

## 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

September 19, 2017

**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.**

9:00 a.m. CALL TO ORDER

INVOCATION BY: Commissioner Kristine Isnardi (District 5)

PLEDGE OF ALLEGIANCE: Commissioner Rita Pritchett, District 1

MINUTES APPROVAL: July 11 and August 8, 2017 Regular Meeting Minutes, August 3, 2017 Zoning Meeting Minutes, and August 15, 2017 Special Meeting Minutes

### **I. RESOLUTIONS, AWARDS AND PRESENTATIONS**

- A. Presentation, Re: The Brevard Health Alliance, Inc.
- B. Resolution, Re: Honoring Kissimmee Police Officer Matthew Baxter (District 3)
- C. Resolution, Re: Honoring Kissimmee Police Sergeant Richard "Sam" Howard (District 3)
- \*D. Resolution, Re: Proclaiming October 2017 as Manufacturing Month in Brevard County (District 4)
- \*E. Resolution, Re: Recognizing Judge George Maxwell for His Service to the People of Brevard County; and Honoring Him on the Occasion of His Retirement (District 4)
- \*F. Resolution, Re: Proclaiming Support of Zonta Club of Melbourne's Ongoing Fight Against Human Trafficking (District 4)

\*Revised 09-18-17  
2:45 p.m.

**I. RESOLUTIONS, AWARDS AND PRESENTATIONS (CONTINUED)**

- \*G. Resolution, Re: Recognizing and Commending Nana's House (District 5)

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

A. Development and Environmental Services Group

**Natural Resources Management Department**

1. Cooperative Agreement Between the United States of America Department of The Army and Memorandum of Agreement Among the Bureau of Ocean Energy Management (BOEM) and the U.S. Army Corps of Engineers, Re: Federal Shore Protection Project North and South Reaches (Districts 2, 3, and 5)

**Planning and Development**

2. Final Plat and Subdivision Infrastructure Contract, Re: Valencia at Addison Village, Phase 2 – The Viera Company (District 4)
3. Binding Development Plan, Re: James H. Dixon, Jr. (District 1)
4. Waiver of Parking and On-Site Paving, Re: Nana's House Thrift Store – MBV Engineering, Inc. (District 5)
5. Board Confirmation, Re: North Merritt Island Dependent Special District Board Member (District 2)

**Public Works Department**

6. Acceptance of Sidewalk Easement (801 & 802) from Constellation Commons, LLC, Re: Property Located Along Wickham Road, Melbourne (District 4)
7. Acceptance of Permanent Sanitary Sewer Easement from CLA RETAIL, LLC, Re: Colonnade Avenue (District 4)
8. Acceptance of Temporary Construction Easement, Re: Construction Related to the J-02 Lift Station (CVS Store at Fay Boulevard and U.S. Highway 1) (District 1)
9. Resolution and Release of Performance Bond, Re: Adelaide, Phase 1 Subdivision – The Viera Company (District 4)
10. Resolution and Release of Performance Bond, Re: Adelaide, Phase 2 Subdivision – The Viera Company (District 4)

**II. CONSENT AGENDA (CONTINUED)**

A. Development and Environmental Services Group (continued)

11. Sovereignty Submerged Lands Easement, Re: Oyster Reef Living Shoreline Installation at Kiwanis Park – Geiger Point (District 3)

**Solid Waste Management Department**

**Utility Services Department**

**Valkaria Airport**

12. Grant Acceptance from Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT), Re: Primary Runway 14-32 Rehabilitation, Construction Phase Services

B. Community Services Group

**Housing and Human Services**

1. Amendment of Agreement, Re: Extending the Medical Examiner's Office Agreement with Casket Gallery d/b/a B&B Enterprises for Three Months Until January 10, 2018

**Library Services Department**

2. Third Amendment to Lease Agreement with City of Cape Canaveral, Re: Use of Multi-Purpose Public Meeting Room at Cape Canaveral Public Library
3. Installation of a Mosaic Wall Mural, Re: Eau Gallie Public Library

**Parks and Recreation Department**

4. Permission to Advertise Request for Proposals (RFP), Re: Operation of Concession at the Titusville Veterans' Memorial Fishing Pier (District 1)

**Tourism**

**Transit Services Department**

**University of Florida; Brevard County Extension**

**II. CONSENT AGENDA (CONTINUED)**

C. Public Safety and Support Services Group

**Central Services**

1. Resolution and Memorandum of Understanding with Veterans of Foreign Wars (VFW) Post 4228, Re: Post 4228 to Furnish, Install, and Maintain Improvements at the Veterans Cemetery, Located at 1143 Day Street, Titusville (District 1)
2. Amendment to Lease Agreement from Viera Complex Food Services, Inc., Re: Snack Bar Lease
3. Amendment to Lease Agreement with Williams Scotsman, Inc., Re: Modular Office Trailer, Located at Road & Bridge Shop (District 4) (Fiscal Impact: \$9,720)
4. Permission to Issue Open Purchase Orders (FY 2017/2018), Re: Approved Vendors of Record (Fiscal Impact: Estimated Annual Amounts are Based Upon Historical Use)
5. Permission to Issue (FY 2017/2018), Re: Annual Supply Bids, Proposals, Request for Qualifications (RFQ), and/or Negotiate Competitive Agreements (Fiscal Impact: Minimizing Administrative Costs by Reducing and Consolidating)
6. Permission to Waive the Formal Bid Process and Lease Contract with Affordable Structures, Re: Temporary Office Trailer, Located at South Central Wastewater Treatment Facility – Bid #B-5-12-80

**Natural Resources Management Department**

**Emergency Management**

**Fire Rescue**

7. Fire Protection and Rescue/Emergency Services Agreements with Four Communities Volunteer Fire Department (FCVFD), Merritt Island Volunteer Fire Department (MIVFD), and Mims Volunteer Fire Department (MVFD), Re: Services Within the Unincorporated Areas (Fiscal Impact: \$53,208/Year)
8. Lease Agreement with City of Cocoa, Re: Occupy and Operate an Ambulance Out of Its Current Fire Station #2 (Fiscal Impact: 1.00/Year for the Lease Agreement, Plus Utilities and Maintenance. Estimated Utility and Maintenance Costs Provided by the City are: General Maintenance - \$4,000/Year; Electricity - \$5,500/Year; Water/Sewer - \$2,400/Year; and Gas - \$400/Year)

**II. CONSENT AGENDA (CONTINUED)**

C. Public Safety and Support Services Group (continued)

**Human Resources**

9. Authorization of Recommended Changes, Re: Brevard County Pay and Classification Plan Update of Affected Consolidated Series of Administrative Officer and Staff Professional (Fiscal Impact: FY 17/18 \$4,133.74 Annualized)
10. Collective Bargaining Agreement with Laborer's International Union, Local 630, Re: Tentatively Ratifying the Agreed Upon Modifications by Laborers' International Union of North America (LIUNA) (Fiscal Impact: FY 17/18 \$671,602 (\$480,196 Impact to General Fund))

**Information Technology**

**SCGTV**

D. Administrative Services Group

**Budget**

**County Attorney**

1. Request for Executive Session, Re: Brevard County, Florida v. B West Townhouses, Ltd, Meadowbrook, LLC, Tradewinds Plaza, LLC – Case No. 05-2013-CA-025677

**County Manager**

2. Acceptance and Approval, Re: Timekeeping and Overtime Cycle Audit Report and Utilities Construction Monitoring Audit Report
3. Confirmation of Appointment, Re: Andrew J. Holmes, P.E., as Public Works Department Director

**Miscellaneous**

4. Appointments/Reappointments, Re: Citizen Advisory Boards
5. Approval, Re: Billfolder

**III. PUBLIC COMMENTS (30 minutes)**

**IV. PUBLIC HEARINGS**

- A. Resolution, Re: Petition to Vacate A 12.00 Foot Wide Public Utility Easement in Barefoot Bay Unit Two, Part Twelve, Barefoot Bay – Mark Sott (District 3) (Fiscal Impact: \$640 Vacating Application Fee Paid by Petitioner)
- B. First Public Hearing, Re: Developer’s Agreement with West Melbourne, RMS Palm Bay, LLC, and Riviera Drive Commercial, LLC (District 3)
- C. Ordinance, Re: Creating a New Chapter to the Brevard County Code of Ordinances, Chapter 3, Code of Ethics
- D. Revisions of Merit System Policy II, Pay Plan and Merit System Policy VIII, Holidays, Re: Providing Consistency in Pay Structure and Allowing Current Internal Candidates to be Treated the Same as External Candidates; and Providing Clarity Languages as to Personal Holiday Leave Accrual for Use by Part-Time and Full-Time Employees
- E. Ordinance, Re: Amending Article III, Division II, Section 2-73, Providing for the Departmental Structure of County Government

**V. UNFINISHED BUSINESS**

- A. Consideration of Options, Re: Pursuing Status of Hurricane Matthew Federal Emergency Management Agency (FEMA) Appeal
- \*B. Consideration of Amendment to Grant Agreement with Economic Development Commission of Florida’s Space Coast (EDC), Re: Requiring Transparency for the Brevard County Citizens Right to Know How Their Tax Dollars are Being Spent (District 3)

**VI. NEW BUSINESS**

- A. Development and Environmental Services Group
  - \*1. Approval of Temporary 90-day Waiver of Building Permit Fees, Re: Repair of Hurricane Irma Damage
  - \*2. Board Authorization, Re: Restoration of Engineered Dunes in the Mid Reach and South Beaches Post Hurricane Irma (Districts 3, 4, and 5) (Fiscal Impact: Approximately \$1,051,000 Cost to the Tourist Development Tax Beach Improvement Fund after Federal and State Reimbursements)

**VI. NEW BUSINESS (CONTINUED)**

B. Community Services Group

1. Resolution and Lease Agreement with Space Coast Full Throttle Speedway, Inc., Re: Usage of Space at Space Coast Communities Sports Complex (District 1)

C. Public Safety and Support Services Group

D. County Attorney

E. County Manager

1. Approval, Re: 2018 Legislative Program
2. Approval, Re: 2018 Board of County Commissioners Meeting Schedule

F. Miscellaneous

1. Creation of Policy, Re: Campaign and Solicitation (District 1)
- \*2. Letter of Support, Re: Senator Debbie Mayfield's Proposal to Provide a Continuous Matching Fund Stream for Counties and Municipalities for Septic to Sewer Conversation

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

**VIII. BOARD REPORTS AND PRESENTATIONS (MORE THAN 5 MINUTES)**

- A. Frank Abbate, County Manager
- B. Scott Knox, County Attorney
- C. Jim Barfield, District 2 Commissioner
- D. John Tobia, District 3 Commissioner
- E. Kristine Isnardi, District 5 Commissioner
- F. Rita Pritchett, District 1 Commissioner/Vice Chairwoman
- G. Curt Smith, District 4 Commissioner/Chairman

Executive Session: Brevard County, Florida v. B West Townhouses, Ltd, Meadowbrook, LLC, Tradewinds Plaza, LLC, Case No. 05-2013-CA-025677

### HISTORIC BREVARD

1926 was a year of wild weather, from the hurricane that hit at the end of July to storms in June that produced a waterspout that formed in the Indian River just north of Eau Gallie and traveled south. This storm came south along the river, ricocheted off the Melbourne Bridge and went east, doing minor damage on the riverfront before bouncing up to skip the barrier island and come down again in the ocean. Several boaters were capsized by the twister and had to be rescued.

### 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 Spectrum Cable Channel 499, 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](http://www.brevardclerk.us).**

**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.**