

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

May 26, 2016

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.

5:00 p.m. CALL TO ORDER

INVOCATION: Barry Russell, Chaplain of Titusville Police Department and Pastor of The Grove Church, Port St. John (District 1)

PLEDGE OF ALLEGIANCE: Commissioner Trudie Infantini, District 3

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

- *A. Resolution, Re: Proclaiming June 5-11, 2016, as National Beach Safety Week and Rip Current Awareness Week (District 2)
- *B. Resolution, Re: Congratulating weVENTURE Melbourne for Receiving the 2016 SBA Region 4 Women's Business Center of Excellence Award (District 3)
- *C. Resolution, Re: Congratulating Sherry Acanfora-Ruohomaki for Winning the 2016 State of Florida Small Business Person of the Year Award (District 3)

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

Planning and Development Department

- *1. Final Plat Approval, Re: Amendment No. 1 to Adelaide Subdivision – The Viera Company (District 4)
- *2. Final Plat and Contract Approval, Re: Lake Andrew Drive South Extension No. 1 – Phase 2 – The Viera Company (District 4)

Public Works Department

- *3. Quit Claim Deed to John B. Hamilton, IV, Re: Parcel of Land Located Between the Hamilton Property and the Retention Pond to the North (District 2)
- *4. Interlocal Agreement with School Board, Re: Pertaining to Tropical Elementary School Access Improvements (District 2) (Fiscal Impact: Up to \$170,995 Split 50/50 Between the School Board and County)

Solid Waste Management Department

Utility Services Department

Valkaria Airport

B. Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

- *1. Resolutions and Lease Agreements with Progressive Action Society, Inc., Titusville Area Model Railroad Club, Inc., and Shining Stars Learning Center, Re: Usage of Building Space at the Gibson Complex and Field (District 1) (Fiscal Impact: Annual Revenue Collection for a Total of \$36,000 from Lease Payments)
- *2. Interlocal Agreements with City of Titusville, Re: Participation in the Construction of a Splash Park for Sand Point Park and Permission to Construct a BMX Track in Marina Point Park (District 1) (Fiscal Impact: Payment of \$35,000 to City of Titusville)

II. CONSENT AGENDA (CONTINUED)

B. Community Services Group (continued)

- *3. Amendment to Interlocal Agreement with City of Indian Harbour Beach, Re: Conveyance of Oars and Paddles Park (District 4) (Fiscal Impact: \$34,946 to City of Indian Harbour Beach)

Tourism

Transit Services Department

University of Florida; Brevard County Extension

C. Public Safety and Support Services Group

Central Services

- *1. Interlocal Agreement with Town of Grant-Valkaria, Local Agency Program (LAP) Agreement with Florida Department of Transportation (FDOT), and Resolution, Re: Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Project FPN 438023-1-58/68-01; and Permission to Advertise, Award the Bid to Lowest Responsive Bidder, and Authorize the Chairman to Execute the Contract for the Construction of Valkaria Road Sidewalk (District 3) (Fiscal Impact: Up to \$611,298 Reimbursement from FDOT and \$100,000 Impact Fee Allocation)

Emergency Management

Fire Rescue

Human Resources

- *2. Approval, Re: Permission to Terminate Current On-Line Benefits Enrollment System Vendor Contract with FBMC Benefits Management if Current Problems are Not Rectified; and Negotiate Contract with Second Place Vendor, CBIZ

Information Technology

SCGTV

D. Administrative Services Group

Budget

- *1. Approval, Re: Budget Change Requests

II. CONSENT AGENDA (CONTINUED)**D. Administrative Services Group (continued)**

- *2. Acknowledge Receipt, Re: FY 2017 Proposed Budget for Mayfair Community Development District
- *3. Review and Approval, Re: BCC-21, Budget and Financial Policy

County Attorney

- *4. Approval of Partial Settlement Agreement, Re: Williamson v. Brevard County 6:15-cv-1098-Orl-28-DAB

County Manager**Miscellaneous**

- *5. Appointments/Reappointments, Re: Brevard Workforce Development Board of Directors dba CareerSource Brevard
- *6. Acceptance, Re: Conditional Gift in the Amount of \$50,000 from Matthew Development, LLC (District 4)

III. PUBLIC COMMENTS (30 minutes)**IV. PUBLIC HEARINGS****A. Tabled Items****B. P&Z Recommendations of May 9, 2016; PSJ Recommendation of May 11, 2016; and NMI Recommendation of May 12, 2016****DISTRICT 1**

IV.B.1. (16PZ00028) – IAN BAUMGARDNER – requests a Small Scale Plan Amendment (16S.03) to change the Future Land Use from Agricultural to Residential 1, and a change of classification from GU to RR-1, on 1.23 acres, located on the south side of Harrison Rd., approx. 0.31 mile east of N. Johnson Ave. (No assigned address. In the Mims area.)

P&Z Recommendation: Barber/Cannon – Approved. Vote was unanimous.

LPA Recommendation: Barber/Cannon – Approved. Vote was unanimous.

IV. PUBLIC HEARINGS (CONTINUED)**B. P&Z Recommendations of May 9, 2016; PSJ Recommendation of May 11, 2016; and NMI Recommendation of May 12, 2016 (continued)****DISTRICT 4**

IV.B.2. (16PZ00029) A.N.A. REAL PROPERTY DEVELOPMENT, LLC – (John Haley) – requests a change of classification from BU-1 and RU-2-15 to RU-1-7 on 0.93 acres +/-, located on the east side of N. U.S. Hwy 1, approx. 188 ft. north of Elm Dr. (4225 N. U.S. Hwy 1, Melbourne)

P&Z Recommendation: Thodey/Barber – Approved with Binding Development Plan limited to two (2) lots. Vote was unanimous.

DISTRICT 1

IV.B.3. (16PZ00025) – CARMINE FERRARO, TRUSTEE – requests a Small Scale Plan Amendment (16S.02) to change the Future Land Use from NC to CC, and a change of classification from BU-1-A to BU-1, on 1.59 acres +/-, located on the south side of Fay Blvd., approx. 200 ft. east of Adams Place. (4735 Fay Blvd., Cocoa)

PSJ Recommendation: Kimberling/Rodriguez – Tabled to the July 13, 2016, PSJ meeting. Vote was unanimous.

LPA Recommendation: Lawandales/Cannon – Tabled to the July 25, 2016, LPA meeting. Vote was unanimous.

DISTRICT 2

IV.B.4. (16PZ00032) – HARVEY'S INDIAN RIVER GROVES, INC. – (Ken Fulmer/Titan Properties) – requests a Small Scale Plan Amendment (16S.04) to change the Future Land Use from Residential 2 and PLNIP to all Residential 2 on 1.57 acres; and a change of classification from SEU and PIP with BDP to EU-2 with amended BDP, on 40 acres, located on the east side of N. Courtenay Pkwy., approx. 0.47 mile north of Smith Rd. (Tax Parcel 265 = 3490 N. Courtenay Pkwy; Tax Parcel 250 = No assigned address. In the Merritt Island area.)

NMI Recommendation: Hillberg/Testa – Denied. Vote was unanimous.

LPA Recommendation: Moia/Barber – Approved. Vote was 6:4, with Minneboo, Aydelotte, Thodey, McLellan voting nay.

P&Z Recommendation: Lawandales/McLellan – Approved with a BDP limited to 56 units. Vote was unanimous.

*C. Resolution, Re: Third Quarter Supplemental Budget for Fiscal Year 2015-2016

V. UNFINISHED BUSINESS

- *A. Binding Development Plan, Re: Ralph and Cynthia Perrone (District 2)
- *B. Agreement with Firm of Garner, Bist, Wiener, et al (David S. Dee, Esquire), Re: Legal Services to be Provided on Behalf of Brevard County With Regard to Environmental Law Issues Related to the Permitting of the US 1-92 Proposed Landfill
- *C. Approval, Re: Community Based Organization (CBO) Funding Program (Fiscal Impact: \$510,200)

VI. NEW BUSINESS

- A. Development and Environmental Services Group
- B. Community Services Group
- C. Public Safety and Support Services Group
- D. County Attorney
- E. County Manager
 - *1. Discussion, Re: Fiscal Year 2016/2017 Budget Development
- F. Miscellaneous
 - *1. Citizen Request by Pam LaSalle, Re: Charter Amendment Proposal to Establish Ethics Regulation by Creating an Ethics Commission, to Create a Code of Ethics, and Establishing an Independent Inspector General Office
 - *2. Citizen Request by Joan Davis, Re: Resolution to Ban Florida Black Bear Hunting in Brevard County

VII. PUBLIC COMMENTS (Comments may not address subsequent Agenda items.)

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

- A. Stockton Whitten, County Manager
- B. Eden Bentley, Deputy County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Trudie Infantini, District 3 Commissioner
- E. Andy Anderson, District 5 Commissioner
- F. Curt Smith, District 4 Commissioner, Vice Chairman
- G. Jim Barfield, District 2 Commissioner, Chairman

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 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 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: <http://www.brevardcounty.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.