

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 7, 2007

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: Pastor Edward Buckner, Friendship Primitive Baptist Church, Cocoa, Florida

PLEDGE OF ALLEGIANCE: Commissioner Helen Voltz, District 3

APPROVAL OF MINUTES: May 8, 2007 Regular Meeting

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

- *A. Presentation, Re: Employee Development Program Recognition
- *B. Resolution, Re: Congratulating Eagle Scout Robert Davy Kneessy (District 4)
- *C. Resolution, Re: Congratulating Eagle Scout Robert L. Miller (District 1)

*Changes to Advanced Agenda
08-03-07

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

- A. Staff Recognition (District 1)
- B. Peggy Busacca, County Manager
- C. Scott Knox, County Attorney
- D. Jackie Colon, District 5 Commissioner, Chairperson
- E. Truman Scarborough, District 1 Commissioner
- F. Chuck Nelson, District 2 Commissioner
- G. Helen Voltz, District 3 Commissioner
- H. Mary Bolin, District 4 Commissioner

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. Approval, Re: Renewal of the Stormwater Interlocal Agreement with the City of West Melbourne (District 3)
- 2. Approval, Re: Renewal of the Stormwater Interlocal Agreement with the Town of Malabar (District 3)
- 3. Approval of Legislative Intent and Permission to Advertise, Re: Amendments to the Wetlands Protection Code
- 4. Amendment to FDEP Agreement No. H6BE1, Re: Brevard County Shore Protection Project
- 5. Wetland Restoration Plan, Re: Ivan Rodriguez, Action File #07-0162 (District 2)

Permitting and Enforcement Department

- 6. Subdivision Infrastructure Contract with Bonita Beach, LLC, Re: Bonita Beach Condominium (District 2)
- 7. Final Engineering Approval, Re: Tuckaway Road Improvements (District 4)

III. CONSENT AGENDA (CONTINUED)

A. Development and Environmental Services Group (continued)

- 8. Resolution, Re: Building Code Fees
- 9. Permission to File an Injunction, Re: Brevard County Board of County Commissioners v. Barbara Kortekaas (District 2)
- 10. Permission to File an Injunction, Re: Brevard County Board of County Commissioners v. Scott W. Oha and Robert L. Hartman (District 1)

Planning and Zoning Office

- *11. (Deleted)

Regional Stormwater Utility Department

Road and Bridge Department

Solid Waste Management Department

Transportation Engineering Department

- 12. Approval of Stipulated Final Judgment, Re: Brevard County v. Metro West, et al
- 13. Resolution and Joint Participation Agreement Supplemental Amendment No. 1 with FDOT, Re: Ellis Road/Nasa Boulevard Realignment

Transportation Planning Office

Utility Services Department

- 14. Ratification, Re: Emergency Sewer Repair (District 2)

Valkaria Airport

B. Community Services Group

Agriculture & Extension Services Office

Animal Services & Enforcement Department

Criminal Justice Services Department

III. CONSENT AGENDA (CONTINUED)**B. Community Services Group (continued)****Housing and Human Services Department**

1. Approval of Contract with the State of Florida, Department of Community Affairs (DCA), Re: Low Income Emergency Home Repair Program (LEHRP)
2. Approval of Contract with the State of Florida, Department of Community Affairs (DCA), Re: Community Services Block Grant (CSBG)

Library Services Department**Mosquito Control Department****Parks and Recreation Department**

- *3. (Deleted)
4. Approval, Re: South Lake Conservation Area Management Plan (District 1)
5. Approval of Professional Services Agreement Amendment No. 14 with Honeycutt & Associates, Inc., Re: Veterans Memorial Pier (District 1)
6. Resolution Accepting 2007 Legislative Appropriation Funds; Authorize County Manager to Execute State's Standard Grant Agreement and Required Amendments; Authorize the Project Account be Established; Authorize Permission to Advertise Request for Proposals from Architectural/ Engineering Firms; Appoint Selection Committee; Appoint Negotiating Committee; and Authorize Chairperson to Execute Negotiated Contract for Professional Services, Re: Veterans Memorial Park Museum Expansion (District 2)

Transit Services Department

7. Resolution, Grant Amendment for Federal Assistance, and Execution of Follow Up Grant Amendment, Re: FY 2008 Space Coast Area Transit (SCAT) Capital Assistance Grants from Federal Transit Administration

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

8. Resolution, Grant Application for Federal Assistance, Use of Toll Revenue Credits, Execution of Follow Up Grant Agreement, Re: FY 2008 Space Coast Area Transit (SCAT) Capital and Operating Assistance Grants from Federal Transit Administration

C. Management Services Group**Budget Office****Central Services Office**

1. Approval of Special Magistrate's Recommended Order, Re: Vested Rights for Jung-Lin Chen and Shu-Ching H. Chen
2. Approval of Special Magistrate's Recommended Order, Re: Vested Rights for George Jacques and Susan Jacques (District 2)

Economic and Financial Programs Office

3. Resolution to Consider Tax Abatement Application, Re: Cabinet Designs
4. Resolution to Consider Tax Abatement Application, Re: Confidential Project (06/07) 4-2-24 E
5. Resolution to Consider Tax Abatement Application, Re: Confidential Project (06/07) 5-2-28 E
6. QTI Resolution, Re: Confidential Project (06/07) 5-2-28 E
7. QTI Resolution, Re: Confidential Project (06/07) 4-2-24 E
8. Interlocal Agreement with the City of Cocoa, Re: Merritt Avenue Waterline Replacement

Facilities Department**Information Technology Department**

9. Permission to Advertise a Request For Proposals, Appoint a Selection and Negotiation Committee, and Authorize Chairperson to Execute a Continuing Contract, Re: Professional Software Development Services

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

10. Permission to Bid and Authorize Chairperson or County Manager to Execute Contract, Re: Purchase and Implementation of the LANDesk Desktop Management System

SCGTV/Communications Office**Tourism Development Office**D. Miscellaneous**County Attorney**

- *1. (Deleted)
2. Permission to File Injunction, Re: Brevard County Board of County Commissioners v. Barbara Mejias
3. Permission to File Injunction, Re: Brevard County Board of County Commissioners v. Norman M. Giller
4. Agreement for Court Reporting Services with Brevard Associated Court Services, Inc., Re: Confirmation of Term of Agreement
5. Permission to Schedule Private Executive Session, Re: Brevard County v. Indianapolis Home for the Aged, Inc.

County Manager**Fire Rescue Department**

6. Approval of Request for Proposal, Re: Emergency Medical Services (EMS) Billing

Human Resources Office**Emergency Management Office**

7. Approval of State Funded Subgrant Agreement, Re: Hazard Analysis Section 302 Facilities (FY 2007/2008)

Other

8. Approval of Revised Precinct Legal Descriptions, Re: Altered and Added Due to Annexations

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

9. Appointments/Reappointments, Re: Citizen Advisory Boards
10. Approval, Re: Bills and Budget Changes

IV. ITEMS REMOVED FROM CONSENT AGENDA BY CITIZENS (Speakers are allowed 5 minutes.)**V. PUBLIC COMMENTS (Comments may not address subsequent Agenda items. Speakers are allowed 3 minutes.)**

11:30 a.m. Executive Session – Stack v. Brevard County

VI. PUBLIC HEARINGS (Speakers are allowed 5 minutes.)

- A. Resolution, Re: Exchange of Property, Vacating Public Access Only Across a Portion of Mullet Creek Road, Accept Road's Name and/or Rename Roads Following 911 Guidelines – South Beach Community Park (District 3)
- B. Amended Petition for Regulatory Taking, Re: Andrew P. and Jennifer H. Scheer
- C. Ordinance, Re: Amendments to Code of Ordinances, Sections 38-4(b), 38-5(c), and Ordinance 04-26, Section 1(a) and (b), Additional Imposition by the Courts and Collection
- D. Ordinance, Re: Minor Structures Located East of the Brevard County Coastal Setback Line (CSL)
- E. Public Interest Determination for Wetland Impacts and Land Clearing, Re: South Mainland Cocoa Waterline (Districts 2 and 4)

VII. UNFINISHED BUSINESS

- A. Citizen Request – Warren Beans, Re: Waive Requirement to Pave Primrose Drive (District 3)

VIII. NEW BUSINESS**A. Development and Environmental Services Group**

1. Contract for Sale and Purchase with O & N Enterprises of Brevard, Inc., Re: St. Johns Heritage Parkway (District 5)
- *2. Tri-Party Escrow Agreement, Re: Buddhist Temple Improvements (District 5)
- *3. Waiver of Section 62-3206(d)(2), Reduction of Required Parking, Re: Family Dollar Store, Port St. John – The Hutton Company (District 1)

B. Community Services Group**C. Management Services Group**

1. Appointment/Reappointment, Re: Titusville – Cocoa Airport Authority

D. County Manager**E. Miscellaneous**

1. Appeal of Jeff Kendall, Re: Decisions of the Brevard County Onsite Sewage Treatment and Disposal System Variance Board
2. Appointment/Reappointment, Re: Brevard County Onsite Sewage Treatment and Disposal System Variance Board
3. Approval, Re: FY08 Brevard County Community Cultural Grant Handbook
- *4. Agreement with Joan H. Bickerstaff, P.A., Re: Legal Services Rendered on Behalf of Brevard County with Regard to the Administrative Hearing on a Vested Rights Application Filed by Newfound Land and Property Management Company (Alan Zajdel)

IX. ITEMS REMOVED FROM CONSENT AGENDA BY COMMISSION

*Executive Session – Collective Bargaining Negotiation with the IAFF, Local 2969

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

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