



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, March 22, 2022

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 9:00 AM

B. INTENTIONALLY OMITTED

C. PLEDGE OF ALLEGIANCE: Commissioner Kristine Zonka, District 5

D. MINUTES FOR APPROVAL:

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. Resolution, RE: Florida Surveyors & Mappers Week in Brevard County

E.2. Proclamation recognizing April 2022 as Water Conservation Month - District 1

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. Florida Department of Environmental Protection Grant WG074: Brevard County Indian River Lagoon 100 Quick Connects to Sewer

Planning and Development

- F.2.** Approval RE: Transportation Impact Fee Technical Advisory Committee for the Merritt Island/North Beaches Benefit District Project Funding Recommendations (Districts 2 and 4)
- F.3.** Acceptance, Re: Binding Development Plan with Michael and Malena Stewart. (District 2)

Public Works Department

- F.4.** Approval, Re: Donation of Temporary Construction Easement (TCE) from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project, Phase 1- District 5.
- F.5.** Approval, re: Performance Bond and Contract for Aripeka Subdivision, Village 2, Neighborhood 1, Phase 2 (Plat Name: Aripeka at Viera, Phase 2) - District 4

Utility Services Department

- F.6.** Request Permission to Issue Invitation to Bids, Request for Proposals, and Requests for Qualifications (FY 2022) funded by the Utility Services Department Operations and Maintenance Budget.

Community Services Group

Parks and Recreation Department

- F.7.** Approval, Re: Contract with the School Board of Brevard County for the Summer Food Service Program

Transit Services Department

- F.8.** Approval, Re: Federal Transit Administration Fiscal Year 2022 Certifications and Assurances
- F.9.** Approval, Re: Authorizing Resolution, Grant Application, Certifications and Assurances, Executive of Follow-Up Grant Agreement for FY2022/SFY2023 Space Coast Area Transit Section 5310 Formula Grant with the Florida Department of Transportation

Public Safety Group

Emergency Management

- F.10.** Authorization to advertise Invitations to Bid for wireless co-location on existing County-owned Towers that are part of the 800MHz Radio System.
- F.11.** Authorization to advertise Invitations to Bid for wireless co-locations on County-owned properties/towers listed on the Wireless Telecommunications Facilities Master Plan.

Administrative Services Group

County Attorney

F.12. Sheer Look Homes, Inc. Code Enforcement Liens.

F.13. Request for Executive Session: Rachel M. Sadoff v. Board of County
Commissioners of Brevard County, Florida, et al, Case No. 05-2019-CA-058736

Miscellaneous

F.14. Appointment(s) / Reappointment(s)

F.15. District 5 Purchase Order Records

F.16. Purchase Order Records
District 1 Commission Office

F.17. Amended District 3 Purchasing Card Records

F.18. Bill Folder

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

H.1. Petition to Vacate, Re: Public Drainage Easement- 275 Camino Place - "Woodland
Estates Section II" Plat Book 27, Pages 41 - Melbourne Beach - William J. Beauparlant -
District 3

I. UNFINISHED BUSINESS

J. NEW BUSINESS

County Attorney

J.1. Legislative intent and permission to advertise an amendment to the Brevard County
Code of Ordinances modifying Section 74, Article VI Brevard County Code, pertaining to
restrictions for sexual offenders and sexual predators.

Miscellaneous

- J.2.** Legislative intent and permission to advertise proposed amendments to Section 106-1, Brevard County Code, pertaining to the safe use of public streets, and creation of a new article in Chapter 106 entitled: "Article V. - Pedestrian Safety Ordinance" providing for restrictions on individuals standing, sitting, or remaining within certain areas located along the on and off ramps of Interstate 95 and arterial and collector roads within Brevard County.
- J.3.** Motion for Audit of 2020 SOIRL Funds by Professional Auditor, District 2
PLACEHOLDER
- J.4.** Advisory Board Termination
(Intergovernmental Radio Communication Program 800 MHz Advisory Committee)
- J.5.** Employee Fee Discount(s)
- J.6.** Board Policy- Tangible Personal Property (County Commission Offices)

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

- L.1. Frank Abbate, County Manager
- L.2. Abigail Jorandby, County Attorney
- L.3. Rita Pritchett, Commissioner District 1
- L.4. Bryan Lober, Commissioner District 2
- L.5. John Tobia, Commissioner District 3
- L.6. Curt Smith, Commissioner District 4, Vice Chair
- L.7. Kristine Zonka, Commissioner District 5, Chair

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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 2022-03-22 9:00
AM - REGULAR
2725 Judge Fran Jamieson Way
Viera, FL, 32940
Regular Agenda
Tuesday, March 22, 2022

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 9:00 AM

B. INTENTIONALLY OMITTED

C. PLEDGE OF ALLEGIANCE: Commissioner Kristine Zonka, District 5

D. MINUTES FOR APPROVAL:

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. 4118 Resolution, RE: Florida Surveyors & Mappers Week in Brevard County

Public Works Department

The Brevard County Space Coast Chapter of the Florida Surveying and Mapping Society (FSMS) requests that the Board of County Commissioners adopt a Resolution recognizing March 20th - March 26th, 2022 as "Florida Surveyors & Mappers Week" in Brevard County. The Chapter has requested

that the BOCC District 5 Commissioner Kristine Zonka read and present the resolution.

Legislation Text

Surveyors Week Resolution 2022.pdf

E.2. 4134 Proclamation recognizing April 2022 as Water Conservation Month - District 1

District 1

It is requested that the Board of County Commissioners approve the proclamation recognizing April 2022 as Water Conservation Month.

Legislation Text

Water Conservation Month.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. 4123 Florida Department of Environmental Protection Grant WG074: Brevard County Indian River Lagoon 100 Quick Connects to Sewer

It is requested that the Board of County Commissioners 1) authorize the Chair to execute this grant contract; 2) authorize the County Manager to execute any future amendments to this contract; and 3) approve related budget change requests.

Legislation Text

WG074 - AO29

F1 WG074 Agreement Request for Grantee.pdf

Planning and Development

F.2. 4084 Approval RE: Transportation Impact Fee Technical Advisory Committee for Merritt Island/North Beaches Benefit District Project Funding Recommendations (Districts 2 and 4)

It is requested that the Board of County Commissioners consider approval of the project funding recommendations in the amount of \$589,000 as prepared by the Technical Advisory Committee for the Merritt Island/North Beaches Benefit District on February 28, 2022; and authorize the Budget Office to execute any Budget Change Requests necessary for implementation of these recommendations.

Legislation Text

F.3. 4142 Acceptance, Re: Binding Development Plan with Michael and Malena Stewart. (District 2)

Planning and Development

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

Legislation Text

BDP to be Recorded.pdf

BDP Supporting Documents.pdf

Public Works Department

F.4. 4120 Approval, Re: Donation of Temporary Construction Easement (TCE) from Rachel Mobile Home Park, LLC for the Aurora Road Sidewalk Project, Phase 1- District 5.

Public Works Department

It is requested that the Board of County Commissioners accept the attached Temporary Construction Easement.

Legislation Text

Aurora Rd-TCE Agenda Documents.pdf

F.5. 4128 Approval, re: Performance Bond and Contract for Aripeka Subdivision, Village 2, Neighborhood 1, Phase 2 (Plat Name: Aripeka at Viera, Phase 2) - District 4

Public Works Department

In accordance with Sections 62-2841(i) and 62-2844(a), Brevard County Code, it is requested that the Board of County Commissioners: 1) Authorize the Chair to sign the Subdivision Infrastructure Contract for Aripeka Subdivision, Village 2, Neighborhood 1, Phase 2 (Plat Name: Aripeka at Viera, Phase 2) in substantial form as Exhibit A, attached hereto, upon staff

receipt of the recorded deed to SFM Development, LLC; and 2) authorize the Chair to sign the attached resolution, in substantial form as Exhibit B, attached hereto, releasing the current contract with The Viera Company, and associated bond, after the execution of the new contract with, and receipt of the necessary bond documents from, SFM Development, LLC

Legislation Text

AripekaPh2-legible-DRAFT ADA.pdf

AripekaPh2TVC Resolution 03092022 CAO reviewed 3-10-22
CLEAN ADA.pdf

Utility Services Department

F.6. 4122 Request Permission to Issue Invitation to Bids, Request for Proposals, and Requests for Qualifications (FY 2022) funded by the Utility Services Department Operations and Maintenance Budget.

It is requested that the Board grant Purchasing Services, on behalf of Utility Services Department, approval to perform the following actions regarding the attached list of commodities and services for Fiscal Year 2022:

- * Solicit a competitive Invitation to Bid for to the lowest most responsive and responsible bidder for the projects outlined in the Summary Explanation and Background i.e projects 1, 4, and 5 below;

- * Solicit a competitive Request for Proposals and Requests for Qualifications, approve the recommended selection and negotiation committees; and award contracts and/or purchase orders per the selection and negotiation committees' recommendations.

- * Exercise renewal options upon evaluation of supplier performance and recommendation from Utility Services staff with the approval of Purchasing Services. This establishes that continuance of the contract is favorable prior to renewal of the agreement.

- * Authorize the BOCC Chair to execute all contracts, contract renewals, contract amendments and any necessary contract extensions that exceed \$100,000 in total aggregate value, upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

Legislation Text

Community Services Group

Parks and Recreation Department

F.7. 4108 Approval, Re: Contract with the School Board of Brevard County for the Summer Food Service Program

Parks and Recreation Department

It is requested the Board approve and authorize the Chair to execute the contract with the Brevard County School Board to provide a summer food service program at twelve summer camp sites in accordance with the Sponsor contract between the Board of County Commissioners and the Florida Department of Agriculture and Consumer Services Division of Food, Nutrition and Wellness.

Legislation Text

Summer Food 2022 Contract with School Board

Summer Food Program Dept of Agriculture 2022.pdf

F7 School Board Contract Review Forms.pdf

Transit Services Department

F.8. 4065 Approval, Re: Federal Transit Administration Fiscal Year 2022 Certifications and Assurances

It is requested that the Board of County Commissioners approve and authorize the Chair to sign the Fiscal Year 2022 Certifications and Assurances for Federal Transit Administration (FTA) Grants. It is further requested that the Board authorize the Transit Director execute the Certifications and Assurances electronically.

Legislation Text

FTA 2022 Certifications and Assurances.pdf

F.9. 4066 Approval, Re: Authorizing Resolution, Grant Application, Certifications and Assurances, Executive of Follow-Up Grant Agreement for FY2022/SFY2023 Space Coast Area Transit Section 5310 Formula Grant with the Florida Department of Transportation

It is requested that the Board of County Commissioners approve the following actions for the FY2022/SFY2023 Section 5310 Formula Grant for Enhanced Mobility of Seniors and Individuals with Disabilities with the Florida Department of Transportation (FDOT) in the amount of \$370,000:

1. Authorize the Chair to sign the Authorizing Resolution, FDOT Certifications and Assurances and Federal Form SF424: Application for Federal Assistance;
2. The use of FDOT Toll Revenue Credits;
3. The Transit Services Director to sign the Grant Application - Applicant Information, Applicant Eligibility, Grant Application Cover Letter, Transportation Plan Certification, Proposed Budget, Standard Lobbying Certification, Leasing Certification and the Certification of Equivalent Service;
4. If necessary, the Transit Services Director to execute and submit the Grant

Agreement electronically, contingent upon County Attorney and Risk Management approvals;

5. Authorize the Transit Services Director to execute any additional follow-up documentation, resolution and amendments necessary to secure these funds;

6. Authorize the County Manager to execute any necessary budget change requests.

Legislation Text

Transit Services 5310 Grant Application Packet.pdf

Public Safety Group

Emergency Management

- F.10. 3363 Authorization to advertise Invitations to Bid for wireless co-location on existing County-owned Towers that are part of the 800MHz Radio System.

Emergency Management

Requesting authorization from the Board of County Commissioners to:

1. Advertise via Invitations to Bid (ITB); for future wireless co-location assignments on the County-owned towers dedicated to the 800 MHz Public Safety Radio System, as new spaces become available during fiscal year 2022.

2. Authorize the County Manager or his designee to execute the licenses and any additional changes, documents, administrative or budget actions, as well as any amendments to the Licenses, subject to approval by the County Attorney's Office & Risk Management.

3. Direct the associated revenues to support the operation, maintenance and enhancement of the 800 MHz Public Safety Radio System.

Legislation Text

Brevard County Radio Towers

CellCollocations-BrevardCountyFAQ3.0

- F.11. 3852 Authorization to advertise Invitations to Bid for wireless co-locations on County-owned properties/towers listed on the Wireless Telecommunications Facilities Master Plan.

Emergency Management

Requesting Board authorization to:

1. Advertise via Invitations to Bid (ITB); for future wireless facilities development/co-locations on the County-owned properties/towers listed in

the Board-approved wireless Telecommunication Facilities Master Plan, as new requests are received during fiscal year 2022.

2. Authorize the County Manager or his designee to execute the licenses and any additional changes, documents, administrative or budget actions, as well as any amendments to the Licenses, subject to approval by the County Attorney's Office & Risk Management.

3. Authorize the County Manager to direct the associated revenues to support special program/projects, as deemed necessary.

Legislation Text

Brevard County Licensing and Management Process.pdf

CellCollocations-BrevardCountyFAQ 3.0.pdf

Administrative Services Group

County Attorney

F.12. 4092 Sheer Look Homes, Inc. Code Enforcement Liens.

Authorize County Attorney's Office to file foreclosure action against Sheer Look Homes, Inc. based on Code Enforcement liens totaling \$10,054.26.

Legislation Text

Special Magistrate's Order 11.18.21.pdf

Sheer Look Lien 16CE-00879 8.15.19.pdf

Sheer Look Lien 14CE-01164 4.18.19.pdf

Sheer Look Tax Deed.pdf

F.13. 4141 Request for Executive Session: Rachel M. Sadoff v. Board of County Commissioners of Brevard County, Florida, et al, Case No. 05-2019-CA-058736

It is requested that the Board approve the cost of advertising for, and the scheduling of, a private session on April 19, 2022, at the conclusion of the meeting of the Board of County Commissioners pursuant to section 286.011 (8), Florida Statute, for the purpose of discussing litigation strategy and settlement negotiations in the case of Rachel M. Sadoff v. Board of County Commissioners of Brevard County, Florida, et al, Case No. 05-2019-CA-058736.

Legislation Text

Miscellaneous

F.14.4121 Appointment(s) / Reappointment(s)

It is requested the Board of County Commissioners approve the District appointment(s) / reappointment(s). The Board's approval of this item will acknowledge the District Commissioner appointments and approve at-large appointments.

Legislation Text

D3 Marine Advisory Monique Miller.pdf

F.15.4129 District 5 Purchase Order Records

Acknowledgement of receipt.

Legislation Text

D5 Purchase Orders 2019 to 2022.pdf

**F.16.4133 Purchase Order Records
District 1 Commission Office**

District 1

Acknowledgement of receipt.

Legislation Text

D1 po.pdf

F.17.4144 Amended District 3 Purchasing Card Records

Acknowledgement of Receipt.

Legislation Text

D3 Purchase Card Receipts

F.18.4148 Bill Folder

Acknowledge the receipt.

Legislation Text

Ex 1 D4 PCard 03042022 20220315095244.pdf

Ex 2 D4 DEXimaging 030122 20220303174747.pdf

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

- H.1. 4116 Petition to Vacate, Re: Public Drainage Easement- 275 Camino Place - "Woodland Estates Section II" Plat Book 27, Pages 41 - Melbourne Beach - William J. Beauparlant - District 3

Public Works Department

It is requested that the Board of County Commissioners (BOCC) conduct a public hearing to consider vacating part of a public drainage easement, "Woodland Estates Section II" in Section 25, Township 29 South, Range 38 East. If approved, it is requested that the Board authorize the Chair to sign the attached Resolution approving the vacating.

Legislation Text

20220307-AgendaReport-Beauparlant.pdf

I. UNFINISHED BUSINESS**J. NEW BUSINESS****County Attorney**

- J.1. 4147 Legislative intent and permission to advertise an amendment to the Brevard County Code of Ordinances modifying Section 74, Article VI Brevard County Code, pertaining to restrictions for sexual offenders and sexual predators.

It is requested that the Board authorize legislative intent and permission to advertise an ordinance amending Chapter 74, Article VI of the Brevard County Code to modify the restrictions for sexual offenders and sexual predators contained therein to allow for entry to the County Government facilities to access government services and attend public meetings.

Legislation Text

Miscellaneous

- J.2. 4126 Legislative intent and permission to advertise proposed amendments to Section 106-1, Brevard County Code, pertaining to the safe use of public streets, and creation of a new article in Chapter 106 entitled: "Article V. - Pedestrian Safety Ordinance" providing for restrictions on individuals standing, sitting, or remaining within certain areas located along the on and off ramps of Interstate 95 and arterial and collector roads within Brevard

County.

It is requested that the Board of County Commissioners authorize legislative intent and permission to advertise an ordinance amending Chapter 106 - Article V., in order to add a new article in of the Brevard County Code to create a Pedestrian Safety Ordinance in order to provide for restrictions on individuals standing, sitting, or remaining within certain areas located along the on and off ramps of Interstate 95 and arterial and collector roads within Brevard County and providing for definitions.

Legislation Text

Proposed County Ordinance Safe Streets 2022 CLEAN.docx

Proposed County Ordinance Safe Streets 2022.docx

- J.3. 4138 Motion for Audit of 2020 SOIRL Funds by Professional Auditor, District 2
PLACEHOLDER

Legislation Text

- J.4. 4139 Advisory Board Termination
(Intergovernmental Radio Communication Program 800 MHz Advisory Committee)

Board direction to staff to seek the consent of all parties to terminate the MOU and the Intergovernmental Radio Communication Program 800 MHz Advisory Committee.

Legislation Text

IRSAC Memorandum of Understanding

- J.5. 4140 Employee Fee Discount(s)

Board consideration and approval of the proposed Board Policy and amendment(s) to Resolution 16-152 (Parks and Recreation Department Fee Schedule- Exhibit A).

Legislation Text

Board Policy Employee Discount (draft).pdf

Resolution Park Fees 2022 3.16.22.pdf

- J.6. 4149 Board Policy- Tangible Personal Property (County Commission Offices)

Board consideration and approval

Legislation Text

Board Policy Commissioners Tangible Personal Prop- Template.pdf

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

L.1. Frank Abbate, County Manager

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L.3. Rita Pritchett, Commissioner District 1

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L.5. John Tobia, Commissioner District 3

L.6. Curt Smith, Commissioner District 4, Vice Chair

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