



Zoning Meeting

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
AGENDA

Commission Chambers
2725 Judge Fran Jamieson Way
Viera, FL
May 2, 2019

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. MOMENT OF SILENCE
- C. PLEDGE OF ALLEGIANCE, Bryan Lober, Commissioner District 2
- D. MINUTES FOR APPROVAL: <http://brevardclerk.us/meeting-minutes>
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS
 - 1. Corrections Officer Appreciation Week Resolution, District 2
- F. CONSENT AGENDA - (The entire Consent Agenda will be passed in one motion to include everything under Section F.)

Development and Environmental Services Group

Merritt Island Redevelopment Agency

Mosquito Control

Natural Resources Management

North Brevard Economic Development Zone

Planning and Development

Public Works Department

Solid Waste Management

Utility Services Department

Valkaria Airport

Community Services Group

Housing and Human Services

Library Services Department

Parks and Recreation Department

Tourism Development Department

Transit Services Department

University of Florida; Brevard County Extension

Public Safety Group

Emergency Management

Fire Rescue

Public Safety Services

Support Services Group

Budget

Central Services

Communications / SCGTV

Economic Development

Human Resources

Information Technology

Administrative Services Group

County Attorney

County Manager

Miscellaneous

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

1. Anthony Ray and Joy J. Grove request a change of zoning classification from RRMH-2.5 to AGR. (19PZ00010) (District 1)
2. James R. Dillingham requests a change of zoning classification from GU to AU(L). (19PZ00014) (District 1)

3. Christopher Channell (Bruce Moia) requests a change of zoning classification from RR-1 to AU. (19PZ00019) (District 1)
4. St. Patrick's Anglican Catholic Church, Inc. requests a change of zoning classification from IN(L) to RU-1-11. (19PZ00012) (District 1)
5. Joseph and Ruth S. Kaplet (Edward Springer, IV) request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC to CC. (19PZ00016) (District 2)
6. Joseph and Ruth S. Kaplet (Edward Springer, IV) request a change of zoning classification from AU to BU-1. (19PZ00018) (District 2)
7. M&R United, Inc. (Carmine Ferraro) requests a change of zoning classification from BU-1 to BU-2. (18PZ00156) (District 1)

I. UNFINISHED BUSINESS

1. Scottsmoor Community Planning Analysis

J. NEW BUSINESS

Development and Environmental Services Group

Community Services Group

Public Safety Group

Support Services Group

County Attorney

County Manager

Miscellaneous

1. Motion Waiving Potential Conflict of D2 TDC Nominee Anna Palermo, District 2

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

1. Frank Abbate, County Manager
 2. Eden Bentley, County Attorney
 3. Rita Pritchett, Commissioner District 1
 4. Bryan Lober, Commissioner District 2
 5. John Tobia, Commissioner District 3
 6. Curt Smith, Commissioner District 4
 7. Kristine Isnardi, Commissioner District 5, Chair
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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. 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/onlineagendas>

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.

Deborah Thomas

From: Donna Scott
Sent: Monday, April 29, 2019 10:36 AM
To: 'Schverak, Christine'
Cc: Tammy Rowe; Deborah Thomas
Subject: FW: TDC council member waiver
Attachments: Form 4A Anna Palermo 4-29-2019.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks, Christi,

This is for Item J.1., for Thursday, May 2 Zoning.

Donna

From: Schverak, Christine [mailto:Christine.Schverak@brevardfl.gov]
Sent: Monday, April 29, 2019 10:35 AM
To: Donna Scott; Abbate, Frank B
Cc: Lewis, Sally A; Bentley, Eden; Cranis, Peter
Subject: TDC council member waiver

Donna, Frank,

Please find attached a Florida Commission on Ethics Form 4A signed by Ms. Anna Palermo. She is an advisory board member on the Tourist Development Council. As I'm reading it, this form has to be filed with the body that appointed her, which is the Board of County Commissioners. Please accept this as a filing from her. I will forward a copy of this email to her, as well.

I believe D2 has an agenda item on an upcoming board meeting (May 7th?) relating to asking the Board to waive this identical business relationship. This form, essentially requests the same, but it is from the individual with the business relationship. Would it make sense to take the two together to the board?

Please let me know if you need anything else from me.

Sincerely,

Christi

Christine M. Schverak, Esq.
Assistant County Attorney
Brevard County Attorney's Office
2725 Judge Fran Jamieson Way, Suite 308
Viera, FL 32940
P: 321-633-2090
F: 321-633-2096
Christine.schverak@brevardfl.gov

FORM 4A DISCLOSURE OF BUSINESS TRANSACTION, RELATIONSHIP OR INTEREST

LAST NAME - FIRST NAME - MIDDLE INITIAL <u>Palermo Anna A</u>		OFFICE / POSITION HELD <u>Treas & Chair of marketing</u>	
MAILING ADDRESS <u>750 Avocado DR</u>		AGENCY OR ADVISORY BOARD <u>Brevard County Tourism Development Council</u>	
CITY <u>Merritt Island FL</u>	ZIP <u>32953</u>	COUNTY <u>Brevard</u>	ADDRESS OF AGENCY <u>430 Brevard Ave. #150 Cocoa FL</u>

HOW TO COMPLETE AND FILE THIS FORM:

32922

Parts A and B of this form serve two different purposes. Part A is for advisory board members who wish to use an exemption in the ethics laws that is applicable only to advisory board members. Part B is for public officers and employees who wish to use a separate exemption that is applicable when the business entity involved is the sole source of supply within the political subdivision. In order to complete and file this form:

- Fill out Part A or Part B, as applicable.
- Sign and date the form on the reverse side.
- File Part A with the appointing body or person that will be waiving the restrictions of 112.313(3) or (7), Fla. Stat., prior to the waiver.
- File Part B with the governing body of the political subdivision in which the reporting person is serving, prior to the transaction.

PART A - DISCLOSURE OF TRANSACTION OR RELATIONSHIP CONCERNING ADVISORY BOARD MEMBER

WHO MUST COMPLETE THIS PART:

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain business relationships on the part of public officers and employees, including persons serving on advisory boards. See Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12), Florida Statutes, permits the appointing official or body to waive these requirements in a *particular instance* provided: (a) waiver by the appointing body must be upon a two-thirds affirmative vote of that body; or (b) waiver by the appointing person must be effected after a public hearing; and (c) in either case the advisory board member must fully disclose the transaction or relationship which would otherwise be prohibited by Subsections (3) or (7) of Section 112.313, Florida Statutes. This Part of Form 4A has been prescribed by the Commission on Ethics for such disclosure, if and when applicable to an advisory board member.

PLEASE COMPLETE THE FOLLOWING:

- The partnership, directorship, proprietorship, ownership of a material interest, position of officer, employment, or contractual relationship which would otherwise violate Subsection (3) or (7) of Section 112.313, Florida Statutes, is held by [please check applicable space(s)]:
 - ☒ The reporting person;
 - ☐ The spouse of the reporting person, whose name is _____; or
 - ☐ A child of the reporting person, whose name is _____
- The particular transaction or relationship for which this waiver is sought involves [check applicable space]:
 - ☒ Supplying the following realty, goods, and/or services: Advertising
 - ☐ Regulation of the business entity by the governmental agency served by the advisory board member.
- The following business entity is doing business with or regulated by the governmental agency:

Spectrum Reach
- The relationship of the undersigned advisory board member, or spouse or child of the advisory board member, to the business entity transacting this business is [check applicable spaces]:
 - ☐ Officer; ☐ Partner; ☐ Associate; ☐ Sole proprietor; ☐ Stockholder; ☐ Director; ☐ Owner of in excess of 5% of the assets of capital stock in such business entity; ☒ Employee; ☐ Contractual relationship with the business entity;
 - ☐ Other, please describe:

✓

PART B - DISCLOSURE OF INTEREST IN SOLE SOURCE OF SUPPLY

WHO MUST COMPLETE THIS PART:

Sections 112.313(3) and 112.313(7), Florida Statutes, prohibit certain employment and business relationships on the part of public officers and employees. See Part III, Chapter 112, Florida Statutes, and/or the brochure entitled "A Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees" for more details on these prohibitions. However, Section 112.313(12)(e), Florida Statutes, provides an exemption from the above-mentioned restrictions in the event that the business entity involved is the only source of supply within the political subdivision of the officer or employee. In such cases the officer's or employee's interest in the business entity must be fully disclosed to the governing body of the political subdivision. This Part of Form 4A has been prescribed by the Commission on Ethics for such disclosure, *if and when applicable*.

PLEASE COMPLETE THE FOLLOWING:

1. The partnership, directorship, proprietorship, ownership of a material interest, position of officer, employment, or contractual relationship which would otherwise violate Subsection (3) or (7) of Section 112.313, Florida Statutes, is held by [please check applicable space(s)]:

☐ The reporting person;


☐ The spouse of the reporting person, whose name is _____; or

☐ A child of the reporting person, whose name is _____.
2. The following are the goods, realty, or services being supplied by a business entity with which the public officer or employee, or spouse or child of such officer or employee, is involved is:

_____.
3. The business entity which is the only source of supply of the goods, realty, or services within the political subdivision is:

(NAME OF ENTITY) (ADDRESS OF ENTITY)
4. The relationship of the undersigned public officer or employee, or spouse or child of such officer or employee, to the business entity named in Item 3 above is [check applicable spaces]:
☐ Officer; ☐ Partner; ☐ Associate; ☐ Sole proprietor; ☐ Stockholder; ☐ Director; ☐ Owner of in excess of 5% of the assets or capital stock in such business entity; ☐ Employee; ☐ Contractual relationship with the business entity;
☐ Other, please describe:

SIGNATURE

SIGNATURE	DATE SIGNED	DATE FILED
	4/29/2019	4/29/2019

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES s. 112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.