



## 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, May 21, 2024

If you wish to speak to any item on the agenda, including consent items, please fill out a speaker card before the item is considered by the Board. Persons addressing the Board shall have three minutes to complete his/her comments on any agenda item for which he/she has filled out a card. The Chair has the discretion to determine or alter time limits on any item which is not a quasi-judicial public hearing.

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. 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 John Tobia, District 3**
- D. MINUTES FOR APPROVAL: March 12, 2024 Regular; April 4, 2024 Zoning; April 9, 2024 Regular**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
  - E.1.** Resolution honoring the academic and athletic achievements of Jaida Williams-Goins. (District 3)
  - E.2.** Resolution acknowledging Emergency Medical Services (EMS) Week.(District 4)
  - E.3.** Resolution recognizing Drown Zero International and the Surfing's Evolution and Preservation Foundation (District 5)
  - E.4.** Resolution acknowledging National Public Works Week (District 4)
- 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.** Cost-Sharing Agreements 39141 and 39282 with St. Johns River Water Management District (SJRWMD) for the Brevard County West Arlington-Basin 1304B Project (D4), Brevard County Angel Avenue - Basin 1066 (D2) and Brevard County East Main Street Mims Nutrient Removal Project (D1).
- F.2.** Florida Department of Transportation Joint Participation Agreement for cost-sharing and nutrient credit sharing of the Sykes Creek Zone N Septic-to-Sewer Project.
- F.3.** Temporary Use Agreement to Provide Temporary Office Space & Equipment Storage for County-wide Vegetative Harvesting Program
- F.4.** Certification of Lands as required for the North Reach of the Brevard County Federal Shore Protection Project.
- F.5.** Florida Department of Environmental Protection Indian River Lagoon Grant Funding Agreements - All districts

**Planning and Development**

- F.6.** Approval RE: Transportation Impact Fee Technical Advisory Committee for the Central Mainland Benefit District Project Funding Recommendations (District 2)

**Public Works Department**

- F.7.** Approval Re: State-Funded Grant Agreement and Resolution with the State of Florida Department of Transportation for the Traffic Management Center - District 4
- F.8.** Approval, Re: Dedication of Sidewalk Easement from Sierra Cove Neighborhood Association, Inc. for the Pineda Boulevard Four-Lane Widening Improvements Segments "C" and "D" Project - District 4.
- F.9.** Approval Re: Memorandum of Agreement with the City of Palm Bay for Climate Pollution Reduction Grant - Countywide
- F.10.** Approval Re: Permission for the Space Coast Transportation Planning Organization to Apply to the Rail Crossing Elimination Grant on behalf of Brevard County - Countywide
- F.11.** Adopt Resolution and Release Performance Bond: Bridgewater South at Viera, Section 2 Subdivision - District 4  
Developer: WCI Communities, LLC
- F.12.** Approval, Re: Dedication of Utility Easement from Wickham Summerbrook, LLC for the construction of Space Coast Credit Union - District 4.

**F.13.** Adopt Resolution and Release Performance Bond: Harbor Island Beach Club - District 3  
Developer: Phoenix Park Fund V, LP

**F.14.** ITEM REMOVED FROM CONSENT

**F.15.** Legislative Intent and Permission to Advertise RE: Code Revisions to Chapter 62, Article XI,  
Flood Damage Protection, Division 1

**Utility Services Department**

**F.16.** Task Order Amendment approval for Sykes Creek Regional Water Reclamation Facility  
Deep Injection Well (DIW) System Mechanical Integrity Testing (MIT) and DIW  
Component Replacements

**Valkaria Airport**

**F.17.** Amendment 4 - Public Transportation Grant Agreement (PTGA) FM# 440772-1-94-01,  
Hangar Development Construction Phase Funding at Valkaria Airport.

**F.18.** Approval of a new lease agreement between Brevard County (COUNTY) and the  
Brevard County Mosquito Control District (DISTRICT).

**Community Services Group**

**Housing and Human Services**

**F.19.** Approval, RE: Adoption of State Fiscal Year 2024-2027 State Housing Initiatives  
Partnership (SHIP) Local Housing Assistance Plan (estimated \$2,648,427)

**Support Services Group**

**Budget**

**F.20.** Reallocation of American Rescue Plan Act (ARPA) funds to West Cocoa Stormwater  
Improvements

**Human Resources**

**F.21.** Approval of Group Health Plan Design Changes

**Administrative Services Group**

**County Attorney**

**F.22.** Gulfstream Towers, LLC v. Brevard County - Authorization to Commence Appeal in  
Eleventh Circuit Court of Appeals (Board Denial of CUP Request for Wireless Tower on  
Property Owned by Hope Episcopal Church, Inc. in Suntree)

- F.23.** Fred Poppe Regional Park f/k/a Palm Bay Regional Park / Cellular Communications Tower

County Manager

- F.24.** Appointment(s) / Reappointment(s)
- F.25.** Approval of Resolution for a Modification to the Proposed Economic Incentive Agreement between the North Brevard Economic Development Zone and Project "Topaz" in Titusville

Miscellaneous

- F.26.** Bill Folder
- F.27.** Revision of BCC-56 Policy, Public Use of Meeting Rooms at the Brevard County Government Centers

**G. PUBLIC COMMENTS (Individuals may not speak under both the first and second public comment sections.)**

**H. PUBLIC HEARINGS**

- H.1.** Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for Erchonia Corporation.
- H.2.** Ordinance rescinding the Economic Development Ad Valorem Tax Exemption for BK Technologies, Inc.
- H.3.** Emergency Management Ordinance
- H.4.** Public Hearing RE: Brevard County HOME Investment Partnerships Program (HOME) Fiscal Year 2024-2025 Annual Action Plan
- H.5.** Approval, Re: Resolution Electing to Not Exempt Property Under Section 196.1978 (3) (d) 1. a., Florida Statutes, Commonly Known as the "Live Local Act Property Tax Exemption"
- H.6.** Public Hearing, Re: Defeasance of a United States Department of Housing and Urban Development (HUD) Section 108 Loan (\$1,064,646.77 Grant Funds)
- H.7.** Consideration of Proposed Vested Rights Order in the Matter of Air Liquide Large Industries, US, LP, Subject Property: 7007 N. Courtenay Parkway, Merritt Island, FL 32955
- H.8.** Approval, Re: Resolution, Exchange Agreement, and Utility Easements between Brevard County and A. Duda and Sons, Inc. (Duda) - District 4.

**I. UNFINISHED BUSINESS**

**J. NEW BUSINESS**

**Development and Environmental Services Group**

- J.1.** Direction Re: Moore Justice Center Expansion Study - District 4

**County Manager**

- J.2.** Approval, Re: Letter to Honorable Pete Buttigieg, Secretary of Transportation, supporting Cocoa Multi-Modal Passenger Station and Rail Project

**Miscellaneous**

- J.3.** Advisory Board Appointee Background Screening (BCC-\_\_)

**Add Ons**

- K. PUBLIC COMMENTS (Individuals may not speak under both the first and second public comment sections.)**

**L. BOARD REPORTS**

- L.1. Frank Abbate, County Manager
- L.2. Morris Richardson, County Attorney
- L.3. Rita Pritchett, Commissioner District 1, Vice-Chair
- L.4. Tom Goodson, Commissioner District 2
- L.5. John Tobia, Commissioner District 3
- L.6. Rob Feltner, Commissioner District 4
- L.7. Jason Steele, Commissioner District 5, Chair

\* At the end of the Regular Meeting an Executive Session will be held for the purpose of discussing the Status of Collective Bargaining Negotiations with the International Association of Fire Fighters (IAFF) Local 2969 Rank and File Unit

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 fifteen (15) 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 fifteen-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 fifteen-minute section will be heard during a second public comment section held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment sections. 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.