



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 7, 2023

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. INTENTIONALLY OMITTED**

**C. PLEDGE OF ALLEGIANCE: Commissioner Rob Feltner, District 4**

**D. MINUTES FOR APPROVAL: December 20, 2022 Regular Meeting; February 7, 2023 Regular Meeting**

**E. RESOLUTIONS, AWARDS AND PRESENTATIONS**

**E.1.** Resolution recognizing March 2023 as Hemophilia and Bleeding Disorders Awareness Month

**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: Island Forest Preserve  
Developer: IFP Development, LLC District 2

Public Works Department

- F.2.** Approval, Re: Dedication by Warranty Deed for Tract W, Del Webb at Viera Phase 2 and Bill of Sale from Pulte Home Company, LLC, for the benefit of Lift Station W-39 - District 4.
- F.3.** Approval, Re: Dedication of Utility Easement from Brevard Properties I, LLC for the Viera Active Adult Community Project- District 4.
- F.4.** Approval, Re: Contract for Sale and Purchase from Steven David Joseph Zelazny for the Benefit of the Kingsmill Aurora Phase II Project- District 4.

### **Community Services Group**

#### Tourism Development Department

- F.5.** Approval, Re: Property Access License Agreement with Keep Brevard Beautiful for Storage Shed Placement at Lori Wilson Park.

#### Transit Services Department

- F.6.** Approval, Re: Federal Transit Administration Fiscal Year 2023 Certification and Assurances

### **Public Safety Group**

#### Emergency Management

- F.7.** Board Approval: 2022-2023 Emergency Management Preparedness & Assistance Grant Agreement with the Florida Division of Emergency Management
- F.8.** Board Approval: 2022-2023 Emergency Management Performance Grant Agreement with the Florida Division of Emergency Management

#### Fire Rescue

- F.9.** Approval, Re: Accept the Federal Emergency Management Agency 's (FEMA) 2021 Fire Prevention & Safety grant funding program for the purpose of purchasing smoke and carbon monoxide alarms for Brevard County citizens.

### **Administrative Services Group**

#### County Attorney

- F.10.** Approval of a Resolution authorizing the Florida Development Finance Corporation ("FDPC") to issue Solid Waste Disposal Revenue Bonds, Series 2023 (Waste Pro USA, Inc.) for a project in Brevard County, Florida.

- F.11.** Legislative Intent and Permission to Advertise an Ordinance Amending Chapter 2, Brevard County Code of Ordinances, to Create a New Article IX Relating to Publication of Legal Advertisements and Public Notices on a Publicly Accessible Website.
- F.12.** Request for Special Meeting for an Executive Session: J. Patrick Schirard, as Trustee of the J. Patrick Schirard Premarital Assets Revocable Living Trust Dated June 15, 2001 v. Brevard County, Florida, Case Number 05-2022-CA-052449-XXXX-XX.
- F.13.** Request for Special Meeting for an Executive Session: Paul Bross, as successor in interest to (Eric and Amanda Obloy, Bambino Land Trust dated 6-19-19) v. Brevard County, Florida, Case Number 05-2019-CA-035542-XXXX-XX.

County Manager

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

Miscellaneous

- F.15.** Bill Folder
- F.16.** Resolution acknowledging Women in Construction Week 2023
- F.17.** Precinct Boundaries - Altered and Added (Chapter 101.001(1) F.S.)

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

**H. PUBLIC HEARINGS**

- H.1.** Public Hearing RE: Approval of Ordinance Amending Chapter 22, Article VI, "Contractors," Brevard County Code of Ordinances
- H.2.** Petition to Vacate, Re: Public Utility & Drainage Easement- 4650 Ashbury Road - "Port St. John Unit Eight" Plat Book 23, Page 70 - Cocoa - John C. & Jennifer A. Sabo - District 1
- H.3.** Petition to Vacate, Re: Public Utility & Drainage Easement- 2004 Blue Heron Drive - "Crane Creek Unit One" Plat Book 35, Page 98 - Melbourne - Steven & Carrie Ann Brozny - District 4
- H.4.** Public Hearing, Re: Ordinance Amending Chapter 62, Article VI, Division 2, Section 62-1157, "Submission of a Binding Development Plan in Support of Request for Change of Zoning or Conditional Use Permit"

**I. UNFINISHED BUSINESS**

- I.1. Approval, Re: Tourist Development Council FY 2022-2023 Major Event Grant Program recommendation for Thunder on Cocoa Beach Boat Races
- I.2. Recognize savings from the purchase and installation of playground shade structures in the Parks and Recreation Central Area, savings to be allocated for lighting at Mitchell Ellington soccer complex and provide direction on Kelly Park shore (District 2)
- I.3. Request for Proposal (RFP) for a Municipal Incorporation Feasibility Study for Merritt Island.

**J. NEW BUSINESS**

**Development and Environmental Services Group**

**Community Services Group**

- J.1. Direction, Re: Tourism Development Council's Recommendation to suspend the Tourism + Indian River Lagoon Grant Program for the Fiscal Year 2023-24 and extend existing Fiscal Year 2022-2023 Indian River Lagoon Grants
- J.2. Approval; Re: Agreement with Keep Brevard Beautiful, Inc. for an Adopt-An-Area program (All Districts)

**County Manager**

- J.3. The appointment of Kristine Zonka, DNP, APRN, FNP-C, as the Administrator of the Florida Department of Health in Brevard County

**Miscellaneous**

**Add Ons**

- J.4. Approval Re: Locally Funded Agreement with Florida Department of Transportation and Resolution for the Ellis Road Widening - District 5

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

**L. BOARD REPORTS**

- L.1. Frank Abbate, County Manager
- L.2. Morris Richardson, County Attorney
- L.3. Tom Goodson, Commissioner District 2
- L.4. John Tobia, Commissioner District 3
- L.5. Rob Feltner, Commissioner District 4

L.6. Kristine Zonka, Commissioner District 5, Vice-Chair

L.7. Rita Pritchett, Commissioner District 1, Chair

\*\* Executive Session at 4:00 p.m., the Board of County Commissioners will meet for the purpose of discussing litigation strategy and settlement negotiations in the case of Brevard County, Florida v. Thirrel A. Altman, Jr., Trustee, et al., Case Number 05-2023-CA-15474-XXXX-XX.

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 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 pink card asking to be heard. Any speaker not heard during the first thirty minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment period. 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.