



## 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, October 22, 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 Tom Goodson, District 2**

**D. MINUTES FOR APPROVAL: August 27, 2024 Regular Meeting**

**E. RESOLUTIONS, AWARDS AND PRESENTATIONS**

**E.1.** Resolution proclaiming October 15th as White Cane Awareness Day 2024 - District 5

**E.2.** Resolution appointing Rosalie "Roz" Foster as Honorary County Historian - District 5

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

### **Development and Environmental Services Group**

#### Planning and Development

**F.1.** Final Plat Approval, Re: Trafford Drive  
Developer: ADI Lynx, LLC District 4

**F.2.** Final Plat and Contract Approval, Re: Crossmolina - Phase 2  
Developer: The Viera Company District 4

- F.3.** Waiver Request, Re: Waiver of Parking Requirement for Met-Con Site Plan (24SP00002 and 24WV00023) District 1
- F.4.** Approval RE: Transportation Impact Fee Technical Advisory Committee for the South Beaches Benefit District Project Funding Recommendations (District 4)

**Public Works Department**

- F.5.** Approval RE: Construction Change Order 1 for the Sea Ray Drive Bridge Replacement - District 2

**Solid Waste Management**

- F.6.** RESOLUTION: A resolution declaring that it is in the public interest to have hurricane debris removed from public and private road right of ways in Brevard County, authorizing the Solid Waste Management Director to request that FEMA approve the removal of debris from these areas.
- F.7.** Request permission for Fund 4010 (Solid Waste Operations) and potentially the general fund reserves to lend Fund 4110 (Solid Waste Collection) \$2,307,000 and \$1,800,000 respectively, for disaster debris recovery. This is the current estimate and projection as to cost.

**Utility Services Department**

- F.8.** Resolution for Updated Development Fee Schedule for Utility Services Department.
- F.9.** Repeal of Resolution 90-143 - State Road 46 Water Extension #1 (District 1).
- F.10.** Sole Source Request with H2O Innovation USA, Inc for Mims Water Treatment Plant Filtration Unit (District 1).

**Community Services Group**

**Housing and Human Services**

- F.11.** Approval, Re: Fiscal Year 2024-2025 Annual Agreement and Associated Health Department Fee Resolution between the Brevard County Board of County Commissioners and the Brevard County Health Department

**Public Safety Group**

**Emergency Management**

- F.12.** Board Approval: Execute a Memorandum of Understanding for the enhancement of public safety radio interoperability between Volusia and Brevard County.

Fire Rescue

- F.13.** Board Approval: Confirmation of the Membership in the County Emergency Medical Services (EMS) Advisory Council

**Support Services Group**

Budget

- F.14.** Approval, Re: Budget Amendments

Human Resources

- F.15.** Approval of Retiree Medicare Advantage and Pharmacy Only Plan Design Changes

**Administrative Services Group**

County Attorney

- F.16.** Resolution approving the issuance by Brevard County Housing Finance Authority of Multi-Family Housing Revenue Bonds (Emerald Place Apartments Project) in an amount not to exceed \$15,000,000
- F.17.** Appointment of Members to Brevard County Educational Facilities Authority Board
- F.18.** Resolution approving the issuance by Brevard County Housing Finance Authority of Multi-Family Housing Revenue Bonds (Oak Meadows Apartments Project) in an amount not to exceed \$17,600,000

County Manager

- F.19.** 2024 County Advisory Board Annual Written Reports
- F.20.** Appointments of the North Brevard County Hospital District Board Members
- F.21.** Appointment(s) / Reappointment(s)
- F.22.** Approval of the 2025 Board of County Commissioners' Meeting Schedule

Miscellaneous

- F.23.** Requisition of Fiscal Year 2025 Budget - Supervisor of Elections
- F.24.** Requisition of Fiscal Year 2025 Budget - Brevard County Sheriff's Office
- F.25.** Bill Folder
- F.26.** Precinct Boundaries - Altered and Added (Chapter 101.001(1) F.S.)

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

**H. PUBLIC HEARINGS**

- H.1.** Ordinance, Re: Modifications to the Structure of the Save Our Indian River Lagoon Citizen Oversight Committee
- H.2.** Permission to Participate in and Accept the U.S. Dept. of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant Local Solicitation
- H.3.** Adoption of Amendments to Chapter 62, Article II, Division 3, "Planning and Zoning Board," Brevard County Code of Ordinances, Specifically Amending Section 62-182, "Membership; Appointment and Term of Members," Section 62-184, "Officers; Rules of Procedure; Quorum," and Section 62-185, "Records; Regular and Special Meetings," and Repealing and Reserving Section 62-183, "Alternate Members."
- H.4.** Petition to Vacate, Re: Public Rights-of-Ways - 21st Street and West 4th Avenue - "Sun Valley" Plat Book 11, Page 29 - Titusville - Dirschka Family Revocable Trust - District 1
- H.5.** Petition to Vacate, Re: Public Utility Easements- 930 Fir Street - "Barefoot Bay Mobile Home Subdivision, Unit Two, Part Eleven" Plat Book 22, Pages 116 - Barefoot Bay - Justo O. Pena - District 3
- H.6.** First Public Hearing: Amendments to Chapter 62, Article VI, "Zoning Regulations," to Add a New Conditional Use Classification, "Accessory Dwelling Units," and Specifying Conditions Thereto.

**I. UNFINISHED BUSINESS**

- I.1.** Direction, Re: Methodology to evaluate the benefit of each selected EEL property to the Indian River Lagoon and St. Johns River
- I.2.** Resolution Cancelling Referendum Election Regarding a Non-Ad Valorem Special Assessment for Road Paving in Canaveral Groves (District 1)

**J. NEW BUSINESS**

**Development and Environmental Services Group**

- J.1.** Consideration of a Tentative Settlement Agreement Under the Florida Land Use and Environmental Dispute Resolution Act for Property Located at 134 Diane Circle
- J.2.** Re-Appointment of Members and Alternates to the Save Our Indian River Lagoon Citizen Oversight Committee and Permission to Advertise for Volunteers to Fill Vacant Seats.

### **Community Services Group**

- J.3.** Approval Re: Agreement between Brevard County and DAD 1300 N Atlantic Cocoa LLC (DAD 1300) (Westin Cocoa Beach Resort) and assign oversight for the operations and maintenance of Lori Wilson Park to the Parks and Recreation Department (District 2)

### **County Attorney**

- J.4.** Staff Direction, re: Tourist Development Council's request to seek an Attorney General's Opinion regarding the use of Tourist Development Tax to pay for Lifeguards

### **Add Ons**

#### **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

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.