

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

April 14, 2009

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: Fr. John Vaughan, All Saints Church, Cocoa

PLEDGE OF ALLEGIANCE: Chairman Chuck Nelson, District 2

APPROVAL OF MINUTES: September 18, 2008 Special Meeting, January 29, 2009 Special Meeting, and February 3, 2009 Regular Meeting

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

- A. Resolution, Re: Recognizing April 19-26, 2009 as Juvenile Justice Week (District 1)
- B. Resolution, Re: Recognizing the Month of April 2009 as Fair Housing Month (District 1)
- C. Presentation, Re: Draft 2008 Water Supply Assessment

1:00 p.m. D. Presentation, Re: Honorable Suzanne M. Kosmas, United States Representative, District 24

I. RESOLUTIONS, AWARDS AND PRESENTATIONS (CONTINUED)

- E. Resolution, Re: Proclaiming the Week of May 18-25, 2009 as National Beach Safety Week (District 2)
- F. Resolution, Re: Proclaiming the Week of April 19-25, 2009 as Administrative Professionals Week (District 2)
- G. Resolution, Re: Proclaiming Saturday, April 18, 2009 as Earth Day 2009 (District 2)
- H. Resolution, Re: Recognizing National Telecommunicators Week (District 5)
- *I. Resolution, Re: Protect the American Worker (District 4)
- *J. Resolution, Re: Congratulating Melbourne High School Lady Bulldog Soccer Team (District 3)

II. BOARD REPORTS AND PRESENTATIONS

- A. Stockton Whitten, Interim County Manager
- B. Scott Knox, County Attorney
- C. Robin Fisher, District 1 Commissioner
- D. Trudie Infantini, District 3 Commissioner
- E. Mary Bolin, District 4 Commissioner, Vice Chairman
- F. Andy Anderson, District 5 Commissioner
- G. Chuck Nelson, District 2 Commissioner, Chairman

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: Application for Grant Funds to Supplement the Boating Waterways Program Channel Marker Budget (Fiscal Impact: \$20,000 of a \$27,000 Project)

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

2. Amendment to Memorandum of Agreement with Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas (FDEP/OCAMA), Re: Environmental Field Station (Fiscal Impact: \$2,500 Per Year in Revenue to Cover Building Utilities and Maintenance)
- *3. (Moved to VII.A.4)
- *4. (Moved to VII.A.5)
5. Contract with United States Natural Resources Conservation Service (NRCS), Re: Broadway Boulevard Drainage Improvements at U.S. Highway 1 (Fiscal Impact: Grant \$365,475 (75%) of Total \$487,300 (Estimated Project Cost) (District 1)

Permitting and Enforcement Department

- *6. (Moved to VII.A.6)

Planning and Zoning Office

7. Approval, Re: Binding Development Plan with Club Rio, LLC (District 4)

Public Works Department

8. Acceptance of Sidewalk Easement, Re: Meridian Property Group, LLC (District 4)
9. Acceptance of Sidewalk Easement, Re: S & S Enterprises, Inc. (District 2)
10. Acceptance of Right-of-Way Deed and Sidewalk Easement, Re: Fountainhead Memorial Park, LLC (District 3)
11. Contract for Sale and Purchase with Donna Wojac, Re: Barnes Boulevard Widening Project, Parcel 128 (Fiscal Impact: \$17,440 Plus Closing Costs Paid from Barnes Boulevard Widening Budget, Road Construction Services, Business Area 1224, Cost Center 270420)
12. Bill of Sale with City of Titusville, Re: Waterline at North Area Service Complex in Titusville (District 1)

III. CONSENT AGENDA (CONTINUED)

A. Development and Environmental Services Group (continued)

*13. (Moved to VII.A.7)

*14. (Moved to VII.A.8)

*15. (Moved to VII.A.9)

16. Locally Funded Agreement and Resolution, Re: S.R. 520/Cox Road/A Lane Realignment Project (Fiscal Impact: \$658,724) (District 2)

Solid Waste Management Department

Transportation Planning Office

Utility Services Department

Valkaria Airport

B. Community Services Group

Agriculture & Extension Services Office

Animal Services & Enforcement Department

Criminal Justice Services Department

*1. (Moved to VII.B.5)

Housing and Human Services

Library Services Department

Mosquito Control Department

Parks and Recreation Department

*2. (Moved to VII.B.6)

*3. (Moved to VII.B.7)

4. Approval of Contributions to City of Melbourne, City of Palm Bay, City of Titusville, and Thunder Over Indian River, Inc., Re: Fourth of July Fireworks Display (Fiscal Impact: \$4,000) (Districts 1, 3 & 5)

III. CONSENT AGENDA (CONTINUED)

B. Community Services Group (continued)

- 5. Approval, Re: Naming Main Entrance Road to Chain of Lakes Truman Scarborough Way (District 1)
- 6. Amendment No. 5 to Interlocal Agreement with City of Rockledge, Re: Rockledge Park (Fiscal Impact \$25,000) (District 4)

Transit Services Department

- 7. Approval of Revised Policy BCC-14, Re: Drug & Alcohol Testing of Space Coast Area Transit Applicants and Employees (Fiscal Impact: \$5,000-\$8,000)

Tourism Development Office

C. Management Services Group

Budget Office

- 1. Acknowledgement, Re: Montecito Community Development District FY 2007-2008 Annual Financial Audit Report

Central Services Office

Economic and Financial Programs Office

- *2. (Moved to VII.C.2)
- 3. Resolution, Re: Qualified Targeted Industry, Geno, LLC
- 4. Appointments, Re: Spaceport Commerce Park Authority

Facilities Department

Fire Rescue Department

- 5. Approval, Re: Homeland Security State Grant of \$52,473.00 (Fiscal Impact: None)
- *6. (Moved to VII.C.3)

Information Technology Department

- 7. Permission to Advertise and Solicit Proposals, Re: Procurement of Replacement 9-1-1 System Network and Customer Premise Equipment (Fiscal Impact: \$4,555,266)

III. CONSENT AGENDA (CONTINUED)**C. Management Services Group (continued)****SCGTV/Communications Office**

8. Approval, Re: Letter to AT&T to Add SCGTV to Local Channel Lineup

D. Miscellaneous**County Attorney****County Manager****Human Resources Office**

1. Approval, Re: Employee Innovations Program Payment (Fiscal Impact \$414)
2. Agreement, Re: Laborer's International Union, Local 678 (Fiscal Impact: \$2,263.07)
3. Agreement, Re: Labor Articles 13, Wages and Article 70, Duration of Agreement International Association of Fire Fighters, Local 2969 – Rank and File Unit (Fiscal Impact: Expense Reduction of \$1,620,006 Over Two Fiscal Years)
4. Agreement, Re: International Association of Fire Fighters, Local 2969 – Supervisory Unit (Fiscal Impact: Expense Reduction of \$92,811 Over Two Fiscal Years)
- *5. (Moved to VII.D.3)

Emergency Management Office**Other**

6. Approval, Re: Application and Acceptance of Victim of Crime Act (VOCA) Grant from Attorney General
7. Resolutions, Re: Congratulating Retiring Teachers (District 1)
8. Appointments/Reappointments, Re: Citizen Advisory Boards
- *9. (Moved to VII.D.4)
10. Acknowledge, Re: Comprehensive Annual Financial Report FY Ended September 30, 2008

IV. PUBLIC COMMENTS (Comments may not address subsequent Agenda Items. Speakers are allowed 3 minutes.)

V. PUBLIC HEARINGS

- A. Resolution to Modify EMS Rate Resolution No. 03-227, Re: Proposed Increases to EMS Billing Rates (Fiscal Impact: Approximate Annual Revenue Increase of \$737,000)
- B. Ordinance, Re: Amending Chapter 62, Land Development Regulations, Article IX, Signs (Fiscal Impact: None)
- C. Ordinance, Re: Amending Section 106-73, Operation of Golf Carts (Fiscal Impact: None)
- D. Revisions to Merit System Policy II, Pay Plan, Policy V, Probationary Periods, Merit System Policy VIII, Holidays, and Merit System Policy IX, Leave (Fiscal Impact: Based on CY 2008 \$265.03)
- E. Resolution, Re: Vacating Public Utility Easements Lying Between Lots 17 and 18, Block 145 in Barefoot Bay Mobile Home Subdivision, Unit Two, Part Ten - Barefoot Bay Realty, Inc. (Shaw) (District 3)
- F. Resolution, Re: Vacating Public Utility Easements Lying Between Lots 13 and 14, Block 94 in Barefoot Bay Mobile Home Subdivision, Unit Two, Part 13 – Barefoot Bay Realty, Inc. (Graham) (District 3)

VI. UNFINISHED BUSINESS

- A. Resolution, Contract For Sale and Purchase, and Deed with Snug Harbor Master Association, Inc., Re: Transfer of Two Parcels of Real Property Which Are Former Water and Wastewater Treatment Plant Sites (District 3) (Fiscal Impact: Contract Amount is \$150,000)
- B. Appointment, Re: Members to Animal Welfare Working Group
- C. Staff Report, Re: Local Preference in Bidding (Fiscal Impact - \$0 to an Estimated Amount of \$513,069 Based Upon an Example Provided Applying a 5% Local Preference)
- D. Agreement with Property Appraiser, Re: Development and Maintenance of Expanded Use Code for Non-ad Valorem Assessments (Fiscal Impact: \$496,000)
- 10:00 a.m. E. Reject Escalation Claim and Adopt Resolution, Re: Roberts V. Brevard County

VI. UNFINISHED BUSINESS (CONTINUED)

- F. Amendment to Agreement with Brevard County School Board/Astronaut High School, Re: Waive and Delete Article IX 6, to Allow School Board to Request Reimbursement Funds
- *G. Staff Authorization to Enter into Purchase Contract with Pulte Homes, Re: Fortenberry Road Stormwater Treatment Pond Expansion Project (Fiscal Impact: Contracting, Appraisals, Conceptual Design Due Diligence – Estimated not to Exceed \$60,000) (District 2)

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

- 1. Transportation Impact Fee Credit Agreement, Re: Hammock Landing/West Melbourne DRI (Fiscal Impact: \$2,732,130.67) (District 5)
- 2. Site Plan Extension for Casabella, Re: Make-Jake Development Company (Fiscal Impact: None) (District 4)
- 3. Interlocal Agreement, Resolution, and County Deed with City of Melbourne, Re: Turtle Mound Extension South of Aurora Road (District 4)
- *4. Modification #1 of Hazard Mitigation Contract Number 08HM-1G-06-15-01-024 with State of Florida, Division of Emergency Management (FDEM), Re: Brevard County Stormwater Utility Sarno Lakes Phase II Drainage Project (Fiscal Impact: No Cost) (District 4) (Moved from III.A.3)
- *5. Approval, Re: Delegation of Public Interest Determinations for Maintenance Dredging (Fiscal Impact: None) (Moved from III.A.4)
- *6. Resolution, Re: Fees Which May be Charged by Wrecker Companies for Non-Consensual Towing of Vehicles (Fiscal Impact: None) (Moved from III.A.6)
- *7. Resolution and Amendment No. 2 to Joint Participation Agreement with Florida Department of Transportation (FDOT), Re: Landscaping Improvements Along North Courtenay Parkway in Merritt Island (District 2) (Moved from III.A.13)
- *8. Local Agency Program (LAP) Supplemental Agreement and Resolution, Re: Design of Trailhead at Chain of Lakes Park (District 1) (Moved from III.A.14)

VII. NEW BUSINESS (CONTINUED)**A. Development and Environmental Services Group (continued)**

- *9. Approval, Re: Task Order No. PCE-014 for Pineda Causeway Extension Project (Fiscal Impact: \$59,458.50) (District 4) (Moved from III.A.15)

B. Community Services Group

- 1. Authorize Redesign of Lake Expansion, Amendment No. 20 with BRPH, and Authorize Termination of Change Order with Star Base Development, Inc., Re: Chain of Lakes (District 1)
- 2. Resolution, Re: Approving Brevard County's State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for Fiscal Years 2009 Through 2012 (Fiscal Impact: SHIP Grant, Three Years, Approximately \$6,000,000)
- 3. Agreement to Extend Lease Agreements with Club Car, Inc., Grant Permission to Advertise Request For Proposal for Golf Cart Lease, and Establish Selection and Negotiating Committees, Re: Habitat, Savannah's, and Spessard Holland Golf Courses (Fiscal Impact: Estimated at \$190,740)
- 4. Approval of Award and Agreement with Community Housing Initiative, Inc., Re: Brevard County First Time Home Buyer Program (Fiscal Impact: SHIP Grant \$1,000,000 and HOME Grant \$15,000)
- *5. Approval of Agreements, Re: The Dori Slosberg Driver Education Safety Act/Driver Education Safety Trust Fund (Fiscal Impact: \$420,000) (Moved from III.B.1)
- *6. Approval of Mary-A Mitigation Bank Credit Reservation and Purchase Agreement, Re: Brevard Zoo Trail (Fiscal Impact: \$96,000) (District 4) (Moved from III.B.2)
- *7. Permission to Issue Work Order to Ardaman & Associates, Inc., Re: Two Upper Floridan Aquifer Irrigation Supply Wells at Rodes Park (Fiscal Impact: \$126,286) (District 5) (Moved from III.B.3)

C. Management Services Group

- *1. Approval, Re: Funding Allocation for the Clerk of Court's Phone System Expenses, FY 2009 (Fiscal Impact: \$50,000)

VII. NEW BUSINESS (CONTINUED)**C. Management Services Group (continued)**

- *2. Approval of Change Order No. 1 with Treasure Coast Irrigation, Inc., Re: State Road 3 Landscape and Irrigation Project (Moved from III.C.2)
- *3. First Responder Agreements FY 2008-2009, Re: Allocation of Approved EMS Funding to First Responder Agencies (Fiscal Impact \$1,391,527.56) (Moved from III.C.6)

D. County Manager

- 1. Request for Animal Shelter Consultation Services, Re: Maddie's Shelter Program, University of Florida Veterinary School (Fiscal Impact: \$4,000 - \$5,000)
- 2. Permission to Advertise, Re: Ordinance Amending Article II, Section 2-73 of the Brevard County Code of Ordinances (Fiscal Impact: \$1,000,000+Reduction in Payroll and Expenditures)
- *3. Permission, Re: Solicit Bids for Lease of Unused County Antenna Tower Space (Moved from III.D.5)
- *4. Approval, Re: Bills and Budget Changes (Moved from III.D.9)

E. Miscellaneous

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 Bright House Networks Cable Channel 199, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 26, and simulcast of WBFT-LP 105.5 FM. 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