



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, October 12, 2021

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 5:00 PM**
- B. INTENTIONALLY OMITTED**
- C. PLEDGE OF ALLEGIANCE: Commissioner Zonka, District 5**
- D. MINUTES FOR APPROVAL: July 20, 2021 Regular, September 2, 2021 Zoning, September 13, 2021 First Budget Hearing**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
 - E.1. Resolution recognizing the retirement of Patrick Woodard, Chief of Staff District 4**
 - E.2. Resolution recognizing September 15th - October 15th as Hispanic Heritage Month**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

Development and Environmental Services Group

Natural Resources Management

- F.1. Contract amendment granting a time extension to the City of Titusville for a Save Our Indian River Lagoon Septic to Sewer Project (District 1)**

- F.2.** Contract amendment granting a time extension to the City of Palm Bay for the Save Our Indian River Lagoon North Area Water Reclamation Facility Upgrade Project (District 3)

North Brevard Economic Development Zone

- F.3.** Approval of Extension Agreement for Development of Property in County-Owned Commerce Park in Titusville.

Planning and Development

- F.4.** Final Plat and Contract Approval, Re: Stadium Parkway - Segment E
Developer: The Viera Company District 4
- F.5.** Final Plat and Contract Approval, Re: Pineda Boulevard West Extension / Segment E
Developer: The Viera Company District 4

Public Works Department

- F.6.** Approval, Re: Donation of Drainage Easement from Michael Lodge for the Cherokee Avenue Drainage Improvement Project - District 1.
- F.7.** Approval, Re: Contract for Sale and Purchase and Addendum with Girl Scouts of Citrus Council, Inc. for the Zone T Sykes Creek Septic to Sewer Conversion Project- District 2.
- F.8.** Approval, Re: Donation of Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc., for the Lift Station T11 Driveway Improvement Plan- District 4.
- F.9.** Approval, Re: Notice of Non-Acceptance of Deed of Easement for Sidewalk Purposes Conveyed to Brevard County from Coop Construction, Inc. - District 1
- F.10.** Approval Re: Permission to Authorize the Public Works Department Director to Select the Acquisition Approach for the Sea Ray Drive Bridge over Sykes Creek Replacement - District 2

Utility Services Department

- F.11.** Request permission to terminate Lease Agreement with Jonathan Cecchi for access to approximately 128 acres adjacent to the South Central Wastewater Treatment Plant.

Community Services Group

Housing and Human Services

- F.12.** Approval, Re: Annual Agreement between Brevard County Board of County Commissioners and Brevard County Health Department and the Associated Health Department Fee Resolution

Support Services Group

Budget

- F.13. RESOLUTION RE: Approving a loan for the Titusville-Cocoa Airport Authority from Truist Bank
- F.14. Approval, Re: Budget Change Requests

Miscellaneous

- F.15. Requisition of Fiscal Year 2022 Budget - Brevard County Sheriff's Office
- F.16. Requisition of Fiscal Year 2022 Budget - Supervisor of Elections

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

- H.1. Petition to Vacate, Re: Public Utility & Drainage Easement- 300 Surf Spray Drive - "Catalina Isle Estates Unit 4" Plat Book 20, Page 47 - Merritt Island - Clark D. and Theresa A. Kugler - District 2

I. UNFINISHED BUSINESS

- I.1. Recommendation of Legal Counsel Services for the Brevard County Charter Review Commission (CRC)
- I.2. Consideration and Approval of a Board Policy Relating to Commission District Office Annual Budgets

J. NEW BUSINESS

Development and Environmental Services Group

- J.1. Approval of a letter request to the U.S. Army Corps of Engineers for a Section 206 study of the feasibility of an ecosystem restoration project at the 528 Causeway in the Banana River
- J.2. Submittal to Florida Department of Environmental Protection (FDEP) plan for eliminating nonbeneficial surface water discharge per 403.064(17), F.S.
- J.3. Legislative Intent and Permission to Advertise Amendments to Chapter 46 of the Brevard County Code, creating a new article, Article XI, entitled Landscape Irrigation

Miscellaneous

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

L.1. Frank Abbate, County Manager

L.2. Eden Bentley, County Attorney

L.3. Rita Pritchett, Commissioner District 1, Chair

L.4. Bryan Lober, Commissioner District 2

L.5. John Tobia, Commissioner District 3

L.6. Curt Smith, Commissioner District 4

L.7. Kristine Zonka, Commissioner District 5, Vice Chair

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.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 pink card asking to be heard. Any speaker not heard during the first thirty minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment period. 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.



BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ON 2021-10-12 5:00
PM - REGULAR
2725 Judge Fran Jamieson Way
Viera, FL, 32940
Regular Agenda
Tuesday, October 12, 2021

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 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 PUBLIC HEARINGS.

- A. CALL TO ORDER 5:00 PM**
- B. INTENTIONALLY OMITTED**
- C. PLEDGE OF ALLEGIANCE: COMMISSIONER ZONKA, DISTRICT 5**
- D. MINUTES FOR APPROVAL: July 20, 2021 Regular, September 2, 2021 Zoning, September 13, 2021 First Budget Hearing**

July 20, 2021 Regular, September 2, 2021 Zoning, September 13, 2021 First Budget Hearing

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

- E.1. 3362 Resolution recognizing the retirement of Patrick Woodard, Chief of Staff District 4**

It is requested the Board approve a Resolution recognizing the retirement of Patrick Woodard

Legislation Text

Pat Woodard Retirement.pdf

E.2. 3396 Resolution recognizing September 15th - October 15th as Hispanic Heritage Month

District 5

It is requested that the BOCC approves the resolution recognizing September 15th through October 15th as Hispanic Heritage Month

Legislation Text

RESOLUTION for Hispanic Heritage Month 2021.docx

F. CONSENT AGENDA

(The entire Consent Agenda will be passed in one motion to include everything under Section F.)

Development and Environmental Services Group

Natural Resources Management

F.1. 3315 Contract amendment granting a time extension to the City of Titusville for a Save Our Indian River Lagoon Septic to Sewer Project (District 1)

Authorize the Chair to execute a time extension amendment to contract number SOIRL 19-109 for the City of Titusville Zones A-G Septic to Sewer Project.

Legislation Text

AO29 Titusville A-G Amendment 1

Titusville A-G Amendment 1

F.2. 3387 Contract amendment granting a time extension to the City of Palm Bay for the Save Our Indian River Lagoon North Area Water Reclamation Facility Upgrade Project (District 3)

Authorize the Chair to execute a time extension amendment to contract number SOIRL 18-17 with the City of Palm Bay for the North Area Water Reclamation Facility Upgrade.

Legislation Text

AO29 North Area Amendment 3

AO29 North Area Amendment 3 CAO

North Area Amendment 3

North Brevard Economic Development Zone

F.3. 3407 Approval of Extension Agreement for Development of Property in County-Owned Commerce Park in Titusville.

The North Brevard Economic Development Zone (NBEDZ) formally requests that the Board of County Commissioners (BOCC) approve an Extension Agreement permitting additional time for the development of approximately four (4) acres of land in the county-owned Spaceport Commerce Park in Titusville by Trout-Hunt Properties, LLC, for the construction of a new manufacturing facility for the company known as Paragon Plastics, and authorize the BOCC chair to execute all documents in connection thereof.

Legislation Text

Extension Agreement.pdf

Resolution.docx

Planning and Development

F.4. 3270 Final Plat and Contract Approval, Re: Stadium Parkway - Segment E
Developer: The Viera Company District 4

Planning and Development

In accordance with Section 62-2841(i) and Section 62-2844, it is requested that the Board of County Commissioners grant final plat approval and authorize the Chair to sign the final plat and contract for Stadium Parkway - Segment E.

Legislation Text

Contract

Bond

Final Plat

Location Map

F.5. 3346 Final Plat and Contract Approval, Re: Pineda Boulevard
West Extension / Segment E
Developer: The Viera Company District 4

Planning and Development

In accordance with Section 62-2841(i) and Section 62-2844, it is requested that the Board of County Commissioners grant final plat approval and authorize the Chair to sign the final plat and contract for Pineda Boulevard West Extension / Segment E.

[Legislation Text](#)

[Contract](#)

[Bond](#)

[Final Plat](#)

[Location Map](#)

Public Works Department

F.6. 3342 Approval, Re: Donation of Drainage Easement from Michael Lodge for the Cherokee Avenue Drainage Improvement Project - District 1.

Public Works Department

It is requested that the Board of County Commissioners approve and accept the attached Drainage Easement.

[Legislation Text](#)

[Cherokee Agenda Documents.pdf](#)

F.7. 3355 Approval, Re: Contract for Sale and Purchase and Addendum with Girl Scouts of Citrus Council, Inc. for the Zone T Sykes Creek Septic to Sewer Conversion Project- District 2.

Public Works Department

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the attached Contract for Sale and Purchase and Addendum.

[Legislation Text](#)

[Zone T-Newfound Harbor Agenda Documents.pdf](#)

- F.8. 3360 Approval, Re: Donation of Sanitary Sewer Easement from Casa Loma Estates Co-op, Inc., for the Lift Station T11 Driveway Improvement Plan- District 4.

Public Works Department

It is requested that the Board of County Commissioners approve and accept the attached Sanitary Sewer Easement.

Legislation Text

T-11 LS Agenda Documents.pdf

- F.9. 3381 Approval, Re: Notice of Non-Acceptance of Deed of Easement for Sidewalk Purposes Conveyed to Brevard County from Coop Construction, Inc. - District 1

Public Works Department

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the attached Notice of Non-Acceptance.

Legislation Text

Notice of Non Acceptance-Agenda Documents.pdf

- F.10. 3404 Approval Re: Permission to Authorize the Public Works Department Director to Select the Acquisition Approach for the Sea Ray Drive Bridge over Sykes Creek Replacement - District 2

Public Works Department

It is requested the Board of County Commissioners: 1. Authorize the Public Works Department Director to select the most advantageous acquisition approach, Design-Build or Design-Bid-Build, for the Sea Ray Drive Bridge Replacement; 2. Approve the advertisement and award of any competitive solicitations needed for the selected acquisition approach, such as a Design Build firm or a design consultant and construction contractor along with Construction Engineering Inspection (C.E.I.); 3. Authorize the County Manager or designee to execute all contracts, contract-related documents and any necessary contract extensions upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services; and 4. Authorize the County Manager to approve any necessary Budget Change Requests.

Legislation Text

Utility Services Department

- F.11.3213 Request permission to terminate Lease Agreement with Jonathan Cecchi for access to approximately 128 acres adjacent to the South Central Wastewater Treatment Plant.

Request Board approval to terminate the Lease Agreement with Jonathan Cecchi for access to approximately 128 acres adjacent to the South Central Wastewater Treatment Plant for purpose of cattle grazing.

Legislation Text

Cattle Lease.pdf

Community Services Group

Housing and Human Services

- F.12.3369 Approval, Re: Annual Agreement between Brevard County Board of County Commissioners and Brevard County Health Department and the Associated Health Department Fee Resolution

It is requested that the Board of County Commissioners approve and authorize the Chair to execute: 1) the annual agreement with the State of Florida, Department of Health for operation of the Brevard County Health Department for FY 2021-2022; 2) the Resolution establishing and revising certain fees and charges for Brevard County Health Department and Health and Environmental Services, as authorized by State of Florida Administrative Code or Policy; and 3) to further authorize the Chair, and/or County Manager or designee to execute any future amendments or agreements contingent upon approval of Risk Management and the County Attorney

Legislation Text

County Contributions - Program Outlines - 2021-2022.xlsx

BCHD Core Contract Document 2021-2022.doc

Brevard CHD Fee Resolution-2021 Changes Summary Wkst.xlsx

Brevard CHD Fee Resolution - Oct 2021 - Clean Copy.docx

Support Services Group

Budget

- F.13.3401 RESOLUTION RE: Approving a loan for the Titusville-Cocoa Airport Authority from Truist Bank

Approve a loan for the Titusville-Cocoa Airport Authority from Truist Bank pursuant to a Revolving Line of Credit Agreement in the principal amount not to exceed \$1,500,000 at any one time.

Legislation Text

Brevard BOCC Resolution and Note 09302021.pdf

09/29/21 Financial Advisor Review Memo

09/28/21 Bond Counsel Legal Sufficiency Memo

F.14. 3406 Approval, Re: Budget Change Requests

It is requested that the Board of County Commissioners reviews and approves the attached Budget Change Requests.

Legislation Text

BCRs 10.12.21.pdf

Miscellaneous

F.15. 3372 Requisition of Fiscal Year 2022 Budget - Brevard County Sheriff's Office

County Manager

It is requested that the Board of County Commissioners approve the requisition of one-twelfth of the Fiscal Year 2022 budgeted funds at the first Board of County Commissioners' meeting in October 2021, and one-sixth of the budget in January 2022, and equipment (capital) budget.

Legislation Text

101221 BCSP Agenda Report - BCSO FY22 budget req.pdf

F.16. 3382 Requisition of Fiscal Year 2022 Budget - Supervisor of Elections

County Manager

It is requested the Board of County Commissioners approve requisition of 25 percent of the Supervisor of Elections' Fiscal Year 2022 budgeted funds at the first Board meeting in October 2021, and 6.82 percent of the total budget each month thereafter.

Legislation Text

G. PUBLIC COMMENTS**H. PUBLIC HEARINGS**

- H.1. 3386 Petition to Vacate, Re: Public Utility & Drainage Easement-
300 Surf Spray Drive - "Catalina Isle Estates Unit 4" Plat Book 20,
Page 47 - Merritt Island - Clark D. and Theresa A. Kugler - District 2

Public Works Department

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public utility & drainage easement, "Catalina Isle Estates Unit 4" in Section 23, Township 24 South, Range 36 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Legislation Text

20210927-AgendaReport-Kugler.pdf

I. UNFINISHED BUSINESS

- I.1. 3249 Recommendation of Legal Counsel Services for the Brevard County Charter Review Commission (CRC)

Central Services

It is Requested the Board of County Commissioners:

- Accept the recommendation of the Brevard County Charter Review Commission to enter into a contract for Legal Services with Weiss Serota Helfman Cole & Bierman P.L.;
- Authorize the BoCC Chair to execute a contract for services upon review by the County Attorney's Office, Risk Management, and Purchasing Services; and
- Authorize the BoCC to execute any necessary Contract Amendments or Extensions upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Legislation Text

RFQ22114 Results SCM 9.23.21.pdf

- I.2. 3361 Consideration and Approval of a Board Policy Relating to Commission District Office Annual Budgets

Board consideration and adoption of the attached policy, including all necessary budget change requests

Legislation Text

BoCC Budget Draft Policy.docx

J. NEW BUSINESS

Development and Environmental Services Group

- J.1. 3327 Approval of a letter request to the U.S. Army Corps of Engineers for a Section 206 study of the feasibility of an ecosystem restoration project at the 528 Causeway in the Banana River

Natural Resources Management

Approve the Chair to sign a letter request to the U.S. Army Corps of Engineers requesting a Section 206 study of the feasibility of an ecosystem restoration project to remove the earthen causeway in the Banana River under Highway 528

Legislation Text

CAP Request Letter

SR 528 Resolutions & Letters

- J.2. 3385 Submittal to Florida Department of Environmental Protection (FDEP) plan for eliminating nonbeneficial surface water discharge per 403.064(17), F.S.

Request approval of the Board for Utility Services Department to submit the attached plans for the three (3) above mentioned facilities to the FDEP.

Legislation Text

New Provision in Section 403.064(17), F.S. regarding Permitted Surface Water Discharges .pdf

The 2021 Florida Statutes.pdf

- J.3. 3388 Legislative Intent and Permission to Advertise Amendments to Chapter 46 of the Brevard County Code, creating a new article, Article XI, entitled Landscape Irrigation

Board consideration of options and for the selected option, approve legislative intent and permission to advertise amendments to create a new article in Chapter 46 of the Brevard County Code, Article XI, entitled Landscape Irrigation

Legislation Text

Draft Irrigation Ordinance PENALTIES

Draft Irrigation Ordinance No Penalties

Miscellaneous

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

L.1. Frank Abbate, County Manager

L.2. Eden Bentley, County Attorney

L.3. Rita Pritchett, Commissioner District 1, Chair

L.4. Bryan Lober, Commissioner District 2

L.5. John Tobia, Commissioner District 3

L.6. Curt Smith, Commissioner District 4

L.7. Kristine Zonka, Commissioner District 5, Vice Chair

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