

## AGENDA

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

December 20, 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.**

9:00 a.m. CALL TO ORDER

\*INVOCATION BY: Pastor Larry Linkous, New Life Christian Fellowship, Titusville  
(District 1)

PLEDGE OF ALLEGIANCE: Commissioner John Tobia, District 3

\*APPROVAL OF MINUTES: September 13, 2016, Special Meeting Minutes and  
November 1, 2016, Regular Meeting Minutes

### **I. RESOLUTIONS, AWARDS AND PRESENTATIONS**

### **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**

1. Permission to Accept a Grant from Florida Fish and Wildlife Conservation Commission, Re: Supplement Artificial Reef Funding

\*Revised 12/16/16  
12:45 p.m.

**II. CONSENT AGENDA (CONTINUED)**

A. Development and Environmental Services Group (continued)

**Planning and Development**

2. Preliminary Plat/Final Engineering Approval, Re: Brevard Oaks Skilled Nursing Facility – The Viera Company (District 4)
3. Final Plat and Contract Approval, Re: Egrets Landing Phase 1 Open Space Subdivision – Courtenay Parkway Properties (District 2)
4. Final Plat and Contract Approval, Re: Adelaide Phase 3 Subdivision – The Viera Company (District 4)
5. Binding Development Plan, Re: RJM Merco, LLC (District 1)
6. Binding Development Plan, Re: Seasons in the Sun, LLC (District 1)

**Public Works Department**

7. Resolution and Amendment to Traffic Signal Maintenance and Compensation Agreement FM#413019-1-88-01 with Florida Department of Transportation (FDOT), Re: Operation and Maintenance of Traffic Signals Located on State Roads Within Unincorporated Portion of Brevard County and Within the Municipalities (All Districts) (Fiscal Impact: \$454,690 Reimbursement by FDOT)

**Solid Waste Management Department**

8. Approval, Re: Waiver of the Bidding Process and Approval of Purchase Order for Nu Terra Se. Fl. Organics LLC

**Utility Services Department**

**Valkaria Airport**

B. Community Services Group

**Housing and Human Services**

**Library Services Department**

**Parks and Recreation Department**

1. Resolution, Re: Dissolution of the Veterans Memorial Park Expansion Advisory Committee (District 2)

II. **CONSENT AGENDA (CONTINUED)**

B. Community Services Group (continued)

**Tourism**

**Transit Services Department**

**University of Florida; Brevard County Extension**

C. Public Safety and Support Services Group

**Central Services**

1. Board Consideration, Re: Request for Reduction of Fine and Release of Code Enforcement Lien for Federal National Mortgage Association (FNMA), Melbourne (District 4) (Fiscal Impact: \$12,075 Fine/\$8,313 Reduction=\$3,762 Payment Due)
2. Amendment to Extend Existing Contracts with Stewart B. Capps and Joseph Miniclier, Re: Special Magistrate Services
- \*3. (Deleted)

**Emergency Management**

**Fire Rescue**

**Human Resources**

4. Approval and Renewal of Stop Loss Insurance With Symetra Financial, Re: Self-Insured Group Health Insurance Program
5. Board Direction, Re: Indian River Lagoon Council's (IRLC) Request to Participate in the Brevard County Group Health Plan

**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: The Viera East Community Development District Records of Proceedings of September 28, 2016, Meeting

**County Attorney**

3. Resolutions, Re: Approval of Findings of Fact for Banana Riverfront, LLC, Upholding Denial of Small Scale Comprehensive Plan Amendment, Rezoning Request from BU-1 to RU-2-15, and Request for Conditional Use Permit for the Sale of Alcoholic Beverages for On Premises Consumption
4. Resolution, Re: Approval of Findings of Fact for Janice Renk, Upholding Denial of Request for Rezoning 1.89 Acres from AU and GU to RU-2-8 on South Tropical Trail, 200 Feet South of River Cliff Lane

**County Manager**

5. Confirmation, Re: Tad Calkins as Planning and Development Department Director

**Miscellaneous**

6. Approval, Re: Bad Debt Write-Off of Various Uncollectible Receivables Identified by Board Departments
7. Approval, Re: At-Large Appointments/Reappointments
8. Appointments/Reappointments, Re: Citizen Advisory Boards
9. Approval, Re: Billfolder

**III. PUBLIC COMMENTS (30 minutes)****IV. PUBLIC HEARINGS**

- A. Resolution, Re: Petition to Vacate Public Utility and Drainage Easement on Spinaker Drive, South Indian River Isle Third Addition, Rockledge – Thirrel and Roberta Altman (District 4) (Fiscal Impact: Petitioner Paid \$640 Vacating Application Fee)

**V. UNFINISHED BUSINESS**

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

1. Waiver Request of Block Wall, Re: Baytree Retail – Kimley Horn (District 4)
2. Grant Permission, Re: Fund 4011 (Solid Waste CIP) to Lend Fund 4110 (Solid Waste Collection) Up to \$10,000,000

**B. Community Services Group****C. Public Safety and Support Services Group**

- \*1. Lease Agreement with Titusville Area Chamber of Commerce, Re: Lease of 2,442 Square Feet at 2000 South Washington Avenue, Titusville
- \*2. Lease Agreement with 1<sup>st</sup> Centre, LLC, Re: Lease of 1,812 Square Feet at 490 Centre Lake Drive NE, Suite 175, Palm Bay

**D. County Attorney**

- \*1. Request for Executive Session, Re: Brevard County v. B West Townhouses, et al, Case No.: 05-2013-CA-025677

**E. County Manager**

- \*1. First Amendment to Incentive Agreement with North Brevard Development District and Lockheed Martin Corporation d/b/a Lockheed Martin Space Systems Company, Re: Project Landmark to Alter the Schedule for the Creation of New Jobs

**F. Miscellaneous**

1. Citizen Request by Reverend Johnnie B. Dennis, Re: Removal or Closure of Sheriff's Gun Range

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

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

- A. Stockton Whitten, County Manager
- B. Scott Knox, County Attorney
- C. Jim Barfield, District 2 Commissioner
- D. John Tobia, District 3 Commissioner
- E. Kristine Isnardi, District 5 Commissioner
- F. Rita Pritchett, District 1 Commissioner/Vice Chairwoman
- G. Curt Smith, District 4 Commissioner/Chairman

Executive Session: Louis C. Morehead, III v. Brevard County, Case No. 05-2007-CA-006126

**HISTORIC BREVARD**

Mosquito County was formed in 1828, covering most of southeastern Florida. The 1830 U.S. Census listed only fifteen heads of family for Mosquito County and none of the settlers were far south of New Smyrna. The following year John James Audubon reported about a dozen plantations "from St. Augustine to Cape Canaveral".

**HISTORICAL FACTS PROVIDED BY THE BREVARD COUNTY HISTORICAL COMMISSION**

**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 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: [www.brevardclerk.us](http://www.brevardclerk.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.**