



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, January 7, 2020

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 5:00 PM**
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE: Commissioner Kristine Isnardi, District 5**
- D. MINUTES FOR APPROVAL:**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
 - E.1. Resolution acknowledging Shane Austin Layman for obtaining the rank of Eagle Scout**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

Development and Environmental Services Group

Public Works Department

- F.1. Approval Re: Temporary Construction Easement from The School Board of Brevard County, Florida, for the C01 Lift Station Rehabilitation Project - District 2.**
- F.2. Adopt Resolution and Release Performance Bond: Trasona at Addison Village, Phase 9 - District 4
Developer: The Viera Company**

- F.3.** Approval Re: Right-of-Way Use Agreement for the Modern Duran District with The Viera Company - District 4
- F.4.** Approval Re: Amended and Restated Right-of-Way Use Agreement for the Viera Town Center with The Viera Company - District 4

Utility Services Department

- F.5.** Legislative Intent and Permission to Advertise an Ordinance to create the North Merritt Island Transmission System - Phase 2 Capital Recovery Fee.

Community Services Group

Public Safety Group

Support Services Group

Budget

- F.6.** Approval of Budget Change Requests

Central Services

- F.7.** BCC - 25 Procurement Policy Revisions
- F.8.** Permission to extend the existing Contract for Special Magistrate Services for Code Violation, Vested Rights, and Unlicensed Contractor Hearings while the Request for Qualifications is re-advertised.
- F.9.** Approval of Single/Sole Source Justification Form replacing Robinson Equipment Company with Florida Coast Equipment Company for procurement of Kubota Equipment and Service
- F.10.** Uninterruptible Power Supply and Direct Current Power Systems 800-Megahertz Sites Service Agreement Rejection of Quotes Received

Administrative Services Group

County Manager

- F.11.** Appointments / Re-Appointments

Miscellaneous

- F.12. Resolution acknowledging Viera High School Athletic Hall of Fame Inductees

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

- H.1. Adoption of Animal Abuse Registry Ordinance

I. UNFINISHED BUSINESS

J. NEW BUSINESS

Development and Environmental Services Group

- J.1. Approval Re: Contract for Sale and Purchase and Form 8283 Noncash Charitable Contributions for the Kahler Parcel that is Necessary for the Accommodation of Global Positioning System Non-Precision Approach at Valkaria Airport - District 3.

Community Services Group

Public Safety Group

Support Services Group

County Attorney

- J.2. Request for Executive Session: Scott Ellis, in his official capacity as Clerk of the Court and Comptroller v Board of County Commissioners of Brevard County, Florida, Case Number 05-2019-CA-058736-XXXX-XX.

County Manager

Miscellaneous

- J.3. Board Direction regarding Public Records Policy/Procedure, Dist. 2
- J.4. County Attorney Succession Plan
- J.5. Funding Source Notification for Greeting Cards, Dist. 2
- J.6. Letter to the Florida Department of Transportation Concerning A1A Crossovers.

Add Ons

J.7. Opioid Litigation

K. PUBLIC COMMENTS

L. BOARD REPORTS

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

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 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.

Old



BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ON 2020-01-07 5:00 PM - REGULAR
2725 Judge Fran Jamieson Way
Viera, FL, 32940
Regular Agenda
Tuesday, January 7, 2020

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: Kristine Isnardi
- D. MINUTES FOR APPROVAL:
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS

E.1. 1069 Resolution acknowledging Shane Austin Layman for obtaining the rank of Eagle Scout

Deborah mento

It is requested the Board approve a Resolution recognizing Shane Austin Layman for obtaining the rank of Eagle Scout

Legislation Text

Eagle Scout Shane Layman.pdf

F. CONSENT AGENDA

(The entire Consent Agenda will be passed in one motion to include everything under Section F.)

Development and Environmental Services Group

Public Works Department

- F.1. 1094 Approval Re: Temporary Construction Easement from The School Board of Brevard County, Florida, for the C01 Lift Station Rehabilitation Project - District 2.

Public Works Department

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

Legislation Text

Agenda Documents

- F.2. 1141 Adopt Resolution and Release Performance Bond: Trasona at Addison Village, Phase 9 - District 4
Developer: The Viera Company

Public Works Department

In accordance with Section 62-2844(b), it is requested that the Board of County Commissioners adopt the attached Resolution and authorize the Chair to sign the Resolution releasing the Contract and Surety Performance Bond dated February 12, 2019 for the above referenced project.

Legislation Text

Resolution

Copy of Executed Contract and Bond

- F.3. 1146 Approval Re: Right-of-Way Use Agreement for the Modern Duran District with The Viera Company - District 4

Public Works Department

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the Right-of-Way Use Agreement with The Viera Company to permit improvements to be installed and maintained in the Modern Duran District.

Legislation Text

Modern-Duran-Use-Agreement.pdf

F.4. 1147 Approval Re: Amended and Restated Right-of-Way Use Agreement for the Viera Town Center with The Viera Company - District 4

Public Works Department

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the Amended and Restated Right-of-Way Use Agreement with The Viera Company to permit improvements to be installed and maintained in the Viera Town Center.

Legislation Text

Amended-Town-Center-Use-Agreement.pdf

Utility Services Department

F.5. 1151 Legislative Intent and Permission to Advertise an Ordinance to create the North Merritt Island Transmission System - Phase 2 Capital Recovery Fee.

It requested that the Board consider approval of Legislative Intent and Permission to Advertise an Ordinance creating the North Merritt Island Transmission System - Phase 2 Capital Recovery Fee.

Legislation Text

Capital Recovery Ordinance NMI Ph2 FINAL DRAFT.docx

Exhibit A - Capital Recovery NMI Ph 2.pdf

PH Notice - NMI PH2 Capital Recovery.doc

Community Services Group

Public Safety Group

Support Services Group

Budget

F.6. 1137 Approval of Budget Change Requests

Budget

*Deborah
MEMO*

It is requested that the Board of County Commission review and approve the attached Budget Change Requests.

Legislation Text

BCRs 01-07-20.pdf

Central Services

F.7. 1092 BCC - 25 Procurement Policy Revisions

Central Services

It is requested that the board approve the amended BCC-25 Procurement Policy.

*I DON'T DO
MEMO but it
IS mine to
file*

Legislation Text

BCC-25 01072020 Redline.pdf

BCC-25 01072020 Clean Copy.pdf

F.8. 1093 Permission to extend the existing Contract for Special Magistrate Services for Code Violation, Vested Rights, and Unlicensed Contractor Hearings while the Request for Qualifications is re-advertised.

Central Services

It is requested that the Board approve a 60-day extension to the existing contract for Special Magistrate Services for Code Violation, Vested Rights, and Unlicensed Contractor Hearings and authorize the Chair to sign the resulting contract extension upon review by the County Attorney's Office and Risk Management.

Legislation Text

Special Magistrate Services Contract Extension.pdf

F.9. 1156 Approval of Single/Sole Source Justification Form replacing Robinson Equipment Company with Florida Coast Equipment Company for procurement of Kubota Equipment and Service

Central Services

It is requested that the Board approve the Brevard County Board of County Commissioners Single/Sole Source Justification and authorize the Chair to execute the Brevard County Board of County Commissioners Single/Sole

Source Justification and Approval Form upon review and approval of the County Attorney's Office and Risk Management.

Legislation Text

Board Approved Vendor of Record List FY 19-20.pdf

Brevard County Single Sole Source Justification and Approval Form.pdf

Robinson Equipment Company Letter.pdf

Florida Coast Equipment Manufacturer Letter.pdf

Parks and Rec 2019 2020 Adopted Budget Equipment List.pdf

F.10.1157 Uninterruptible Power Supply and Direct Current Power Systems 800-Megahertz Sites Service Agreement Rejection of Quotes Received

Central Services

It is requested that the Board reject all proposals received in response to Request for Quote Q-7-20-03, Uninterruptible Power Supply (UPS) and Direct Current (DC) Power Systems - 800 MHz Sites Service Agreement.

Legislation Text

Administrative Services Group

County Manager

F.11.1134 Appointments / Re-Appointments

Deborah's name

It is requested the Board of County Commissioners approve the Districts appointments and/or Re-Appointments.

Legislation Text

D4 Appointments Reappointments 1 7 20.pdf

D3 Appointment 1 7 20.pdf

D1 Appointment 1 7 20.pdf

D2 Appointments JAN 7 2020 BOCC Meeting (004).pdf

G. PUBLIC COMMENTS

H. PUBLIC HEARINGS

H.1. 1136 Adoption of Animal Abuse Registry Ordinance

County Attorney

Approve the proposed Ordinance creating a new article in Chapter 14, Article IV, entitled "Animal Abuse Registry", establishing the Brevard County Animal Abuse Registry.

Legislation Text

Proposed Ordinance Redlined

Proposed Ordinance Clean

I. UNFINISHED BUSINESS

J. NEW BUSINESS

Development and Environmental Services Group

J.1. 787 Approval Re: Contract for Sale and Purchase and Form 8283 Noncash Charitable Contributions for the Kahler Parcel that is Necessary for the Accommodation of Global Positioning System Non-Precision Approach at Valkaria Airport - District 3.

Public Works Department

It is requested that the Board of County Commissioners: 1) approve and authorize the Chair to execute the Contract for Sale and Purchase, and 2) authorize the County Manager to execute Form 8283 for Noncash Charitable Contributions.

Legislation Text

Agenda Attachment Kahler.pdf

Community Services Group

Public Safety Group

Support Services Group

County Attorney

J.2. 1133 Request for Executive Session: Scott Ellis, in his official capacity as Clerk of the Court and Comptroller v Board of County Commissioners of Brevard County, Florida, Case Number 05-2019-

CA-058736-XXXX-XX.

It is requested that the Board approve the cost of advertising for, and the scheduling of, a private session on January 21, 2020, at noon or at the conclusion of the Board meeting, whichever comes first, pursuant to Section 286.011(8), Florida Statutes for the purpose of discussing litigation strategy and settlement negotiations in the case of Scott Ellis, in his official capacity as Clerk of the Court and Comptroller v Board of County Commissioners of Brevard County, Florida, Case Number 05-2019-CA-058736-XXXX-XX.

Legislation Text

County Manager

Miscellaneous

J.3. 1140 Board Direction regarding Public Records Policy/Procedure, Dist. 2

Seek Board direction on potential changes to AO-47 and BCC-22

Legislation Text

AO-47.pdf

BCC-22.pdf

J.4. 1145 County Attorney Succession Plan

Provide direction as needed.

Legislation Text

J.5. 1148 Funding Source Notification for Greeting Cards, Dist. 2

District 2

Require that greeting cards sent (from any County department, office, employee, or elected official) to more than 24 recipients include, in a 12-point or larger ADA-friendly font, on the cards themselves, a prominent notice reading "THIS DOCUMENT PAID FOR WITH TAXPAYER FUNDS" whenever County funds have, in part or in whole, paid for the purchase of the cards, printing for the cards, and/or postage for the cards.

Handwritten note: CRAZY

Legislation Text

J.6. 1158 Letter to the Florida Department of Transportation Concerning A1A Crossovers.

To approve and send attached letter to the Florida Department of Transportation, on behalf of the Brevard County Board of County Commissioners.

Legislation Text

Letter to FDOT.docx

Add Ons

K. PUBLIC COMMENTS

L. BOARD REPORTS

L.1. Frank Abbate, County Manager

L.2. Eden Bentley, County Attorney

L.3. Rita Pritchett, Commissioner District 1, Vice Chair

L.4. Bryan Lober, Commissioner District 2, Chair

L.5. John Tobia, Commissioner District 3

L.6. Curt Smith, Commissioner District 4

L.7. Kristine Isnardi, Commissioner District 5

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) 6332010.

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 24hour 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 Resolution 2014219 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 threeminute 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.