



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, September 12, 2023

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 9:00 AM

B. INTENTIONALLY OMITTED

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

D. MINUTES FOR APPROVAL: August 3, 2023, Zoning Board Meeting

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. Resolution Proclaiming Constitution Week, September 17-23, 2023.

E.2. Resolution acknowledging MaryAnn Sterling as USA Today's 2023 Woman of the Year - Florida Honoree

E.3. Resolution Honoring the Retirement of Paul "Doug" Divers

E.4. Check presentation by Senator Debbie Mayfield to Brevard County for Utility Services and Natural Resources Management Departments

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

Development and Environmental Services Group

Planning and Development

- F.1.** Legislative Intent and Permission to Advertise Amendments to Chapter 62, Article I, Section 62-2, "Rules of construction and definitions," Brevard County Code of Ordinances, to add a definition of "Major Transit Stop"

Public Works Department

- F.2.** Adopt Resolution and Release Performance Bond: Aripeka at Viera, Phases 3 and 4 - District 4
Developer: The Viera Company
- F.3.** Adopt Resolution and Release Performance Bond: Del Webb at Viera, Phase 2 Subdivision - District 4
Developer: Pulte Home Company, LLC
- F.4.** Approval, Re: Dedication of Utility Easements from: 1) Wickham Summerbrook, LLC, 2) Summerbrook Commercial Property Owner's Association, Inc., and, 3) Quick Service Realco, LLC, related to the Plat of Summerbrook Commercial- District 4
- F.5.** Adopt Resolution and Release Performance Bond: Del Webb at Viera, Phase 3 Subdivision - District 4 Developer: Pulte Home Company, LLC
- F.6.** Approval, Re: Warranty Deed from School Board of Brevard County Florida for the Mila Elementary Sidewalk Replacement Project - District 2.
- F.7.** Permission RE: Award to Lowest Bidder for Micco Road Bridge Replacement - District 3
- F.8.** Approval, Re: Right of Way Reconveyance from the Florida Department of Transportation (FDOT) to Brevard County Relating to A. Max Brewer Causeway Project - District 1.
- F.9.** Permission RE: Reject All Bids Received in Response to B-6-23-69 / Traffic Signal Installation, Maintenance & Emergency Repairs

Solid Waste Management

- F.10.** Phase VII Sideslope Closure CDF Slurry Wall Landfill Change Order No. 2

Community Services Group

Parks and Recreation Department

- F.11.** Approval, re: Renewal and Amendments to the Management Services Agreement with Pier 220 Inc. - District 1
- F.12.** Approval, Re: License Agreement for access across Environmentally Endangered Lands Program managed lands at Grant Flatwoods Sanctuary - District 3

Tourism Development Department

- F.13.** Approval, Re: Six (6) month extension for the Merritt Island Amphitheatre at Veteran’s Memorial Park groundbreaking period.

Transit Services Department

- F.14.** Approval, re: Resolutions and Public Transportation Grant Agreements, Florida Department of Transportation Public Transit Block Grant Program

Public Safety Group

Fire Rescue

- F.15.** Board Approval: Interlocal Agreement between Brevard County, the City of Cape Canaveral/Canaveral Port Authority for E-911 Dispatch Services and Automatic Aid.
- F.16.** Board Approval: Agreement between Brevard County and the Cape Canaveral Volunteer Fire Department (CCVFD) for E-911 Dispatch Services and Facility Use for a County ambulance.

Support Services Group

County Manager

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

Miscellaneous

- F.18.** Bill Folder

G. PUBLIC HEARINGS

- G.1.** Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for Midwest Dental Arts, Inc.
- G.2.** Public Hearing, Re: Ordinance Amending Chapter 78, Article III, Section 78-82, “Parks and Recreation, Use of Parks, Permits.”
- G.3.** Approval of a Rate Resolution to Impose Non-Ad Valorem Special Assessment for the State’s Medicaid Managed Care for Direct Payment Program for Local Hospitals
- G.4.** Public Hearing: RE: Inventory List of all Real Property within the County’s Jurisdiction that is Appropriate for use as Affordable Housing.

H. UNFINISHED BUSINESS

H.1. Reconsideration re: Tourist Development Council’s Recommended Funding for Brevard Cultural Alliance.

H.2. Reconsideration re: Tourist Development Council FY 2023-24 Cultural Support Grant Program Recommendations.

I. NEW BUSINESS

Development and Environmental Services Group

I.1. Authorization to foreclose or, in the alternative, sue to recover a money judgment on specified code enforcement liens

Community Services Group

I.2. ITEM REMOVED

County Manager

I.3. Approval of Resolution for an Economic Development Inducement for Project Topaz in Titusville

Miscellaneous

I.4. Legislative Intent and Permission to Advertise RE: Amendment to Section 2-176, Brevard County Code of Ordinances, “Administrative Fines; Costs of Repairs; Liens.”

J. BOARD REPORTS

J.1. Frank Abbate, County Manager

J.2. Morris Richardson, County Attorney

J.3. Tom Goodson, Commissioner District 2, Vice-Chair

J.4. John Tobia, Commissioner District 3

J.5. Rob Feltner, Commissioner District 4

J.6. Jason Steele, Commissioner District 5

J.7. Rita Pritchett, Commissioner District 1, Chair

K. PUBLIC COMMENTS

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 BCC-97 Section G.1 the agenda shall provide a section for public comment at the end of each regular County Commission meeting following Board Reports. 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. Speakers will be heard in the order in which they turned in a pink card asking to be heard. 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 or request a staff report.

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.