 Regular; April 15, 2021 Zoning; April 20, 2021 Regular; May 4, 2021 Regular**

**E. RESOLUTIONS, AWARDS AND PRESENTATIONS**

**E.1. Resolution recognizing the retirement of Chief Deputy and Undersheriff Douglas Waller**

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

**Development and Environmental Services Group**

Mosquito Control

**F.1. Florida Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, FY 2021-2022 Detailed Work Plan Budget - Arthropod Control.**

Natural Resources Management

- F.2.** Save Our Indian River Lagoon Fish Kill Clean Up Coordination Contract Between Brevard County, Florida, and Keep Brevard Beautiful, Inc.

#### Planning and Development

- F.3.** Approval RE: Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District Project Funding Recommendation (Districts 1, 2, and 4)
- F.4.** Acceptance, Re: Binding Development Plan with Robert Van Horn and Gerald K. Houck. (District 2)
- F.5.** Acceptance, Re: Binding Development Plan with Michael J. and Annette Costello (District 5)
- F.6.** Approval RE: Transportation Impact Fee Technical Advisory Committee North Mainland Benefit District Project Funding Recommendations (Districts 1 and 2)
- F.7.** Approval RE: Transportation Impact Fee Technical Advisory Committee for the Merritt Island / North Beaches Benefit District Project Funding Recommendations (Districts 2 and 4)
- F.8.** Acceptance, Re: Binding Development Plan with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Hwy 1 Commercial Land Trust) (District 1)

#### Public Works Department

- F.9.** Approval, Re: Warranty Deed from Pulte Home Company, LLC to Convey Tracts D and F of the Island Crossings Plat- District 2.
- F.10.** Approval, Re: Resolution and Quit Claim Deed from Florida Department of Transportation Related to the Realignment Project on Wickham Road at Nasa Boulevard and Ellis Road- District 3.
- F.11.** Approval, Re: Lift Station and Force Main Easements (3), Force Main Easement (1), Temporary Construction Easement (1) and Easement Maintenance Agreement with Health First, Inc. (1) for the Indian River Isles Septic to Sewer Project - District 4.
- F.12.** Approval, Re: Resolution and Quit Claim Deed to the Town of Grant-Valkaria, per the Interlocal Agreement Dated July 24, 2012- District 3.
- F.13.** Approval Re: Utility Easement from The School Board of Brevard County, Florida, for the C01 Lift Station Rehabilitation Project - District 2.
- F.14.** Approval, Re: Sidewalk Easement, Drainage Easement and Temporary Drainage Easement from The Viera Company and A. Duda and Sons, Inc. for the Pineda Boulevard-Lake Andrew Drive Interchange Project - District 4.

- F.15.** Approval, Re: Sanitary Sewer Easement from WCI Communities, LLC for the Bridgewater North Amenity Center Project- District 4.
- F.16.** Approval, Re: Donation of Reuse Line Easement from DD Lake Andrew 11.64, LLC for the Viera Town Center III Multi-Family Site Project- District 4.
- F.17.** Approval, Re: 1) Donation of Permanent Right of Way, Drainage and Utility Easement Agreement and Drainage Easement from Monica Ellis, and 2) Donation of Warranty Deed and Drainage Easement from Angie E. and Jeffrey C. Hampton for Bevis Ditch Drainage Maintenance - District 2.
- F.18.** Approval, Re: Donation of Sidewalk and Drainage Easement and Quit Claim Deed from Boniface Chrysler Dodge, Inc., for the Boniface Hiers Chrysler Dodge Ram Jeep Dealership Project-Cocoa-District 1.
- F.19.** Approval Re: Local Agency Program Supplemental Agreement No. 1 and Resolution with the State of Florida Department of Transportation for the Construction and Construction Engineering and Inspection Services for John Rodes Boulevard from State Road 518 (West Eau Gallie Boulevard) to Aurora Road, FPN 441449-1-58/68-01- District 5
- F.20.** Moved to New Business J.1.

#### Solid Waste Management

- F.21.** Permission to authorize the Department Director to execute the attached settlement offer from the Florida Department of Environmental Protection (FDEP) Re: Department of Environmental Protection v. Sarno Road Landfill.

#### Utility Services Department

- F.22.** Approval of License Agreement with Florida Power & Light and Brevard County for Reuse and Force Main Line at the Port St. John Wastewater Treatment Plant
- F.23.** Assignment of Agreement between Board of County Commissioners, Reiss Engineering, Inc., and CHA Consulting, Inc.
- F.24.** North Riverside Drive PVC Force Main Replacement - Negotiated Amount of Change Orders for Project/Contract Close-out

#### Community Services Group

##### Parks and Recreation Department

**F.25.** Approval Re: Commercial Account Right of Entry Agreement by and between Brevard County Board of County Commissioners and Charter Communications Operating, LLC for the installation of Wi-Fi infrastructure at Howard E. Futch Memorial Park at Paradise Beach. (District 3)

**F.26.** Approval, Re: After-the-Fact Ratification of a change order for the emergency repair / replacement of thirty-six wooden pilings at the Space View Park dock, Titusville, FL.

#### Tourism Development Department

**F.27.** Approval, re: Funding recommendations for listed FY 2021-2022 Sport Events Grant Applications, approve additional grant award for out of cycle applicant FY20-21.

#### Transit Services Department

**F.28.** Approval, Re: Permission to Develop and Advertise Competitive Solicitation for Transit Stop Cleaning and Maintenance Services

### **Public Safety Group**

#### Public Safety Services

**F.29.** Request Board Delegation: Memorandum of Understanding with the Department of Highway Safety Motor Vehicle Data and the Office of the State Courts Administrator.

### **Support Services Group**

#### Budget

**F.30.** Approval of Administration and Collection Cost for Business Tax Receipts - July 1, 2021 to June 30, 2022

**F.31.** Approval of Budget Change Requests

#### Central Services

**F.32.** Permission to Reject All Bids Received in Response to B-6-21-64 / Front End Wheel Loader

**F.33.** Conveyance of property acquired by tax escheatment deed to municipalities; City of Palm Bay (District 3).

#### Human Resources

**F.34.** Group Medicare Advantage and Group Medicare Pharmacy EGWP

### **Administrative Services Group**

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County Attorney

- F.35.** In re: National Prescription Opioid Litigation - Approval to Vote in Favor of the Purdue Bankruptcy Restructuring Plan; Request Approval for Staff to Pursue Interlocal Agreements with Cities pursuant to the State of Florida's Memorandum of Understanding

County Manager

- F.36.** Confirmation of Terry A. Jordan as Transit Services Director.
- F.37.** Resolution Modifying the Delegated Authority to the City of Melbourne and the Olde Eau Gallie Riverfront Community Redevelopment Agency
- F.38.** Legislative intent and permission to advertise an Ordinance rescinding selected companies' economic development ad valorem tax exemptions

Miscellaneous

- F.39.** Appointment(s) / Reappointment(s)
- F.40.** Approval, re: Agreement Affirming the Local Workforce Development Board One-Stop Operator and Workforce Services provider
- F.41.** Permission to Advertise Public Hearing to consider application for the 2022 Edward Byrne Memorial Justice Assistance Grants
- F.42.** Legislative Intent and Permission to Advertise an Ordinance Amending the Brevard County Code of Ordinances at Chapter 62, Article VI, Zoning Regulations, at Division 7 in order to amend the general development standards for setbacks for wireless telecommunications facilities.

**G. PUBLIC COMMENTS**

**H. PUBLIC HEARINGS**

- H.1.** Petition to Vacate, Re: Public Utility and Drainage Easement - 83 Mohican Way - "Sunnyland Beach" Plat Book 23, Page 46 - Melbourne Beach - Julio A. Henriques - District 3
- H.2.** Petition to Vacate, Re: General Purpose Easement - Per Official Records Book 6697, Page 2309, lying in Section 23, Township 29 South, Range 37 East - Town of Grant-Valkaria - District 3
- H.3.** Public Hearing: RE: Fiscal Year 2021-2022 Brevard County HOME Investment Partnerships Program Consortium One Year Annual Action Plan

- H.4. Public Hearing Re: Intersection Signalization Construction Contract for N. Wickham Road at Deer Lakes Drive and Meeting Lane - District 4

**I. UNFINISHED BUSINESS**

- I.1. County Attorney Recruitment

**J. NEW BUSINESS**

**Development and Environmental Services Group**

- J.1. Request for temporary reduction in rent payments RE: Complex Cafes at the Brevard County Government Center - Viera and the Harry T. & Harriette V. Moore Justice Center

**K. PUBLIC COMMENTS**

**L. BOARD REPORTS**

- L.1. Frank Abbate, County Manager
- L.2. Eden Bentley, County Attorney
- L.3. Rita Pritchett, Commissioner District 1, Chair
- L.4. Bryan Lober, Commissioner District 2
- L.5. John Tobia, Commissioner District 3
- L.6. Curt Smith, Commissioner District 4
- L.7. Kristine Zonka, Commissioner District 5, Vice Chair

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with Resolution 2014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.