

A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
GOVERNING BOARD OF THE BREVARD MOSQUITO CONTROL DISTRICT
GOVERNING BOARD OF THE BAREFOOT BAY WATER AND SEWER DISTRICT
Government Center Commission Room, Building C
2725 Judge Fran Jamieson Way
Viera, Florida

December 11, 2012

IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH 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 CHAIRMAN TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT.

EAU GALLIE HIGH SCHOOL CHOIR, DIRECTED BY GORDON EVANS

9:00 a.m. CALL TO ORDER

INVOCATION BY: Pastor Craig Boehlke, Lutheran Church of Redeemer
(District 5)

PLEDGE OF ALLEGIANCE: Commissioner Robin Fisher, District 1

APPROVAL OF MINUTES: November 13, 2012, Regular and November 27,
2012, Special Meeting Minutes

I. RESOLUTIONS, AWARDS AND PRESENTATIONS (LESS THAN 5 MINUTES)

- *A. Resolution, Re: Recognizing the Outstanding Career of J.R. Russo
(District 1)
- *B. Resolution, Re: Congratulating Norman R. Wolfinger on His Retirement
After 28 Years of Exemplary Service to the Citizens of Brevard County
(District 4)
- *C. Resolution, Re: Recognizing Sheriff Jack Parker for His 30 Years of
Dedicated Service to the Citizens of Brevard County (District 2)
- *D. Resolution, Re: Recognizing Supervisor of Elections Lori Scott, Elections
Staff, and Volunteers (District 2)

Revised – 12-7-12 / 12:40 p.m.

I. RESOLUTIONS, AWARDS AND PRESENTATIONS (CONTINUED)

- *E. Resolution, Re: Congratulating Scott Alan Richardson Upon His Achievement of the Rank of Eagle Scout (District 1)
- *F. Resolution, Re: Recognizing Library Services Director Cathy Schweinsberg-Rood for Her 32 Years of Dedicated Service to the Citizens of Brevard County (District 2)
- *G. Resolution, Re: Recognizing December 21, 2012, as National Homeless Persons' Memorial Day (District 1)
- *H. Employee Longevity Recognition, Re: 40, 35, 30, and 25-Year Recipients

II. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)

- A. Howard Tipton, County Manager
- B. Scott Knox, County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Chuck Nelson, District 2 Commissioner
- E. Trudie Infantini, District 3 Commissioner
- F. Mary Bolin Lewis, District 4 Commissioner, Vice Chairman
- G. Andy Anderson, District 5 Commissioner, Chairman
- *1. (Deleted)

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

- A. Development and Public Services Group

Agriculture & Extension Services Office

Animal Services & Enforcement Department

Mosquito Control

- 1. Approval, Re: Amendment to Lease Agreement and Proposed Hangar Sublease at Valkaria Airport

III. CONSENT AGENDA (CONTINUED)

A. Development and Public Services Group (continued)**Natural Resources Management Office**

2. Interlocal Agreement with Brevard Municipalities, Re: Consolidating Stormwater Public Outreach Required by Federal National Pollutant Discharge Elimination System (NPDES) Permits (Fiscal Impact: Increased Revenue = \$3,024, Increased Expense = \$3,024 (No Net Impact))
3. Cost Share Agreement with St. Johns River Water Management District (SJRWMD), Re: Floating Vegetative Island, Stormwater Education and Outreach (District 2) (Fiscal Impact: Up to \$29,466 State Grant and \$31,644 Stormwater Utility Assessment Match)
4. Interlocal Agreement with City of Melbourne, Re: Sarno Lakes Phase II Drainage (District 5) (Fiscal Impact: \$150,000 Revenue)
5. Acknowledgement, Re: Environmental Conditions Identified on the 17.67-Acre Property Owned by Yardman Landscaping, LLC, and the Required Environmental Remediation (Fiscal Impact: Up to \$50,000 in Estimated Remedial Action)

Planning and Development Department

6. Final Plat Approval, Re: MHW Retail One – 12SD-00857, MHW Lake Andrew, LLC, Developer (District 4)

Public Works Department

7. Approval of Permanent Drainage Easements from Three (3) Property Owners in Favor of Brevard County, Re: Carpenter Road Drainage Improvements Project, Located in Section 31, Township 21S, Range 35E (District 1)
8. Resolution and Easement in Favor of Florida Power and Light Company, Re: Upgrading Existing Electric Conveyance at Kelly Park, Located in Section 18, Township 24S, Range 37E (District 2)
9. Sidewalk Easement from Tavistock District Association, Inc. to Brevard County, Re: Connecting Tavistock Drive with Veterans Way (District 4)
10. Interlocal Agreement with City of Melbourne, Re: Wickham Road and Pebble Creek Street/Preserve Drive Signalization (District 4)

III. CONSENT AGENDA (CONTINUED)

A. Development and Public Services Group (continued)**Solid Waste Management Department**

11. Agreement with Indian River Kontrol Society (IRKS), Re: Temporary Fly-in Area (TFIA) at the Central Disposal Facility

Tourism Development Office

12. Approval, Re: Tourist Development Council (TDC) FY 2012-17 Category B – Beach Clean-Up Grant Agreement in the Amount of \$140,000 to Keep Brevard Beautiful (KBB)

Utility Services Department

13. Purchase Order Authorization, Re: Rehabilitation of Treatment Plant Equipment (Fiscal Impact: \$146,131)
14. Approval of Application, Re: U.S. Environmental Protection Agency (EPA) State and Tribal Assistance Grant (STAG) (District 3)
15. Permission to Purchase Using Existing State or Other Florida Governmental Contract, Re: Capital Equipment Budgeted for Purchase in FY 2012/2013 Valued at \$719,000 (All Districts)

Valkaria AirportB. Management and Community Services Group**Budget Office**

1. Approval, Re: Budget Change Requests
2. Acknowledgement, Re: FY 2011-2012 Audited Financial Statements for Brevard Workforce Development Board, Inc.

Central Services Office**Facilities Department****Fire Rescue Department**

3. Approval, Re: Request to Write-Off Uncollectible Ambulance Accounts Receivable for FY 2011-2012
4. Approval, Re: Purchase of Two Replacement Ambulances (Fiscal Impact: \$295,714, Fund 1351, Cost Center 284610, GL Account 5642000)

III. **CONSENT AGENDA (CONTINUED)**

B. Management and Community Services Group (continued)**Housing and Human Services**

5. Subordination Agreement with Crosswinds Youth Services, Inc.,
Re: Refinancing of Senior Mortgage Loans

Information Technology

6. Approval, Re: Extension of PBX Maintenance Contract with AT&T

Library Services Department**Merritt Island Redevelopment Agency****Parks and Recreation Department**

7. Authorization of Continued Discussions with City of Melbourne, Advertise Request for Proposals for Construction Management Services, Appoint Selection and Negotiating Committees, and Negotiate Contract and Change Orders within Thresholds, Re: Wickham Park Community Center (District 4)
8. Approval, Re: Naming Walking Trail Center at Cocoa West Recreation Complex, "Evelyn Davis Trail" (District 1)
9. Cooperative Agreement with Brevard Nature Alliance (BNA), Re: Expansion of Opportunities During Space Coast Birding & Wildlife Festival (District 1)
- *10. Agreement, Re: Sale and Purchase of Margaret Ann Grant Property (District 1) (Fiscal Impact: Expenditures of \$8,000 for EEL Program Land Acquisition Cost (\$4,000 After Receipt of Partnership Funding)) (Moved from III.B.11.)
- *11. Resolution and Agreement with United States Air Force (USAF), Re: Partnership Funding with Conveyance of Deed of Easement on Portion of Margaret Ann Grant Property (District 1) (Fiscal Impact: Revenue in the Amount of \$4,000) (Moved from III.B.10.)
12. Approval, Re: Agreement with Friends of the Enchanted Forest (FEF) (District 1)
13. Memorandum of Agreement with West 50 Plaza, LLC, Re: Wetland Mitigation Project at Fox Lake Sanctuary (District 1)
14. Interlocal Agreement with City of Cocoa, Re: Lee Wenner Park Dredge and Seawall Extension Project (District 2)

III. CONSENT AGENDA (CONTINUED)

B. Management and Community Services Group (continued)

- 15. Amend and Extend Existing Agreement with Chippers, LLC, Re: Habitat Golf Course Concessionaire (District 3) (Fiscal Impact: Contingent on Sales)
- 16. Memorandum of Understanding with Florida Institute of Technology (FIT), Re: Barrier Island Center and Hog Point Cove Sanctuary (District 3)

Miscellaneous

- 17. Resolution, Re: Issuance by Brevard County Educational Facilities Authority of Its Revenue Bond (Florida Institute of Technology Project), Series 2013B, in a Principal Amount of \$10,295 on Behalf of Florida Institute of Technology
- *18. Amended Resolution, Re: Delegation of Authority to City of Cape Canaveral for Community Redevelopment Agency, and Approval of Community Redevelopment Plan

Transit Services Department

C. Miscellaneous

County Attorney

County Manager

- 1. Confirmation, Re: Kimberly Prosser as Director of Emergency Management
- 2. Confirmation, Re: Don Walker as Director of Communications/SCGTV
- 3. Confirmation, Re: Thomas Rosenberg as Budget Office Director
- 4. Appointment, Re: Assistant County Manager Stockton Whitten to Position of Deputy County Manager

Emergency Management Office

Human Resources Office

SCGTV/Communications Office

Jail Population Management

III. CONSENT AGENDA (CONTINUED)

C. Miscellaneous (continued)**Miscellaneous**

5. Approval, Re: FY 2013 Brevard County Community Cultural Grants
6. Appointment, Re: Brevard Workforce Development Board
7. Approval, Re: Request for Bad Debt Write-Off
8. Approval, Re: At Large Appointments
9. Appointments/Reappointments, Re: Citizen Advisory Boards
10. Approval, Re: Billfolder

11:30 a.m. Executive Session, Re: Mary Sphar, Sandra Clinger, and Sierra Club, Inc., v. Brevard County, Case No. 12-003643 (Department of Administrative Hearings)

IV. PUBLIC COMMENTS (Comments may not address subsequent Agenda Items. Speakers are allowed 3 minutes.)**V. PUBLIC HEARINGS**

- A. Resolution, Re: Petition to Vacate Portion of TICO Road – Honeycutt & Associates (District 1)
- B. Resolution, Re: Petition to Vacate Public Interests in Parcels of Land Designated as “Park” on Map of Kelly Park – Frances K. Grooms/Clifford Repperger, Jr., Esq. (District 2)
- C. Ordinance, Re: Economic Development Ad Valorem Tax Exemption for Archo Solutions Engineering USA CORP
- D. Consideration, Re: Merit Systems Policy Revisions

*1:30 p.m. E. Ordinance, Re: Creating Article VII, Entitled “Fertilizer Use on Urban Landscape” (Fiscal Impact: TBD – State Mandated Ordinance)

F. Ordinance, Re: Amending Article III, Division II, Sections 2-72, 2-73 of Brevard County Code of Ordinances

VI. UNFINISHED BUSINESS

- 10:00 a.m. A. Presentations, Re: State Legislative Lobbyist Proposals
- B. Approval, Re: Method of Removal of Hanna Dock
- C. Consideration, Re: Interlocal Agreement with Florida Governmental Utilities Authority (FGUA)

VII. NEW BUSINESS

- A. Development and Public Services Group
1. Discussion, Re: Allocation/Reallocation of Available Funding (All Districts)
- B. Management and Community Services Group
1. Resolution, Re: Authorizing Tax Exempt Commercial Paper Loan for Various Projects and a Loan Agreement with Florida Local Government Finance Commission and JP Morgan Chase Bank, N.A., for Participation in Commercial Paper Program
- C. County Attorney
- D. County Manager
1. Appointment, Re: North Brevard Hospital District Board Members
2. Approval, Re: Brevard County 2013 Legislative Program
- E. Miscellaneous
- 11:00 a.m. *1. Citizen Request by Malabar & Babcock, LLC, Re: Access for New Retail/Hotel Development on Babcock Street (Malabar Road Intersection, Palm Bay) (District 5)

HISTORIC BREVARD

Cocoa Beach, formerly known as Oceanus, was settled in the 1890's when people from the mainland first began making excursions there to enjoy the ocean beach. In 1894 the community boasted two boarding houses, but the town was practically destroyed by the depression that followed the 1894-95 freezes.

HISTORICAL FACTS PROVIDED BY THE BREVARD COUNTY HISTORICAL COMMISSION



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 Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13. 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.scgtv.org>. The Advanced Agenda may be viewed at: www.brevardclerk.us.