



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, March 21, 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 Kristine Zonka, Vice-Chair, District 5**

**D. MINUTES FOR APPROVAL:**

**E. RESOLUTIONS, AWARDS AND PRESENTATIONS**

**E.1.** Resolution, RE: Florida Surveyors & Mappers Week in Brevard County

**E.2.** Resolution acknowledging Military Child Awareness Month for April of 2023.

**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.** Interlocal Agreement Between Sebastian Inlet District and the Brevard Mosquito Control District for Acquisition of Non-Beach Compatible Material

Planning and Development

**F.2.** Board Policy Review, Re: BCC-51, Zoning Actions and Findings of Fact.

**F.3.** Acceptance, Re: Binding Development Plan with Nicholas Boardman and Andrea Bedard (District 2)

#### Public Works Department

**F.4.** Approval, Re: Dedication of Public Utility Easement from Cumberland Farms, Inc. for the Cumberland Farms Micco Project - District 3

**F.5.** Approval, Re: Donation of Temporary Construction Easement from Harlan Property Development, LLC for Lift Station W-09 - District 2.

**F.6.** Adopt Resolution and Release Performance Bond: Viera Town Center IV - District 4  
Developer: The Viera Company

#### Utility Services Department

**F.7.** Micco Force Main Extension project - Execution of Change Order 4

#### Valkaria Airport

**F.8.** Permission to Accept Florida Airports Council Internship Grant Funds

### **Community Services Group**

#### Housing and Human Services

**F.9.** Approval Re: Agreement between the Brevard County Board of County Commissioners, the City of Titusville, and Housing for Homeless, Inc. (Up to \$80,437 - District 1)

**F.10.** Approval: RE: Housing and Human Services Department Purchase Assistance Policy (HS-027) for the U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnership Program

### **Support Services Group**

#### Central Services

**F.11.** Revision of BCC-26 Policy, Acquisition of Consultant Professional Services

### **Administrative Services Group**

#### County Attorney

**F.12.** Approval of Attorney Fees - Mid-Reach Beach Restoration Project, Brevard County

**F.13.** Item moved to Public Hearing

**F.14.** Revisions to BCC-97 Providing for the Advertisement of Certain Postponed or Continued Public Hearings, and Amending the Board's Public Comment Procedures

**F.15.** Authorize Chair to execute an agreement with the firm of Gardner, Bist, Bowden, et al for legal services to be rendered on behalf of Brevard County with regard to environmental law issues.

Miscellaneous

**F.16.** Bill Folder

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

**F.18.** Resolution recognizing Joseph Brubaker, Jr's life of service.

**G. PUBLIC COMMENTS**

**H. PUBLIC HEARINGS**

**H.1.** Public Hearing and Approval: RE: HOME American Rescue Plan Act (HOME-ARP) Allocation Plan Substantial Amendment to the 2021 Annual Action Plan (\$4,524,586)

**H.2.** Proposed Ordinance Amending Chapter 2, Brevard County Code of Ordinances, to Create a New Article IX Relating to Publication of Legal Advertisements and Public Notices on a Publicly Accessible Website.

**I. UNFINISHED BUSINESS**

**J. NEW BUSINESS**

**Add Ons**

**J.1.** Approval Re: Material Removal Agreement with Florida Inland Navigation District for Spoil Material - District 1

**K. BOARD REPORTS**

K.1. Frank Abbate, County Manager

K.2. Morris Richardson, County Attorney

K.3. Tom Goodson, Commissioner District 2

K.4. John Tobia, Commissioner District 3

K.5. Rob Feltner, Commissioner District 4

K.6. Kristine Zonka, Commissioner District 5, Vice-Chair

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

- \*\* Executive Session at noon, or at the end of the regular meeting, whichever comes first, the Brevard County Board of County Commissioners will meet for the purpose of discussing settlement negotiations and/or strategy related to litigation in the case of J. Patrick Schirard, as Trustee of the J. Patrick Schirard Premarital Assets Revocable Living Trust Dated June 15, 2001 v. Brevard County, Florida, Case Number 05-2022-CA-052449-XXXX-XX.
- \*\* Executive Session at noon, or at the end of the regular meeting, whichever comes first, the Brevard County Board of County Commissioners will meet for the purpose of discussing settlement negotiations and/or strategy related to litigation in the case of Paul Bross, as successor in interest to (Eric and Amanda Obloy, Bambino Land Trust dated 6-19-19) v. Brevard County, Florida, Case Number 05-2019-CA-035542-XXXX-XX.

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.of the agenda shall provide a section for public comment 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. 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.