

## A G E N D A

MEETING OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
Government Center Commission Room, Building C  
2725 Judge Fran Jamieson Way  
Viera, Florida

August 22, 2006

**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 THREE MINUTES, AND TO MATTERS UNDER THE BOARD'S JURISDICTION.**

**IT IS THE RESPONSIBILITY OF THE CHAIRMAN TO DETERMINE THE AMOUNT OF TIME THAT WILL BE ALLOTTED TO SPEAKERS ON ANY AGENDA ITEM FOR WHICH A TIME LIMIT HAS NOT BEEN ESTABLISHED BY THE COUNTY COMMISSION, INCLUDING AGENDA ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION BY A MEMBER OF THE PUBLIC.**

**IT IS THE OBJECTIVE OF THE BOARD TO CONDUCT BUSINESS IN A MANNER THAT FACILITATES AND ENCOURAGES THE PRESENTATION OF DIVERSE VIEWS WHILE MAINTAINING CIVILITY DURING ALL BOARD PROCEEDINGS.**

9:00 a.m.      CALL TO ORDER

INVOCATION BY:      Pastor Roger A. Wenninger, Grace Lutheran Church,  
Melbourne Beach

PLEDGE OF ALLEGIANCE: Commissioner Susan Carlson, District 4

APPROVAL OF MINUTES:      May 16, 2006 Regular Meeting

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

A.      Development and Environmental Services Group

**Natural Resources Management Office**

**I. CONSENT AGENDA (CONTINUED)**

A. Development and Environmental Services Group (continued)

**Permitting and Enforcement Department**

1. Waiver of Section 62-102, Re: Five-Acre Minimum for Access Easement North of Highway 528 and West of Tropical Trail for Elmer Banyai (District 2)
2. Final Engineering and Preliminary Plat Approvals, Re: Morrow Place at Walkabout Subdivision (District 1)
3. Resolution, Re: Releasing Contract with The Viera Company for Sunstone Subdivision, Phase 2 (District 4)

**Planning and Zoning Office**

4. Permission to Schedule a Workshop, Re: Viera DRI Substantial Deviation
5. Binding Development Plan with Harvey's Indian River Groves, Inc., Re: Property Located North of Intersection of State Road 3 and Grant Road (District 2)

**Regional Stormwater Utility Department**

6. Legislative Intent and Permission to Advertise Public Hearing, Re: Ordinance for Erosion and Sediment Controls and Illicit Discharges

**Road and Bridge Department**

7. (Deleted)
8. Permission to Advertise Public Hearing, Re: Preliminary Assessment Roll for Morningside Drive Road Paving MSBU (District 2)
9. Resolution and Quit Claim Deed to Town of Melbourne Beach, Re: Oak Street Right-of-way (District 3)

**Solid Waste Management Department**

10. Change Order No. 1 with Watauga Company, Re: Central Disposal Facility "Citizen Drop-off Convenience Center"

**I. CONSENT AGENDA (CONTINUED)****A. Development and Environmental Services Group (continued)**

11. Agreement with Keep Brevard Beautiful, Re: Recycling Education

**Transportation Engineering Department**

12. Second Amendment to Developer's Agreement with Towne Realty, Inc., Re: Winslow Reserve Subdivision (District 2)
13. Accept Temporary Construction Easement from Ronald A. Morrison, Life Estate and Roy E. Morrison, Life Estate; Waive Phase I Environmental Assessment, Deed and Plat Restrictions, Title Insurance, All FP&L, BellSouth, and Public Utility Easements; and Authorize Staff to Order Payment and Conduct Closing, Re: Property for Wickham Road Widening Project, Between Nasa Boulevard and U.S. 192 (District 5)
14. Contract for Sale and Purchase with James E. Greathouse and Waive Phase I Environmental Assessment, Re: Property for Wickham Road Widening Project, Between Nasa Boulevard and U.S. 192 (District 5)
15. Accept Temporary Construction Easement from L. B. Michael, Jr., Family Trust; Waive Phase I Environmental Assessment, Deed and Plat Restrictions, Title Insurance, All FP&L, BellSouth, and Public Utility Easements; and Authorize Staff to Order Payment and Conduct Closing, Re: Property for Wickham Road Widening Project, Between Nasa Boulevard and U.S. 192 (District 5)
16. Permission to Issue a Change Order to Callaway & Price, Inc., Re: South Wickham Road Widening Project (District 5)
17. Contract for Sale and Purchase with Melvin Brown, Trustee of the Melvin Brown Revocable Trust and Waive Phase I Environmental Assessment, Re: Property for Wickham Road Widening Project, Between Nasa Boulevard and U.S. 192 (District 5)
18. Accept Temporary Construction Easement from Eugene O. Webster, III and Marilyn C. Webster; Waive Phase I Environmental Assessment, Deed and Plat Restrictions, Title Insurance, All FP&L, BellSouth, and Public Utility Easements; and Authorize Staff to Order Payment and Conduct Closing, Re: Property for Wickham Road Widening Project (District 5)
19. Interlocal Agreement with City of Melbourne, Re: Riverside Drive Sidewalk Project (District 5)

**I. CONSENT AGENDA (CONTINUED)**

A. Development and Environmental Services Group (continued)

- 20. Resolution, Re: Catwalks for New A. Max Brewer Memorial Bridge (District 1)
- 21. Agreement with City of Titusville, Willow Creek Development, LLC, and FM Florida Land Company, LLC, Re: Willow Creek Development

**Transportation Planning Office**

**Utility Services Department**

- 22. Approval of Recommendation of Camp Dresser and McKee, Inc. as Engineering Consultant, Re: Underground Injection Systems
- 23. Permission to Advertise Request for Proposals, Appoint Selection and Negotiating Committees, Award Contract, and Authorize Execution of Contract, Re: Barefoot Bay Area Water Treatment Plant (District 3)
- 24. Agreement with City of Melbourne, Re: Utility Billing Services (Districts 3, 4, 5)

**Valkaria Airport**

B. Community Services Group

**Agriculture & Extension Services Office**

**Animal Services & Enforcement Department**

**Criminal Justice Services Department**

**Housing and Human Services Department**

**Library Services Department**

- 1. Revision of Policy BCC-74, Re: Unsolicited Materials
- 2. Revision of Policy BCC-73, Re: Library Materials Selection Policy
- 3. (Deleted)
- 4. Application with Florida Department of State, Division of Library Services, Re: State Aid to Libraries FY 2006/2007

**I. CONSENT AGENDA (CONTINUED)**

B. Community Services Group (continued)

**Mosquito Control Department**

**Parks and Recreation Department**

5. Accept Donation and Authorize Funding, Re: Relocation to Chain of Lakes of Shed, Barn, and Contents, and Cook's House (District 1)
6. Easement with Florida Power and Light Company, Re: Viera Regional Park (District 4)
7. Easement with Florida Power and Light Company, Re: Barrier Island Sanctuary (District 3)
8. Agreement with Spaceport R/Cers, Incorporated, Re: Use of Model Airplane Area at Space Coast Communities Sports Complex (District 1)
9. Appointment, Re: Public Golf Advisory Board
10. Water Line and Ingress/Egress Easement Agreement and Bill of Sale with City of Cocoa, Re: Mitchell Ellington Park (District 2)

**Transit Services Department**

C. Management Services Group

**Budget Office**

1. Approval, Re: Cost of Administration and Collection of County Occupational License Fees
2. Extension, Re: Property Tax Roll Prior to the Completion of the Value Adjustment Board Actions

**Central Services Office**

3. Permission to Issue, Re: Annual Supply Bids, Quotes, and Proposals for FY 2006/2007
4. Permission to Issue, Re: Open Purchase Orders for FY 2006/2007 Exceeding \$100,000 to Approved Vendors of Record

**Economic and Financial Programs Office**

**I. CONSENT AGENDA (CONTINUED)**

C. Management Services Group (continued)

**Facilities Department**

**SCGTV/Communications Office**

**Information Technology Department**

5. Non-Disclosure Agreement with City of Melbourne, Re: Sharing Geographic Information Developed by 9-1-1 Administration

**Tourism Development Office**

D. Miscellaneous

**County Attorney**

**County Manager**

**Fire Rescue Department**

**Human Resources Office**

1. Approve Continuation of Policy BCC-04, Re: Discriminatory Harassment
2. Eliminate Policy BCC-13, Re: Natural Disaster Personnel Rules

**Emergency Management Office**

3. Agreement with WBCC, Re: Broadcast of Emergency Alerts and Reports

**Other**

4. Appointments/Reappointments, Re: Citizen Advisory Boards
5. Approval, Re: Bills and Budget Changes

**II. REPORTS/PRESENTATIONS (Longer than 5 Minutes)**

A. Peggy Busacca, County Manager

**II. REPORTS/PRESENTATIONS (CONTINUED)**

- B. Scott Knox, County Attorney
- C. Truman Scarborough, District 1 Commissioner
  - 1. Presentation, Re: Ms. Netta Harris/Brevard Nature Alliance
- D. Ron Pritchard, D.P.A., District 2 Commissioner
- E. Susan Carlson, District 4 Commissioner
- F. Jackie Colon, District 5 Commissioner
- G. Helen Voltz, Chair of the Board
- H. Staff Recognition

**III. RESOLUTIONS, AWARDS AND PRESENTATIONS (Less than 5 Minutes)**

- A. Presentation, Re: Employee Longevity Recognition Plaques

**IV. ITEMS REMOVED FROM CONSENT AGENDA****V. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)****VI. PUBLIC HEARINGS**

- A. Resolution, Re: Vacating Portion of Unimproved Right-of-way in Indian River Park Subdivision – Leonard Jones and Willis Haynes (District 1)
- B. Resolution, Re: Vacating Portion of Public Roadway, Utility and Drainage Easement in Morningside Heights Subdivision – Luis and Irma J. Feliciano (District 2)
- C. Resolution, Re: Vacating Portion of Public Utility and Drainage Easement in Pine Island Lakes, Unit 1 – Irving B. and Patricia M. Smith (District 2)
- D. Resolution, Re: Vacating Portion of Right-of-way on Old Dixie Highway in Sections 19 and 30, Township 26S., Range 37E. – Construction Engineering Group (Nathan Price) (District 4)

**VI. PUBLIC HEARINGS (CONTINUED)**

- E. Resolution, Re: Vacating Portion of Right-of-way on Old Dixie Highway on Sections 19 and 30, Township 26S., Range 37E. – Pineda Park, Inc. (Steve Capeder) (District 4)
- F. Resolution, Re: Vacating Portion of Public Utility and Drainage Easement in Waterway Estates, Fifth Addition – Clifford M. and Patricia L. Davis (District 4)
- G. Resolution, Re: Vacating Portion of Public Utility and Drainage Easement in Suntree PUD, Stage 5, Tract 59 – Carl E. Ring (District 4)
- H. Ordinance, Re: Creation of Parsley Avenue Road Paving MSBU (District 3)
- \*1:30 p.m. I. Resolutions, Re: Establishment and Approval of Fire Rescue Rates and Ratification, Confirmation, and Certification of Annual Fire Services Non-Ad-valorem Special Assessment
- J. Ordinance, Re: Economic Development Ad Valorem Exemption for The Software Specialists, Inc.
- K. Ordinance, Re: Amending Ordinance No. 02-45, Administration of Florida Building Code, Standard Housing Code, and Standard Existing Building Code to Include Town of Grant-Valkaria
- \*L. Resolutions, Re: Annual Solid Waste Disposal, Collection, and Recycling Special Assessment Rate; Solid Waste Impact Fee Rate; and Ratifying, Confirming, and Certifying the Annual Disposal, Collection, and Recycling Special Assessment Rolls

**VII. UNFINISHED BUSINESS**

- A. Contract for Sale and Purchase with City of Melbourne, and Direct Staff to Initiate Small Scale Plan Amendment, Re: Pineda Causeway Realignment Project (District 4)
- B. Contract for Sale and Purchase with Azan Temple Holding Corporation, Inc., Re: Pineda Causeway Extension Project (District 4)
- C. Contract for Sale and Purchase with ETA Associates, Inc., Re: Endangered Lands Program
- D. Resolution and Exchange Agreement with A. Duda & Sons, Inc., Re: Exchange of Properties Near the Government Center
- E. Approval of Findings of Facts, Re: Siesta Mobile Home Park



**VII. UNFINISHED BUSINESS (CONTINUED)**

- F. Approval of Findings of Facts, Re: Banana River Marina
- \*G. Reconsideration of Approval of Interim Parks Referendum Construction Project Plan and Funding Allocations, Re: South Area Referendum (Districts 3, 4, and 5)
- \*H. Discussion, Re: Wickham Park Horse Barn Facilities

**VIII. NEW BUSINESS**

- A. Development and Environmental Services Group
  - 1. Staff Report, Re: Expenditures Incurred for Grant-Valkaria Rezoning Applications
  - 2. Staff Report, Re: Review of Taxi Rates (Vehicles for Hire)
  - \*3. Approval, Re: Permission to Solicit Bids for Property Located at 11480 Tropical Trail (District 4)
  
- B. Community Services Group
  - 1. Approval of Format II Environmental Assessment Finding of No Significant Impact, Re: Countywide Housing, Public Facilities and Improvement, and Economic Development Activities
  
- C. Management Services Group
  - 1. Proposed Settlement Agreement with Great American Insurance Company and APM Construction Corporation, Re: County Service Complex in Palm Bay
  
- D. County Manager
  - 1. Permission to Expend Traffic Ticket Surcharge Funds and Award Sole Source Agreement, Re: Critical 800 MHZ Radio System Upgrades
  - \*2. Approval, Re: Joint Meeting with Indian River Board of County Commissioners

**VIII. NEW BUSINESS**E. Miscellaneous

1. Resolution, Re: Port St. John Advisory Board
2. Citizen Request - Glen Esterkamp, Re: Unlawful Solicitation
3. Citizen Request – Maureen Rupe, Re: Gopher Tortoise Relocation
- \*4. Citizen Request – Alvin Joe Pauley, Re: Refund of Educational Impact Fee
- \*5. Citizen Request – William Sierra, Re: Refund of Educational Impact Fee

**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 the Sound Technician at the meeting.**

**We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES 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 1 or 99, Adelphia Cable Channel 51, and Comcast Cable Channel 26. 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/PAGES/agendalist.htm](http://www.brevardclerk.us/PAGES/agendalist.htm)**