

## 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

September 28, 2004

**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.**

9:00 a.m. CALL TO ORDER

INVOCATION BY: Major Otis Childs, Salvation Army, Melbourne, Florida

PLEDGE OF ALLEGIANCE: Commissioner Jackie Colon, District 5

APPROVAL OF MINUTES: May 18, May 25, July 13, and July 20, 2004  
Regular Meetings, and August 17, 2004 Special  
Meeting

### **I. REPORTS**

- A. Tom Jenkins, County Manager
- B. Scott Knox, County Attorney
- C. Truman Scarborough, District 1 Commissioner
  - \*1. Report, Re: Spaceport Commerce Park Authority Membership
- D. Ron Pritchard, District 2 Commissioner
- E. Nancy Higgs, Chair of the Board, District 3
- F. Susan Carlson, District 4 Commissioner
- G. Jackie Colon, District 5 Commissioner

\*Changes to Advanced Agenda

**II. RESOLUTIONS AND AWARDS**

- A. Resolution, Re: Proclaiming 4-H Week (Commissioner Higgs)
- \*B. Resolution, Re: Commending Larry Graves (Commissioner Scarborough)
- \*C. Resolution, Re: Welcoming Congressman Kendrick Meeks (Commissioner Scarborough)
- \*D. Resolution, Re: Recognizing Disabled American Veterans Forget-Me-Not Month (Commissioner Pritchard)

**III. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section III.)****A. Development and Environmental Services Group****Natural Resources Management Office**

- 1. Contract Amendment No. 4 with Florida Department of Environmental Protection, Re: Storage Tank System Compliance Verification

**Roadways and Landscaping Department****Permitting and Enforcement Department**

- 2. Final Engineering and Preliminary Plat Approvals, Re: Colfax Landing Subdivision (District 4)
- 3. Resolution and Contract with Lennar Homes, Inc., Re: Infrastructure Improvements for Heritage Isle, Phase I (District 4)
- 4. Resolution Releasing Contract with The Viera Company, Re: Infrastructure Improvements for Trafford Drive Extension (District 4)
- 5. Contract with The Viera Company, Re: Infrastructure Improvements for Capron Trace, Phase 2 (District 4)
- 6. Contract with The Viera Company, Re: Infrastructure Improvements for Capron Trace, Phase 3 (District 4)
- 7. Contract with Gregory L. Schmidt, Re: Construction of Road in Existing County Right-of-way (Labrador Lane) (District 3)

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

8. Accept Quit-claim Deeds from Abutting Property Owners, Re: Road Improvements to Road Right-of-way South of Grissom Road in Canaveral Groves (District 1)

**Planning and Zoning Office**

9. Binding Development Plan Agreement with Donald L. and Frances R. Brown, Charles S. (Chuck) and Katherine E. Crisafulli, M. Grace Hanchey, Sara Queen, Josephine Scheuch and E.G. and Jodi M. Smith, Re: Property on South Side of Church Road, West of S.R. 3
10. Agreement with School Board and The Viera Company, Re: Educational Facilities Impact Fee Credit for School Sites

**Regional Stormwater Utility Department**

11. Agreement with St. Johns River Water Management District, Re: Barracuda Avenue Stormwater Project (District 3)

**Transportation Engineering Department**

12. Resolution, Re: Installation of No Parking on Streets Between Certain Hours Signs in Wingate Estates (District 4)
13. Easement to Florida Power & Light Company, Re: Service to New Facility at South Mainland Service Complex in Palm Bay (District 5)
14. Permission to Bid, Award Bid, and Execute Contracts, Re: Dirt Road Paving Projects (District 1)

**Transportation Planning Office****Utility Services Department**

15. Agreement with The Viera Company, Re: Construction of Reclaimed Water Transmission Main Concurrently with Extension of Stadium Parkway (District 4)
16. Amendment and Assignment with Fore Golf Acquisition Corporation, Baytree Golf, LLC, and Scratch Golf, LLC, Re: Reclaimed Water for Baytree National Golf Links Golf Course

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

17. Change Order No. 1 to Emergency Purchase Order with Cloud 9 Services, Re: Emergency Repair of Reclaimed Water Main at Intersection of Wickham and Interlachen Roads (District 4)
18. Permission to Sell Surplus Property, Re: Portion of Parcel at 1780 South Banana River Drive, Merritt Island (District 2)

**Valkaria Airport****B. Community Services Group****Agriculture & Extension Services Office****Animal Services and Enforcement Department**

1. Resolution, Re: Amending Animal Services and Enforcement Fines

**Housing and Human Services Department**

2. Resolution Amending Resolution No. 02-066, Re: CDBG Advisory Board
3. Agreement with Brevard County Legal Aid, Inc. and Authorize Chair to Execute Future Amendments, Re: Legal Services for Indigent Residents
4. Agreement with Florida Department of Community Affairs and Authorize Chair to Execute Follow-up Amendments, Re: Weatherization-Low Income Home Energy Assistance Program

**Library Services Department**

- \*5. (Moved to 10-12-04)
- \*6. (Moved to 10-12-04)

**III. CONSENT AGENDA (CONTINUED)****B. Community Services Group (continued)**

\*7. (Moved to 10-12-04)

\*8. (Moved to 10-12-04)

**Mosquito Control Department****Parks and Recreation Department**

9. Resolution, Re: Amending Rules and Fee Schedule for The Savannahs, The Habitat, and Spessard Holland Golf Courses (Districts 2 and 3)
10. Agreement to Renew and Amend Existing Agreement with Progressive Action Society, Inc., Re: Use of Gibson Community Center (District 1)
11. Agreements to Amend Existing Agreements with Brevard Alzheimer's Association, Inc. and Space Coast Chapter of National Technical Association, Inc., Re: Use of Gibson Community Center (District 1)
12. Reimbursement to School Board, Re: Water and Sewer Construction Costs for Athletic Facility Improvements (District 2)
13. Appointment and Reappointment, Re: Public Golf Advisory Board (District 2)
14. Reappointments, Re: Public Golf Advisory Board (District 3)

**Transit Services Department**

15. Resolution, Re: Revising SCAT's Fare Structure for Fixed Route and Paratransit Services

**C. Management Services Group****Management Services**

**III. CONSENT AGENDA (CONTINUED)****C. Management Services Group (continued)****Central Services Office**

1. Resolution, Re: Adjusting Per Diem and Mileage Reimbursement Rates for Use of Personal Vehicles for Official Business
2. Accept High Bid for County Sale 04-07, Execute Contract for Sale and Purchase with Bayside Lakes Development Corporation, and Authorize Chair to Execute Necessary Documents to Close Sale, Re: Property at County Service Complex in Palm Bay
3. Award of Proposals #P-3-04-28 and #P-3-04-27 to The Zimmerman Agency, and Authorize Negotiations and Execution of Contracts, Re: Tourism Website Development and Maintenance Services, and Public and Media Relations and/or Advertising Services

**Budget Office**

4. Approve, Re: FY 2004-2005 Temporary Loan to General Fund
5. (Deleted)
6. Acknowledge, Re: Budget and Financial Exception Report for Third Quarter Ended June 30, 2004
7. Acknowledge, Re: Sebastian Inlet Tax District Annual Financial Report for Fiscal Year Ended September 30, 2004, and Proposed Meeting Schedule for June 2004 Through December 2004

**Facilities Department****Information Technology Systems Department****Economic & Financial Programs Office**

8. Extension of Contract for Sale and Purchase with Jen-Lee Developments, Inc., Re: Parcel in Spaceport Commerce Park

**SCGTV/Communications Office**

**III. CONSENT AGENDA (CONTINUED)**

C. Management Services Group (continued)

**Tourism Development Office**

9. Approve, Re: TDC Revised 2005 Category A Promotion and Advertising Grant Program Handbook
10. Approve, Re: FY 2004-05 Cultural Events Matching Grants from TDC Cultural Events Category
11. Approve, Re: FY 2004-05 Open Purchase Order with Brevard Cultural Alliance for Expenditures in TDC Cultural Events Fund

D. Miscellaneous

**County Manager**

**County Attorney**

1. Accept Partial Cost Proposal and Authorize Execution of Settlement Agreement, Re: Brevard County vs. Butler et al (Shore Protection Project)

**Emergency Management Office**

**Human Resources Office**

**Public Safety Department**

2. Written Notification of Contract Renewal with Wuesthoff Reference Laboratory, Re: Toxicology/Histology Services
3. Amendment to Agreement with Coastal Health Systems of Brevard, Inc., Re: Transportation Services for Marchman/Baker Act Patients
4. Renewal of Certificates of Public Convenience and Necessity with Agencies and Municipalities, Re: ALS and BLS Services

**III. CONSENT AGENDA (CONTINUED)**D. Miscellaneous (continued)**Other**

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

**IV. PUBLIC HEARINGS**

- A. Resolution, Re: Vacating Ingress and Egress Easement in Section 1, Township 21S., Range 34E. - Creech Engineers, Inc. (District 1) (07-13-04, 07-27-04, and 08-24-04)
- B. Resolution, Re: Vacating Right-of-way (Old Dixie Highway) in Sections 7 and 8, Township 21S., Range 35E. - Gen Development, Inc. (District 1) (09-14-04)
- C. Resolution, Re: Vacating Right-of-way in Jenkins Acres Subdivision - Harry and Hisako Clark (District 2) (08-24-04)
- D. Resolution, Re: Vacating Canal in Gateway Subdivision, Unit No. 1 - Michael S. Minot (Jack D. Hurt) (District 2) (09-14-04)
- E. Resolution, Re: Vacating Public Utility Easements in Barefoot Bay, Unit Two, Part Ten - Wayne K. Chapple, and Wallace G. and Donna G. Wight (District 3) (09-14-04)
- F. Resolution and Accept Replacement Easement, Re: Vacating Utility Easement in Grande Bay - Elmer F. Sealing (District 3) (08-24-04)
- G. Resolution, Re: Vacating Alley in Crystal Lakes Subdivision - Frank and Susan J. Panarino, and Lisa and Carmelo Puleio (District 3)
- H. Resolution and Accept Easement, Re: Vacating Drainage Ditch Right-of-way in Section 25, Township 26S., Range 36E. - Pineda Crossing Corporation (District 4) (08-24-04)
- I. Resolution, Re: Vacating Portion of Right-of-way (South Tropical Trail) in Section 10, Township 27S., Range 37E. - Donna MacFadyen, POA (Clarence E. Stone) (District 4) (09-14-04)



**IV. PUBLIC HEARINGS (CONTINUED)**

- J. Resolution, Re: Vacating Right-of-way (Cape View Lane) in Section 19, Township 26S., Range 37E. - Pamela S. Defoe (District 4)
- K. Resolution and Authorize County Manager or Designee to Approve Required Budget Changes, Re: Approving Fourth Quarter Supplemental Budget for FY 2003-2004
- L. Approve, Re: Transmittal of Plan Amendment 2004-C Future Land Use Change for The Great Outdoors DRI

**V. UNFINISHED BUSINESS**

- \*A. Request for Payment of Costs, Re: Courtney Roberts

**VI. NEW BUSINESS**

- A. Development and Environmental Services Group
  - 1. Infrastructure Reimbursement Agreement with Atlantic Business Systems, Re: Pro Rata Reimbursement of Construction Costs for Sanitary Sewer Force Main (District 4)
  - 2. Accept Easement from Pineda Crossing Bar and Grill and Adjacent Property Owners, and Waive Phase I Environmental Assessment, Re: Operation and Maintenance of Gravity Sewer System (District 4)
  - 3. Accept Quit-Claim Deed from Hawthorn Land Company, c/o Fru-Con Construction Corporation, Re: Transfer of Property in Canaveral Groves Subdivision for Future Mitigation Purposes (District 1)
  - \*4. (Withdrawn)
  - 5. Acknowledge Annexation Request by City of Cape Canaveral and Provide Staff Direction on Outstanding Road Maintenance, Re: Winslow Beach/Avon-by-the-Sea (District 2)

**VI. NEW BUSINESS (CONTINUED)****B. Community Services Group**

1. Amendment No. 1 to Grant Agreement with Department of Environmental Protection, Re: Cooperative Aquatic Plant Control Program
2. Permission to Utilize Seminole County's Request for Proposal, Re: Aerial Application Services for Adult Mosquito Control
3. Appointments to Health Council of East Central Florida, Inc., Re: Health Care Provider
- \*4. Designation of United Way as Fiscal Agent and County Manager to Execute Agreement, Re: Hurricane Relief Fund

**C. Management Services Group**

- \*1. Distribution of 911 Surcharge Revenues, Re: Pro Rata Share to Sheriff, Fire Rescue, and Municipalities
- \*2. Permission to Dedicate, Re: Courtroom 3 of Historical Courthouse to Justice Vassar B. Carlton
- \*3. Agreement with Department of Community Affairs, Re: Hurricanes Charley and Frances Disaster Relief Funding

**D. County Manager****E. Miscellaneous**

- \*1. Approve, Re: Casualty and Workers Compensation Insurance Programs for FY 04-05
- \*2. Authorization to Renew, Re: Voluntary Dental and Vision Insurance Programs Provided by CompBenefits, Inc.
- \*3. Authorization to Renew, Re: Long-term Disability Insurance Policy No. 641728

**VII. ITEMS REMOVED FROM CONSENT AGENDA**

**VIII. 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 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>.**