



Mayor
ROB MEDINA
Deputy Mayor
KENNY JOHNSON
Councilmembers
JEFF BAILEY
RANDY FOSTER
DONNY FELIX

AGENDA

Regular Council Meeting 2021-01 Thursday

January 7, 2021 - 7:00 PM

Tony Rosa Community Center, Rooms A and B, 1502 Port Malabar Boulevard NE

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. One (1) vacancy on the Business Improvement District Board (represents 'bank or financial institution' position).++
2. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++

AGENDA REVISIONS:

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.

1. Adoption of Minutes: Regular Council Meeting 2020-43; December 17, 2020.
2. Award of Bid: Culvert pipe replacement, Unit 20 – IFB 19-0-2021 – Public Works Department (Timothy Rose Contracting, Inc. - \$166,445).
3. Award of Proposal: Broker of Record, Benefits Consultant Services - RFP 03-0-2021 - Human Resources Department (The Gehring Group, Inc. - \$70,000).
4. Contract: Superion public safety software maintenance and support, renewal – Information Technology Department (Central Square (dba Superion) - \$106,300).
5. Contract: Building Services – Inspection and Plan Review, spending authority increase -

Building Department (Bureau Veritas North American; Joe Payne; GFA International, Inc.; Safebuilt Florida LLC (\$560,000 (total contract value))).

6. Miscellaneous: Wastewater Master Plan update – Task Order 21-04-IS (in accordance with Master Agreement) – Utilities Department (Infrastructure Solutions Services (ISS) – \$244,260).
7. Resolution 2021-01, rescinding Resolution 2018-51, which authorized the closure of Waterbury Avenue, between Summer Street and Toulon Road.
8. Acknowledgement of Investment Performance Review Report, prepared by PFM Asset Management, LLC, for the quarter ended September 30, 2020.
9. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$6,255).
10. Consideration of travel and training for specified City Employees (Police Department).

RECOGNITIONS AND PROCLAMATIONS:

1. Proclamation: Business Partner of the Year 2020 - Palm Bay WalMart #5455.

PRESENTATIONS:

1. Joan Junkala-Brown, Community and Economic Development Director - Community and Economic Development Department update.

PUBLIC COMMENTS/RESPONSES:

Public comments will be heard by the City Council on non-agenda issues. Speakers must complete 'Public Comment Cards' (orange) and are limited to three (3) minutes each.

PUBLIC HEARINGS:

1. Ordinance 2020-58, amending the Code of Ordinances, Chapter 170, Construction Codes and Regulations, Subchapter 'Building Code', by eliminating the requirement for a building permit for accessory structures 120 square feet or less in residential districts associated with single-family dwellings and revising provisions contained therein (Case T-20-2020, City of Palm Bay), final reading. (Councilman Bailey)
2. Ordinance 2020-85, amending the Code of Ordinances, Chapter 39, Community and Economic Development, by including additional provisions for the Economic Development Division and adding the Business Improvement District as a departmental division, final reading.
3. Ordinance 2020-86, amending the Code of Ordinances, Chapter 92, Noise, by modifying definitions contained therein, final reading.
4. Ordinance 2020-87, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'District Regulations', by modifying front yard building setbacks and parking areas, and reducing the minimum side corner building setback in RC (Restricted Commercial District) zoning (Case T-33-2020, City of Palm Bay), final reading. (Councilman Bailey)
5. Ordinance 2021-01, rezoning property located southwest of and adjacent to Zanzibar Road, in the vicinity south of Waco Boulevard and east of the Melbourne-Tillman Water Control District Canal 42 R-1, from IU (Institutional Use District) to RS-2 (Single-Family Residential District) (1.00 acre) (Case Z-38-2020, Samuel and Michelle Guinto), first reading (Quasi-Judicial Proceeding).
6. Ordinance 2021-02, granting approval of a Final Development Plan for a proposed single-

family residential Planned Unit Development (PUD) to be known as 'Gardens of Waterstone Phase 1 PUD' on property located west of and adjacent to Mara Loma Boulevard, in the vicinity south of Melbourne Tillman Water Control District Canal 38 (44.65 acres) (Case FD-36-2020, Waterstone Farms, LLC, and PB&J Garden Investment, LLC) (Quasi-Judicial Proceeding), first reading.

7. Resolution 2021-02, granting a conditional use to allow a retail store occupying more than 5,000 square feet of gross floor area in NC (Neighborhood Commercial District) zoning on property located northwest of and adjacent to DeGroodt Road, in the vicinity south of Sexton Road (1.81 acres) (Case CU-29-2020, Concept Development, Inc.) (Quasi-Judicial Proceeding).

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Police and Firefighters Pension Plan, Board of Trustees.

COUNCIL REPORTS:

NEW BUSINESS:

1. Resolution 2021-03, amending Resolution 2011-34, by updating the City of Palm Bay Fund Balance Policy.
2. Resolution 2021-04, supplementing Resolution 2018-63, by authorizing the issuance of not exceeding \$50,000,000 in aggregate principal amount of City of Palm Bay General Obligation Bonds, Series 2021, in order to finance roadway improvements.
3. Ordinance 2021-03, amending the Fiscal Year 2020-2021 budget by appropriating and allocating certain monies (first budget amendment), first reading.
4. Consideration of utilizing unallocated funds for Contracting Mowing Services (Public Works Department - \$200,000 annually).
5. Consideration of utilizing unallocated funds for an Operations Manager and purchase of one (1) vehicle (Public Works Department - \$86,625).
6. Consideration of utilizing unallocated funds for an Engineering Technician II in the Public Works Department (\$41,961).
7. Consideration of reclassifying the part-time Data Entry Clerk to full-time (Public Works Department - \$41,584).
8. Discussion of security measures at City facilities. (Councilman Foster)
9. Discussion of the position of City Manager. (Councilman Foster)

ADMINISTRATIVE AND LEGAL REPORTS:

PUBLIC COMMENTS/RESPONSES: Speakers are limited to 3 minutes.

ADJOURNMENT:

Councilmembers who are members of the Space Coast Transportation Planning Organization (TPO) may discuss TPO issues which may subsequently be addressed by the TPO.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required, and

the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the City Clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the Clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (Section 59.03, Palm Bay Code of Ordinances).

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

Pursuant to Council Policies and Procedures, members of the public wishing to use electronic media when addressing City Council must provide the electronic file to staff for screening no later than 2:00 P.M. on the day of the meeting; audio presentations must be submitted to the City Clerk at least twenty-four (24) hours prior to the meeting.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE AND TELEVISED ON THE SPACE COAST GOVERNMENT TV CHANNEL.



LEGISLATIVE MEMORANDUM

DATE: 1/7/2021

RE: Adoption of Minutes: Regular Council Meeting 2020-43; December 17, 2020.

ATTACHMENTS:

Description

Minutes - RCM 2020-43

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING 2020-43

Held on Thursday, the 17th day of December 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

Pastor Tom Walker, Centerpointe Church, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	Robert Medina	Present
DEPUTY MAYOR:	Kenny Johnson	Present
COUNCILMEMBER:	Jeff Bailey	Present
COUNCILMEMBER:	Randy Foster	Present
COUNCILMEMBER:	Donny Felix	Present
ACTING CITY MANAGER:	Suzanne Sherman	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

CITY STAFF: Present was Laurence Bradley, Growth Management Director; Valentino Perez, Building Official; Joan Junkala-Brown, Community and Economic Development Director.

ANNOUNCEMENT(S):

Deputy Mayor Johnson announced the following vacancies and solicited applications for same:

- 1. Two (2) vacancies on the Disaster Relief Committee.++**
- 2. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++**
- 3. One (1) vacancy on the Business Improvement District Board (represents 'bank or financial institution' position).++**

AGENDA REVISION(S):

There were no agenda revisions.

CONSENT AGENDA:

All items of business under the 'Consent Agenda' heading were enacted by the following motion:

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, that the Consent Agenda be approved as presented. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

1. Adoption of Minutes: Regular Council Meeting 2020-42; December 3, 2020.

The minutes, considered under Consent Agenda, were approved as presented.

2. Contract: Cityworks enterprise license agreement, renewal – Utilities and Public Works Departments (Azteca Systems, LLC - \$50,000 annually (three-year term)(sole source)).

Staff Recommendation: Approve the Cityworks enterprise license agreement renewal with Azteca Systems, LLC (Sandy, Utah), in the amount of \$50,000 annually for a three-year term.

The item, considered under Consent Agenda, was approved as recommended by City staff.

3. Contract: Nutrient removal facilities, North Regional Water Reclamation Facility, Change Order 2 – Utilities Department (TLC Diversified, Inc. - \$59,474).

Staff Recommendation: Approve Change Order 2 for nutrient removal facilities at the North Regional Water Reclamation Facility to TLC Diversified, Inc. (Palmetto), in the amount of \$59,473.47; and approve the appropriation of funds on the next scheduled budget amendment.

The item, considered under Consent Agenda, was approved as recommended by City staff.

4. Miscellaneous: Design, permitting, and bidding services for water distribution system improvements and modifications, eleven (11) locations, Task Order 21-02-IS – Utilities Department (Infrastructure Solutions Services, LLC (ISS) - \$220,870).

Staff Recommendation: Approve Task Order 21-02-IS for design, permitting, and bidding services for water distribution system improvements and modifications at eleven (11) locations, as specified in the City Manager's Legislative Memorandum, against Master Agreement 36-0-2020 with Infrastructure Solutions Services, LLC, in the amount of \$220,870.

The item, considered under Consent Agenda, was approved as recommended by City staff.

5. Ordinance 2020-85, amending the Code of Ordinances, Chapter 39, Community and Economic Development, by including additional provisions for the Economic Development Division and adding the Business Improvement District as a departmental division, first reading.

The City Attorney read the ordinance in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

6. Ordinance 2020-86, amending the Code of Ordinances, Chapter 92, Noise, by modifying definitions contained therein, first reading.

The City Attorney read the ordinance in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

7. Consideration of utilizing two (2) Local Housing Assistance Plan (LHAP) strategies (owner-occupied rehab and special needs) to fund repairs for a single-family rehabilitation at 1498 Ranger Road.

Staff Recommendation: Authorize the utilization of two (2) Local Housing Assistance Plan (LHAP) strategies (owner-occupied rehab and special needs) to fund repairs for a single-family rehabilitation at 1498 Ranger Road SE (SHIP Single Family Rehab - \$50,000; SHIP Special Needs - \$4,581).

The item, considered under Consent Agenda, was approved as recommended by City staff.

8. Consideration of reallocating State Housing Initiative Partnership Program funds to meet the needs of wait-listed residents for the single-family rehabilitation and utility hook-up assistance programs (\$426,019).

Staff Recommendation: Approve a budget amendment reallocating State Housing Initiative Partnership Program funds in the amount of \$369,019 to the single-family rehabilitation program and \$30,000 to the utility hook-up assistance program, to meet the needs of wait-listed residents.

The item, considered under Consent Agenda, was approved as recommended by City staff.

9. Consideration of travel and training for specified employees (Fire Department).

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

PRESENTATIONS:

1. Nancy Peltonen, President and CEO, Greater Palm Bay Chamber of Commerce – quarterly update. Ms. Peltonen provided an update on the Chamber's activities.

2. Frank Watanabe, Public Works Director - road paving program update. Mr. Watanabe provided an update on the Piping Program; road surface maintenance; Years 1, 2 and 3 of the Road Paving Program; and swale trenching and excavating in Unit 23.

PUBLIC COMMENT(S)/RESPONSE(S): (Non-agenda Items Only)

There were no public comments.

PUBLIC HEARING(S):

1. Ordinance 2020-82, amending the Code of Ordinances, Chapter 37, Growth Management Department, by modifying provisions related to the Land Development Division (T-35-2020, City of Palm Bay), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve Ordinance 2020-82. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

2. Ordinance 2020-83, amending the Code of Ordinances, Chapter 40, Building Department, by modifying duties and responsibilities of the department (T-35-2020, City of Palm Bay), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve Ordinance 2020-83. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

3. Ordinance 2020-84, amending the Code of Ordinances, Chapter 174, Floodplain and Stormwater Management, Subchapter 'Floodplain Management', by modifying provisions contained therein (T-35-2020, City of Palm Bay), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve Ordinance 2020-84. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

4. Ordinance 2020-58, amending the Code of Ordinances, Chapter 170, Construction Codes and Regulations, Subchapter 'Building Code', by eliminating the requirement for a building permit for accessory structures 120 square feet or less in residential districts associated with single-family dwellings and revising provisions contained therein (Case T-20-2020, City of Palm Bay), first reading. (Councilman Bailey) (CONTINUED FROM 09/03/20 RCM and 11/04/20 P&Z)

The Planning and Zoning Board recommended that the request be approved, to include that a zoning review remain as a requirement.

The City Attorney read the ordinance in caption only. The public hearing was opened. Councilman Bailey presented the request to Council.

Deputy Mayor Johnson said that several municipalities had adopted a similar ordinance. He asked if there were there any issues with installation of the structures. His concern was safety when disastrous events threatened the area and the possibility of the structures being blown over.

The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve Ordinance 2020-58, to include that a zoning review remain as a requirement.

Mr. Bailey responded to Deputy Mayor Johnson's comment and stated that staff and the Planning and Zoning Board felt that installation would not be an issue. He said that if Palm Bay was in a higher wind zone, there would be stricter regulations for the installation of the structures, but he did not feel there was a concern.

Mr. Felix agreed with the safety issue as stated by Deputy Mayor Johnson. He felt Palm Bay was susceptible to high winds during hurricanes due to its proximity to the coastline. He said there was a public safety issue if there was no guarantee that the structures were properly installed.

Mayor Medina said this was an interesting issue, not only for the property owner to be allowed to install a shed, but for those that may be in jeopardy of a shed that was not properly anchored. He asked if the structures could still be inspected, especially with the removal of the building permit requirement. Mr. Bailey said the time it took to get an inspection was the issue, not the inspection fee. He said there were many other items in someone's yard that could blow around. If there were any violations, Code Compliance would cite the property owner accordingly. In addition, there were numerous unpermitted sheds throughout the City.

Mr. Bradley said that a zoning review would still be performed as the structures had to comply with the zoning for location, as well as size and height. If the structure was not pre-manufactured and approved by the State, a building permit was still required. It also could not be placed on a concrete slab without a building permit and could not have utilities or habitation. Its purpose would be for storage. Mr. Perez had no additional comments or concerns regarding the request.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Yea
Councilman Bailey	Yea
Councilman Foster	Yea
Councilman Felix	Nay

5. Request by Palladio Development, LLC, for a variance to allow the east side of a proposed single-family home to exceed the allowable finish floor elevation by a maximum of 2.2 feet, as established by Section 174.073(A)(3), Palm Bay Code of Ordinances (0.23 acres) (V-26-2020) (Quasi-Judicial Proceeding). (CONTINUED FROM RCM - 12/03/20, first occurrence)

The Planning and Zoning Board recommended that the request be approved.

The public hearing was opened. Ms. Katja Jones, representative for the applicant, presented the request to Council.

Stephen Stomber, resident, was located adjacent to the property and spoke against the request. He objected to the proposed elevation and the sign posted on the property as it did not cite the correct section from the Code of Ordinances (Code). He said that if the request was approved, it should be stated for the record that the builder could not modify the elevation after-the-fact.

Ms. Smith reviewed the sign and said that although the Code reference was incorrect, the specifics of the request and all other requirements pursuant to the Code had been reflected accordingly on the sign. Ms. Katja Jones said that the information for the sign was provided by staff. Mr. Bradley agreed that the sign was incorrect, but the legal advertisement and notice to property owners had the correct information. He said the elevation for this home would be one foot lower than Mr. Stomber's house and staff review was required for the plans to ensure that the house complied with the variance.

Mr. Stomber requested to speak again. Mr. Bailey called a Point of Order and advised that speakers were only allowed to speak once, but Council could modify that policy in the future, if desired.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve the request. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

6. Ordinance 2020-87, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'District Regulations', by modifying front yard building setbacks and parking areas, and reducing the minimum side corner building setback in RC (Restricted Commercial District) zoning (Case T-33-2020, City of Palm Bay), first reading. (Councilman Bailey)

The Planning and Zoning Board recommended that the request be approved.

The City Attorney read the ordinance in caption only. The public hearing was opened.

Bill Battin, resident, said it would be better to grant variances on a case by case basis instead of approving a blanket request for an entire zoning district. Otherwise, separate variance requests would be submitted to further reduce the setback requirements on parcels.

Councilman Bailey presented the request to Council. He said there were very limited areas throughout the City that had RC zoning, and most were along Malabar Road. Ms. Sherman said the setbacks would be consistent with CC (Community Commercial District) zoning.

The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve Ordinance 2020-87. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

7. Ordinance 2020-88, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'District Regulations', by including additional definitions and providing provisions for small-box discount stores in NC (Neighborhood Commercial District) zoning (Case T-34-2020, City of Palm Bay), first reading. (Deputy Mayor Johnson)

The Planning and Zoning Board recommended that the request be approved.

The City Attorney read the ordinance in caption only. The public hearing was opened. Deputy Mayor Johnson presented the request to Council.

Mr. Bradley said that for the small-box discount stores, the impact to the sales was only ten percent (10%) of the total floor area. The architectural style choices were reduced as these stores would mostly be located near residential areas.

Mr. Foster asked if this would change the operations of a box store. Mr. Bradley answered that it would require them to carry a slightly different product line, which would only be ten percent (10%) of the total floor area. The other ninety percent (90%) would still be whatever currently existed in the store. Family Dollar, Dollar General and Dollar Tree would all be considered small-box stores. Mr. Bradley said that this was similar to a Dollar

General Market that was located in Merritt Island. Mr. Foster said that if a store wanted to come into the City and did not sell food, then they would be in violation of the ordinance and this would affect their business model. Mr. Bradley said that if a business currently existed or had an application in process prior to adoption of this ordinance, then they would not be in violation.

Mr. Bailey said that vacant parcels in NC zoning seemed spread throughout the City and asked if a distance study had been performed. Mr. Bradley said that a study had not been done, but similar businesses could be within one mile of each other. The one-mile provision was for applications received after enactment of the ordinance. Mr. Bailey asked if there were any other zoning districts in which similar uses had a distance requirement. Mr. Bradley said there were others that were regulated either by the Code or Florida Statutes, such as assisted living facilities, but he did not fully research same. Mr. Bradley clarified that the distance provision for the small-box stores was only within the NC zoning and did not apply within the other zoning districts.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Foster, to approve Ordinance 2020-88.

Deputy Mayor Johnson said this was not prohibiting commercial uses but protected the surrounding residential neighborhoods. It ensured that the businesses complimented the area and did not contradict them.

Mr. Foster said the City was dictating business models and how close a business should be to others like it. He said that variety was a good thing, but Council should not tell businesses how to change their business models. It limited the amount of businesses that came to the City.

Mr. Bailey said it was awkward to say a business could be in NC zoning and operate one way but go into another zoning and operate the same business a different way. He agreed with Councilman Foster. He further stated his reasons for not supporting the request.

Mr. Felix saw it was an added value for neighborhoods as residents could go a short distance to a store for a few groceries as an alternate to large grocery stores. Existing business were not being asked to conform to the new regulations.

Mayor Medina said that even though the intent was good, he did not agree with the government overreach. He said this was a free society and competition of businesses was what drove the economy. He did not support the ordinance.

Mr. Foster said he would support the request if the fruits and vegetables and the ten percent (10%) was removed from the ordinance. Mr. Bradley said if those three (3) provisions were removed, the mile separation, architectural design and required wall or fence when abutting residential would remain in the ordinance.

Mayor Medina asked Mr. Foster if he wanted to regulate the distance between the businesses. Mr. Foster said two of the same businesses would not be near each other, such as two McDonald's across the street from one another. He was concerned with telling a business what they should sell in their facility.

Mr. Bailey supported both the architecture and the buffering. He said that competition would be limited with the other provisions, and it was not fair to businesses.

Mr. Felix said the ten percent (10%) provision was the core value of the ordinance. He felt more comfortable removing the distance requirement.

Mr. Bradley said the distance was based on the type of store, not the store brand. Mr. Foster said he would be in favor of the ordinance with the removal of the distance, and the requirement for fruits and vegetables.

Deputy Mayor Johnson said he had no issue removing the distance provision but wanted to keep the fruits and vegetables.

Mr. Foster withdrew his second to the motion.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to approve Ordinance 2020-88, with the amendment to remove the distance requirement.

Motion failed with members voting as follows:

Mayor Medina	Nay
Deputy Mayor Johnson	Yea
Councilman Bailey	Nay
Councilman Foster	Nay
Councilman Felix	Yea

PROCUREMENTS:

1. Award of Bid: Residential Brokerage Services – IFB 06-0-2021 – Community and Economic Development Department (Ellingson Properties, LLC – commissions from proceeds of sales).

Staff Recommendation: Approve the award for residential brokerage services to Ellingson Properties, LLC (Rockledge), for a one-year term, renewable by the Procurement Department for two (2) additional one-year terms.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to award the bid as requested.

Mr. Bailey had hoped a local business would be awarded the contract but knew that would be a hard task and that staff made numerous efforts to get the word out. He felt it was important to move forward.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

2. Award of Bid: Road Bond Paving, Units 1, 2, 3, 4, 27, 35, 43, and 47 – IFB 14-0-2021 – Public Works Department (VA Paving, Inc. - \$3,370,209).

Staff Recommendation: Approve the award for road bond paving in Units 1, 2, 3, 4, 27, 35, 43, and 47 to VA Paving, Inc. (Cocoa), in the amount of \$3,370,209.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to award the bid as requested. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

UNFINISHED AND OLD BUSINESS:

1. Appointment of two (2) members to the Infrastructure Advisory and Oversight Board.

The individuals were rated by the City Council due to the number of applications exceeding the number of vacant positions. Number 1 represented the first choice of each councilmember and so on. The individual(s) receiving the lowest number(s) to the position(s) were considered for appointment to the board.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint Rebecca Thibert and David Jones to the Infrastructure Advisory and Oversight Board. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

2. Appointment of one (1) member to the Recreation Advisory Board.

The individuals were rated by the City Council due to the number of applications exceeding the number of vacant positions. Number 1 represented the first choice of each councilmember and so on. The individual(s) receiving the lowest number(s) to the position(s) were considered for appointment to the board.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint Jaclyn Bounauto to the Recreation Advisory Board. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

3. Appointment of one (1) member to the Disaster Relief Committee.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint Keith Miller to the Disaster Relief Committee. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

COMMITTEE AND COUNCIL REPORTS:

Councilmembers addressed various subject matters and provided updates on activities of agencies and boards on which they served as members.

1. Mr. Felix made the following advisory board appointments:
 - a. Terry Muller – Infrastructure Advisory and Oversight Board; and
 - b. Phillip Snyder – Sustainability Board.
2. Mr. Foster made the following advisory board appointments:
 - a. Paul Edwards – Infrastructure Advisory and Oversight Board;
 - b. Alberta Clinkscales – Citizens' Budget Advisory Board;
 - c. Kay Maragh – Sustainability Board; and
 - d. Gabriel Capote – Recreation Advisory Board.
3. Deputy Mayor Johnson made the following advisory board appointments:
 - a. Susan Connolly – Sustainability Board; and
 - b. Ann-Marie Fraser – Infrastructure Advisory and Oversight Board.
4. Mayor Medina made the following advisory board appointments:

- a. Patrick Woodard – Infrastructure Advisory and Oversight Board and Citizens' Budget Advisory Board;
- b. Benjamin Aubin, Jr. – Recreation Advisory Board; and
- c. Lesley Byrd – Sustainability Board.

NEW BUSINESS:

1. Resolution 2020-62, supporting U.S. Space Force Command in Brevard County. (Mayor Medina)

Mayor Medina presented the item to Council. The City Attorney read the resolution in caption only.

Bill Battin, resident, spoke in favor of the resolution. He did not want to see another housing development replace the Malabar Annex.

Motion by Mr. Bailey, seconded by Mr. Foster, to adopt Resolution 2020-62.

Deputy Mayor Johnson asked if Brevard County had a similar resolution. Mayor Medina said that Palm Bay was joining efforts with Brevard County. Deputy Mayor Johnson asked if the City's lobbyists should be involved. Mayor Medina said this was a federal issue and asked if the City had a federal lobbyist. Ms. Sherman answered in the negative but said that the state lobbyists were aware of this item and would advocate when needed.

Deputy Mayor Johnson said he would present the resolution to the Space Coast League of Cities.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

2. Consideration of a subordination policy for the City's state and federal housing grant programs.

Staff Recommendation: Approve a subordination policy for the City's state and federal housing grant program.

Bill Battin, resident, spoke in favor of the policy.

Motion by Deputy Mayor Johnson, seconded by Mr. Foster, to approve the subordination policy as requested.

Mr. Bailey asked for clarification that there was no written policy currently in place, and with no policy in place, staff did not subordinate under any circumstance. Ms. Sherman confirmed same. Mr. Bailey asked if any grant funding used for the Homes for Warriors Program had been reimbursed after the homes were sold. Mrs. Junkala-Brown did not have all the information for the Homes for Warriors Program but would provide Council with an update.

Mr. Bailey felt that 'refinancing for educational purposes', under Item 5 should be removed from the policy. Mrs. Junkala-Brown stated that staff had originally stricken the language from the policy, but staff from the City Attorney's Office said that if a homeowner had the ability to secure an education that would allow them to continue to make those payments, it would be better for the City. However, the City Manager had the discretion of declining the request. Mr. Bailey said there were appropriate loan measures by the federal government for student loans. He did not think it was a proper way of refinancing a home in order to get the money for education. Ms. Smith said it was a policy decision, but it was not her preference to subordinate liens unless it was due to an emergency.

Mrs. Junkala-Brown explained that the intent of the policy was if the homeowner was refinancing and the City was in a first lien position because there was no mortgage, the City could reassume its position as the lienholder. The homeowner could not take out equity to remodel their home. The educational component allowed the homeowner to take equity to pay for their tuition. She said that staff had originally removed the 'refinancing for educational purposes' and 'refinancing for medical emergencies'.

Mr. Foster withdrew his second to the motion.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve the subordination policy with the removal of 'refinancing for educational purposes' and 'refinancing for medical emergencies', under Item 5 of the policy.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

3. Consideration of councilmembers serving as representatives to other agencies/organizations/committees.

Councilmembers announced on which agencies/organizations/committees they wished to serve.

Mayor Medina expressed interest in serving on the Police and Firefighters' Pension Plan, Board of Trustees. Mr. Foster recommended that William Capote continue to serve until the expiration of the term. There was question as to whether Mr. Capote could continue to serve as he was no longer Mayor or if he could serve as a resident. Staff would research same and bring the matter back to Council at the next meeting.

Council concurred to vote on the appointments for each agency/organization/committee.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Deputy Mayor Johnson as the delegate and Mayor Medina as the alternate to the Space Coast League of Cities. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Mayor Medina and Councilmembers Foster and Felix as delegates, and Deputy Mayor Johnson and Councilman Bailey as alternates, to the Space Coast Transportation Planning Organization. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Mrs. Junkala-Brown as the delegate and Councilman Felix as the alternate to the Ad Valorem Tax Abatement Council. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Councilman Felix to serve on the Palm Bay Municipal Foundation, Inc.'s Disaster Relief Committee. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Bailey, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

Councilmembers Bailey and Foster expressed interest in serving on the Risk Management Committee (Committee). Mr. Foster felt he would serve well on the Committee due to his legal background. Mayor Medina said the position should be yielded to the senior member on Council, Councilman Bailey. Mr. Foster disagreed.

Mayor Medina relinquished the chair to Deputy Mayor Johnson and made the motion to appoint Councilman Bailey to serve on the Risk Management Committee. Mr. Foster called a Point of Order and questioned why Mayor Medina passed the gavel instead of

giving a councilmember the opportunity to make the motion. Mayor Medina explained that as presiding officer, he had the right to make a motion pursuant to Council's Policies and Procedures.

Deputy Mayor Johnson said there was a motion was on the floor and asked for a second to the motion. Mr. Bailey seconded the motion.

Deputy Mayor Johnson said he was okay with either councilman serving on the Committee but felt that Councilman Foster had the experience with the types of cases that would be presented to the Risk Management Committee. Mr. Felix agreed that Councilman Foster had the experience but supported Councilman Bailey as senior member of Council.

Mr. Foster said he had experience with lawsuits, civil rights issues, as well as use of force issues and would provide a good perspective to the City.

Mr. Bailey withdrew his second to the motion. The motion died for lack of a second.

Motion by Mr. Foster, seconded by Mr. Bailey to appoint Councilman Foster to serve on the Risk Management Committee.

Motion carried with members voting as follows:

Mayor Medina	Yea
Deputy Mayor Johnson	Yea
Councilman Bailey	Yea
Councilman Foster	Yea
Councilman Felix	Nay

Mayor Medina resumed as presiding officer of the meeting.

ADMINISTRATIVE AND LEGAL REPORTS:

1. Ms. Sherman advised of upcoming events.

PUBLIC COMMENTS/RESPONSES:

1. Bill Battin, resident, asked when the updated Comprehensive Plan would be completed, and the deadline and process for analyzing same.

Ms. Sherman said the process would take approximately 1-2 years and would begin in 2021. There would be a stakeholders meeting in which the public and various groups would be asked to participate and provide input. Mr. Bradley said there was no specific deadline to update the Comprehensive Plan and advised of upcoming amendments that had to be approved prior to moving forward.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 10:03 p.m.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director, City Engineer and Juliet Misconi, Chief Procurement Officer

DATE: 1/7/2021

RE: Award of Bid: Culvert pipe replacement, Unit 20 – IFB 19-0-2021 – Public Works Department (Timothy Rose Contracting, Inc. - \$166,445).

This project is comprised of the removal, disposal, re-installation or new installation of twenty-four (24) street culvert pipe crossings in Port Malabar Unit 20 within the City of Palm Bay. There are twenty-two (22) failed culvert pipes to be replaced and two (2) new culvert pipe installations at paved swales. Construction of these projects are all turn-key and will include all aspects of work.

Eight (8) bids were received. The Procurement Department staff reviewed the bids for responsiveness. Public Works Department evaluated the bids for responsibility and ability to perform the scope of services. The Public Works Department found the lowest responsive bid to be acceptable.

The City's Engineers Estimate for the project was \$318,920.97. The lowest bid is \$166,445.25. Public Works Engineering staff has reviewed the pay items, proposed subcontractors, equipment list and checked references and is satisfied with the evidence provided by the contractor. Staff recommends Timothy Rose Contracting, Inc. 1360 Old Dixie Hwy, SW Suite 106, Vero Beach, Florida 32962 for the award of IFB#19-0-2021/MS – Culvert Pipe Replacement – Unit 20.

REQUESTING DEPARTMENT:
Public Works, Procurement

FISCAL IMPACT:
The estimated budget for this project was \$488,000. Total project award will be \$166,445.25. Funds are available in the Stormwater Utility Fund Account No. 461-7084-541-6309 Project No. 21SU02.

RECOMMENDATION:
Motion to approve award of IFB #19-0-2021 Culvert Pipe Replacement Unit 20 to Timothy Rose Contracting, Inc.

ATTACHMENTS:

Description

Tabulation

		IFB #19-0-2021/MS Culvert Pipe Replacement - Unit 20			Timothy Rose Contracting, Inc 1360 Old Dixie Hwy SW Suite 106 Vero Beach, FL 32962 772-564-7800 timrose7@comcast.net		Stillwater Construction, Inc 2555 Cason Lane Malabar, FL 32950 321-288-1281 stillwaterconstruction@hotmail.com		Johnson-Davis, Incorporated 863 S. Kings Hwy Ft. Pierce, FL 34945 772-468-9200 ccryer@johnsondavis.com	
		Red indicates extension error, corrected on this Tabulation								
ITEM	FDOT Pay Item	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	101-1	Mobilization	1	LS	\$ 18,500.00	\$ 18,500.00	\$ 20,000.00	\$ 20,000.00	\$ 7,000.00	\$ 7,000.00
2	102-1	Maintenance of Traffic	1	LS	\$ 3,500.00	\$ 3,500.00	\$ 8,000.00	\$ 8,000.00	\$ 6,200.00	\$ 6,200.00
3	104-1	Erosion Control	1	LS	\$ 1,900.00	\$ 1,900.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00
4	120-3	Lateral Ditch Excavation	1,152	LF	\$ 9.00	\$ 10,368.00	\$ 15.00	\$ 17,280.00	\$ 18.00	\$ 20,736.00
5	285-706	Optional Base, Group 06	631	SY	\$ 25.00	\$ 15,775.00	\$ 35.00	\$ 22,085.00	\$ 50.00	\$ 31,550.00
6	334-1-13	1.5" SP 9.5 Asphalt Concrete Traffic C	53	TN	\$ 279.25	\$ 14,800.25	\$ 150.00	\$ 7,950.00	\$ 350.00	\$ 18,550.00
7	430-175-112	Pipe Culvert Optional Material Round 12" (PPP)	160	LF	\$ 30.00	\$ 4,800.00	\$ 54.24	\$ 8,678.40	\$ 68.00	\$ 10,880.00
8	430-175-115	Pipe Culvert Optional Material Round 15" (PPP)	130	LF	\$ 35.50	\$ 4,615.00	\$ 64.24	\$ 8,351.20	\$ 76.00	\$ 9,880.00
9	430-175-118	Pipe Culvert Optional Material Round 18" (PPP)	370	LF	\$ 44.00	\$ 16,280.00	\$ 69.24	\$ 25,618.80	\$ 84.00	\$ 31,080.00
10	430-175-124	Pipe Culvert Optional Material Round 24" (PPP)	80	LF	\$ 55.00	\$ 4,400.00	\$ 84.24	\$ 6,739.20	\$ 91.00	\$ 7,280.00
11	430-175-136	Pipe Culvert Optional Material Round 36" (PPP)	190	LF	\$ 82.00	\$ 15,580.00	\$ 114.24	\$ 21,705.60	\$ 190.00	\$ 36,100.00
12	430-175-142	Pipe Culvert Optional Material Round 42" (PPP)	120	LF	\$ 95.00	\$ 11,400.00	\$ 200.00	\$ 24,000.00	\$ 225.00	\$ 27,000.00
13	430-175-148	Pipe Culvert, Optional Material Round 48" (PPP)	60	LF	\$ 120.00	\$ 7,200.00	\$ 225.00	\$ 13,500.00	\$ 265.00	\$ 15,900.00
14	430-175-160	Pipe Culvert Optional Material Round 60" (PPP)	70	LF	\$ 218.00	\$ 15,260.00	\$ 275.00	\$ 19,250.00	\$ 320.00	\$ 22,400.00
15	430-175-224	Pipe Culvert Optional Material Elliptical 24" (RCP)	80	LF	\$ 120.00	\$ 9,600.00	\$ 180.00	\$ 14,400.00	\$ 150.00	\$ 12,000.00
16	430-175-224	IV)	56	LF	\$ 136.00	\$ 7,616.00	\$ 200.00	\$ 11,200.00	\$ 180.00	\$ 10,080.00
17	570-1-2	Performance Turf, Sod	980	SY	\$ 4.95	\$ 4,851.00	\$ 15.00	\$ 14,700.00	\$ 10.00	\$ 9,800.00
TOTAL ESTIMATED ANNUAL AMOUNT					\$166,445.25		\$248,458.20		\$279,436.00	

		IFB #19-0-2021/MS Culvert Pipe Replacement - Unit 20			Hinterland Group, Inc 5580 State Road 524 Cocoa, FL 32926 321-633-7066 info@hinterlandgroup.com		Ryan Incorporated Southern 1239 SE Idian Street Suite 110 Stuart, FL 34997 772-266-3200 brichardson@ryanfl.com		Jobear Contracting, Inc 1950 Danr Dr, NE Palm Bay, FL 32905 321-723-3571 rob@jobearinc.com	
		Red indicates extension error, corrected on this Tabulation								
ITEM	FDOT Pay Item	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	101-1	Mobilization	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 24,550.00	\$ 24,550.00	\$ 104,044.00	\$ 104,044.00
2	102-1	Maintenance of Traffic	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 8,000.00	\$ 8,000.00	\$ 12,000.00	\$ 12,000.00
3	104-1	Erosion Control	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,150.00	\$ 5,150.00	\$ 7,000.00	\$ 7,000.00
4	120-3	Lateral Ditch Excavation	1,152	LF	\$ 12.00	\$ 13,824.00	\$ 15.00	\$ 17,280.00	\$ 9.18	\$ 10,575.36
5	285-706	Optional Base, Group 06	631	SY	\$ 32.00	\$ 20,192.00	\$ 63.00	\$ 39,753.00	\$ 50.00	\$ 31,550.00
6	334-1-13	1.5" SP 9.5 Asphalt Concrete Traffic C	53	TN	\$ 450.00	\$ 23,850.00	\$ 550.00	\$ 29,150.00	\$ 611.00	\$ 32,383.00
7	430-175-112	Pipe Culvert Optional Material Round 12" (PPP)	160	LF	\$ 85.00	\$ 13,600.00	\$ 100.00	\$ 16,000.00	\$ 110.12	\$ 17,619.20
8	430-175-115	Pipe Culvert Optional Material Round 15" (PPP)	130	LF	\$ 90.00	\$ 11,700.00	\$ 170.00	\$ 22,100.00	\$ 135.71	\$ 17,642.30
9	430-175-118	Pipe Culvert Optional Material Round 18" (PPP)	370	LF	\$ 100.00	\$ 37,000.00	\$ 112.00	\$ 41,440.00	\$ 135.59	\$ 50,168.30
10	430-175-124	Pipe Culvert Optional Material Round 24" (PPP)	80	LF	\$ 120.00	\$ 9,600.00	\$ 128.00	\$ 10,240.00	\$ 152.57	\$ 12,205.60
11	430-175-136	Pipe Culvert Optional Material Round 36" (PPP)	190	LF	\$ 225.00	\$ 42,750.00	\$ 142.00	\$ 26,980.00	\$ 163.69	\$ 31,101.10
12	430-175-142	Pipe Culvert Optional Material Round 42" (PPP)	120	LF	\$ 275.00	\$ 33,000.00	\$ 146.00	\$ 17,520.00	\$ 228.19	\$ 27,382.80
13	430-175-148	Pipe Culvert, Optional Material Round 48" (PPP)	60	LF	\$ 340.00	\$ 20,400.00	\$ 256.00	\$ 15,360.00	\$ 413.97	\$ 24,838.20
14	430-175-160	Pipe Culvert Optional Material Round 60" (PPP)	70	LF	\$ 420.00	\$ 29,400.00	\$ 373.00	\$ 26,110.00	\$ 412.11	\$ 28,847.70
15	430-175-224	Pipe Culvert Optional Material Elliptical 24" (RCP)	80	LF	\$ 85.00	\$ 6,800.00	\$ 163.00	\$ 13,040.00	\$ 152.78	\$ 12,222.40
16	430-175-224	IV)	56	LF	\$ 110.00	\$ 6,160.00	\$ 203.00	\$ 11,368.00	\$ 247.45	\$ 13,857.20
17	570-1-2	Performance Turf, Sod	980	SY	\$ 6.00	\$ 5,880.00	\$ 5.00	\$ 4,900.00	\$ 5.50	\$ 5,390.00
TOTAL ESTIMATED ANNUAL AMOUNT					\$309,156.00		\$328,941.00		\$438,827.16	

		IFB #19-0-2021/MS Culvert Pipe Replacement - Unit 20			Carr & Collier, Inc 1410 Emerson Street Leesburg, FL 34748 352-314-3625 estimate@carrandcollier.com		Affordable Development, a division of Driveways, Inc. 3300 N. Bobbi Lane Titusville, FL 32780 321-267-4032 driveways-heidi@cfl.rr.com	
		Red indicates extension error, corrected on this Tabulation			estimate@carrandcollier.com		driveways-heidi@cfl.rr.com	
ITEM	FDOT Pay Item	ITEM DESCRIPTION	Est. Annual Qty	UOM	Unit Price	Total Price	Unit Price	Total Price
1	101-1	Mobilization	1	LS	\$ 45,000.00	\$ 45,000.00	\$ 46,860.00	\$ 46,860.00
2	102-1	Maintenance of Traffic	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 29,700.00	\$ 29,700.00
3	104-1	Erosion Control	1	LS	\$ 5,004.00	\$ 5,004.00	\$ 3,960.00	\$ 3,960.00
4	120-3	Lateral Ditch Excavation	1,152	LF	\$ 9.00	\$ 10,368.00	\$ 27.50	\$ 31,680.00
5	285-706	Optional Base, Group 06	631	SY	\$ 58.00	\$ 36,598.00	\$ 113.17	\$ 71,410.27
6	334-1-13	1.5" SP 9.5 Asphalt Concrete Traffic C	53	TN	\$ 350.00	\$ 18,550.00	\$ 725.14	\$ 38,432.42
7	430-175-112	Pipe Culvert Optional Material Round 12" (PPP)	160	LF	\$ 180.00	\$ 28,800.00	\$ 156.91	\$ 25,105.60
8	430-175-115	Pipe Culvert Optional Material Round 15" (PPP)	130	LF	\$ 210.00	\$ 27,300.00	\$ 152.03	\$ 19,763.90
9	430-175-118	Pipe Culvert Optional Material Round 18" (PPP)	370	LF	\$ 220.00	\$ 81,400.00	\$ 204.92	\$ 75,820.40
10	430-175-124	Pipe Culvert Optional Material Round 24" (PPP)	80	LF	\$ 220.00	\$ 17,600.00	\$ 221.65	\$ 17,732.00
11	430-175-136	Pipe Culvert Optional Material Round 36" (PPP)	190	LF	\$ 270.00	\$ 51,300.00	\$ 169.73	\$ 32,248.70
12	430-175-142	Pipe Culvert Optional Material Round 42" (PPP)	120	LF	\$ 320.00	\$ 38,400.00	\$ 222.25	\$ 26,670.00
13	430-175-148	Pipe Culvert, Optional Material Round 48" (PPP)	60	LF	\$ 470.00	\$ 28,200.00	\$ 347.31	\$ 20,838.60
14	430-175-160	Pipe Culvert Optional Material Round 60" (PPP)	70	LF	\$ 550.00	\$ 38,500.00	\$ 440.59	\$ 30,841.30
15	430-175-224	Pipe Culvert Optional Material Elliptical 24" (RCP)	80	LF	\$ 240.00	\$ 19,200.00	\$ 318.33	\$ 25,466.40
16	430-175-224	IV)	56	LF	\$ 260.00	\$ 14,560.00	\$ 344.95	\$ 19,317.20
17	570-1-2	Performance Turf, Sod	980	SY	\$ 4.00	\$ 3,920.00	\$ 6.23	\$ 6,105.40
TOTAL ESTIMATED ANNUAL AMOUNT					\$474,700.00		\$521,952.19	



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Charleena Cox, Human Resources Director; Juliet Misconi, Chief Procurement Officer

DATE: 1/7/2021

RE: Award of Proposal: Broker of Record, Benefits Consultant Services - RFP 03-0-2021 - Human Resources Department (The Gehring Group, Inc. - \$70,000).

At the request of Human Resources, the Procurement Department solicited proposals on behalf of the City for Broker of Record – Benefits Consultant Services. The intent of this solicitation was to seek firms with a successful track record of providing health benefits consultant services, with the most up-to-date knowledge of federal, state and local legislation regarding benefits and insurance.

Two (2) proposals were received. The Procurement Department staff reviewed the proposals for responsiveness. The proposals were evaluated by a committee consisting of four (4) qualified staff from the Human Resources Department, Utilities Department and the Police Department, who assigned points for non-price factors such as Summary of Qualifications and Technical Response. Points for cost were determined by the Procurement Department. See attached Scoring and Ranking form. The Evaluation Team unanimously recommended The Gehring Group, Inc. out of Palm Beach Gardens, Florida as the top-ranked vendor for award.

The Gehring Group, Inc. (incumbent) submitted all required minimums as outlined by the Proposal package. Based on the answers provided in Tab 5 (Summary of Qualifications), coupled with Tab 6 (Technical Proposal), the Gehring Group, Inc. possessed more institutional knowledge and familiarity with the City of Palm Bay's benefit consultant services than the other Proposer. Moreover, over the past 10 years, the Gehring Group has serviced more than 40 Public Sector clients, each of whom remain clients today. The Gehring Group has never received less than satisfactory from the City's Vendor Performance Reviews by both the Assistant Human Resources Director (currently Human Resources Director) or the current Human Resources Benefits Manager. Lastly, the Gehring Group has been an excellent resource and proponent for keeping the Human Resources Department abreast of the constantly changing updates regarding the Coronavirus Pandemic. The company's innovative approach to the City's Open Enrollment, while practicing safety measures for our employees, was nothing short of outstanding.

Local Preference was not applied to this project because none of the proposers were local.

REQUESTING DEPARTMENT:

Procurement, Human Resources

FISCAL IMPACT:

Funding is available in the Human Resources Department Employee Health Insurance Fund, account 511-2520-519-31-08.

RECOMMENDATION:

Motion to approve award of RFP #03-0-2021/SZ Broker of Record – Benefits Consultant Services to The Gehring Group, Inc. located in Palm Beach Gardens, Florida. Council approval is requested to establish an initial three (3) year contract, renewable by the Procurement Department for two (2) additional one-year terms. The annual fee will be \$70,000 for years one and two, \$72,500 for years three and four and \$75,000 for year five.

ATTACHMENTS:

Description

Tabulation

Scoring and Ranking Form

RFP #03-0-2021/SZ Broker of Record - Benefit Consultant Services

	Local Preference: D	Local Preference: D
	RobinsonBush Consulting	The Gehring Group, Inc.
	21 Park Lake Street Orlando, FL 32803 407-493-9677 jbush@robinsonbush.com	4200 Northrop Pkwy, Ste 185 Palm Beach Gardens, FL 33410 561-626-6797 / 800-244-6797 cindy.thompson@gehringgroup.com
ITEM DESCRIPTION	Yearly Amount	Yearly Amount
Flat Fee	\$72,000.00	\$70,000.00

RFP # 03-0-2021 Broker of Record - Benefits Consultant Services - FINAL RANKING

CRITERIA - TOTAL 100 POINTS

Summary of Qualifications = 30 points

Technical Response = 60 points

Cost = 10 points

Short List - Oral Presentations = 10 points

Local Preference

Class "A" Vendor	10%
Class "B" Vendor	7.5%
Class "C" Vendor	5%
Class "D" Vendor	0%

BUDGETED FUNDING AVAILABLE - \$75,000

		Local Preference Class "D" Vendor	Local Preference Class "D" Vendor
		RobinsonBush Consulting	The Gehring Group, Inc
		407-493-9677 21 Park Lake Street Orlando, FL 32803 jbush@ronsinsonbush.com	561-626-6797/800-244-6797 4200 Northrop Pkwt, Ste 185 Palm Beach Gardens, FL 33410 cindy.thompson@gehringgroup.com
EVALUATION CRITERIA	POSSIBLE POINTS		
Summary of Qualifications	30	24.00	27.00
Technical Response	60	42.00	51.00
SUBTOTAL (1) NON-PRICE FACTORS	90	66.00	78.00
Cost	10	9.72	10.00
SUBTOTAL (2) POINTS	100	75.72	88.00
Location		0%	0%
Additional Points		0.00	0.00
SUBTOTAL (3) POINTS		75.72	88.00
SHORT LIST - ORAL PRESENTATIONS			
TOTAL SCORE	100	75.72	88.00

Final Ranking

company #1

company #2

The Gehring Group, Inc
RobinsonBush Consulting

RFP #69-0-2020/SZ
Residential Brokerage Services
Cost Calculations

Budgeted Funding Available - \$75,000

Residential Broker Services

COMPANY NAME	PROPOSAL COST	LOWEST COST PROPOSED	% OF LOW	MULTIPLIER	TOTAL POINTS ASSIGNED
RobinsonBush Consulting	\$ 72,000.00	\$ 70,000.00	97.2%	10	9.72
The Gehring Group, Inc	\$ 70,000.00	\$ 70,000.00	100.0%	10	10.00

TOTAL POINTS

COMPANY NAME	Total Points
RobinsonBush Consulting	9.72
The Gehring Group, Inc	10.00

RFP #03-0-2021/SZ
 Broker of Record - Benefits Consultant Services
 Initial Scoring

	Cassandra	Charleena	Dwayne	Lt. Tim	Average	Multiplier	TOTAL
COMPANY NAME	Smith	Cox	Sheppard	Lancaster			POINTS
RobinsonBush Consulting	3	5	4	4	4.00	6	24.00
The Gehring Group, Inc	4	5	4	5	4.50	6	27.00
Technical Response = max 5 points x 12 = max 60 total							
	Cassandra	Charleena	Dwayne	Lt. Tim	Average	Multiplier	TOTAL
COMPANY NAME	Smith	Cox	Sheppard	Lancaster			POINTS
RobinsonBush Consulting	3	4	3	4	3.50	12	42.00
The Gehring Group, Inc	4	5	4	4	4.25	12	51.00
TOTALS COMBINED							Ranking
RobinsonBush Consulting							66.00
The Gehring Group, Inc							78.00



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Brian Robinson, Information Technology Director; Juliet Misconi, Chief Procurement Officer

DATE: 1/7/2021

RE: Contract: Superion public safety software maintenance and support, renewal – Information Technology Department (Central Square (dba Superion) - \$106,300).

Central Square (dba Superion, LLC) is the provider of OneSolution, an integrated software solution for public safety. Superion (formerly Sungard HTE) has been providing the City of Palm Bay with software modules and technical support for over 20 years and is the sole provider for their software and maintenance support. As Superion is the only provider of maintenance and support of their software, and per the Procurement Ordinance, 38.07, maintenance and support of existing software/hardware is excluded from the competitive procurement process.

REQUESTING DEPARTMENT:

Procurement, Information Technology

FISCAL IMPACT:

The FY21 expenditure for OneSolution public safety software maintenance and support is \$106,299.89. Funds are available as follows: Information Technology, account 001-2310-519-4604, \$106,299.89.

RECOMMENDATION:

Motion to approve up to \$106,299.89 to Central Square (dba Superion) for software maintenance and support.

ATTACHMENTS:

Description

Superion Invoices 291674, 300562



Superior, LLC, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Invoice

Invoice No
291674

Date
9/18/2020

Page
1 of 1

Bill To

City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se
Palm Bay FL 32907
United States

Ship To

City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se,
Palm Bay FL 32907
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
Contract No. Q-12519				
1	ONESolution Intelligence - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,097.04	\$1,097.04
2	ONESolution Quartermaster - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$500.00	\$500.00

**Please include invoice number(s) on your remittance advice,
made payable to Superior, LLC**
ACH:
Routing Number 121000358
Account Number 1416612641
E-mail payment details to: Accounts.Receivable@CentralSquare.com

Check:
12709 Collection Center Drive
Chicago, IL 60693

Subtotal	\$1,597.04
Tax	\$0.00
Invoice Total	\$1,597.04
Payments Applied	\$0.00
Balance Due	\$1,597.04



Superior, LLC, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Invoice

Invoice No
300562

Date
12/7/2020

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1 of 5

Bill To

City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se
Palm Bay FL 32907
United States

Ship To

City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se,
Palm Bay FL 32907
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
Contract No. Q-12517				
1	ONESolution RMS Client License for Message Switch - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$42.00	\$42.00
2	ONESolution Freedom Premium - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$84.00	\$84.00
3	ONESolution MCT Client AVL License - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,680.00	\$1,680.00
4	ONESolution Racial Profiling - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$630.00	\$630.00
5	ONESolution Residential Security Watch - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$168.00	\$168.00
6	ONESolution Mobile Server Software - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$945.00	\$945.00
7	ONESolution Police-to-Citizen - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$630.00	\$630.00
8	ONESolution Field Training Online-Cloud - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$0.00	\$0.00
9	ONESolution Field Training Online-Cloud - Access Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,575.00	\$1,575.00



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5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
10	ONESolution Asset Management - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$168.00	\$168.00
11	ONESolution Barcoding Hand-Held Client License - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$210.00	\$210.00
12	ONESolution MFR Client-MOBLAN Version - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$6,720.00	\$6,720.00
13	ONESolution Canine Tracking - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$840.00	\$840.00
14	ONESolution MFR Client-Racial Profiling - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,360.00	\$3,360.00
15	ONESolution Crime Analysis Plus - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,197.00	\$1,197.00
16	ONESolution State/NCIC Messaging Software - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,575.00	\$1,575.00
17	ONESolution Fleet Vehicle Maintenance - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$168.00	\$168.00
18	ONESolution Freedom Server Software - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$735.00	\$735.00



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Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
19	ONESolution Property & Evidence - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$462.00	\$462.00
20	ONESolution AVL Server Host License - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,772.00	\$2,772.00
21	ONESolution Problem-Oriented Policing - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$273.00	\$273.00
22	ONESolution CAD Client AVL License - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,575.00	\$1,575.00
23	ONESolution Computer-Aided Dispatch System - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$9,105.60	\$9,105.60
24	ONESolution RMS Training Module - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$294.00	\$294.00
25	ONESolution CAD Client License for Message Switch - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$42.00	\$42.00
26	ONESolution CAD Resource Monitor Display License With Maps - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,205.00	\$2,205.00
27	ONESolution ESO Solutions Fire/EMS Export Interface - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,155.00	\$1,155.00



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United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
28	ONESolution Rip & Run Printing/Faxing - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$945.00	\$945.00
29	ONESolution MCT Client-Digital Dispatch - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$13,440.00	\$13,440.00
30	ONESolution MFR Client - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$13,440.00	\$13,440.00
31	ONESolution MFR Client-Arrest Affidavit - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,360.00	\$3,360.00
32	ONESolution MFR Client-Arrest - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$5,040.00	\$5,040.00
33	ONESolution MFR Client-Canine - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$5,040.00	\$5,040.00
34	ONESolution MFR Client-Fleet Maintenance - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,520.00	\$2,520.00
35	ONESolution Barcoding Server License - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$960.75	\$960.75
36	ONESolution MFR Client-Problem-Oriented Policing - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$3,360.00	\$3,360.00



Invoice

Invoice No
300562

Date
12/7/2020

Page
5 of 5

Superion, LLC, a CentralSquare Company
1000 Business Center Drive
Lake Mary, FL 32746

Billing Inquiries: Accounts.Receivable@centralsquare.com

Bill To
City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se
Palm Bay FL 32907
United States

Ship To
City of Palm Bay - PBA2
Palm Bay Police Department
120 Malabar Road Se,
Palm Bay FL 32907
United States

Customer No	Customer Name	Customer PO #	Currency	Terms	Due Date
5635LG	City of Palm Bay - PBA2		USD	Net 30	10/18/2020

	Description	Units	Rate	Extended
37	ONESolution Records Management System - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$10,447.50	\$10,447.50
38	ONESolution Mobile Field Reporting Server - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$945.00	\$945.00
39	ONESolution Crime Stoppers Management - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$273.00	\$273.00
40	ONESolution Mugshot Capture Station Software - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,848.00	\$1,848.00
41	ONESolution Link Analysis - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$2,625.00	\$2,625.00
42	ONESolution Professional Standards - Annual Maintenance Fee Maintenance: Start:10/1/2020, End: 9/30/2021	1	\$1,848.00	\$1,848.00

RB 291511

Please include invoice number(s) on your remittance advice, made payable to Superion, LLC
ACH:
Routing Number 121000358
Account Number 1416612641
E-mail payment details to: Accounts.Receivable@CentralSquare.com

Check:
12709 Collection Center Drive
Chicago, IL 60693

Subtotal	\$104,702.85
Tax	\$0.00
Invoice Total	\$104,702.85
Payments Applied	\$0.00
Balance Due	\$104,702.85



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Valentino Perez, Chief Building Official; Juliet Misconi, Chief Procurement Officer

DATE: 1/7/2021

RE: Contract: Building Services – Inspection and Plan Review, spending authority increase - Building Department (Bureau Veritas North American; Joe Payne; GFA International, Inc.; Safebuilt Florida LLC (\$560,000 (total contract value))).

In Fiscal Year 2018, the Procurement Department, at the request of the Building Division, solicited hourly rates for Building Inspector and Plans Examiner services to supplement in house staff. The Building Department uses these services to conduct field inspections for building permits and reviews construction plans to ensure compliance of the State Building Codes. On March 7, 2018, the Chief Procurement Officer awarded IFB #33-0-2018 to the four lowest, most responsive and responsible companies who submitted a bid: Bureau Veritas North America out of Orlando, Florida; Joe Payne, Inc. out of Tampa, Florida; GFA International, Inc. out of Port St. Lucie, Florida; and Safebuilt Florida LLC out of Loveland, CO. Council has authorized increases to the spend against this contract on February 21, 2019 and August 1, 2019. In addition, Council approved transferring funds toward these contractual expenditures on January 2, 2020. The agreement is for one year with two optional one-year renewals; the City is in the final renewal option and the current agreement expires March 19, 2021. A new solicitation is on the street and expected to come before Council for award in March.

Procurement tracks spend against the contract year, rather than the Fiscal Year. Based on current trends, Staff is requesting approval to increase the contract year spend, for the contract period of March 20, 2020 through March 19, 2021, to \$560,000. Due to the increase in building within the city, contractors are utilizing Private Providers to perform their Inspections and Plan Reviews. Approximately 950 Inspections and Plan reviews are being performed by the contractors Private Providers. Currently the Chief Building Official is meeting with contractors to bring these Inspections and Plan Reviews back to the Building Department. By doing so, the Building Department will need to increase the usage of outside contracting until we fill the vacant positions the City has posted. Note that the bulk of this spend already occurred and was prior to the staffing initiatives of the Building Department. This request does not require any budget adjustments, as there are budgeted funds available for this Fiscal Year's portion.

REQUESTING DEPARTMENT:

Building Department

FISCAL IMPACT:

No additional funding is requested, as budgeted funds are available in account #451-3320-524-3141. The FY

2021 budgeted amount of \$474,102 is anticipated to cover the current contract period, which ends March 19, 2021, and the remainder of the fiscal year under the new contract.

RECOMMENDATION:

Motion to approve the increase of contract spending authority to a total estimated annual contract value of \$560,000 through the end of contract on March 19, 2021, to the multiple vendor award contracts of IFB #33-0-2018 with Bureau Veritas North America located in Orlando, Florida, Joe Payne, Inc. located in Tampa, Florida, GFA International, Inc. located in Port St. Lucie Florida, and Safebuilt Florida LLC located in Loveland CO, to be utilized on an “as needed” basis.

ATTACHMENTS:

Description

Legislative Memo - January 2, 2020



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

DATE: January 2, 2020

RE: Budget Increase - Growth Management/ Building Division

The Building Division is requesting to increase its operational budget to cover the cost of utilizing additional contracted building services which covers inspection personnel, plan reviews, and a building official, contract IFB #33-0-2018.

The Building Division budgeted \$175,000 in account 451-3320-524-3141 for contracted building services based on identified needs and priorities during the FY19 Budget process. Due to unpredicted circumstances related to the resignation of the Building Official and the competitive marketplace associated with a workforce shortage of available building inspectors and plan reviewers, the Building Division is requesting additional funding to provide services to meet the increased building activity using the awarded contract. The Building Division is requesting to transfer \$299,102 from the Building Undesignated Fund Balance to contracted services of the operating budget to process permits, conduct inspections and plan reviews. The division has advertised continuous recruitment of these vacant positions through the Human Resources Department, in anticipation to fulfill the vacant positions.

On August 1, 2019 council approved to increase the annual expenditure for contract Building Services to \$353,000 FY19.

REQUESTING DEPARTMENT:

Growth Management/Building Division

FISCAL IMPACT:

Transfer funds available of \$299,102 in Building Division Undesignated Fund Balance account 451-0000-392-3006 to Building Division operating account 451-3320-524-3141. The current outlook for anticipated expenditure for FY20 is \$474,102 for contracted Building Services.

Mayor and Council: Building Division Funds Transfer

January 2, 2020

Page | 2

RECOMMENDATION:

Motion to approve budget amendment from Building Division Undesignated Fund Balance account 451-0000-392-3006 to Operating Budget account 451-3320-524-3141 for additional contracted building services.


Attachment: 1) Council, August 1, 2019 memo (available upon request)

LB/ab



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager 

DATE: August 1, 2019

RE: Increase to spending authority for Building Services - Inspection and Plan Review, IFB #33-0-2018

In Fiscal Year 2018, the Procurement Department, at the request of the Growth Management Department, solicited hourly rates for Building Inspector and Plans Examiner services to supplement in house staff. The Building Department uses these services to conduct field inspections for building permits and reviews construction plans to ensure compliance of the State of Florida Building Codes.

On March 7, 2018, the Chief Procurement Officer awarded IFB #33-0-2018 to the four lowest, most responsive and responsible companies who submitted a bid: Bureau Veritas North America out of Orlando, Florida; Joe Payne, Inc. out of Tampa, Florida; GFA International, Inc. out of Port St. Lucie, Florida; and Safebuilt Florida LLC out of Loveland, CO. The estimated annual spend among all four vendors was less than \$100,000. The agreement is for one year with two optional one-year renewals, for a total contract period not to exceed three years. The contract has been renewed and is currently in the second year. On February 21, 2019, Council approved increasing the spending authority against this contract to \$124,000. For the first year of the contract (March 20, 2018 through March 19, 2019), the contract spend was just under \$124,000. For the second contract year, March 20, 2019 to present, the approximate usage of the contract is \$112,000.

Due to a shortage of Building Inspectors, the Building Department will require increased services of this contract and is requesting an increase to the estimated annual spend. The new estimated total spend will be \$353,000 annually.

REQUESTING DEPARTMENTS:

Growth Management (Building Division), Procurement Department

August 1, 2019

Page 2

FISCAL IMPACT:

Continuing Building Services - Inspection and Plan Review will be utilized by the Building Department on an “as needed” basis. The anticipated expenditures for FY 2020 will be \$353,000. These funds are available in Account # 451-3320-524-3141.

RECOMMENDATION:

Motion to approve the increase of spending authority to a total estimated annual contract value of \$353,000, and to exercise the final renewal option as needed to the multiple vendor award contracts of IFB #33-0-2018 with Bureau Veritas North America located in Orlando, Florida, Joe Payne, Inc. located in Tampa, Florida, GFA International, Inc. located in Port St. Lucie Florida, and Safebuilt Florida LLC located in Loveland CO, to be utilized on an “as needed” basis.

Attachment: 1) Council Memo dated February 21, 2019 (available upon request)

JLM/ab



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Christopher A. Little, P.E.; Juliet Misconi, Chief Procurement Officer

DATE: 1/7/2021

RE: Miscellaneous: Wastewater Master Plan update – Task Order 21-04-IS (in accordance with Master Agreement) – Utilities Department (Infrastructure Solutions Services (ISS) – \$244,260).

The Utilities Department has budgeted for a Wastewater Master Plan Update, which is performed every five years, to be completed in FY21. The last update was completed in October 2017. The master plan update will evaluate the existing collection system and wastewater treatment facilities. In addition, the master plan will include projection of future wastewater flows and evaluate system needs to meet the projected flows. The information gathered in the master plan update will be used to evaluate what improvements may be needed and will provide a Capital Improvement Plan (CIP) for 5-year, 10-year and 20-year planning. The CIP will include estimated costs for budgeting purposes. Infrastructure Solutions Services (ISS) has submitted Task Order 21-04-IS for the Wastewater Master Plan Update. Staff has reviewed the scope of work and requests council approval to proceed with Task Order 21-04-IS in the amount of \$244,260.

In accordance with the provisions of Section 287.055, Florida Statutes for Consultants Competitive Negotiation Act (CCNA), the Procurement Department solicited and accepted qualification submittals, under RFQ 36-0-2020/JG, from firms to provide continuing consulting services for water and wastewater engineering services for the Utilities Department. On July 2, 2020 Council approved the award of RFQ 36-0-2020/JG to two firms (ISS and Wade Trim) and authorized City staff to negotiate Master Consultant Agreements. On August 7, 2020 a Master Agreement was executed with ISS. Task Order 21-04-IS is in accordance with the Master Agreement.

REQUESTING DEPARTMENT:

Utilities, Procurement

FISCAL IMPACT:

The total amount for the task order is \$244,260. Funding is available in the Utilities Department's operating fund 421-8013-536-3121.

RECOMMENDATION:

Motion to authorize the execution of ISS Task Order 21-04-IS for Wastewater Master Plan Update, amount

\$244,260, against Master Agreement 36-0-2020.

ATTACHMENTS:

Description

ISS Task Order 21-04-IS

CITY OF PALM BAY, FL

WASTEWATER MASTER PLAN UPDATE

In accordance with City Master Contract #36-0-2020/JG

November 20, 2020

TASK ORDER NO. 21-04-IS

SECTION I. BACKGROUND

The City of Palm Bay Utilities Department, hereinafter referred to as "City", desires to update its Wastewater Master Plan. The master plan evaluates the existing wastewater systems, projects the impacts of future development, and recommends capital improvements to meet future needs.

The master plan will evaluate the existing collection system operation, including gravity sewer, lift stations and forcemain, and the City's wastewater treatment facilities. The evaluation will identify operational issues in the existing systems.

The City will continue to experience significant growth and development. The master plan will include analysis and projection of future wastewater flows in the system. These flows will be used to evaluate the system needs and proposed improvements needed in the 5-year, 10-year, and 20-year planning horizons.

The master plan analysis will result in a recommended Capital Improvement Plan (CIP) identifying future system improvements. The CIP recommendations will include estimated costs for each improvement, the anticipated planning horizon (5, 10, & 20-year), and a description of what development drives the need for the improvement.

The following are the details of the scope:

SECTION II. SCOPE OF WORK

Infrastructure Solution Services agrees to perform the following tasks:

TASK A: ANALYSIS AND PROJECTION OF WASTEWATER FLOWS

- a) Review and analysis of existing wastewater flows for the entire City, each wastewater treatment facility, and each lift station service area. The analysis will evaluate:
 - a. Potable water demand to parcels
 - b. Wastewater flow data from wastewater treatment facilities and lift stations (as available)
 - c. Diurnal flow curves from the wastewater treatment facilities
 - d. Levels of existing inflow & infiltration will be analyzed in the system and lift station service areas. The level of analysis for lift stations service areas is dependent on the lift station flow detail available.
- b) Estimation of the future wastewater flows in the City from development.
 - a. The master plan will estimate the future wastewater flow based on proposed developments and future land use within the City.
 - b. The projection of future wastewater flows in the City will be reviewed.

- c. The master plan will develop wastewater flows for three (3) planning horizons (5, 10, 20-year) for use in evaluating future system performance and needs.

TASK B: MODELING OF THE WASTEWATER COLLECTION SYSTEM

- a) The existing wastewater collection system model for the City will be updated and used to evaluate the performance of the existing system and evaluate future improvements.
- b) The wastewater collection system network will be verified including the pipes, lift stations, and connectivity.
- c) The wastewater system model will be expanded to include all gravity sewer 10" in diameter and larger to provide more refined modeling of the system performance.
- d) The wastewater collection system network will be updated to reflect any changes to the system since the previous master plan. The updates shall be based on GIS and/or development information and plans provided by the City.
- e) The model will be calibrated based on actual flow, pressure, and pump run-time data for the system.
- f) Future system models will be developed for three (3) planning horizons (5, 10, 20-year). The wastewater flows developed in Task A will be used for each of these models.
- g) The future system models will be used to identify and evaluate the improvements required in the collection system to provide service in each of the three (3) planning horizons.
- h) Modeling shall be performed for the average daily flow (ADF) and maximum daily flow (MDF) conditions.

TASK C: EVALUATION OF EXISTING WASTEWATER COLLECTION SYSTEM

- a) The master plan will evaluate the performance of the existing system using the updated wastewater collection system model.
- b) The gravity sewer trunk system (10" in diameter and larger) will be evaluated to identify areas that may be experiencing surcharging and pipes that are over or near capacity during peak flows.
- c) Lift stations will be evaluated to identify any that are nearing capacity.
- d) Force mains will be evaluated to identify any that are experiencing excessive velocities.
- e) Any upgrades to the existing system to meet current service requirements will be identified.

TASK D: EVALUATION OF FUTURE WASTEWATER COLLECTION SYSTEM NEEDS

- a) The master plan will evaluate the performance of the wastewater collection system model in each of the three (3) planning horizons (5, 10, 20-year).
- b) The gravity sewer trunk system (10" in diameter and larger) will be evaluated to identify areas that may be experiencing surcharging and pipes that are over or near capacity during peak flows.
- c) Lift stations will be evaluated to identify any that are nearing capacity.
- d) Force mains will be evaluated to identify any that are experiencing excessive velocities. The gravity sewer, lift stations, and force main necessary to serve future development will be identified and appropriately sized.
- e) For each planning horizon, the gravity sewer, lift station, and force main upgrades necessary to meet projected wastewater flows shall be sized and identified.

TASK E: EVALUATION OF EXISTING WASTEWATER TREATMENT FACILITIES

- a) An inventory of the existing wastewater treatment plants (WWTP) will be performed. The work of the inventory will consist of the following:
 - a. Review existing plans and records for the WWTP and equipment.
 - b. Review any existing operational issues or constraints with the WWTP operations staff.
 - c. Perform a site visit to review the condition and operation of the existing equipment.
 - d. Review the hydraulic and treatment capacity of each unit process.
 - e. Present the detailed findings of the inventory in a technical memorandum included as an appendix to the master plan.

TASK F: EVALUATION OF FUTURE WASTEWATER TREATMENT FACILITY NEEDS

- a) The master plan will evaluate and identify upgrades needed to the wastewater treatment plants to serve future growth.
- b) The upgrades needed in each planning horizon (5, 10, 20-year) will be identified and programmed.

TASK G: RECOMMENDED CAPITAL IMPROVEMENT PLAN

- a) The master plan will include a recommended Capital Improvement Plan of the wastewater collection and treatment improvements necessary to provide service to existing customers and future growth.
- b) The Capital Improvement Plan will provide a description of each improvement, estimated cost, estimated planning horizon, and description of the development that drives the need for the project.
- c) The Appendix of the master plan will provide project data on a City provided templates for each CIP project.

TASK H: MEETINGS

- a) The following meetings with City staff will be held during the master plan process:
 - a. Kick-off meeting to review project scope, objectives & goals
 - b. Site meeting with WWTP operations staff to review operations, issues and constraints
 - c. Progress meeting to review initial results of existing conditions model of the collection system and review proposed scenarios for modeling of future conditions
 - d. Progress meeting to review initial results of scenarios for modeling future conditions
 - e. Meeting to review DRAFT Master Plan and receive comments from City staff

SECTION III: PROJECT REPRESENTATIVES

City of Palm Bay Utilities:	Christopher A. Little, PE 321-952-3420 Christopher.Little@palmabayflorida.org
Infrastructure Solution Services	Clayton E. McCormack, PE 321-622-4646 cmccormack@infrastructureess.com

SECTION IV: PERMITTING

There is no permitting included in this Task Order.

SECTION V: CITY'S RESPONSIBILITY

The following items are required from the CITY to complete the Task Order as mentioned above:

- a) Reasonable access to the site.
- b) Reasonable access to operations, maintenance, and engineering staff.
- c) Copies of available record drawings.
- d) Copies of available operating reports, maintenance records, and SCADA data.
- e) Electronic copies of the existing wastewater treatment model.
- f) Copies of planning records and projections for future growth within the City.
- g) Review and comment of Technical Memorandums, initial existing and future modeling results, and DRAFT Master Plan.

SECTION VI: CONSULTANT SERVICES SPECIFICALLY NOT INCLUDED

- a) Services related to the design or permitting of any improvements
- b) Topographic survey of the City's wastewater collection and treatment facilities
- c) Environmental services related to unknown threatened and endangered species, wetlands, or regulated solid wastes encountered on the site.
- d) Services related to the acquisition of real property, easements, or rights-of-way.
- e) Coordinating with Homeowners Association.
- f) Training

SECTION VII: DELIVERABLES

The following results shall be delivered by the Consultant:

All deliverables shall be provided only in electronic PDF format unless otherwise noted.

Generally –

- a) Monthly activity reports.
- b) Meeting minutes from meetings and conferences with City staff.
- c) Timely invoices concurrent with the work.

Task A – Analysis and Projection of Wastewater Flows

- a) A technical memorandum presenting the existing and future projected wastewater flows that will be used in the master plan and modeling.

Task B – Modeling of the Wastewater System

- a) Electronic copies of the model of the existing wastewater collection system
- b) Electronic copies of the model of each of the future wastewater collection system planning scenarios (5, 10, 20-year)
- c) Documentation for each the model and scenarios

Task C – Evaluation of Existing Wastewater Collection System

- d) A technical memorandum presenting the results of the evaluation of the existing wastewater collection system.

Task D – Evaluation of Future Wastewater Collection System Needs

- a) A technical memorandum presenting the results of the evaluation of the future wastewater collection system needs.

Task E – Evaluation of Existing Wastewater Treatment Facilities

- a) A technical memorandum presenting the results of the evaluation of the existing wastewater treatment facilities.

Task F – Evaluation of Future Wastewater Treatment Facility Needs

- a) A technical memorandum presenting the results of the evaluation of the future wastewater treatment facility needs.

Task G – Recommended Capital Improvement Plan

- a) A technical memorandum presenting the recommended Capital Improvements Plan

Master Plan Deliverables

- a) A DRAFT Master Plan shall be prepared summarizing the results and recommendations in each area of analysis and task. The appendices shall include all technical memorandum and other supporting documentation of the work performed.
- b) A FINAL Master Plan shall be prepared summarizing the results and recommendations in each area of analysis and task and addressing all City comments on the DRAFT master plan. The appendices shall include all technical memorandum and other supporting documentation of the work performed.

Format of Deliverables

- a) Two hard copies and an electronic (pdf) copy of the master plan and all technical memorandums shall be submitted.
- b) Electronic copy of all WaterGEMS model files shall be submitted.

SECTION VIII: SCHEDULE

Note that several tasks can be done simultaneously

Milestone	Calendar Days to Complete	Sum of Days from NTP
Mobilization	10	10
Task A – Analysis and Projection of Wastewater Flows	30	40
Task B – Modeling of Wastewater Collection System	60	70
Task C – Evaluation of Existing Wastewater Collection System	30	100
Task D – Evaluation of Future Wastewater Collection System Needs	30	120
Task E – Evaluation of Existing Wastewater Treatment Facilities	30	100
Task F – Evaluation of Future Wastewater Treatment Facility Needs	30	120
Task G – Recommended Capital Improvement Plan	15	135
DRAFT Master Plan Submittal	15	150
DRAFT Master Plan Review by City	15	165
FINAL Master Plan Submittal	15	180

SECTION IX: BASIS OF COMPENSATION

The lump sum fee for the scope of work described in Section II shall not exceed a total of \$244,260 as shown in the table below. The City shall periodically compensate the Consultant a portion of the task fee based on mutually agreed upon percentages of completion of each task.

TASK	DESCRIPTION	FEE
A	Analysis & Projection of Wastewater Flows	\$ 28,960
B	Modeling of Wastewater Collection System	\$ 64,080
C	Evaluation of Existing Wastewater Collection System	\$ 34,360
D	Evaluation of Future Wastewater Collection System Needs	\$ 37,300
E	Evaluation of Existing Wastewater Treatment Facilities	\$ 28,340
F	Evaluation of Future Wastewater Treatment Facility Needs	\$ 22,880
G	Recommended Capital Improvement Plan	\$ 16,140
H	Meetings	\$ 12,200
	Total	\$ 244,260

At the direction of the City, ISS may be requested to provide additional services. These additional serviced will be billed at ISS standard rates.

SECTION X: ESTIMATED COST OF CONSTRUCTION

There is no estimated construction cost for this project.

SECTION XI: ACCEPTANCE

If the above scope and feed meet your approval, please indicate by your signature in the space provided below and return one signed copy, which will constitute an "Agreement and Notice to Proceed" for the accomplishment of this work.

INFRASTRUCTURE SOLUTION SERVICES, LLC.

City of Palm Bay, Florida



Brian M. Stahl, PE
Managing Member

Juliet Misconi, CPPO, CPPB
Chief Procurement Officer

12-18-20
Date

Date

City Council Approval Date

Professional Engineering Services for the City of Palm Bay, Florida
Wastewater Master Plan
Task Order No. 21-04-ISS
ISS Project Number: PBU006

DRAFT



Project Hourly Labor Breakdown Estimate for Engineering Services									
Task Name		Senior Technical Professional	Professional Engineer 3	Engineer 3	Technician 5	1 Person Survey Crew	Administrative / Clerical 3	Total Hours	Total Dollars
		\$180	\$160	\$110	\$110	\$110	\$60		
Task A: Analysis and Projection of Wastewater Flows									
	Review & analysis of existing WW flows for City, WWTPs & LS service areas	4	20	24	40			88	\$10,960
	Estimation of Future Wastewater Flows from Development	4	18	28	44			94	\$11,520
	Prepare Technical Memorandum documenting task results	2	12	20	16		4	54	\$6,480
								0	\$0
Task A: Total		10	50	72	100	0	4	236	\$28,960
Task B: Modeling of Wastewater Collection System									
	Update existing wastewater model							0	\$0
	Verification of of wastewater collection system (pipes, LS, connectivity)	4	16	32	24	8		84	\$10,320
	Expand model to include all gravity sewer 10" & larger		16	24	16	8		64	\$7,840
	Update collection system network for any changes since previous master plan		8	24	20			52	\$6,120
	Calibrate model based on actual flow, pressures, pump run data		18	32	12			62	\$7,720
	Develop Future Model for 5-year planning horizon		18	42	16			76	\$9,260
	Develop Future Model for 10-year planning horizon		18	42	16			76	\$9,260
	Develop Future Model for 20-year planning horizon		18	42	16			76	\$9,260
	Prepare Technical Memorandum documenting task results	2	8	16	6		4	36	\$4,300
								0	\$0
Task B: Total		6	120	254	126	16	4	526	\$64,080
Task C: Evaluation of Existing Wastewater Collection System									
	Evaluate performance of existing system using updated existing model	4	16	16	8			44	\$5,920
	Evaluate major gravity sewer (10" & larger) capacity, identify issue areas		16	24	12			52	\$6,520
	Evaluate existing LS capacity and identify issues		20	24	12			56	\$7,160
	Evaluate forcemains to identify excessive velocities and issues		12	16	8			36	\$4,560
	Identify any upgrades to the existing system necessary to meet current service requirements		16	24	8		4	52	\$6,320
	Prepare Technical Memorandum documenting task results		8	16	6		3	33	\$3,880
								0	\$0
Task C: Total		4	88	120	54	0	7	273	\$34,360
Task D: Evaluation of Future Wastewater Collection System									
	Evaluate performance of wastewater collection system model in 5-year planning horizon	3	12	10	2			27	\$3,780
	Evaluate performance of wastewater collection system model in 10-year planning horizon	3	12	10	2			27	\$3,780
	Evaluate performance of wastewater collection system model in 20-year planning horizon	3	12	10	2			27	\$3,780
	Evaluate major gravity sewer (10" & larger) capacity, identify issue areas		20	24	8			52	\$6,720
	Evaluate existing LS capacity and identify issues		20	16	4			40	\$5,400
	Evaluate forcemains to identify excessive velocities and issues		12	16	4			32	\$4,120
	Identify any upgrades to thesystem necessary to meet service requirements in 5, 10 & 20-year planning horizons		16	20	8			44	\$5,640
	Prepare Technical Memorandum documenting task results	2	8	16	4		4	34	\$4,080
								0	\$0
Task D: Total		11	112	122	34	0	4	283	\$37,300
Task E: Evaluation of Existing Wastewater Treatment Facilities									
	Inventory of existing WWTP							0	\$0
	Review of plans and records for WWTP & Equipment	2	16	18	12			48	\$6,220
	Review of existing operational issues and constraints with operations staff		12	16	10			38	\$4,780
	Conduct site visit to review condition & operation of existing equipment		8	16	10			34	\$4,140
	Review of hydraulic & treatment capacity of each unit process		24	32	16			72	\$9,120
	Prepare Technical Memorandum documenting task results	2	8	16	4		4	34	\$4,080
								0	\$0
Task E: Total		4	68	98	52	0	4	226	\$28,340
Task F: Evaluation of Future Wastewater Treatment Facilities									
	Evaluate and identify upgrades to WWTPs to serve future growth	2	24	36	12			74	\$9,480
	Identify and program upgrades needed in each planning horizon (5, 10, 20-year planning horizon)		24	36	16			76	\$9,560
	Prepare Technical Memorandum documenting task results	2	8	16	4			30	\$3,840
								0	\$0
Task F: Total		4	56	88	32	0	0	180	\$22,880
Task G: Recommended Capital Improvement Plan									
	Develop recommended Capital Improvement Plan (CIP) of collection and WWTP improvements for existing & future	4	20	28	12		4	68	\$8,560
	Prepare CIP with descriptions, cost estimates, estimated planning horizon, and and driver of need for improvement	4	18	22	12		4	60	\$7,580
								0	\$0
Task G: Total		8	38	50	24	0	8	128	\$16,140
Task H: Meetings									
	Kick-off Meeting	2	4	8	4		2	20	\$2,440
	Site meeting with WWTP operations staff	2	4	8	4		2	20	\$2,440
	Progress meeting to review initial results of existing conditions model	2	4	8	4		2	20	\$2,440
	Progress meeting to review initial results of scenarios for modeling future conditions	2	4	8	4		2	20	\$2,440
	Meeting to review DRAFT Master Plan	2	4	8	4		2	20	\$2,440
								0	\$0
Task H: Total		10	20	40	20	0	10	100	\$12,200
	Total Labor Hours	57	552	844	442	16	41	1,952	
	% OF Total Labor Hours	2.9	28.3	43.2	22.6	0.8	2.1	100.0	
	Total Labor Fee	\$10,260	\$88,320	\$92,840	\$48,620	\$1,760	\$2,460	\$244,260	\$244,260

Subconsultants		Total
		\$ -
Total Subconsultant Fees		\$ -

Summary of Task Estimate	Total
ISS Labor Estimate Total	\$244,260
Subconsultant Fees	\$0
ISS Expenses Estimate Total	\$0
Total Estimated Cost	\$244,260



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director/City Engineer

DATE: 1/7/2021

RE: Resolution 2021-01, rescinding Resolution 2018-51, which authorized the closure of Waterbury Avenue, between Summer Street and Toulon Road.

In FY 2018 City Council closed Waterbury Avenue at C-39 due to public safety concerns from failing and collapsing drainage pipes which caused the roadways to become unstable. Without a City ordinance for a temporary street closure procedure, staff at the time brought a resolution to City Council to permanently close the roadway until the failing and collapsing drainage pipes could be replaced. Freehold Avenue at C-41 was also in a similar condition and was previously closed to public access in 2014, however, this closure did not come before Council.

On April 8, 2020, City Council awarded the construction contract to replace the failing pipes for Freehold at C-41 and Waterbury at C-39 with new 8 ft x 11 ft concrete box culverts. The construction for the installation of the two box culverts have been completed and Public Works inspection staff have signed off on the final acceptance of both projects.

The two roadways are now ready and safe to be reopened for public access. Due to prior Council action taken to close Waterbury, the purpose of this agenda item is to formally re-open the roadway. Freehold has already been reopened.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

None.

RECOMMENDATION:

Motion to approve the reopening of Waterbury Avenue at C-39 for public access.

ATTACHMENTS:

Description

Resolution 2021-01

RESOLUTION 2021-01

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, RESCINDING RESOLUTION 2018-51, WHICH AUTHORIZED THE PERMANENT CLOSURE OF WATERBURY AVENUE, BETWEEN SUMMER STREET AND TOULON ROAD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 20, 2018, the City Council enacted Resolution 2018-51, which authorized the permanent closure of Waterbury Avenue, between Summer Street and Toulon Road, due to the failure of a drainage structure in the Melbourne-Tillman Water Control District C-39 Canal, and

WHEREAS, the construction for the installation of a box culvert has been completed and City staff requests that this segment of Waterbury Avenue be reopened.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby rescinds Resolution 2018-51, enacted on September 20, 2018, in its entirety.

SECTION 2. This Resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2021- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2021.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Yvonne McDonald, Finance Director

DATE: 1/7/2021

RE: Acknowledgement of Investment Performance Review Report, prepared by PFM Asset Management, LLC, for the quarter ended September 30, 2020.

Enclosed is the City's PFM'S Investment Performance Review Report for the Quarter that ended September 30, 2020.

The City's Short Term and Investment Portfolios are of high credit quality and invested in U.S. Treasury, federal agency/GSE, federal agency/CMO, municipal, supranationals, corporate, mortgage-backed, asset-backed, and commercial paper securities.

The Investment Portfolio's quarterly total return performance of 0.21% outperformed the benchmark performance of 0.11% by 0.10%. Over the past year, the Portfolio earned 3.64%, outperforming the 3.56% of the benchmark by 0.08%.

The Short-Term Portfolio ended the quarter with a Yield at Cost of 0.20%, beating the benchmark, the 3-month T-Bill, of 0.18% by 0.02%.

The markets faced many uncertainties as we moved into the Fourth Quarter: Coronavirus, Markets and a Presidential election. Even with a partial recovery in May – August, the unemployment rate remains high and achieving Pre-Pandemic employment levels may be challenging. Economic indicators showed resilience, but future improvement may slow down. The Federal Reserve's new inflation policy to aim to achieve inflation moderately above 2 percent for some time means rates may be lower for longer, while interest rates remains stable near historic lows. PFM has advised that investors should expect lower returns compared to the past year. Considering the economic uncertainties that remain, PFM plans on structuring portfolios to have neutral durations relative to their respective benchmarks.

The portfolios comply with the City's investment policy and Florida investment statutes.

REQUESTING DEPARTMENT:

Finance

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to acknowledge receipt of the Investment Performance Review Report for the Quarter that ended

September 30, 2020.

ATTACHMENTS:

Description

Investment Report_QPR FINAL



Investment Performance Review For the Quarter Ended September 30, 2020

Investment Advisors

PFM Asset Management LLC

Steven Alexander, CTP, CGFO, CPPT, Managing Director
Robert Cheddar, CFA, Chief Credit Officer, Managing Director
D. Scott Stitcher, CFA, Director
Scott Sweeten, BCM, CFS, Client Relationship Manager
Sean Gannon, CTP, Senior Analyst

213 Market Street
Harrisburg, PA 17101
717.232.2723
717.233.6073 fax

300 South Orange Avenue
Suite 1170
Orlando, FL 32801
407.648.2208
407.648.1323 fax

Tab I

- ◆ Market Update

Tab II

- ◆ Executive Summary
- ◆ Asset Allocation
- ◆ Portfolio Statistics

Tab III

- ◆ Core 1-3 Year Investment Portfolio
- ◆ Short Term Portfolio
- ◆ Important Disclosures

Tab I

Markets Face Many Uncertainties Moving into the Fourth Quarter

◆ Coronavirus

- Spread during **colder months** and flu season
- Development of **vaccines**
- Impact on **economic recovery**

◆ Markets

- **Valuations** of bonds and equities
- Further **fiscal stimulus**
- **Fed** policies

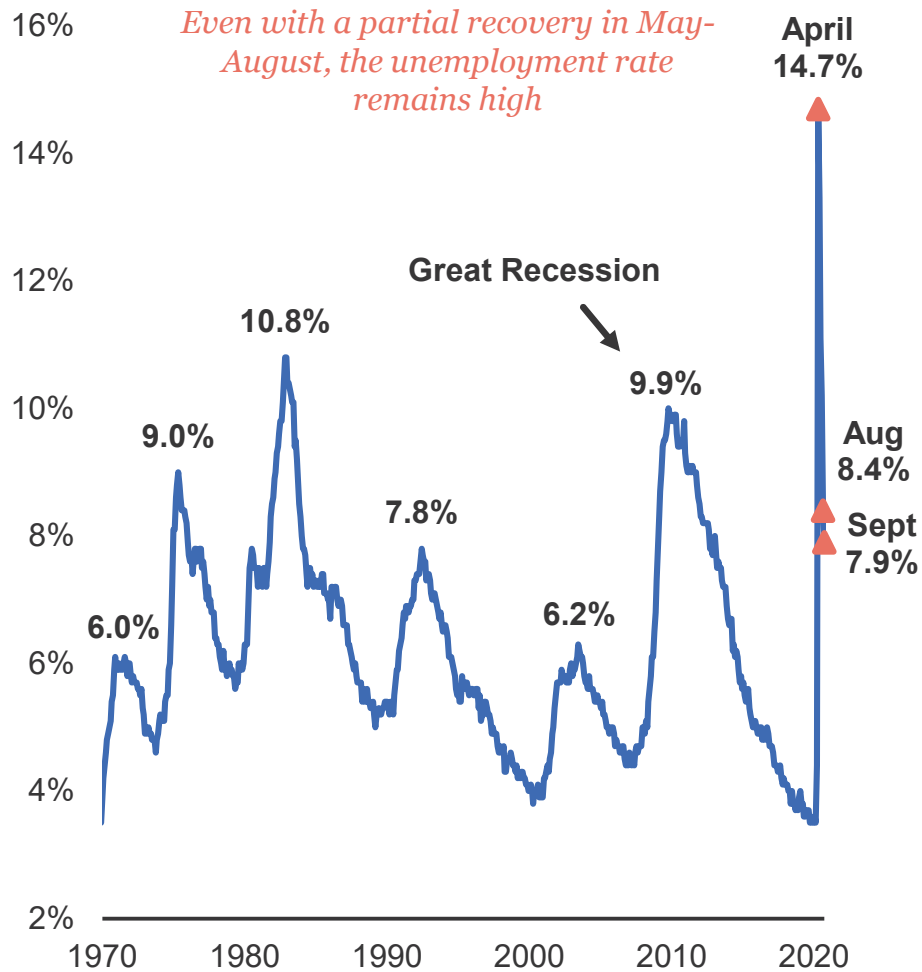
◆ Presidential election

- Priorities of government **spending**
- **Tax law** changes
- **Foreign** and **trade policies**
- Future of **ACA**



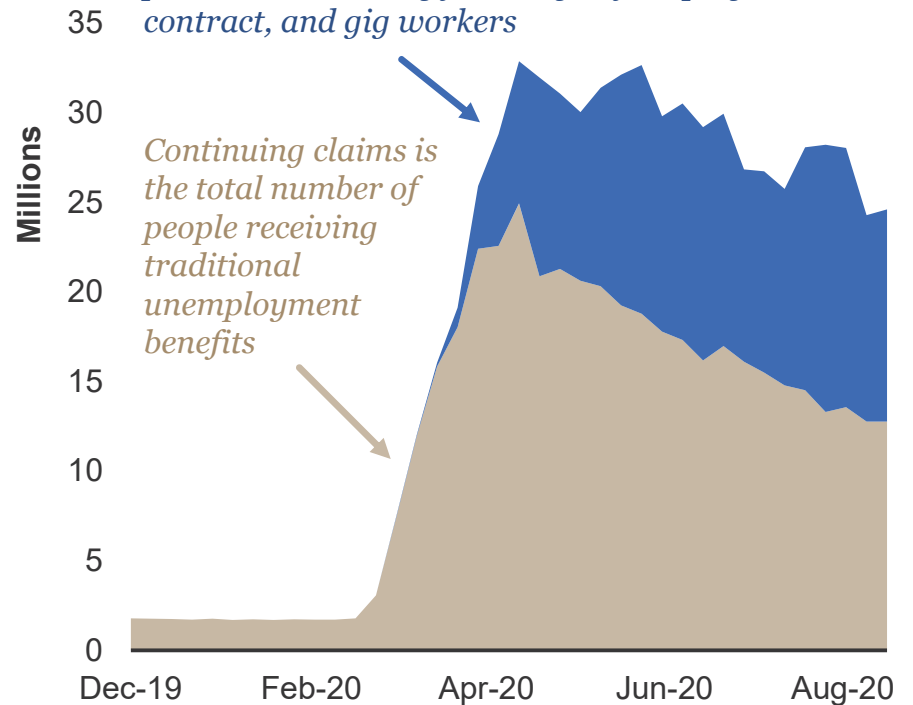
Achieving Pre-Pandemic Employment Levels May Be Challenging

Unemployment Rate



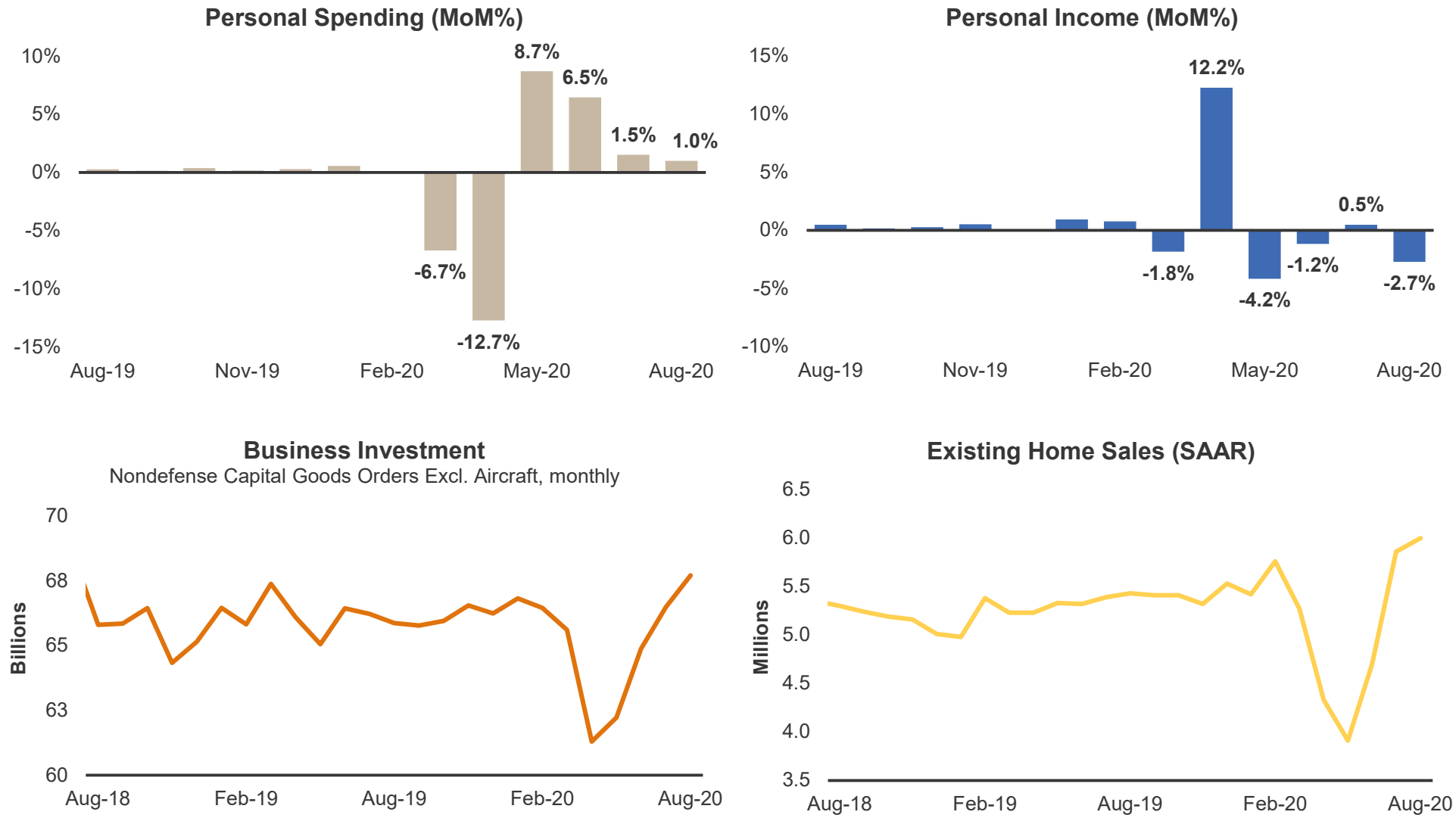
Number of People Collecting Unemployment Assistance

Pandemic Unemployment Assistance is the federal government program that extended benefits for those who have otherwise exhausted traditional benefits, and extended it to individuals out of work due to the pandemic, including formerly self-employed, contract, and gig workers



Source: Bloomberg, as of 9/30/2020. Data is seasonally adjusted. Source (quote): Department of Labor.

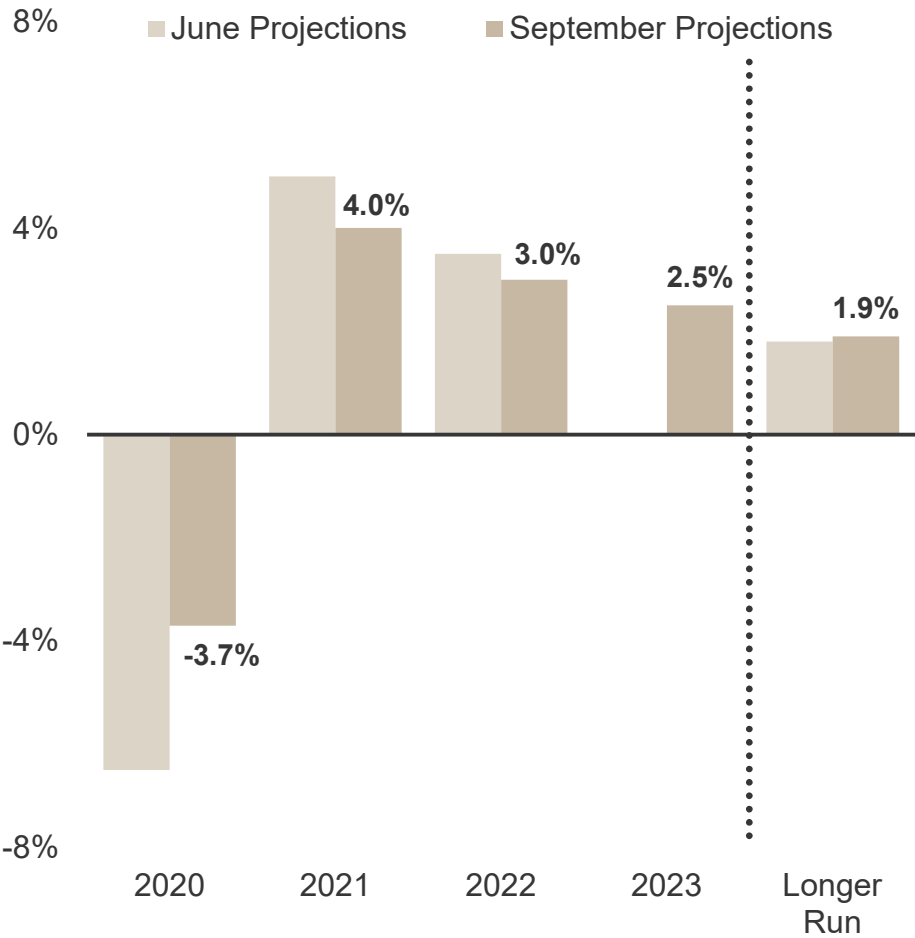
Economic Indicators Show Resilience, But Future Improvement May Slow



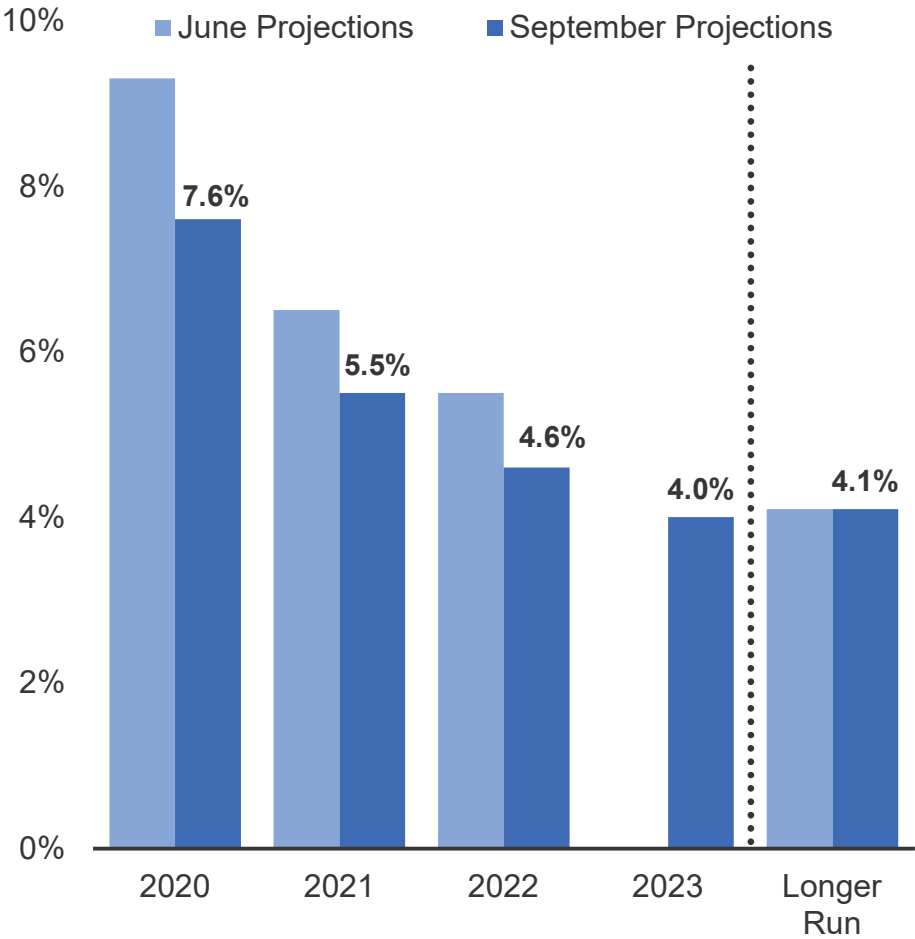
Source: Bloomberg, latest available data as of 10/2/2020.

The Fed’s Updated Economic Projections Pull Improvement Forward

Change in Real GDP



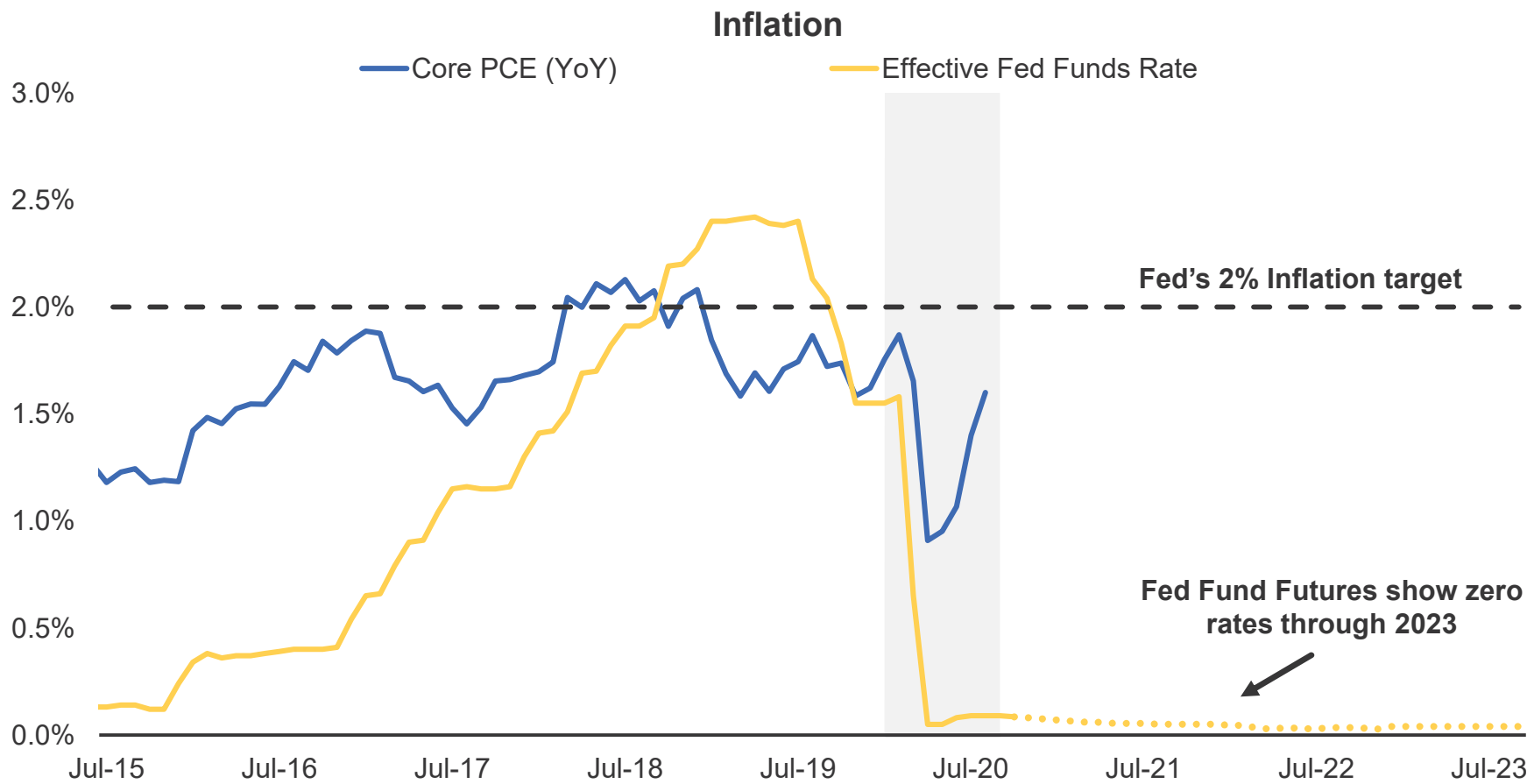
Unemployment Rate



Source: Federal Reserve, economic projections as of June and September 2020.

Federal Reserve's New Inflation Policy Means Rates May Be Lower for Longer

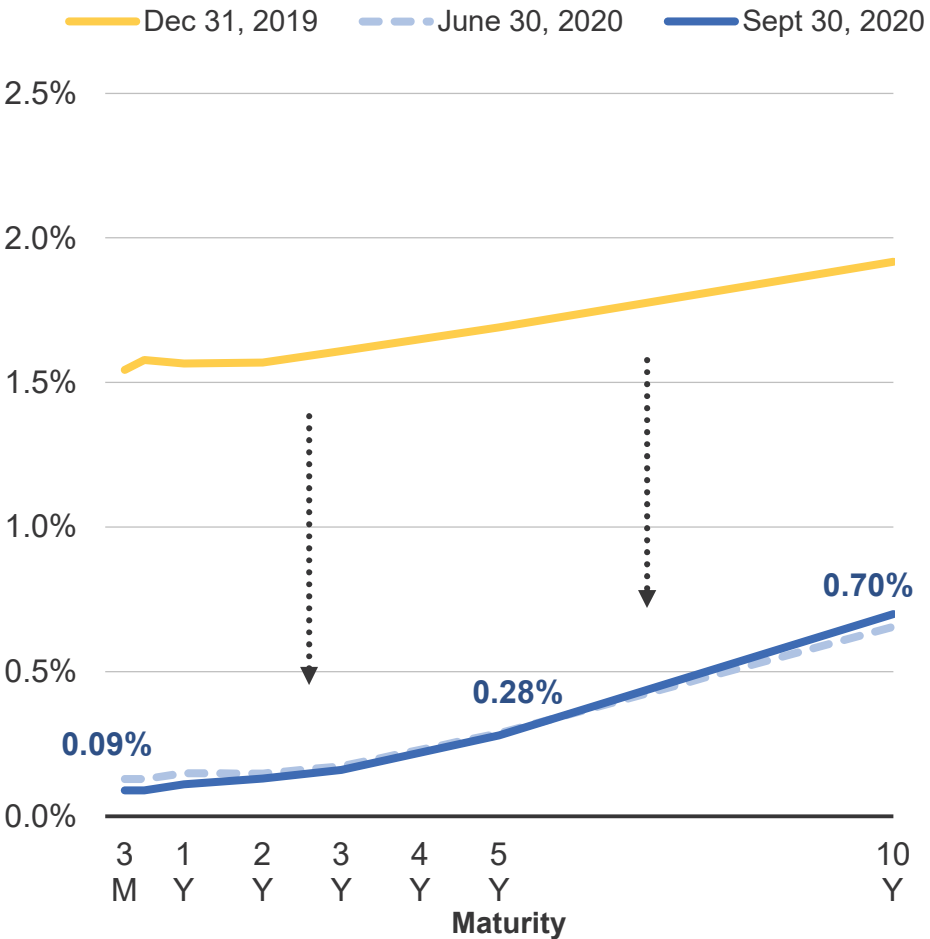
“...the Committee seeks to achieve inflation that averages 2 percent over time...following periods when inflation has been running persistently below 2 percent, appropriate monetary policy will likely aim to achieve inflation moderately above 2 percent for some time.”



Source: Federal Reserve, as of 8/27/2020 (quote); Bloomberg, as of 10/02/2020 (chart). Fed Funds Futures projections as of 10/05/2020.

Interest Rates Remain Stable Near Historic Lows

US Treasury Yield Curve



3-Year Treasury Yield

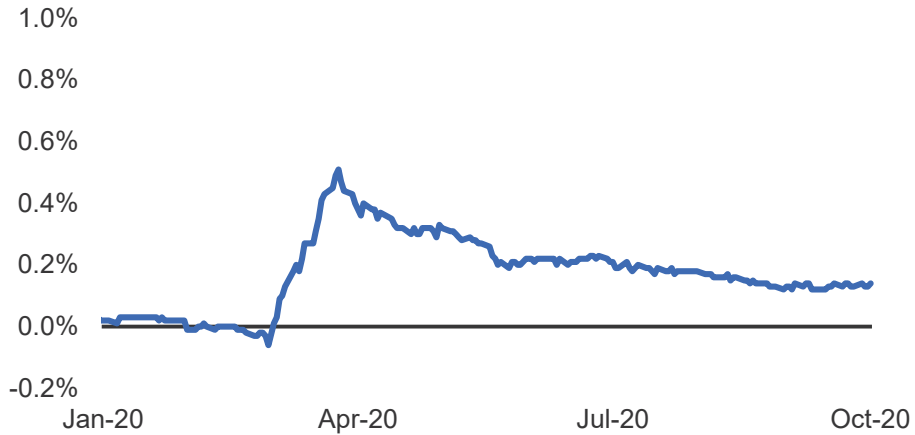


Source: Bloomberg as of 10/02/2020.

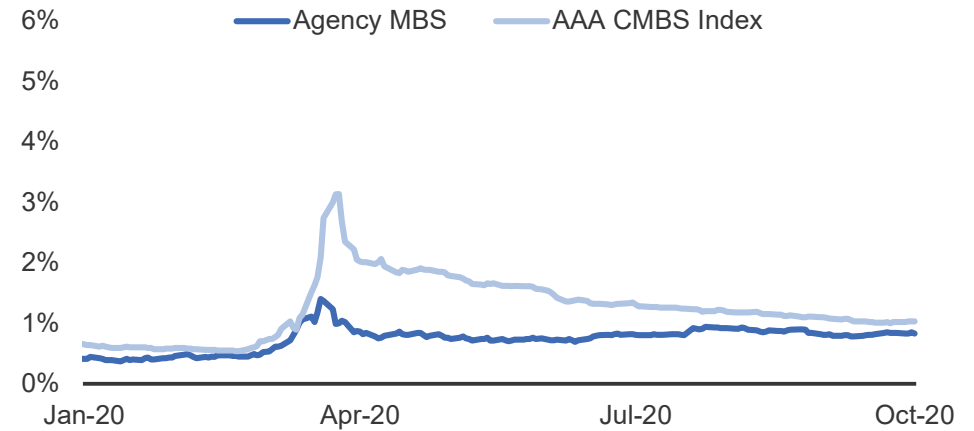
Yield Spreads Narrow Further in Q3

1-5 Year Indices

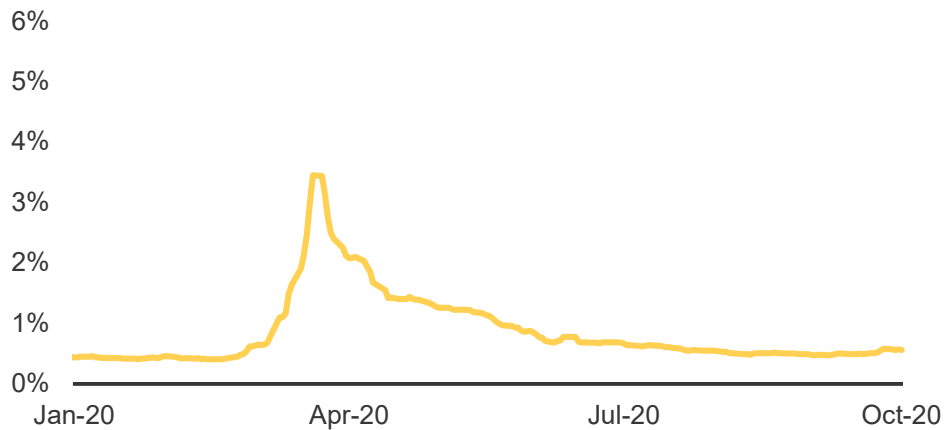
Federal Agency Yield Spreads



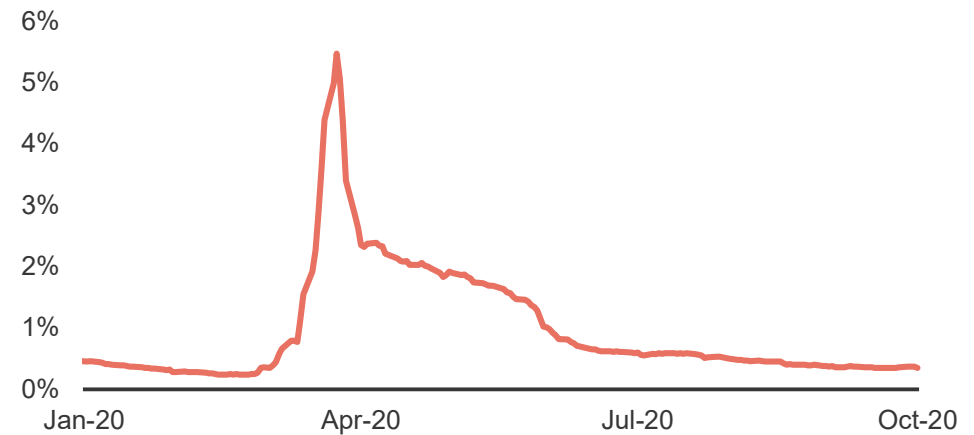
Mortgage-Backed Securities Yield Spreads



Corporate Notes A-AAA Yield Spreads



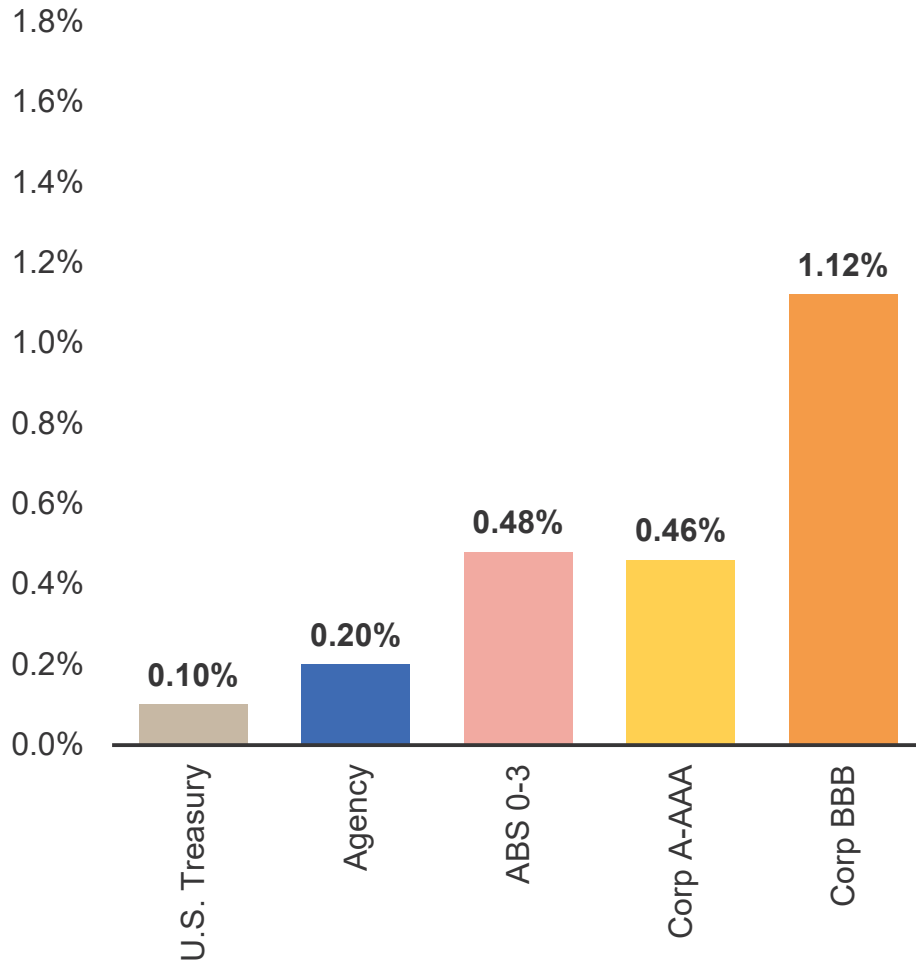
Asset-Backed Securities Yield Spreads



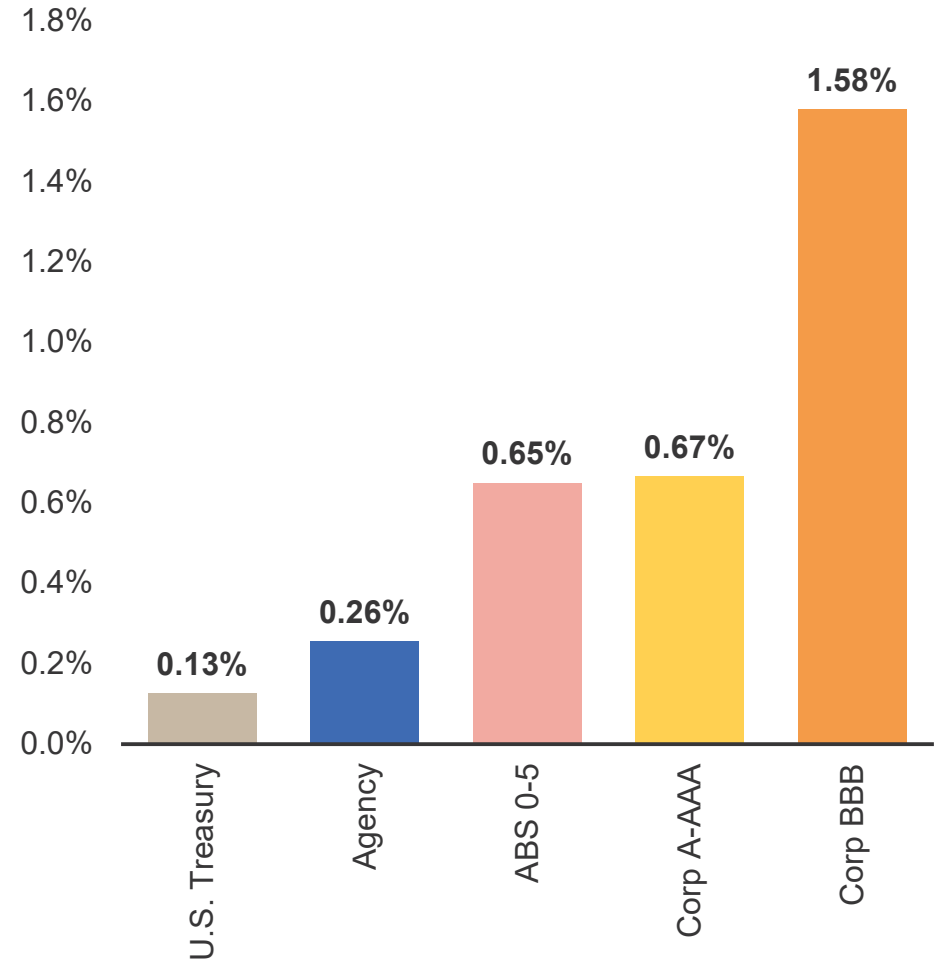
Source: ICE BofAML 1-5 year Indices via Bloomberg, MarketAxess and PFM as of 10/02/2020. Spreads on ABS and MBS are option-adjusted spreads of 0-5 year indices based on weighted average life; spreads on agencies are relative to comparable maturity Treasuries. CMBS is Commercial Mortgage-Backed Securities.

Credit Sectors Outperform in the Third Quarter

1-3 Year Indices

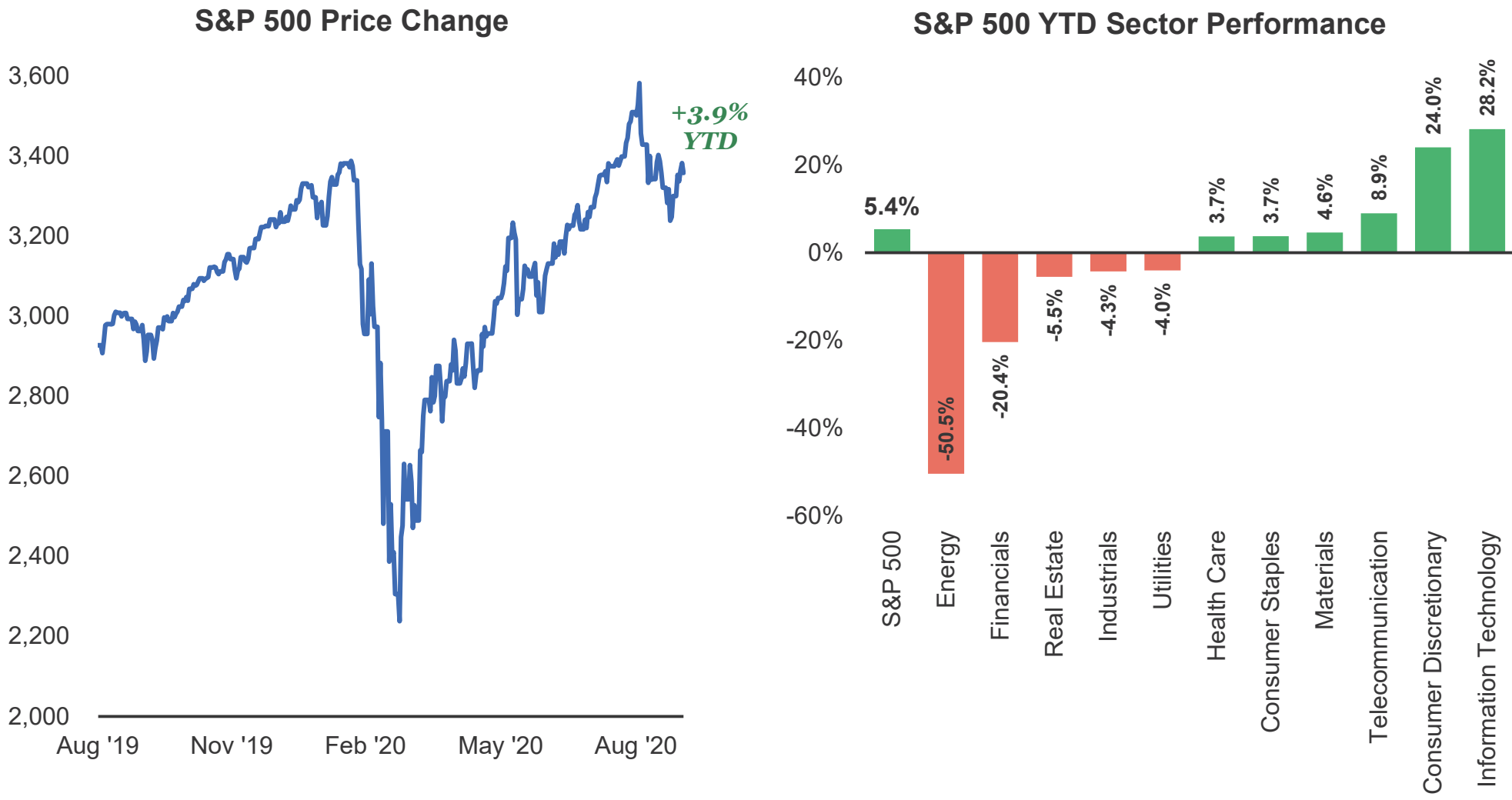


1-5 Year Indices



Source: Bloomberg, as of 9/30/2020.

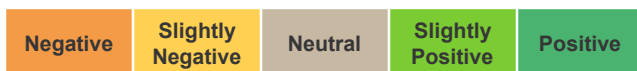
Equity Market Reaches New High Before Pullback



Source: Bloomberg, as of 10/02/2020.

Fixed-Income Sector Outlook – October 2020

Sector	Our Investment Preferences	Comments
COMMERCIAL PAPER / CD		<ul style="list-style-type: none"> Front end credit spreads are close to historic tights; however, investor appetite remains strong; selectively add exposure.
TREASURIES		
T-Bill		<ul style="list-style-type: none"> T-Bills remain attractive relative to other short-term options. Renewed fiscal stimulus may result in elevated supply and drive the continued value in this sector.
T-Note		<ul style="list-style-type: none"> Treasury yields decreased over the month as Treasury volatility fell. Uncertainty around the path of the virus, additional fiscal support and the November elections have offset the record level of treasury coupon issuance in moving yields lower.
FEDERAL AGENCIES		
Bullets		<ul style="list-style-type: none"> Agency spreads remained mostly range bound over the month. Current valuations remain attractive in the 3- and 5-year area, which have benefited the most from supply, and should continued to be targeted.
Callables		<ul style="list-style-type: none"> Callable spreads tightened and new-issue coupons continued to fall as Treasury volatility hit a record low. Value remains on a structure-by-structure basis.
SUPRANATIONALS		<ul style="list-style-type: none"> Supranational spreads softened across the curve in response to robust issuance, which is expected to slow given annual funding targets are nearly met. New issue opportunities should continue to be evaluated.
CORPORATES		
Financials		<ul style="list-style-type: none"> We remain cautious with valuations on high-quality corporate bonds near record tight levels while fundamentals remain highly uncertain. New issue supply will likely decline after the record pace seen so far this year, a positive factor for the sector.
Industrials		<ul style="list-style-type: none"> The Fed's unprecedented support should help anchor spreads, but we have concerns around consumer finances and corporate balance sheets. Another surge in COVID-19 cases, rising geopolitical tensions and the Presidential election could be catalysts for another spike in volatility.
SECURITIZED		
Asset-Backed		<ul style="list-style-type: none"> ABS yield spreads tightened even as the sector experienced an elevated level of issuance in September. Credit enhancements on some new issue auto ABS deals have increased in response to concerns regarding consumer stress.
Agency Mortgage-Backed		<ul style="list-style-type: none"> The Fed continues "to support the smooth functioning" of the MBS market through its ongoing purchase program. However, spreads are narrow, and prepayments will stay elevated over the near-term as refinancings remain robust.
Agency CMBS		<ul style="list-style-type: none"> Agency CMBS spreads moved slightly wider in September and remain above historical averages as concerns regarding the ability of renters to pay remain.
MUNICIPALS		<ul style="list-style-type: none"> Taxable supply continues to come to market while spreads continue to tighten due to increased investor demand. We remain focused on the largest issuers while exercising caution on many sub-sectors given the fiscal impact from COVID-19.



● Current outlook

○ Outlook one quarter ago

Tab II

- The City's Short Term and Investment Portfolios are of high credit quality and invested in U.S. Treasury, federal agency/GSE, federal agency/CMO, supranationals, municipal, corporate, mortgage-backed, asset-backed and commercial paper securities.
- The Investment Portfolio's quarterly total return performance of 0.21% outperformed the benchmark performance of 0.11% by 0.10%. Over the past year, the Portfolio earned 3.64%, outperforming the 3.56% benchmark by 0.08%.
- The Short Term Portfolio ended the quarter with a Yield at Cost of 0.20%, beating the benchmark of 0.18%, by 0.02%¹.
- The effects of the coronavirus continued to ripple through global economies and financial markets during Q3:
 - **Global health crisis** – Coronavirus restrictions were gradually eased throughout the U.S. but were followed by regional hot spots of infection, reminding people of how long the virus may linger.
 - **Economic shutdown** – U.S. second quarter GDP plunged by a record annualized rate of 31.7%. For context, GDP fell by 8.4% during the height of the 2008 financial crisis. However, other economic indicators were surprisingly strong and recovered at a faster pace than originally expected, leading various economists to pull forward the expected timeframe for recovery. The labor market has rebounded off its lows, but with the unemployment rate still near 8%, the jobs landscape remains a significant headwind to a more robust and sustained recovery.
 - **Financial markets** – The Federal Reserve (Fed) continued to play a large role in supporting financial market stability. The central bank re-affirmed its ongoing support of many bond market sectors through its continuing purchase and liquidity programs, and it extended the expiration date of many of its lending facilities. The Fed also extended its forward guidance regarding zero short-term interest rates through 2023.
- The U.S. Treasury yield curve remained relatively unchanged over the quarter, with all maturities ending the quarter within 0.05% of where they began. Yields on shorter-term maturities drifted lower as the lack of new fiscal stimulus resulted in lighter Treasury debt issuance. Longer-dated yields inched only slightly higher, nudged primarily by the Fed's new inflation targeting policy. As a result, Treasury index returns were muted for the quarter.
- Considering the economic uncertainties that remain, we plan on structuring portfolios to have neutral durations relative to their respective benchmarks.

1. According to the City's investment policy the short term benchmark is the S&P GIP All 30 Day Gross of Fees. However, due to system limitations the 3 month T-Bill is utilized for comparative purposes for the short term portfolio.

Portfolio Statistics (All Accounts)

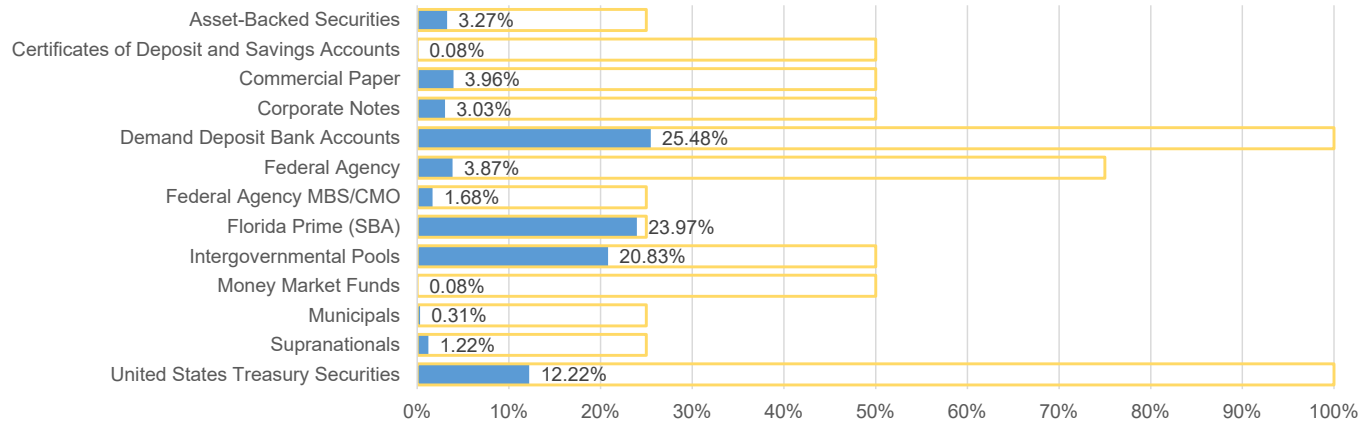
<u>Account Name</u>	<u>Amortized Cost^{1,2,3}</u>	<u>Amortized Cost^{1,2,3}</u>	<u>Market Value^{1,2,3}</u>	<u>Market Value^{1,2,3}</u>	<u>Duration (Years)</u>
	<u>September 30, 2020</u>	<u>June 30, 2020</u>	<u>September 30, 2020</u>	<u>June 30, 2020</u>	<u>September 30, 2020</u>
Investment Portfolio	\$25,283,921	\$24,936,945	\$25,746,193	\$25,504,002	1.83
Short Term Portfolio	\$11,005,428	\$15,974,872	\$11,009,352	\$15,997,160	0.57
Florida Prime ⁷	\$29,352,923	\$30,922,977	\$29,352,923	\$30,922,977	48 days
US Bank Money Market Account	\$95,166	\$43,703	\$95,166	\$43,703	0.003
Florida Palm ⁷	\$29,431,605	\$29,954,489	\$29,431,605	\$29,954,489	46 days
JP Morgan Chase Checking Account	\$31,197,429	\$32,396,449	\$31,706,574	\$32,594,930	0.003
Total Assets	\$126,366,472	\$134,229,434	\$127,341,813	\$135,017,260	

<u>Account Name</u>	<u>Yield to Maturity</u>	<u>Yield to Maturity</u>	<u>Yield to Maturity</u>	<u>Yield to Maturity</u>	<u>Duration (Years)</u>
	<u>at Cost^{4, 5}</u>	<u>at Cost^{4, 5}</u>	<u>at Market⁵</u>	<u>at Market⁵</u>	<u>June 30, 2020</u>
	<u>September 30, 2020</u>	<u>June 30, 2020</u>	<u>September 30, 2020</u>	<u>June 30, 2020</u>	
Investment Portfolio	1.61%	1.85%	0.62%	0.70%	1.84
Short Term Investment Portfolio	0.20%	0.93%	0.12%	0.22%	0.53
Florida Prime ⁷	0.33%	0.57%	0.33%	0.57%	53 days
US Bank Money Market Account	0.01%	0.05%	0.01%	0.05%	0.003
Florida Palm	0.27%	0.49%	0.27%	0.49%	42 days
JP Morgan Chase Checking Account	N/A	N/A	N/A	N/A	0.003
Weighted Average Yield	0.48%	0.70%	0.27%	0.40%	

<u>Benchmarks</u>	<u>September 30, 2020</u>	<u>June 30, 2020</u>
S&P Rated GIP Index Government 30 Day Yield ⁶	0.18%	0.33%

Notes:

1. On a trade-date basis, including accrued interest.
2. In order to comply with GASB accrual accounting reporting requirements; forward settling trades are included in the monthly balances.
3. Includes cash in custody account.
4. Past performance is not indicative of future results.
5. Month end yields.
6. Month end yield, gross of fees. Source Standard & Poor's.
7. Thirty day yield as of quarter end. The yields shown above represent past performance. Past performance is no guarantee of future results and yields may vary. The current fund performance may be higher or lower than that cited. The current seven-day yield does not include realized gains and losses on the sale of securities. The yields shown above may reflect fee waivers by service providers that subsidize and reduce the total operating expenses of the Funds. Fund yields would be lower if there were no such waivers.



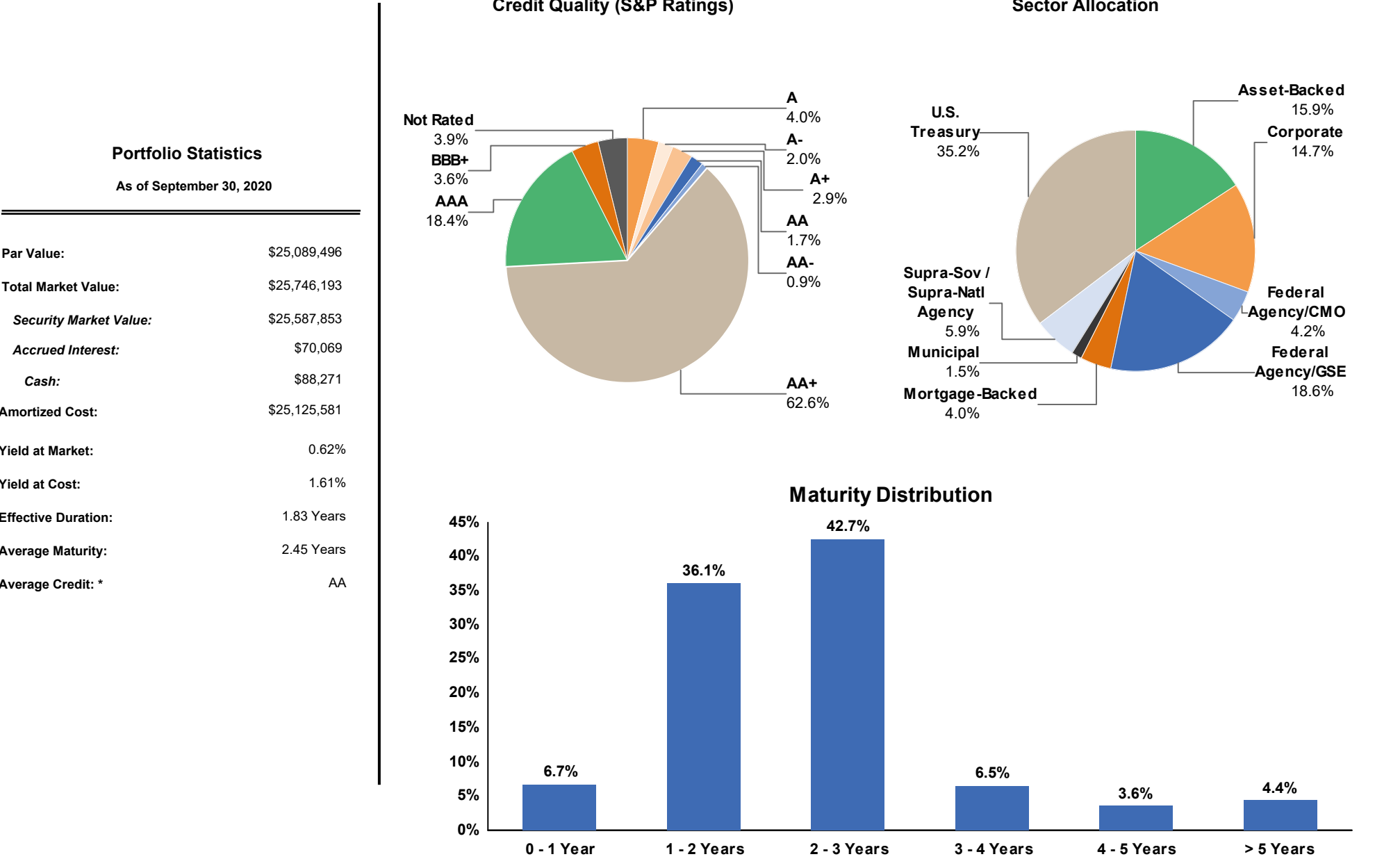
Security Type	Amortized Cost (Includes Interest)	Allocation Percentage	Permitted by Policy	In Compliance
Asset-Backed Securities	4,004,665.40	3.27%	25%	Yes
Bankers' Acceptances	-	-	25%	Yes
Certificates of Deposit and Savings Accounts	95,165.71	0.08%	50%	Yes
Commercial Paper	4,846,063.52	3.96%	50%	Yes
Corporate Notes	3,712,491.84	3.03%	50%	Yes
Demand Deposit Bank Accounts	31,197,428.84	25.48%	100%	Yes
Federal Agency	4,732,134.26	3.87%	75%	Yes
Florida Prime (SBA)	29,352,923.28	23.97%	25%	Yes
Intergovernmental Pools	25,500,037.16	20.83%	50%	Yes
Federal Agency MBS/CMO	2,058,133.44	1.68%	25%	Yes
Money Market Funds	95,169.64	0.08%	50%	Yes
Municipals	381,465.08	0.31%	25%	Yes
Repurchase Agreements	-	-	25%	Yes
Supranationals	1,492,363.35	1.22%	25%	Yes
United States Treasury Securities	14,966,862.49	12.22%	100%	Yes
Total	122,434,904.01	100.00%		

End of month trade-date amortized cost of portfolio holdings, including accrued interest.

Sector	Individual Issuer Breakdown	Amortized Cost (Includes Interest)	Allocation Percentage	Permitted by Policy	In Compliance
ASSET-BACKED	ALLY AUTO RECEIVABLES TRUST	141,590.07	0.12%	5%	Yes
ASSET-BACKED	AMERICAN EXPRESS CREDIT ACCOUN	250,287.01	0.20%	5%	Yes
ASSET-BACKED	CAPITAL ONE MULTI-ASSET EXECUT	150,085.10	0.12%	5%	Yes
ASSET-BACKED	CAPITAL ONE PRIME AUTO REC TRUST	75,073.05	0.06%	5%	Yes
ASSET-BACKED	CNH EQUIPMENT TRUST	90,345.14	0.07%	5%	Yes
ASSET-BACKED	GM FINANCIAL AUTO LEASING TRUST	79,908.47	0.07%	5%	Yes
ASSET-BACKED	GM FINANCIAL SECURITIZED TERM	389,299.16	0.32%	5%	Yes
ASSET-BACKED	HARLEY-DAVIDSON MOTORCYCLE TRUST	75,048.31	0.06%	5%	Yes
ASSET-BACKED	HONDA AUTO RECEIVABLES OWNER T	304,216.17	0.25%	5%	Yes
ASSET-BACKED	HYUNDAI AUTO RECEIVABLES TRUST	232,606.16	0.19%	5%	Yes
ASSET-BACKED	NISSAN AUTO RECEIVABLES OWNER	412,387.07	0.34%	5%	Yes
ASSET-BACKED	TOYOTA AUTO RECEIVABLES OWNER	292,604.63	0.24%	5%	Yes
ASSET-BACKED	WORLD OMNI AUTO RECEIVABLES TR	207,577.51	0.17%	5%	Yes
ASSET-BACKED	CARMAX AUTO OWNER TRUST	321,519.06	0.26%	5%	Yes
ASSET-BACKED	JOHN DEERE OWNER TRUST	165,297.78	0.14%	5%	Yes
ASSET-BACKED	BMW VEHICLE LEASE TRUST	39,048.64	0.03%	5%	Yes
ASSET-BACKED	MERCEDES-BENZ AUTO LEASE TRUST	137,371.10	0.11%	5%	Yes
ASSET-BACKED	MERCEDES-BENZ AUTO RECEIVABLES	63,805.54	0.05%	5%	Yes
ASSET-BACKED	VOLKSWAGEN AUTO LOAN ENHANCED	125,809.37	0.10%	5%	Yes
ASSET-BACKED	FORD CREDIT AUTO LEASE TRUST	72,028.70	0.06%	5%	Yes
ASSET-BACKED	NISSAN AUTO LEASE TRUST	128,630.83	0.11%	5%	Yes
ASSET-BACKED	DISCOVER CARD EXECUTION NOTE TRUST	75,100.23	0.06%	5%	Yes
ASSET-BACKED	VERIZON OWNER TRUST	125,025.88	0.10%	5%	Yes
ASSET-BACKED	BMW VEHICLE OWNER TRUST	50,000.42	0.04%	5%	Yes
CORPORATE NOTE	AMERICAN EXPRESS CREDIT	101,252.71	0.08%	5%	Yes
CORPORATE NOTE	AMERICAN HONDA FINANCE	211,099.60	0.17%	5%	Yes
CORPORATE NOTE	APPLE INC	140,077.26	0.11%	5%	Yes
CORPORATE NOTE	CHEVRON CORP	90,283.63	0.07%	5%	Yes
CORPORATE NOTE	CITIGROUP INC	254,105.31	0.21%	5%	Yes
CORPORATE NOTE	GOLDMAN SACHS GROUP INC	203,056.02	0.17%	5%	Yes
CORPORATE NOTE	MORGAN STANLEY	176,054.81	0.14%	5%	Yes
CORPORATE NOTE	TOYOTA MOTOR CREDIT CORP	130,241.05	0.11%	5%	Yes
CORPORATE NOTE	JOHN DEERE CAPITAL CORP	75,115.63	0.06%	5%	Yes
CORPORATE NOTE	MELLON BANK	175,732.18	0.14%	5%	Yes
CORPORATE NOTE	CATERPILLAR FINANCIAL SERVICES CORP	235,813.36	0.19%	5%	Yes
CORPORATE NOTE	EXXON MOBIL CORP	123,547.88	0.10%	5%	Yes
CORPORATE NOTE	NATIONAL RURAL UTIL COOP	100,310.81	0.08%	5%	Yes
CORPORATE NOTE	PACCAR FINANCIAL CORP	145,203.74	0.12%	5%	Yes
CORPORATE NOTE	PEPSICO INC	65,092.41	0.05%	5%	Yes

Sector	Individual Issuer Breakdown	Amortized Cost (Includes Interest)	Allocation Percentage	Permitted by Policy	In Compliance
CORPORATE NOTE	UNILEVER CAPITAL CORP	179,979.40	0.15%	5%	Yes
CORPORATE NOTE	WELLS FARGO & COMPANY	173,799.37	0.14%	5%	Yes
CORPORATE NOTE	BANK OF AMERICA CORP	203,197.18	0.17%	5%	Yes
CORPORATE NOTE	HERSHEY COMPANY	60,694.17	0.05%	5%	Yes
CORPORATE NOTE	HOME DEPOT INC	25,037.78	0.02%	5%	Yes
CORPORATE NOTE	PFIZER INC	95,086.13	0.08%	5%	Yes
CORPORATE NOTE	3M COMPANY	60,045.95	0.05%	5%	Yes
CORPORATE NOTE	WAL-MART STORES INC	141,189.27	0.12%	5%	Yes
CORPORATE NOTE	CHARLES SCHWAB CORP	96,114.33	0.08%	5%	Yes
CORPORATE NOTE	JPMORGAN CHASE & CO	100,027.21	0.08%	5%	Yes
CORPORATE NOTE	HONEYWELL INTERNATIONAL	120,067.62	0.10%	5%	Yes
CORPORATE NOTE	BANK OF NY MELLON CORP	75,206.01	0.06%	5%	Yes
CORPORATE NOTE	AMAZON.COM INC	125,008.07	0.10%	5%	Yes
CORPORATE NOTE	ADOBE INC	30,052.95	0.02%	5%	Yes
MBS / CMO	FANNIE MAE	925,847.36	0.76%	40%	Yes
MBS / CMO	FHLMC MULTIFAMILY STRUCTURED P	808,480.17	0.66%	40%	Yes
MBS / CMO	FREDDIE MAC	201,809.65	0.16%	40%	Yes
MBS / CMO	FANNIEMAE-ACES	121,996.26	0.10%	40%	Yes
US TSY BOND/NOTE	UNITED STATES TREASURY	14,966,862.49	12.22%	100%	Yes
SUPRANATL	ASIAN DEVELOPMENT BANK	855,577.49	0.70%	10%	Yes
SUPRANATL	INTER-AMERICAN DEVELOPMENT BANK	125,184.03	0.10%	10%	Yes
SUPRANATL	INTL BANK OF RECONSTRUCTION AND DEV	150,684.52	0.12%	10%	Yes
SUPRANATL	AFRICAN DEVELOPMENT BANK	360,917.31	0.29%	10%	Yes
FED AGY BOND/NOTE	FANNIE MAE	1,269,024.35	1.04%	40%	Yes
FED AGY BOND/NOTE	FEDERAL HOME LOAN BANKS	104,315.36	0.09%	40%	Yes
FED AGY BOND/NOTE	FREDDIE MAC	3,358,794.55	2.74%	40%	Yes
MUNI BOND/NOTE	HONOLULU HI	145,420.26	0.12%	5%	Yes
MUNI BOND/NOTE	CONNECTICUT ST	20,229.63	0.02%	5%	Yes
MUNI BOND/NOTE	PORT AUTHORITY OF NY/NJ	150,781.12	0.12%	5%	Yes
MUNI BOND/NOTE	FLORIDA ST BRD OF ADMIN FIN CO	65,034.07	0.05%	5%	Yes
COMMERCIAL PAPER	EXXON MOBIL CORP	2,797,308.89	2.28%	5%	Yes
COMMERCIAL PAPER	CREDIT AGRICOLE CIB NY	2,048,754.63	1.67%	5%	Yes
FLORIDA PRIME (SBA)	FLORIDA PRIME (SBA)	29,352,923.28	23.97%	25%	Yes
CD / SAVINGS ACCOUNT	US BANK SAFEKEEPING	6,898.19	0.01%	100%	Yes
CD / SAVINGS ACCOUNT	US BANK SAFEKEEPING CORE	88,267.52	0.07%	100%	Yes
DEMAND DEPOSIT BANK ACCOUNT	CASH ACCOUNTS	31,197,428.84	25.48%	100%	Yes
MNY MKT/MUTUAL FND	CASH BALANCE	95,169.64	0.08%	25%	Yes
INTERGOVERNMENTAL POOLS	FL PALM	25,500,037.16	20.83%	25%	Yes
Total		122,434,904.01	100.00%		
End of month trade-date amortized cost of portfolio holdings, including accrued interest.					

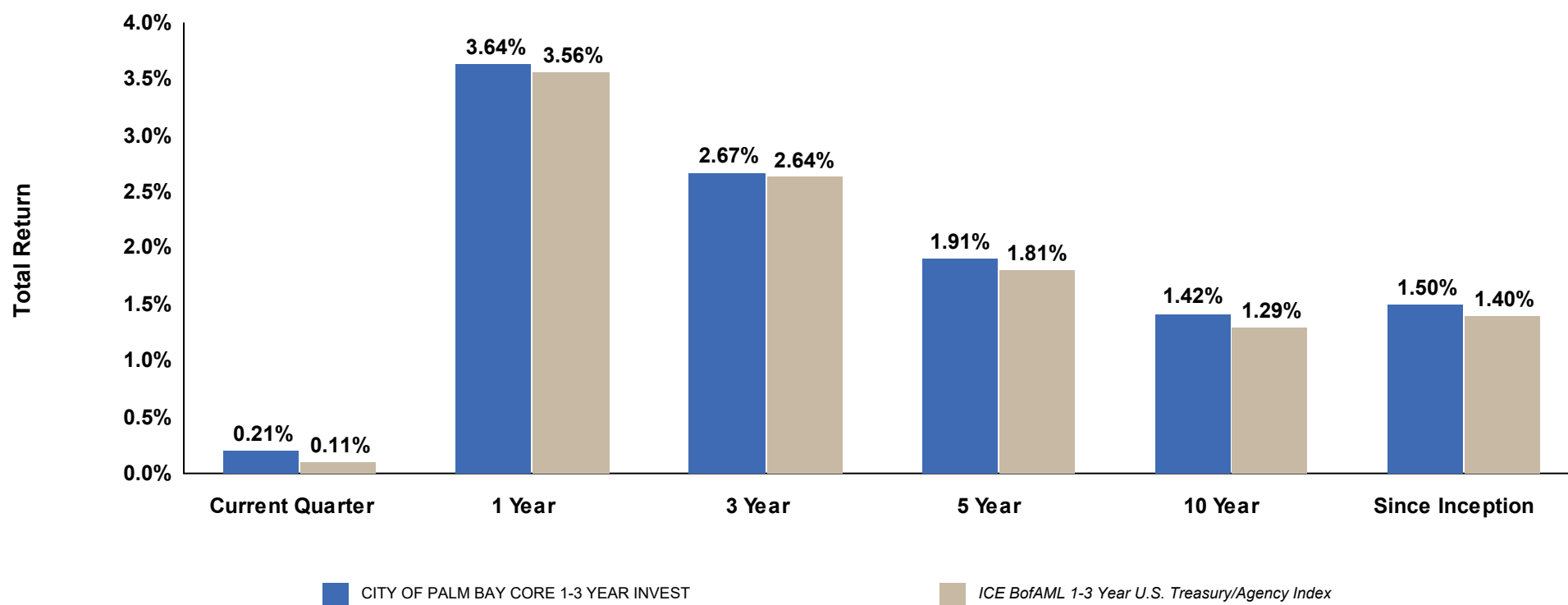
Tab III



* An average of each security's credit rating assigned a numeric value and adjusted for its relative weighting in the portfolio.

Portfolio Performance (Total Return)

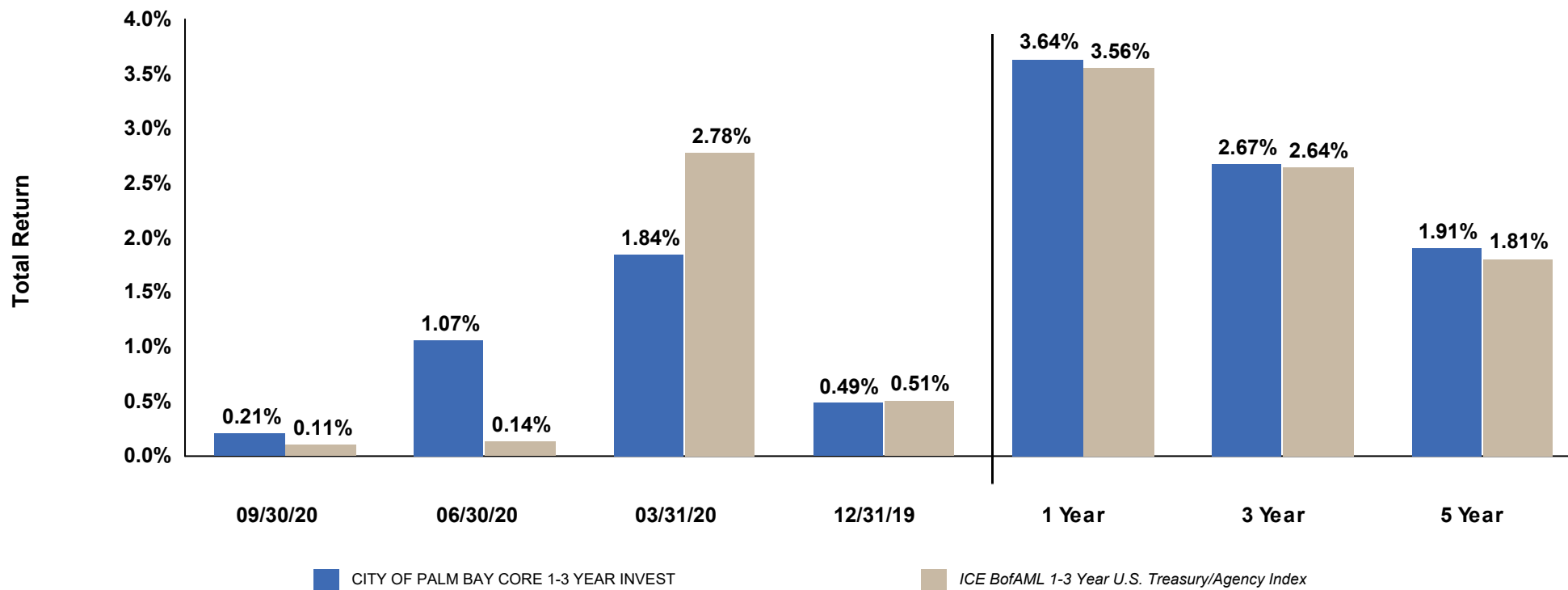
Portfolio/Benchmark	Effective Duration	Current Quarter	Annualized Return				
			1 Year	3 Year	5 Year	10 Year	Since Inception (09/30/09) **
CITY OF PALM BAY CORE 1-3 YEAR INVEST	1.83	0.21%	3.64%	2.67%	1.91%	1.42%	1.50%
ICE BofAML 1-3 Year U.S. Treasury/Agency Index	1.82	0.11%	3.56%	2.64%	1.81%	1.29%	1.40%
Difference		0.10%	0.08%	0.03%	0.10%	0.13%	0.10%



Portfolio performance is gross of fees unless otherwise indicated. **Since Inception performance is not shown for periods less than one year.

Portfolio Performance (Total Return)

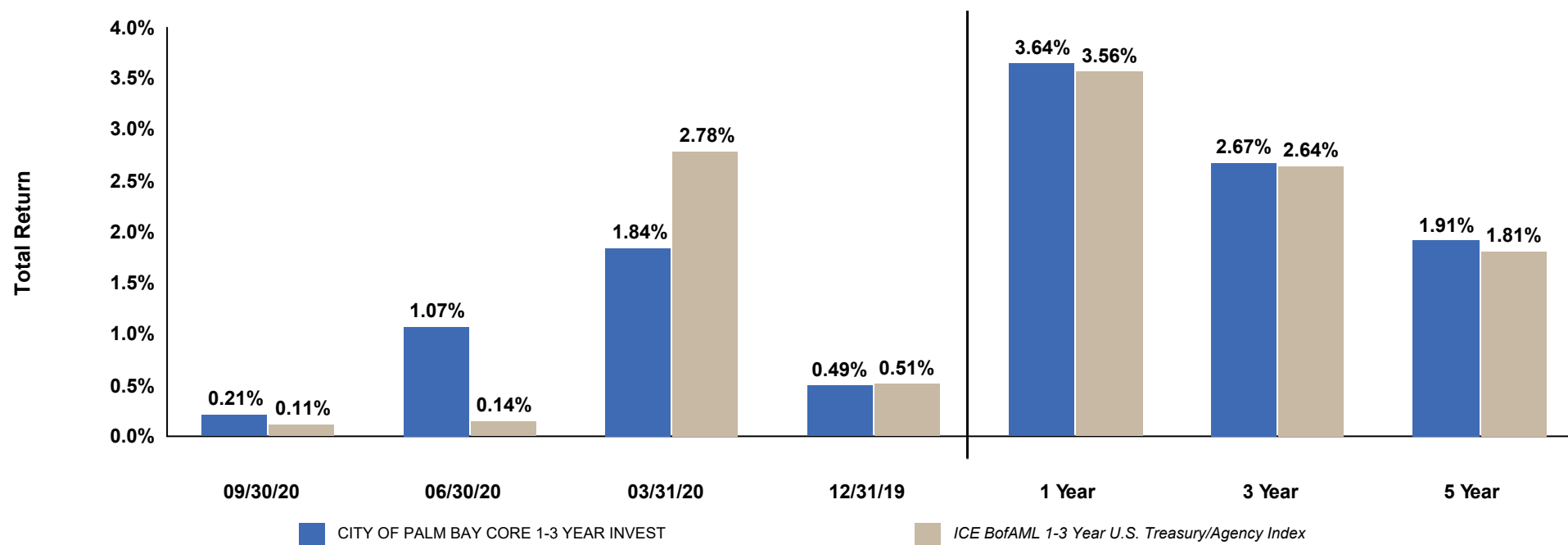
Portfolio/Benchmark	Effective Duration	Quarter Ended				1 Year	Annualized Return	
		09/30/20	06/30/20	03/31/20	12/31/19		3 Year	5 Year
CITY OF PALM BAY CORE 1-3 YEAR INVEST	1.83	0.21%	1.07%	1.84%	0.49%	3.64%	2.67%	1.91%
ICE BofAML 1-3 Year U.S. Treasury/Agency Index	1.82	0.11%	0.14%	2.78%	0.51%	3.56%	2.64%	1.81%
Difference		0.10%	0.93%	-0.94%	-0.02%	0.08%	0.03%	0.10%



Portfolio performance is gross of fees unless otherwise indicated.

Portfolio Performance (Total Return)

Portfolio/Benchmark	Effective Duration	Quarter Ended				Annualized Return		
		09/30/20	06/30/20	03/31/20	12/31/19	1 Year	3 Year	5 Year
CITY OF PALM BAY CORE 1-3 YEAR INVEST	1.83	0.21%	1.07%	1.84%	0.49%	3.64%	2.67%	1.91%
Net of Fees **	-	0.19%	1.05%	1.82%	0.47%	3.56%	2.59%	1.83%
ICE BofAML 1-3 Year U.S. Treasury/Agency Index	1.82	0.11%	0.14%	2.78%	0.51%	3.56%	2.64%	1.81%
Difference (Gross)		0.10%	0.93%	-0.94%	-0.02%	0.08%	0.03%	0.10%
Difference (Net)		0.08%	0.91%	-0.96%	-0.04%	0.00%	-0.05%	0.02%



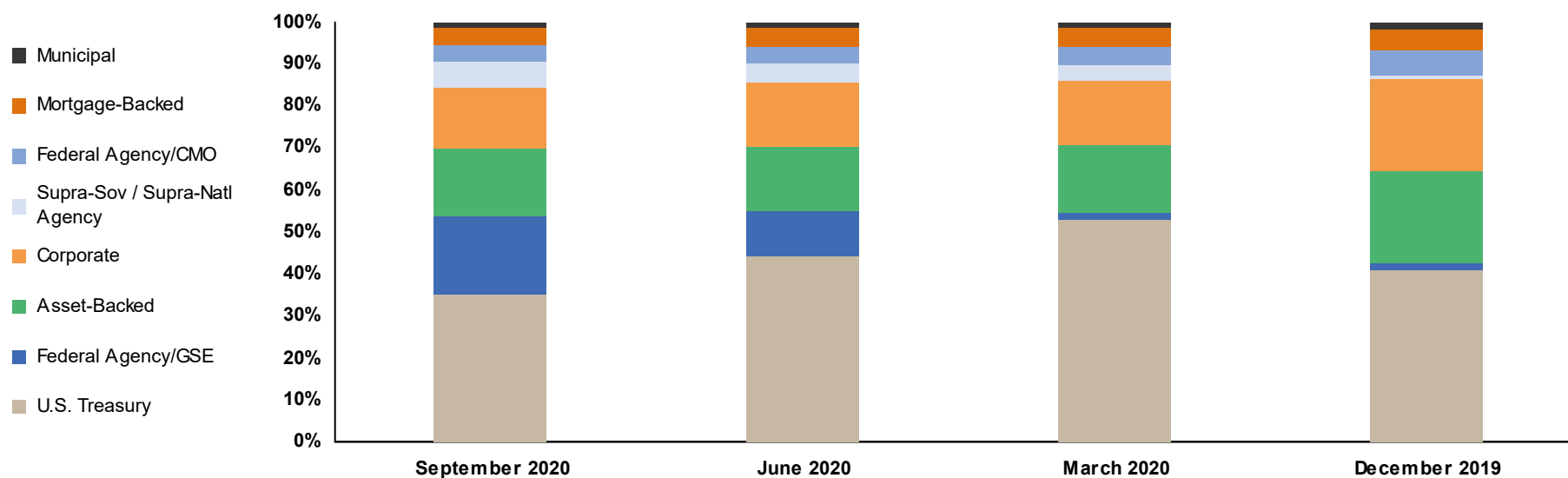
Portfolio performance is gross of fees unless otherwise indicated. ** Fees were calculated based on average assets during the period at the contractual rate.

Portfolio Earnings**Quarter-Ended September 30, 2020**

	Market Value Basis	Accrual (Amortized Cost) Basis
Beginning Value (06/30/2020)	\$25,368,587.01	\$24,801,530.41
Net Purchases/Sales	\$277,988.69	\$277,988.69
Change in Value	(\$58,723.11)	\$46,061.49
Ending Value (09/30/2020)	\$25,587,852.59	\$25,125,580.59
Interest Earned	\$111,118.07	\$111,118.07
Portfolio Earnings	\$52,394.96	\$157,179.56

Sector Allocation

Sector	September 30, 2020		June 30, 2020		March 31, 2020		December 31, 2019	
	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total
U.S. Treasury	9.0	35.2%	11.2	44.1%	13.2	52.7%	7.2	40.9%
Federal Agency/GSE	4.7	18.6%	2.7	10.7%	0.4	1.6%	0.3	1.7%
Asset-Backed	4.1	15.9%	3.9	15.4%	4.0	16.1%	3.8	21.5%
Corporate	3.8	14.7%	3.9	15.4%	3.8	15.2%	3.9	22.2%
Supra-Sov / Supra-Natl Agency	1.5	5.9%	1.1	4.3%	1.0	3.8%	0.2	0.9%
Federal Agency/CMO	1.1	4.2%	1.1	4.4%	1.1	4.6%	1.0	5.9%
Mortgage-Backed	1.0	4.0%	1.1	4.4%	1.2	4.7%	0.9	5.1%
Municipal	0.4	1.5%	0.3	1.3%	0.3	1.3%	0.3	1.8%
Total	\$25.6	100.0%	\$25.4	100.0%	\$25.1	100.0%	\$17.7	100.0%

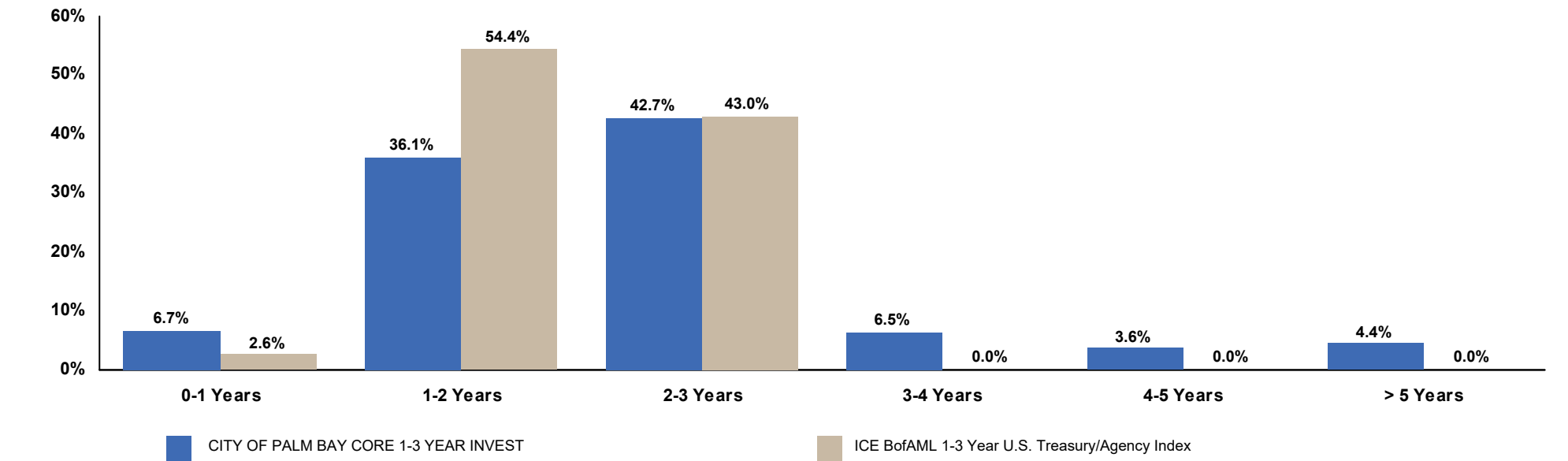


Detail may not add to total due to rounding.

Maturity Distribution

As of September 30, 2020

Portfolio/Benchmark	Yield at Market	Average Maturity	0-1 Years	1-2 Years	2-3 Years	3-4 Years	4-5 Years	>5 Years
CITY OF PALM BAY CORE 1-3 YEAR INVEST	0.62%	2.45 yrs	6.7%	36.1%	42.7%	6.5%	3.6%	4.4%
ICE BofAML 1-3 Year U.S. Treasury/Agency Index	0.14%	1.94 yrs	2.6%	54.4%	43.0%	0.0%	0.0%	0.0%

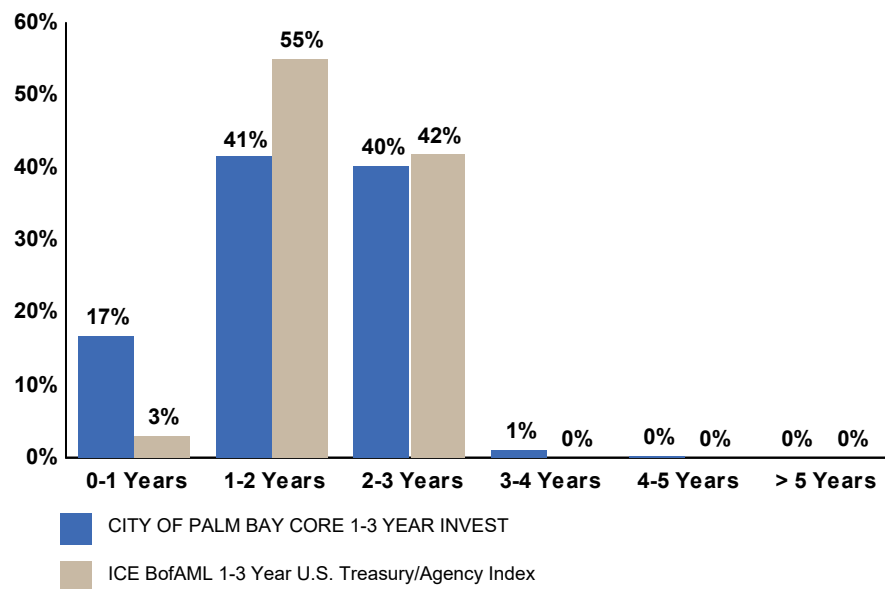


Duration Distribution

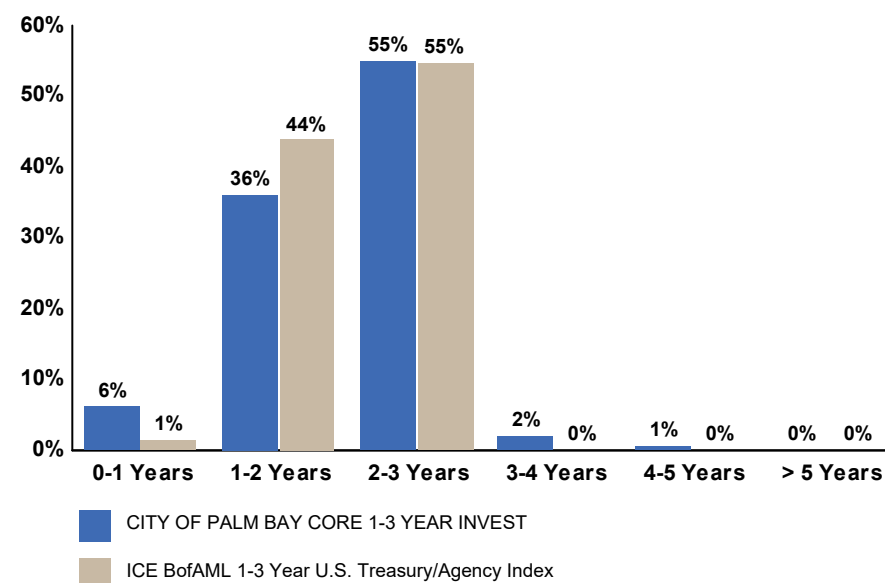
As of September 30, 2020

Portfolio / Benchmark	Effective Duration	0-1 YEARS	1-2 YEARS	2-3 YEARS	3-4 YEARS	4-5 YEARS	> 5 YEARS
CITY OF PALM BAY CORE 1-3 YEAR INVEST	1.83	16.9%	41.5%	40.3%	1.1%	0.3%	0.0%
ICE BofAML 1-3 Year U.S. Treasury/Agency Index	1.82	3.0%	55.1%	41.9%	0.0%	0.0%	0.0%

Distribution by Effective Duration



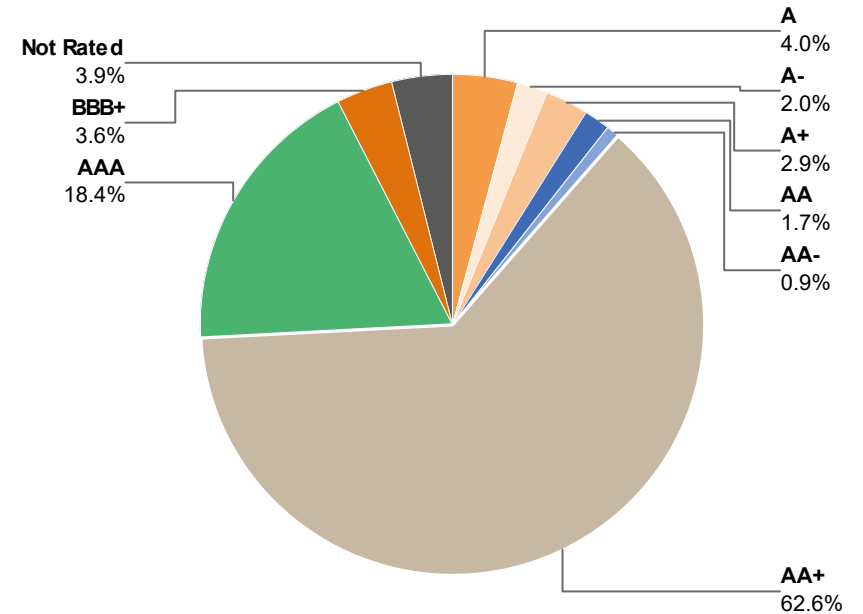
Contribution to Portfolio Duration



Credit Quality

As of September 30, 2020

S&P Rating	Market Value (\$)	% of Portfolio
AA+	\$16,006,421	62.6%
AAA	\$4,714,918	18.4%
A	\$1,030,593	4.0%
Not Rated	\$1,005,958	3.9%
BBB+	\$917,202	3.6%
A+	\$742,084	2.9%
A-	\$519,638	2.0%
AA	\$428,400	1.7%
AA-	\$222,638	0.9%
Totals	\$25,587,853	100.0%



Issuer Distribution
As of September 30, 2020

Issuer	Market Value (\$)	% of Portfolio	Top 5 = 66.7%	Top 10 = 73.7%
UNITED STATES TREASURY	9,006,716	35.2%		
FREDDIE MAC	4,398,427	17.2%		
FANNIE MAE	2,354,766	9.2%		
ASIAN DEVELOPMENT BANK	857,194	3.4%		
TOYOTA MOTOR CORP	429,598	1.7%		
NISSAN AUTO RECEIVABLES	419,044	1.6%		
GM FINANCIAL SECURITIZED TERM	395,316	1.5%		
AFRICAN DEVELOPMENT BANK	364,336	1.4%		
CARMAX AUTO OWNER TRUST	328,408	1.3%		
HONDA AUTO RECEIVABLES	307,030	1.2%		
AMERICAN EXPRESS CO DIT ACCOUN	259,457	1.0%		
CITIGROUP INC	258,440	1.0%		
THE BANK OF NEW YORK MELLON CORPORATION	257,686	1.0%		
CATERPILLAR INC	239,958	0.9%		
HYUNDAI AUTO RECEIVABLES	236,002	0.9%		
AMERICAN HONDA FINANCE	213,452	0.8%		
WORLD OMNI AUTO REC TRUST	211,938	0.8%		
BANK OF AMERICA CO	206,199	0.8%		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Issuer	Market Value (\$)	% of Portfolio
GOLDMAN SACHS GROUP INC	202,732	0.8%
UNILEVER PLC	182,126	0.7%
WELLS FARGO & COMPANY	177,445	0.7%
MORGAN STANLEY	176,970	0.7%
JOHN DEERE OWNER TRUST	167,590	0.7%
CAPITAL ONE FINANCIAL CORP	154,118	0.6%
INTL BANK OF RECONSTRUCTION AND DEV	153,036	0.6%
NY & NJ PORT AUTH	152,243	0.6%
HONOLULU HI	148,973	0.6%
PACCAR FINANCIAL CORP	148,146	0.6%
ALLY AUTO RECEIVABLES TRUST	143,513	0.6%
WAL-MART STORES INC	143,004	0.6%
APPLE INC	141,427	0.6%
MERCEDES-BENZ AUTO LEASE TRUST	137,920	0.5%
NISSAN AUTO LEASE TRUST	129,170	0.5%
EXXON MOBIL CORP	128,266	0.5%
VOLKSWAGEN OF AMERICA	128,263	0.5%
VERIZON OWNER TRUST	126,688	0.5%
INTER-AMERICAN DEVELOPMENT BANK	125,735	0.5%
AMAZON.COM INC	125,160	0.5%
HONEYWELL INTERNATIONAL	120,178	0.5%

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Issuer	Market Value (\$)	% of Portfolio
FEDERAL HOME LOAN BANKS	105,086	0.4%
NATIONAL RURAL UTILITIES CO FINANCE CORP	101,906	0.4%
AMERICAN EXPRESS CO	101,615	0.4%
JP MORGAN CHASE & CO	99,987	0.4%
PFIZER INC	97,478	0.4%
CHARLES SCHWAB	96,521	0.4%
CNH EQUIPMENT TRUST	92,471	0.4%
CHEVRON CORPORATION	91,144	0.4%
GM FINANCIAL AUTO LEASING TRUST	80,088	0.3%
DISCOVER FINANCIAL SERVICES	77,712	0.3%
CAPITAL ONE PRIME AUTO REC TRUST	76,691	0.3%
HARLEY-DAVIDSON MOTORCYCLE TRUST	76,491	0.3%
DEERE & COMPANY	75,604	0.3%
FORD CREDIT AUTO LEASE TRUST	72,443	0.3%
FLORIDA ST HURRICAN CAT FUND	65,986	0.3%
PEPSICO INC	65,657	0.3%
MERCEDES-BENZ AUTO RECEIVABLES	64,686	0.3%
3M COMPANY	61,471	0.2%
HERSHEY COMPANY	61,054	0.2%
BMW VEHICLE OWNER TRUST	50,128	0.2%
BMW FINANCIAL SERVICES NA LLC	39,280	0.2%

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Issuer	Market Value (\$)	% of Portfolio
ADOBE INC	30,904	0.1%
HOME DEPOT INC	26,051	0.1%
STATE OF CONNECTICUT	20,729	0.1%
Grand Total:	25,587,853	100.0%

Sector/Issuer Distribution

As of September 30, 2020

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
Asset-Backed			
ALLY AUTO RECEIVABLES TRUST	143,513	3.5%	0.6%
AMERICAN EXPRESS CO DIT ACCOUN	259,457	6.4%	1.0%
BMW FINANCIAL SERVICES NA LLC	39,280	1.0%	0.2%
BMW VEHICLE OWNER TRUST	50,128	1.2%	0.2%
CAPITAL ONE FINANCIAL CORP	154,118	3.8%	0.6%
CAPITAL ONE PRIME AUTO REC TRUST	76,691	1.9%	0.3%
CARMAX AUTO OWNER TRUST	328,408	8.1%	1.3%
CNH EQUIPMENT TRUST	92,471	2.3%	0.4%
DISCOVER FINANCIAL SERVICES	77,712	1.9%	0.3%
FORD CREDIT AUTO LEASE TRUST	72,443	1.8%	0.3%
GM FINANCIAL AUTO LEASING TRUST	80,088	2.0%	0.3%
GM FINANCIAL SECURITIZED TERM	395,316	9.7%	1.5%
HARLEY-DAVIDSON MOTORCYCLE TRUST	76,491	1.9%	0.3%
HONDA AUTO RECEIVABLES	307,030	7.5%	1.2%
HYUNDAI AUTO RECEIVABLES	236,002	5.8%	0.9%
JOHN DEERE OWNER TRUST	167,590	4.1%	0.7%
MERCEDES-BENZ AUTO LEASE TRUST	137,920	3.4%	0.5%
MERCEDES-BENZ AUTO RECEIVABLES	64,686	1.6%	0.3%
NISSAN AUTO LEASE TRUST	129,170	3.2%	0.5%
NISSAN AUTO RECEIVABLES	419,044	10.3%	1.6%
TOYOTA MOTOR CORP	297,155	7.3%	1.2%

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
VERIZON OWNER TRUST	126,688	3.1%	0.5%
VOLKSWAGEN OF AMERICA	128,263	3.2%	0.5%
WORLD OMNI AUTO REC TRUST	211,938	5.2%	0.8%
Sector Total	4,071,602	100.0%	15.9%

Corporate

3M COMPANY	61,471	1.6%	0.2%
ADOBE INC	30,904	0.8%	0.1%
AMAZON.COM INC	125,160	3.3%	0.5%
AMERICAN EXPRESS CO	101,615	2.7%	0.4%
AMERICAN HONDA FINANCE	213,452	5.7%	0.8%
APPLE INC	141,427	3.8%	0.6%
BANK OF AMERICA CO	206,199	5.5%	0.8%
CATERPILLAR INC	239,958	6.4%	0.9%
CHARLES SCHWAB	96,521	2.6%	0.4%
CHEVRON CORPORATION	91,144	2.4%	0.4%
CITIGROUP INC	258,440	6.9%	1.0%
DEERE & COMPANY	75,604	2.0%	0.3%
EXXON MOBIL CORP	128,266	3.4%	0.5%
GOLDMAN SACHS GROUP INC	202,732	5.4%	0.8%
HERSHEY COMPANY	61,054	1.6%	0.2%
HOME DEPOT INC	26,051	0.7%	0.1%
HONEYWELL INTERNATIONAL	120,178	3.2%	0.5%
JP MORGAN CHASE & CO	99,987	2.7%	0.4%
MORGAN STANLEY	176,970	4.7%	0.7%

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
NATIONAL RURAL UTILITIES CO FINANCE CORP	101,906	2.7%	0.4%
PACCAR FINANCIAL CORP	148,146	3.9%	0.6%
PEPSICO INC	65,657	1.7%	0.3%
PFIZER INC	97,478	2.6%	0.4%
THE BANK OF NEW YORK MELLON CORPORATION	257,686	6.8%	1.0%
TOYOTA MOTOR CORP	132,443	3.5%	0.5%
UNILEVER PLC	182,126	4.8%	0.7%
WAL-MART STORES INC	143,004	3.8%	0.6%
WELLS FARGO & COMPANY	177,445	4.7%	0.7%
Sector Total	3,763,025	100.0%	14.7%
Federal Agency/CMO			
FANNIE MAE	226,939	21.0%	0.9%
FREDDIE MAC	852,608	79.0%	3.3%
Sector Total	1,079,547	100.0%	4.2%
Federal Agency/GSE			
FANNIE MAE	1,275,618	26.9%	5.0%
FEDERAL HOME LOAN BANKS	105,086	2.2%	0.4%
FREDDIE MAC	3,365,440	70.9%	13.2%
Sector Total	4,746,144	100.0%	18.5%
Mortgage-Backed			
FANNIE MAE	852,208	82.5%	3.3%
FREDDIE MAC	180,379	17.5%	0.7%
Sector Total	1,032,587	100.0%	4.0%

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Composition

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
Municipal			
FLORIDA ST HURRICAN CAT FUND	65,986	17.0%	0.3%
HONOLULU HI	148,973	38.4%	0.6%
NY & NJ PORT AUTH	152,243	39.2%	0.6%
STATE OF CONNECTICUT	20,729	5.3%	0.1%
Sector Total	387,931	100.0%	1.5%
Supra-Sov / Supra-Natl Agency			
AFRICAN DEVELOPMENT BANK	364,336	24.3%	1.4%
ASIAN DEVELOPMENT BANK	857,194	57.1%	3.4%
INTER-AMERICAN DEVELOPMENT BANK	125,735	8.4%	0.5%
INTL BANK OF RECONSTRUCTION AND DEV	153,036	10.2%	0.6%
Sector Total	1,500,301	100.0%	5.9%
U.S. Treasury			
UNITED STATES TREASURY	9,006,716	100.0%	35.2%
Sector Total	9,006,716	100.0%	35.2%
Portfolio Total	25,587,853	100.0%	100.0%

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
BUY									
7/2/20	7/8/20	75,000	73358W4V3	PORT AUTH OF NY/NJ T/E REV BONDS	1.08%	7/1/23	75,000.00	1.09%	
7/7/20	7/9/20	75,000	73358W4V3	PORT AUTH OF NY/NJ T/E REV BONDS	1.08%	7/1/23	75,441.76	0.89%	
7/7/20	7/14/20	230,000	045167EV1	ASIAN DEVELOPMENT BANK CORPORATE NOTES	0.25%	7/14/23	229,615.90	0.31%	
7/8/20	7/10/20	480,000	3135G05G4	FANNIE MAE NOTES	0.25%	7/10/23	478,968.00	0.32%	
7/8/20	7/15/20	50,000	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	49,996.23	0.48%	
7/14/20	7/22/20	35,000	44933FAC0	HART 2020-B A3	0.48%	12/16/24	34,993.45	0.48%	
7/14/20	7/22/20	40,000	47787NAC3	JDOT 2020-B A3	0.51%	11/15/24	39,993.90	0.51%	
7/14/20	7/22/20	35,000	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	34,994.00	0.62%	
7/21/20	7/23/20	305,000	3137EAET2	FREDDIE MAC NOTES	0.12%	7/25/22	304,310.70	0.24%	
8/4/20	8/12/20	60,000	92290BAA9	VZOT 2020-B A	0.47%	2/20/25	59,987.40	0.47%	
8/10/20	8/12/20	30,000	166756AJ5	CHEVRON USA INC CORPORATE NOTES	0.42%	8/11/23	30,000.00	0.43%	
8/11/20	8/19/20	100,000	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/25	99,977.12	0.45%	
8/17/20	8/19/20	120,000	438516CC8	HONEYWELL INTERNATIONAL CORPORATE NOTES	0.48%	8/19/22	120,000.00	0.48%	
8/19/20	8/21/20	475,000	3137EAEV7	FREDDIE MAC NOTES	0.25%	8/24/23	474,515.50	0.28%	
9/2/20	9/4/20	435,000	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	434,856.45	0.26%	
9/2/20	9/4/20	325,000	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	325,059.35	0.24%	
9/3/20	9/16/20	65,000	341271AD6	FL ST BOARD OF ADMIN TXBL REV BONDS	1.25%	7/1/25	65,000.00	1.26%	
9/9/20	9/14/20	75,000	14913R2F3	CATERPILLAR FINL SERVICE CORPORATE NOTES	0.45%	9/14/23	74,949.00	0.47%	
9/9/20	9/16/20	100,000	46647PBS4	JPMORGAN CHASE & CO CORPORATE NOTES	0.65%	9/16/24	100,000.00	0.65%	
9/15/20	9/23/20	25,000	58769EAC2	MBALT 2020-B A3	0.40%	11/15/23	24,998.73	0.40%	
9/22/20	9/29/20	40,000	362569AC9	GMALT 2020-3 A3	0.45%	8/21/23	39,996.17	0.45%	
9/22/20	9/29/20	50,000	65480EAD3	NALT 2020-B A3	0.43%	10/16/23	49,994.86	0.43%	
9/22/20	9/29/20	125,000	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/24	124,981.64	0.37%	
9/29/20	10/6/20	190,000	045167EX7	ASIAN DEVELOPMENT BANK CORPORATE NOTES	0.25%	10/6/23	189,796.70	0.29%	

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
Total BUY		3,540,000					3,537,426.86		
INTEREST									
7/1/20	7/1/20	0	MONEY0002	MONEY MARKET FUND			11.31		
7/1/20	7/25/20	76,943	3138ETXC5	FN AL8774	3.00%	3/1/29	192.36		
7/1/20	7/25/20	112,928	3138MLV1	FANNIE MAE POOL	2.50%	1/1/28	235.27		
7/1/20	7/25/20	85,105	3131XBNF2	FR ZK7590	3.00%	1/1/29	212.76		
7/1/20	7/25/20	147,247	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	278.79		
7/1/20	7/25/20	100,133	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	166.89		
7/1/20	7/25/20	57,413	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	100.09		
7/1/20	7/25/20	50,009	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.48		
7/1/20	7/25/20	175,000	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
7/1/20	7/25/20	116,550	3138MFUC9	FN AQ0578	2.50%	11/1/27	242.81		
7/1/20	7/25/20	68,920	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.81		
7/1/20	7/25/20	100,000	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
7/1/20	7/25/20	111,642	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	116.29		
7/1/20	7/25/20	129,197	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	269.16		
7/1/20	7/25/20	165,877	3140X4TN6	FN FM1456	2.50%	9/1/28	345.58		
7/1/20	7/25/20	54,318	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	103.20		
7/1/20	7/25/20	175,000	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		
7/1/20	7/25/20	171,012	3140J86X6	FN BM4485	3.00%	9/1/30	427.53		
7/1/20	7/25/20	111,205	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	231.68		
7/1/20	7/25/20	150,000	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		
7/8/20	7/8/20	50,000	89236TFQ3	TOYOTA MOTOR CREDIT CORP CORP NOTES	3.05%	1/8/21	762.50		
7/11/20	7/11/20	150,000	3135G0U92	FANNIE MAE NOTES	2.62%	1/11/22	1,968.75		
7/15/20	7/15/20	61,957	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	159.02		
7/15/20	7/15/20	100,000	63743HET5	NATIONAL RURAL UTIL COOP CORP NOTE	1.75%	1/21/22	777.78		
7/15/20	7/15/20	1,150,000	9128285V8	US TREASURY NOTES	2.50%	1/15/22	14,375.00		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
7/15/20	7/15/20	115,000	44933AAC1	HART 2018-B A3	3.20%	12/15/22	306.67		
7/15/20	7/15/20	75,000	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
7/15/20	7/15/20	110,000	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
7/15/20	7/15/20	150,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
7/15/20	7/15/20	150,000	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	395.00		
7/15/20	7/15/20	110,000	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	286.92		
7/15/20	7/15/20	82,494	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	208.30		
7/15/20	7/15/20	100,827	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	269.71		
7/15/20	7/15/20	150,000	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
7/15/20	7/15/20	50,000	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
7/15/20	7/15/20	74,187	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	193.50		
7/15/20	7/15/20	75,000	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		
7/15/20	7/15/20	75,000	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		
7/15/20	7/15/20	75,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
7/15/20	7/15/20	95,000	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
7/15/20	7/15/20	75,000	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	193.75		
7/15/20	7/15/20	150,000	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
7/15/20	7/15/20	60,000	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		
7/15/20	7/15/20	150,000	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
7/15/20	7/15/20	100,000	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
7/15/20	7/15/20	75,000	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	17.19		
7/15/20	7/15/20	88,987	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	226.92		
7/15/20	7/15/20	50,000	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
7/15/20	7/15/20	105,830	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	264.58		
7/15/20	7/15/20	75,000	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
7/15/20	7/15/20	150,000	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
7/15/20	7/15/20	2,000,000	912828Z29	UNITED STATES TREASURY NOTES	1.50%	1/15/23	15,000.00		
7/15/20	7/15/20	100,000	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
7/15/20	7/15/20	170,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
7/15/20	7/15/20	50,000	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
7/15/20	7/15/20	51,021	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	135.63		
7/15/20	7/15/20	49,600	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	131.85		
7/15/20	7/15/20	53,389	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	144.60		
7/16/20	7/16/20	100,000	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		
7/16/20	7/16/20	161,158	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	431.10		
7/16/20	7/16/20	66,158	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	166.50		
7/20/20	7/20/20	40,000	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	99.33		
7/20/20	7/20/20	200,000	06051GGE3	BANK OF AMERICA CORP BANK NOTE	3.12%	1/20/23	3,124.00		
7/20/20	7/20/20	150,000	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	406.25		
7/20/20	7/20/20	65,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
7/20/20	7/20/20	24,084	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	63.82		
7/21/20	7/21/20	60,161	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	147.90		
7/22/20	7/22/20	45,000	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	106.50		
7/23/20	7/23/20	150,000	459058GH0	INTL BANK OF RECONSTRUCTION AND DEV NOTE	2.75%	7/23/21	2,062.50		
7/26/20	7/26/20	175,000	949746SA0	WELLS FARGO & CO CORP NOTES	2.10%	7/26/21	1,837.50		
7/27/20	7/27/20	75,000	06406RAM9	BANK OF NY MELLON CORP NOTES	1.85%	1/27/23	689.90		
7/31/20	7/31/20	300,000	912828H86	US TREASURY NOTES	1.50%	1/31/22	2,250.00		
7/31/20	7/31/20	2,000,000	912828P4	US TREASURY NOTES	1.87%	7/31/22	18,750.00		
8/1/20	8/1/20	145,000	438687KR5	HONOLULU, HI TXBL GO BONDS	1.73%	8/1/22	2,381.47		
8/1/20	8/1/20	30,000	00724PAA7	ADOBE INC CORP NOTE	1.70%	2/1/23	252.17		
8/1/20	8/25/20	100,000	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
8/1/20	8/25/20	125,493	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	261.44		
8/1/20	8/25/20	74,546	3138ETXC5	FN AL8774	3.00%	3/1/29	186.36		
8/1/20	8/25/20	57,305	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	134.95		
8/1/20	8/25/20	54,203	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	102.99		
8/1/20	8/25/20	109,903	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	228.97		
8/1/20	8/25/20	83,437	3131XBNF2	FR ZK7590	3.00%	1/1/29	208.59		
8/1/20	8/25/20	113,814	3138MFUC9	FN AQ0578	2.50%	11/1/27	237.11		
8/1/20	8/25/20	146,860	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	278.05		
8/1/20	8/25/20	175,000	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
8/1/20	8/25/20	161,638	3140X4TN6	FN FM1456	2.50%	9/1/28	336.75		
8/1/20	8/25/20	108,460	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	112.98		
8/1/20	8/25/20	165,933	3140J86X6	FN BM4485	3.00%	9/1/30	414.83		
8/1/20	8/25/20	97,461	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	162.44		
8/1/20	8/25/20	175,000	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
8/1/20	8/25/20	68,772	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.52		
8/1/20	8/25/20	150,000	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		
8/1/20	8/25/20	49,918	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.24		
8/1/20	8/25/20	106,203	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	221.26		
8/3/20	8/3/20	0	MONEY0002	MONEY MARKET FUND			9.82		
8/9/20	8/9/20	40,000	69371RP42	PACCAR FINANCIAL CORP BONDS	3.15%	8/9/21	630.00		
8/12/20	8/12/20	100,000	02665WCD1	AMERICAN HONDA FINANCE	2.65%	2/12/21	1,325.00		
8/15/20	8/15/20	150,000	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
8/15/20	8/15/20	35,000	44933FAC0	HART 2020-B A3	0.48%	12/16/24	10.73		
8/15/20	8/15/20	110,000	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
8/15/20	8/15/20	150,000	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
8/15/20	8/15/20	170,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
8/15/20	8/15/20	150,000	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
8/15/20	8/15/20	58,355	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	149.78		
8/15/20	8/15/20	109,836	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	286.49		
8/15/20	8/15/20	69,468	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	179.46		
8/15/20	8/15/20	75,000	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		
8/15/20	8/15/20	50,000	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		
8/15/20	8/15/20	150,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
8/15/20	8/15/20	35,000	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	13.86		
8/15/20	8/15/20	41,655	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	110.73		
8/15/20	8/15/20	97,538	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	243.85		
8/15/20	8/15/20	75,000	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	34.38		
8/15/20	8/15/20	44,598	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	120.79		
8/15/20	8/15/20	60,000	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
8/15/20	8/15/20	76,201	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	192.41		
8/15/20	8/15/20	50,000	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
8/15/20	8/15/20	95,000	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
8/15/20	8/15/20	150,000	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
8/15/20	8/15/20	75,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
8/15/20	8/15/20	100,000	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
8/15/20	8/15/20	45,285	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	120.38		
8/15/20	8/15/20	100,000	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
8/15/20	8/15/20	150,000	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	395.00		
8/15/20	8/15/20	115,000	44933AAC1	HART 2018-B A3	3.20%	12/15/22	306.67		
8/15/20	8/15/20	75,000	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
8/15/20	8/15/20	50,000	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
8/15/20	8/15/20	83,155	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	212.04		
8/15/20	8/15/20	75,000	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
8/15/20	8/15/20	75,000	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		
8/15/20	8/15/20	85,894	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	229.77		
8/15/20	8/15/20	69,831	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	182.14		
8/16/20	8/16/20	152,541	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	408.05		
8/16/20	8/16/20	100,000	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		
8/16/20	8/16/20	62,096	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	156.27		
8/20/20	8/20/20	40,000	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	99.33		
8/20/20	8/20/20	65,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
8/20/20	8/20/20	18,959	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	50.24		
8/20/20	8/20/20	145,651	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	394.47		
8/21/20	8/21/20	55,417	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	136.23		
8/22/20	8/22/20	45,000	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	106.50		
8/25/20	8/25/20	50,000	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	26.67		
9/1/20	9/1/20	25,000	437076BV3	HOME DEPOT INC	3.25%	3/1/22	406.25		
9/1/20	9/1/20	90,000	69371RN93	PACCAR FINANCIAL CORP NOTES	2.80%	3/1/21	1,260.00		
9/1/20	9/1/20	0	MONEY0002	MONEY MARKET FUND			3.65		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/1/20	9/25/20	122,042	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	254.25		
9/1/20	9/25/20	175,000	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		
9/1/20	9/25/20	95,096	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	158.49		
9/1/20	9/25/20	72,393	3138ETXC5	FN AL8774	3.00%	3/1/29	180.98		
9/1/20	9/25/20	49,830	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.01		
9/1/20	9/25/20	81,143	3131XBNF2	FR ZK7590	3.00%	1/1/29	202.86		
9/1/20	9/25/20	68,630	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.24		
9/1/20	9/25/20	146,492	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	277.36		
9/1/20	9/25/20	161,811	3140J86X6	FN BM4485	3.00%	9/1/30	404.53		
9/1/20	9/25/20	100,000	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
9/1/20	9/25/20	156,780	3140X4TN6	FN FM1456	2.50%	9/1/28	326.62		
9/1/20	9/25/20	105,164	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	109.55		
9/1/20	9/25/20	175,000	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
9/1/20	9/25/20	150,000	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		
9/1/20	9/25/20	54,094	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	120.61		
9/1/20	9/25/20	55,776	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	97.24		
9/1/20	9/25/20	111,263	3138MFUC9	FN AQ0578	2.50%	11/1/27	231.80		
9/1/20	9/25/20	103,311	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	215.23		
9/1/20	9/25/20	107,186	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	223.31		
9/6/20	9/6/20	125,000	30231GAJ1	EXXON MOBIL CORP (CALLABLE) NOTE	2.39%	3/6/22	1,498.13		
9/7/20	9/7/20	50,000	14913Q2N8	CATERPILLAR FINANCIAL SERVICES CORP CORP	3.15%	9/7/21	787.50		
9/14/20	9/14/20	60,000	88579YBA8	3M COMPANY	3.00%	9/14/21	900.00		
9/15/20	9/15/20	50,000	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
9/15/20	9/15/20	35,869	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	97.15		
9/15/20	9/15/20	40,000	47787NAC3	JDOT 2020-B A3	0.51%	11/15/24	30.03		
9/15/20	9/15/20	150,000	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
9/15/20	9/15/20	35,000	44933FAC0	HART 2020-B A3	0.48%	12/16/24	14.00		
9/15/20	9/15/20	170,000	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
9/15/20	9/15/20	150,000	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
9/15/20	9/15/20	71,228	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	190.53		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/15/20	9/15/20	60,633	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	156.63		
9/15/20	9/15/20	50,000	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		
9/15/20	9/15/20	150,000	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
9/15/20	9/15/20	77,384	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	197.33		
9/15/20	9/15/20	100,000	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
9/15/20	9/15/20	95,000	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
9/15/20	9/15/20	150,000	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
9/15/20	9/15/20	65,338	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	170.42		
9/15/20	9/15/20	31,411	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	83.50		
9/15/20	9/15/20	35,000	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	18.08		
9/15/20	9/15/20	75,000	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
9/15/20	9/15/20	150,000	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
9/15/20	9/15/20	75,000	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	34.38		
9/15/20	9/15/20	60,000	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		
9/15/20	9/15/20	75,000	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
9/15/20	9/15/20	69,727	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	176.06		
9/15/20	9/15/20	75,000	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		
9/15/20	9/15/20	89,366	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	223.41		
9/15/20	9/15/20	75,000	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
9/15/20	9/15/20	110,000	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
9/15/20	9/15/20	100,000	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
9/15/20	9/15/20	50,000	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
9/15/20	9/15/20	103,458	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	269.85		
9/15/20	9/15/20	106,022	44933AAC1	HART 2018-B A3	3.20%	12/15/22	282.73		
9/15/20	9/15/20	143,089	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	376.80		
9/15/20	9/15/20	54,050	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	138.73		
9/15/20	9/15/20	41,560	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	110.48		
9/15/20	9/15/20	95,000	717081EM1	PFIZER INC CORP NOTE	3.00%	9/15/21	1,425.00		
9/15/20	9/15/20	75,000	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		
9/16/20	9/16/20	100,000	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/16/20	9/16/20	144,081	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	385.42		
9/16/20	9/16/20	100,000	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/25	33.75		
9/16/20	9/16/20	57,942	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	145.82		
9/20/20	9/20/20	65,000	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
9/20/20	9/20/20	135,794	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	367.77		
9/20/20	9/20/20	37,667	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	93.54		
9/20/20	9/20/20	12,036	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	31.90		
9/21/20	9/21/20	60,000	92290BAA9	VZOT 2020-B A	0.47%	2/20/25	30.55		
9/21/20	9/21/20	50,686	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	124.60		
9/22/20	9/22/20	44,652	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	105.68		
9/22/20	9/22/20	180,000	904764AZ0	UNILEVER CAPITAL CORP NOTES	2.75%	3/22/21	2,475.00		
9/23/20	9/23/20	175,000	06406HBY4	BONY MELLON GLOBAL NOTES (CALLABLE)	3.55%	9/23/21	3,106.25		
9/25/20	9/25/20	50,000	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	20.00		
9/26/20	9/26/20	60,000	69371RQ33	PACCAR FINANCIAL CORP	2.00%	9/26/22	600.00		
9/30/20	9/30/20	750,000	912828Q29	US TREASURY NOTES	1.50%	3/31/23	5,625.00		
9/30/20	9/30/20	125,000	89236TGW9	TOYOTA MOTOR CREDIT CORP CORPORATE NOTES	2.90%	3/30/23	1,802.43		

Total INTEREST	26,326,780						125,630.26		
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MATURITY

7/20/20	7/20/20	55,000	02665WBT7	AMERICAN HONDA FINANCE CORP NOTES	1.95%	7/20/20	55,536.25		0.00
Total MATURITY		55,000					55,536.25		0.00

PAYDOWNS

7/1/20	7/25/20	5,079	3140J86X6	FN BM4485	3.00%	9/1/30	5,078.67		0.00
7/1/20	7/25/20	3,704	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,703.86		0.00
7/1/20	7/25/20	2,672	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,671.71		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
7/1/20	7/25/20	2,398	3138ETXC5	FN AL8774	3.00%	3/1/29	2,397.50		0.00
7/1/20	7/25/20	1,668	3131XBNF2	FR ZK7590	3.00%	1/1/29	1,668.05		0.00
7/1/20	7/25/20	3,182	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	3,182.20		0.00
7/1/20	7/25/20	387	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	387.41		0.00
7/1/20	7/25/20	115	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	114.53		0.00
7/1/20	7/25/20	4,239	3140X4TN6	FN FM1456	2.50%	9/1/28	4,238.80		0.00
7/1/20	7/25/20	3,024	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	3,024.16		0.00
7/1/20	7/25/20	5,002	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	5,001.69		0.00
7/1/20	7/25/20	2,735	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,735.41		0.00
7/1/20	7/25/20	108	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	107.54		0.00
7/1/20	7/25/20	91	3137FKK39	FHMS KP05 A	3.20%	7/1/23	91.20		0.00
7/1/20	7/25/20	149	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	148.56		0.00
7/15/20	7/15/20	5,832	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,832.13		0.00
7/15/20	7/15/20	8,791	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	8,790.98		0.00
7/15/20	7/15/20	3,602	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	3,601.73		0.00
7/15/20	7/15/20	9,365	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	9,365.34		0.00
7/15/20	7/15/20	14,932	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	14,932.20		0.00
7/15/20	7/15/20	164	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	163.55		0.00
7/15/20	7/15/20	4,315	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	4,314.84		0.00
7/15/20	7/15/20	5,532	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	5,531.84		0.00
7/15/20	7/15/20	4,355	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,355.43		0.00
7/15/20	7/15/20	6,293	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,292.97		0.00
7/15/20	7/15/20	8,292	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	8,292.03		0.00
7/16/20	7/16/20	8,617	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,616.82		0.00
7/16/20	7/16/20	4,062	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,062.24		0.00
7/20/20	7/20/20	5,126	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	5,125.58		0.00
7/20/20	7/20/20	4,349	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	4,349.09		0.00
7/21/20	7/21/20	4,744	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,743.77		0.00
8/1/20	8/25/20	4,122	3140J86X6	FN BM4485	3.00%	9/1/30	4,122.24		0.00
8/1/20	8/25/20	142	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	141.55		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
8/1/20	8/25/20	3,452	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,451.50		0.00
8/1/20	8/25/20	4,858	3140X4TN6	FN FM1456	2.50%	9/1/28	4,857.90		0.00
8/1/20	8/25/20	2,551	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,551.20		0.00
8/1/20	8/25/20	2,717	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	2,716.92		0.00
8/1/20	8/25/20	1,529	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	1,529.38		0.00
8/1/20	8/25/20	87	3137FKK39	FHMS KP05 A	3.20%	7/1/23	87.35		0.00
8/1/20	8/25/20	2,294	3131XBNF2	FR ZK7590	3.00%	1/1/29	2,293.53		0.00
8/1/20	8/25/20	3,296	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	3,295.52		0.00
8/1/20	8/25/20	2,366	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,365.88		0.00
8/1/20	8/25/20	2,892	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	2,892.23		0.00
8/1/20	8/25/20	110	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	109.64		0.00
8/1/20	8/25/20	368	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	367.74		0.00
8/1/20	8/25/20	2,153	3138ETXC5	FN AL8774	3.00%	3/1/29	2,153.00		0.00
8/15/20	8/15/20	5,771	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,770.94		0.00
8/15/20	8/15/20	4,494	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,493.55		0.00
8/15/20	8/15/20	8,836	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	8,835.54		0.00
8/15/20	8/15/20	6,911	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	6,910.95		0.00
8/15/20	8/15/20	4,306	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	4,305.74		0.00
8/15/20	8/15/20	8,978	44933AAC1	HART 2018-B A3	3.20%	12/15/22	8,978.08		0.00
8/15/20	8/15/20	10,245	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	10,244.66		0.00
8/15/20	8/15/20	8,729	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	8,729.39		0.00
8/15/20	8/15/20	8,172	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	8,172.30		0.00
8/15/20	8/15/20	6,474	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,474.13		0.00
8/15/20	8/15/20	6,379	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	6,378.84		0.00
8/15/20	8/15/20	14,667	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	14,666.55		0.00
8/15/20	8/15/20	3,725	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	3,724.65		0.00
8/16/20	8/16/20	8,460	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,459.75		0.00
8/16/20	8/16/20	4,154	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,153.77		0.00
8/20/20	8/20/20	2,333	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	2,333.38		0.00
8/20/20	8/20/20	6,923	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	6,922.59		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
8/20/20	8/20/20	9,857	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	9,857.36		0.00
8/21/20	8/21/20	4,731	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,731.07		0.00
8/22/20	8/22/20	348	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	347.68		0.00
9/1/20	9/25/20	1,616	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	1,616.33		0.00
9/1/20	9/25/20	4,566	3140J86X6	FN BM4485	3.00%	9/1/30	4,565.52		0.00
9/1/20	9/25/20	1,769	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	1,769.21		0.00
9/1/20	9/25/20	3,201	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,201.46		0.00
9/1/20	9/25/20	1,751	3131XBNF2	FR ZK7590	3.00%	1/1/29	1,751.23		0.00
9/1/20	9/25/20	22,241	3137FKK39	FHMS KP05 A	3.20%	7/1/23	22,241.31		0.00
9/1/20	9/25/20	1,945	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	1,945.23		0.00
9/1/20	9/25/20	97	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	96.60		0.00
9/1/20	9/25/20	2,134	3138ETXC5	FN AL8774	3.00%	3/1/29	2,133.83		0.00
9/1/20	9/25/20	142	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	142.04		0.00
9/1/20	9/25/20	369	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	369.09		0.00
9/1/20	9/25/20	2,201	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,200.76		0.00
9/1/20	9/25/20	4,511	3140X4TN6	FN FM1456	2.50%	9/1/28	4,511.39		0.00
9/1/20	9/25/20	2,832	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	2,832.01		0.00
9/1/20	9/25/20	2,982	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,981.97		0.00
9/15/20	9/15/20	6,146	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	6,146.21		0.00
9/15/20	9/15/20	1,357	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	1,357.31		0.00
9/15/20	9/15/20	4,145	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,145.40		0.00
9/15/20	9/15/20	8,118	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	8,117.90		0.00
9/15/20	9/15/20	7,954	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	7,954.36		0.00
9/15/20	9/15/20	7,334	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	7,334.10		0.00
9/15/20	9/15/20	12,267	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	12,266.96		0.00
9/15/20	9/15/20	7,380	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	7,379.79		0.00
9/15/20	9/15/20	10,272	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	10,271.69		0.00
9/15/20	9/15/20	8,665	44933AAC1	HART 2018-B A3	3.20%	12/15/22	8,664.50		0.00
9/15/20	9/15/20	5,446	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,446.42		0.00
9/15/20	9/15/20	7,767	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	7,767.09		0.00

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Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/15/20	9/15/20	6,006	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,005.93		0.00
9/15/20	9/15/20	1,328	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	1,328.42		0.00
9/15/20	9/15/20	3,913	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	3,912.92		0.00
9/16/20	9/16/20	4,194	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,193.86		0.00
9/16/20	9/16/20	8,812	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,811.69		0.00
9/20/20	9/20/20	5,448	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	5,447.72		0.00
9/20/20	9/20/20	10,106	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	10,105.93		0.00
9/20/20	9/20/20	4,378	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	4,378.09		0.00
9/21/20	9/21/20	4,482	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,481.98		0.00
9/22/20	9/22/20	5,629	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	5,628.91		0.00
Total PAYDOWNS		493,853					493,853.49		0.00

SELL

7/6/20	7/8/20	40,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	40,813.86		797.29
7/8/20	7/9/20	75,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	76,523.20		1,488.90
7/9/20	7/10/20	475,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	484,666.39		9,428.64
7/9/20	7/14/20	230,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	234,709.28		4,554.39
7/22/20	7/23/20	150,000	912828V8	US TREASURY NOTES	2.50%	1/15/22	155,290.51		5,128.93
7/22/20	7/23/20	110,000	912828V8	US TREASURY NOTES	2.50%	1/15/22	113,879.70		2,012.61
8/11/20	8/12/20	10,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	10,206.87		187.60
8/18/20	8/19/20	215,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	219,442.22		3,962.87
8/20/20	8/21/20	50,000	89236TFQ3	TOYOTA MOTOR CREDIT CORP CORP NOTES	3.05%	1/8/21	50,716.15		539.75
8/20/20	8/21/20	165,000	13063DGA0	CA ST TXBL GO BONDS	2.80%	4/1/21	169,373.97		2,575.93
8/20/20	8/21/20	40,000	92826CAB8	VISA INC (CALLABLE) CORP NOTES	2.20%	12/14/20	40,348.58		152.88
8/20/20	8/21/20	65,000	63743HER9	NATIONAL RURAL UTIL COOP NOTE	2.90%	3/15/21	66,804.83		1,001.35
8/20/20	8/21/20	20,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	20,415.65		369.33
9/3/20	9/4/20	700,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	714,593.94		12,549.13
9/9/20	9/16/20	100,000	46647PAS5	JPMORGAN CHASE & CO CORP NOTES	3.51%	6/18/22	103,177.98		2,217.49

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Portfolio Activity

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
9/10/20	9/14/20	75,000	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	76,556.29		1,304.79
9/15/20	9/16/20	90,000	69371RN93	PACCAR FINANCIAL CORP NOTES	2.80%	3/1/21	91,177.80		1,079.47
9/21/20	9/21/20	50,000	46647PAS5	JPMORGAN CHASE & CO CORP NOTES	3.51%	6/18/22	51,661.39		1,157.14
Total SELL		2,660,000					2,720,358.61		50,508.49

Quarterly Portfolio Transactions

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	7/1/20	7/1/20	0.00	MONEY0002	MONEY MARKET FUND			11.31		
INTEREST	7/1/20	7/25/20	76,943.24	3138ETXC5	FN AL8774	3.00%	3/1/29	192.36		
INTEREST	7/1/20	7/25/20	112,927.55	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	235.27		
INTEREST	7/1/20	7/25/20	85,105.05	3131XBNF2	FR ZK7590	3.00%	1/1/29	212.76		
INTEREST	7/1/20	7/25/20	147,247.20	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	278.79		
INTEREST	7/1/20	7/25/20	100,133.10	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	166.89		
INTEREST	7/1/20	7/25/20	57,413.01	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	100.09		
INTEREST	7/1/20	7/25/20	50,008.73	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.48		
INTEREST	7/1/20	7/25/20	175,000.00	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
INTEREST	7/1/20	7/25/20	116,549.65	3138MFUC9	FN AQ0578	2.50%	11/1/27	242.81		
INTEREST	7/1/20	7/25/20	68,920.20	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.81		
INTEREST	7/1/20	7/25/20	100,000.00	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
INTEREST	7/1/20	7/25/20	111,642.15	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	116.29		
INTEREST	7/1/20	7/25/20	129,197.03	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	269.16		
INTEREST	7/1/20	7/25/20	165,876.59	3140X4TN6	FN FM1456	2.50%	9/1/28	345.58		
INTEREST	7/1/20	7/25/20	54,317.95	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	103.20		
INTEREST	7/1/20	7/25/20	175,000.00	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		
INTEREST	7/1/20	7/25/20	171,011.58	3140J86X6	FN BM4485	3.00%	9/1/30	427.53		
INTEREST	7/1/20	7/25/20	111,204.93	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	231.68		
INTEREST	7/1/20	7/25/20	150,000.00	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	7/1/20	7/25/20	5,078.67	3140J86X6	FN BM4485	3.00%	9/1/30	5,078.67		0.00
PAYDOWNS	7/1/20	7/25/20	3,703.86	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,703.86		0.00
PAYDOWNS	7/1/20	7/25/20	2,671.71	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,671.71		0.00
PAYDOWNS	7/1/20	7/25/20	2,397.50	3138ETXC5	FN AL8774	3.00%	3/1/29	2,397.50		0.00
PAYDOWNS	7/1/20	7/25/20	1,668.05	3131XBNF2	FR ZK7590	3.00%	1/1/29	1,668.05		0.00
PAYDOWNS	7/1/20	7/25/20	3,182.20	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	3,182.20		0.00
PAYDOWNS	7/1/20	7/25/20	387.41	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	387.41		0.00
PAYDOWNS	7/1/20	7/25/20	114.53	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	114.53		0.00
PAYDOWNS	7/1/20	7/25/20	4,238.80	3140X4TN6	FN FM1456	2.50%	9/1/28	4,238.80		0.00
PAYDOWNS	7/1/20	7/25/20	3,024.16	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	3,024.16		0.00
PAYDOWNS	7/1/20	7/25/20	5,001.69	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	5,001.69		0.00
PAYDOWNS	7/1/20	7/25/20	2,735.41	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,735.41		0.00
PAYDOWNS	7/1/20	7/25/20	107.54	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	107.54		0.00
PAYDOWNS	7/1/20	7/25/20	91.20	3137FKK39	FHMS KP05 A	3.20%	7/1/23	91.20		0.00
PAYDOWNS	7/1/20	7/25/20	148.56	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	148.56		0.00
BUY	7/2/20	7/8/20	75,000.00	73358W4V3	PORT AUTH OF NY/NJ T/E REV BONDS	1.08%	7/1/23	(75,000.00)	1.09%	
SELL	7/6/20	7/8/20	40,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	40,813.86		797.29
BUY	7/7/20	7/9/20	75,000.00	73358W4V3	PORT AUTH OF NY/NJ T/E REV BONDS	1.08%	7/1/23	(75,441.76)	0.89%	
BUY	7/7/20	7/14/20	230,000.00	045167EV1	ASIAN DEVELOPMENT BANK CORPORATE NOTES	0.25%	7/14/23	(229,615.90)	0.31%	
INTEREST	7/8/20	7/8/20	50,000.00	89236TFQ3	TOYOTA MOTOR CREDIT CORP CORP NOTES	3.05%	1/8/21	762.50		
SELL	7/8/20	7/9/20	75,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	76,523.20		1,488.90
BUY	7/8/20	7/10/20	480,000.00	3135G05G4	FANNIE MAE NOTES	0.25%	7/10/23	(478,968.00)	0.32%	

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
BUY	7/8/20	7/15/20	50,000.00	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	(49,996.23)	0.48%	
SELL	7/9/20	7/10/20	475,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	484,666.39		9,428.64
SELL	7/9/20	7/14/20	230,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	234,709.28		4,554.39
INTEREST	7/11/20	7/11/20	150,000.00	3135G0U92	FANNIE MAE NOTES	2.62%	1/11/22	1,968.75		
BUY	7/14/20	7/22/20	35,000.00	44933FAC0	HART 2020-B A3	0.48%	12/16/24	(34,993.45)	0.48%	
BUY	7/14/20	7/22/20	40,000.00	47787NAC3	JDOT 2020-B A3	0.51%	11/15/24	(39,993.90)	0.51%	
BUY	7/14/20	7/22/20	35,000.00	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	(34,994.00)	0.62%	
INTEREST	7/15/20	7/15/20	61,957.09	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	159.02		
INTEREST	7/15/20	7/15/20	100,000.00	63743HET5	NATIONAL RURAL UTIL COOP CORP NOTE	1.75%	1/21/22	777.78		
INTEREST	7/15/20	7/15/20	1,150,000.00	9128285V8	US TREASURY NOTES	2.50%	1/15/22	14,375.00		
INTEREST	7/15/20	7/15/20	115,000.00	44933AAC1	HART 2018-B A3	3.20%	12/15/22	306.67		
INTEREST	7/15/20	7/15/20	75,000.00	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
INTEREST	7/15/20	7/15/20	110,000.00	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
INTEREST	7/15/20	7/15/20	150,000.00	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
INTEREST	7/15/20	7/15/20	150,000.00	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	395.00		
INTEREST	7/15/20	7/15/20	110,000.00	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	286.92		
INTEREST	7/15/20	7/15/20	82,494.01	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	208.30		
INTEREST	7/15/20	7/15/20	100,826.61	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	269.71		
INTEREST	7/15/20	7/15/20	150,000.00	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
INTEREST	7/15/20	7/15/20	50,000.00	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
INTEREST	7/15/20	7/15/20	74,186.72	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	193.50		
INTEREST	7/15/20	7/15/20	75,000.00	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	7/15/20	7/15/20	75,000.00	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		
INTEREST	7/15/20	7/15/20	75,000.00	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
INTEREST	7/15/20	7/15/20	95,000.00	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
INTEREST	7/15/20	7/15/20	75,000.00	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	193.75		
INTEREST	7/15/20	7/15/20	150,000.00	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
INTEREST	7/15/20	7/15/20	60,000.00	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		
INTEREST	7/15/20	7/15/20	150,000.00	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
INTEREST	7/15/20	7/15/20	100,000.00	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
INTEREST	7/15/20	7/15/20	75,000.00	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	17.19		
INTEREST	7/15/20	7/15/20	88,986.71	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	226.92		
INTEREST	7/15/20	7/15/20	50,000.00	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
INTEREST	7/15/20	7/15/20	105,830.08	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	264.58		
INTEREST	7/15/20	7/15/20	75,000.00	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
INTEREST	7/15/20	7/15/20	150,000.00	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
INTEREST	7/15/20	7/15/20	2,000,000.00	912828Z29	UNITED STATES TREASURY NOTES	1.50%	1/15/23	15,000.00		
INTEREST	7/15/20	7/15/20	100,000.00	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
INTEREST	7/15/20	7/15/20	170,000.00	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
INTEREST	7/15/20	7/15/20	50,000.00	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		
INTEREST	7/15/20	7/15/20	51,020.83	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	135.63		
INTEREST	7/15/20	7/15/20	49,599.92	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	131.85		
INTEREST	7/15/20	7/15/20	53,389.32	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	144.60		
PAYDOWNS	7/15/20	7/15/20	5,832.13	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,832.13		0.00

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Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	7/15/20	7/15/20	8,790.98	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	8,790.98		0.00
PAYDOWNS	7/15/20	7/15/20	3,601.73	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	3,601.73		0.00
PAYDOWNS	7/15/20	7/15/20	9,365.34	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	9,365.34		0.00
PAYDOWNS	7/15/20	7/15/20	14,932.20	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	14,932.20		0.00
PAYDOWNS	7/15/20	7/15/20	163.55	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	163.55		0.00
PAYDOWNS	7/15/20	7/15/20	4,314.84	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	4,314.84		0.00
PAYDOWNS	7/15/20	7/15/20	5,531.84	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	5,531.84		0.00
PAYDOWNS	7/15/20	7/15/20	4,355.43	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,355.43		0.00
PAYDOWNS	7/15/20	7/15/20	6,292.97	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,292.97		0.00
PAYDOWNS	7/15/20	7/15/20	8,292.03	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	8,292.03		0.00
INTEREST	7/16/20	7/16/20	100,000.00	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		
INTEREST	7/16/20	7/16/20	161,157.53	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	431.10		
INTEREST	7/16/20	7/16/20	66,157.82	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	166.50		
PAYDOWNS	7/16/20	7/16/20	8,616.82	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,616.82		0.00
PAYDOWNS	7/16/20	7/16/20	4,062.24	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,062.24		0.00
INTEREST	7/20/20	7/20/20	40,000.00	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	99.33		
INTEREST	7/20/20	7/20/20	200,000.00	06051GGE3	BANK OF AMERICA CORP BANK NOTE	3.12%	1/20/23	3,124.00		
INTEREST	7/20/20	7/20/20	150,000.00	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	406.25		
INTEREST	7/20/20	7/20/20	65,000.00	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
INTEREST	7/20/20	7/20/20	24,084.33	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	63.82		
MATURITY	7/20/20	7/20/20	55,000.00	02665WBT7	AMERICAN HONDA FINANCE CORP NOTES	1.95%	7/20/20	55,536.25		0.00
PAYDOWNS	7/20/20	7/20/20	5,125.58	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	5,125.58		0.00

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Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	7/20/20	7/20/20	4,349.09	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	4,349.09		0.00
INTEREST	7/21/20	7/21/20	60,161.01	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	147.90		
PAYDOWNS	7/21/20	7/21/20	4,743.77	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,743.77		0.00
BUY	7/21/20	7/23/20	305,000.00	3137EAET2	FREDDIE MAC NOTES	0.12%	7/25/22	(304,310.70)	0.24%	
INTEREST	7/22/20	7/22/20	45,000.00	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	106.50		
SELL	7/22/20	7/23/20	150,000.00	9128285V8	US TREASURY NOTES	2.50%	1/15/22	155,290.51		5,128.93
SELL	7/22/20	7/23/20	110,000.00	9128285V8	US TREASURY NOTES	2.50%	1/15/22	113,879.70		2,012.61
INTEREST	7/23/20	7/23/20	150,000.00	459058GH0	INTL BANK OF RECONSTRUCTION AND DEV NOTE	2.75%	7/23/21	2,062.50		
INTEREST	7/26/20	7/26/20	175,000.00	949746SA0	WELLS FARGO & CO CORP NOTES	2.10%	7/26/21	1,837.50		
INTEREST	7/27/20	7/27/20	75,000.00	06406RAM9	BANK OF NY MELLON CORP NOTES	1.85%	1/27/23	689.90		
INTEREST	7/31/20	7/31/20	300,000.00	912828H86	US TREASURY NOTES	1.50%	1/31/22	2,250.00		
INTEREST	7/31/20	7/31/20	2,000,000.00	9128282P4	US TREASURY NOTES	1.87%	7/31/22	18,750.00		
INTEREST	8/1/20	8/1/20	145,000.00	438687KR5	HONOLULU, HI TXBL GO BONDS	1.73%	8/1/22	2,381.47		
INTEREST	8/1/20	8/1/20	30,000.00	00724PAA7	ADOBE INC CORP NOTE	1.70%	2/1/23	252.17		
INTEREST	8/1/20	8/25/20	100,000.00	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
INTEREST	8/1/20	8/25/20	125,493.17	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	261.44		
INTEREST	8/1/20	8/25/20	74,545.74	3138ETXC5	FN AL8774	3.00%	3/1/29	186.36		
INTEREST	8/1/20	8/25/20	57,305.47	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	134.95		
INTEREST	8/1/20	8/25/20	54,203.42	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	102.99		
INTEREST	8/1/20	8/25/20	109,903.39	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	228.97		
INTEREST	8/1/20	8/25/20	83,437.00	3131XBNF2	FR ZK7590	3.00%	1/1/29	208.59		
INTEREST	8/1/20	8/25/20	113,814.24	3138MFUC9	FN AQ0578	2.50%	11/1/27	237.11		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	8/1/20	8/25/20	146,859.79	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	278.05		
INTEREST	8/1/20	8/25/20	175,000.00	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		
INTEREST	8/1/20	8/25/20	161,637.79	3140X4TN6	FN FM1456	2.50%	9/1/28	336.75		
INTEREST	8/1/20	8/25/20	108,459.95	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	112.98		
INTEREST	8/1/20	8/25/20	165,932.91	3140J86X6	FN BM4485	3.00%	9/1/30	414.83		
INTEREST	8/1/20	8/25/20	97,461.39	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	162.44		
INTEREST	8/1/20	8/25/20	175,000.00	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
INTEREST	8/1/20	8/25/20	68,771.64	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.52		
INTEREST	8/1/20	8/25/20	150,000.00	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		
INTEREST	8/1/20	8/25/20	49,917.53	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.24		
INTEREST	8/1/20	8/25/20	106,203.24	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	221.26		
PAYDOWNS	8/1/20	8/25/20	4,122.24	3140J86X6	FN BM4485	3.00%	9/1/30	4,122.24		0.00
PAYDOWNS	8/1/20	8/25/20	141.55	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	141.55		0.00
PAYDOWNS	8/1/20	8/25/20	3,451.50	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,451.50		0.00
PAYDOWNS	8/1/20	8/25/20	4,857.90	3140X4TN6	FN FM1456	2.50%	9/1/28	4,857.90		0.00
PAYDOWNS	8/1/20	8/25/20	2,551.20	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,551.20		0.00
PAYDOWNS	8/1/20	8/25/20	2,716.92	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	2,716.92		0.00
PAYDOWNS	8/1/20	8/25/20	1,529.38	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	1,529.38		0.00
PAYDOWNS	8/1/20	8/25/20	87.35	3137FKK39	FHMS KP05 A	3.20%	7/1/23	87.35		0.00
PAYDOWNS	8/1/20	8/25/20	2,293.53	3131XBNF2	FR ZK7590	3.00%	1/1/29	2,293.53		0.00
PAYDOWNS	8/1/20	8/25/20	3,295.52	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	3,295.52		0.00
PAYDOWNS	8/1/20	8/25/20	2,365.88	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,365.88		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	8/1/20	8/25/20	2,892.23	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	2,892.23		0.00
PAYDOWNS	8/1/20	8/25/20	109.64	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	109.64		0.00
PAYDOWNS	8/1/20	8/25/20	367.74	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	367.74		0.00
PAYDOWNS	8/1/20	8/25/20	2,153.00	3138ETXC5	FN AL8774	3.00%	3/1/29	2,153.00		0.00
INTEREST	8/3/20	8/3/20	0.00	MONEY0002	MONEY MARKET FUND			9.82		
BUY	8/4/20	8/12/20	60,000.00	92290BAA9	VZOT 2020-B A	0.47%	2/20/25	(59,987.40)	0.47%	
INTEREST	8/9/20	8/9/20	40,000.00	69371RP42	PACCAR FINANCIAL CORP BONDS	3.15%	8/9/21	630.00		
BUY	8/10/20	8/12/20	30,000.00	166756AJ5	CHEVRON USA INC CORPORATE NOTES	0.42%	8/11/23	(30,000.00)	0.43%	
SELL	8/11/20	8/12/20	10,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	10,206.87		187.60
BUY	8/11/20	8/19/20	100,000.00	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/25	(99,977.12)	0.45%	
INTEREST	8/12/20	8/12/20	100,000.00	02665WCD1	AMERICAN HONDA FINANCE	2.65%	2/12/21	1,325.00		
INTEREST	8/15/20	8/15/20	150,000.00	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
INTEREST	8/15/20	8/15/20	35,000.00	44933FAC0	HART 2020-B A3	0.48%	12/16/24	10.73		
INTEREST	8/15/20	8/15/20	110,000.00	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
INTEREST	8/15/20	8/15/20	150,000.00	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
INTEREST	8/15/20	8/15/20	170,000.00	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
INTEREST	8/15/20	8/15/20	150,000.00	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
INTEREST	8/15/20	8/15/20	58,355.36	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	149.78		
INTEREST	8/15/20	8/15/20	109,836.45	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	286.49		
INTEREST	8/15/20	8/15/20	69,468.16	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	179.46		
INTEREST	8/15/20	8/15/20	75,000.00	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		
INTEREST	8/15/20	8/15/20	50,000.00	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		

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Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	8/15/20	8/15/20	150,000.00	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
INTEREST	8/15/20	8/15/20	35,000.00	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	13.86		
INTEREST	8/15/20	8/15/20	41,655.49	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	110.73		
INTEREST	8/15/20	8/15/20	97,538.05	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	243.85		
INTEREST	8/15/20	8/15/20	75,000.00	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	34.38		
INTEREST	8/15/20	8/15/20	44,598.34	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	120.79		
INTEREST	8/15/20	8/15/20	60,000.00	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		
INTEREST	8/15/20	8/15/20	76,201.04	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	192.41		
INTEREST	8/15/20	8/15/20	50,000.00	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
INTEREST	8/15/20	8/15/20	95,000.00	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
INTEREST	8/15/20	8/15/20	150,000.00	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
INTEREST	8/15/20	8/15/20	75,000.00	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
INTEREST	8/15/20	8/15/20	100,000.00	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
INTEREST	8/15/20	8/15/20	45,285.08	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	120.38		
INTEREST	8/15/20	8/15/20	100,000.00	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
INTEREST	8/15/20	8/15/20	150,000.00	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	395.00		
INTEREST	8/15/20	8/15/20	115,000.00	44933AAC1	HART 2018-B A3	3.20%	12/15/22	306.67		
INTEREST	8/15/20	8/15/20	75,000.00	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
INTEREST	8/15/20	8/15/20	50,000.00	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
INTEREST	8/15/20	8/15/20	83,154.58	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	212.04		
INTEREST	8/15/20	8/15/20	75,000.00	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
INTEREST	8/15/20	8/15/20	75,000.00	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	8/15/20	8/15/20	85,894.41	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	229.77		
INTEREST	8/15/20	8/15/20	69,831.29	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	182.14		
PAYDOWNS	8/15/20	8/15/20	5,770.94	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,770.94		0.00
PAYDOWNS	8/15/20	8/15/20	4,493.55	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,493.55		0.00
PAYDOWNS	8/15/20	8/15/20	8,835.54	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	8,835.54		0.00
PAYDOWNS	8/15/20	8/15/20	6,910.95	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	6,910.95		0.00
PAYDOWNS	8/15/20	8/15/20	4,305.74	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	4,305.74		0.00
PAYDOWNS	8/15/20	8/15/20	8,978.08	44933AAC1	HART 2018-B A3	3.20%	12/15/22	8,978.08		0.00
PAYDOWNS	8/15/20	8/15/20	10,244.66	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	10,244.66		0.00
PAYDOWNS	8/15/20	8/15/20	8,729.39	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	8,729.39		0.00
PAYDOWNS	8/15/20	8/15/20	8,172.30	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	8,172.30		0.00
PAYDOWNS	8/15/20	8/15/20	6,474.13	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,474.13		0.00
PAYDOWNS	8/15/20	8/15/20	6,378.84	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	6,378.84		0.00
PAYDOWNS	8/15/20	8/15/20	14,666.55	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	14,666.55		0.00
PAYDOWNS	8/15/20	8/15/20	3,724.65	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	3,724.65		0.00
INTEREST	8/16/20	8/16/20	152,540.71	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	408.05		
INTEREST	8/16/20	8/16/20	100,000.00	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		
INTEREST	8/16/20	8/16/20	62,095.58	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	156.27		
PAYDOWNS	8/16/20	8/16/20	8,459.75	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,459.75		0.00
PAYDOWNS	8/16/20	8/16/20	4,153.77	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,153.77		0.00
BUY	8/17/20	8/19/20	120,000.00	438516CC8	HONEYWELL INTERNATIONAL CORPORATE NOTES	0.48%	8/19/22	(120,000.00)	0.48%	
SELL	8/18/20	8/19/20	215,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	219,442.22		3,962.87

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
BUY	8/19/20	8/21/20	475,000.00	3137EAEV7	FREDDIE MAC NOTES	0.25%	8/24/23	(474,515.50)	0.28%	
INTEREST	8/20/20	8/20/20	40,000.00	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	99.33		
INTEREST	8/20/20	8/20/20	65,000.00	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
INTEREST	8/20/20	8/20/20	18,958.75	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	50.24		
INTEREST	8/20/20	8/20/20	145,650.91	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	394.47		
PAYDOWNS	8/20/20	8/20/20	2,333.38	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	2,333.38		0.00
PAYDOWNS	8/20/20	8/20/20	6,922.59	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	6,922.59		0.00
PAYDOWNS	8/20/20	8/20/20	9,857.36	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	9,857.36		0.00
SELL	8/20/20	8/21/20	50,000.00	89236TFQ3	TOYOTA MOTOR CREDIT CORP CORP NOTES	3.05%	1/8/21	50,716.15		539.75
SELL	8/20/20	8/21/20	165,000.00	13063DGA0	CA ST TXBL GO BONDS	2.80%	4/1/21	169,373.97		2,575.93
SELL	8/20/20	8/21/20	40,000.00	92826CAB8	VISA INC (CALLABLE) CORP NOTES	2.20%	12/14/20	40,348.58		152.88
SELL	8/20/20	8/21/20	65,000.00	63743HER9	NATIONAL RURAL UTIL COOP NOTE	2.90%	3/15/21	66,804.83		1,001.35
SELL	8/20/20	8/21/20	20,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	20,415.65		369.33
INTEREST	8/21/20	8/21/20	55,417.24	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	136.23		
PAYDOWNS	8/21/20	8/21/20	4,731.07	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,731.07		0.00
INTEREST	8/22/20	8/22/20	45,000.00	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	106.50		
PAYDOWNS	8/22/20	8/22/20	347.68	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	347.68		0.00
INTEREST	8/25/20	8/25/20	50,000.00	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	26.67		
INTEREST	9/1/20	9/1/20	25,000.00	437076BV3	HOME DEPOT INC	3.25%	3/1/22	406.25		
INTEREST	9/1/20	9/1/20	90,000.00	69371RN93	PACCAR FINANCIAL CORP NOTES	2.80%	3/1/21	1,260.00		
INTEREST	9/1/20	9/1/20	0.00	MONEY0002	MONEY MARKET FUND			3.65		
INTEREST	9/1/20	9/25/20	122,041.67	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	254.25		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	9/1/20	9/25/20	175,000.00	3137AYCE9	FHLMC MULTIFAMILY STRUCTURED P	2.68%	10/1/22	391.13		
INTEREST	9/1/20	9/25/20	95,095.51	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	158.49		
INTEREST	9/1/20	9/25/20	72,392.74	3138ETXC5	FN AL8774	3.00%	3/1/29	180.98		
INTEREST	9/1/20	9/25/20	49,830.18	3137FKK39	FHMS KP05 A	3.20%	7/1/23	133.01		
INTEREST	9/1/20	9/25/20	81,143.47	3131XBNF2	FR ZK7590	3.00%	1/1/29	202.86		
INTEREST	9/1/20	9/25/20	68,630.09	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	135.24		
INTEREST	9/1/20	9/25/20	146,492.05	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	277.36		
INTEREST	9/1/20	9/25/20	161,810.67	3140J86X6	FN BM4485	3.00%	9/1/30	404.53		
INTEREST	9/1/20	9/25/20	100,000.00	3137AWQH1	FHLMC MULTIFAMILY STRUCTURED P	2.30%	8/1/22	192.25		
INTEREST	9/1/20	9/25/20	156,779.89	3140X4TN6	FN FM1456	2.50%	9/1/28	326.62		
INTEREST	9/1/20	9/25/20	105,164.43	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	109.55		
INTEREST	9/1/20	9/25/20	175,000.00	3137AVXN2	FHLMC MULTIFAMILY STRUCTURED P	2.35%	7/1/22	343.44		
INTEREST	9/1/20	9/25/20	150,000.00	3137B1BS0	FHLMC MULTIFAMILY STRUCTURED P	2.51%	11/1/22	313.75		
INTEREST	9/1/20	9/25/20	54,093.78	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	120.61		
INTEREST	9/1/20	9/25/20	55,776.09	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	97.24		
INTEREST	9/1/20	9/25/20	111,263.04	3138MFUC9	FN AQ0578	2.50%	11/1/27	231.80		
INTEREST	9/1/20	9/25/20	103,311.01	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	215.23		
INTEREST	9/1/20	9/25/20	107,186.47	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	223.31		
PAYDOWNS	9/1/20	9/25/20	1,616.33	3136AEGQ4	FNA 2013-M7 A2	2.28%	12/1/22	1,616.33		0.00
PAYDOWNS	9/1/20	9/25/20	4,565.52	3140J86X6	FN BM4485	3.00%	9/1/30	4,565.52		0.00
PAYDOWNS	9/1/20	9/25/20	1,769.21	3138MRLV1	FANNIE MAE POOL	2.50%	1/1/28	1,769.21		0.00
PAYDOWNS	9/1/20	9/25/20	3,201.46	3140J94Y4	FANNIE MAE POOL	2.50%	3/1/29	3,201.46		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	9/1/20	9/25/20	1,751.23	3131XBNF2	FR ZK7590	3.00%	1/1/29	1,751.23		0.00
PAYDOWNS	9/1/20	9/25/20	22,241.31	3137FKK39	FHMS KP05 A	3.20%	7/1/23	22,241.31		0.00
PAYDOWNS	9/1/20	9/25/20	1,945.23	3138Y8UX6	FANNIE MAE POOL	2.50%	11/1/29	1,945.23		0.00
PAYDOWNS	9/1/20	9/25/20	96.60	3137FQ3V3	FHMS KJ27 A1	2.09%	7/1/24	96.60		0.00
PAYDOWNS	9/1/20	9/25/20	2,133.83	3138ETXC5	FN AL8774	3.00%	3/1/29	2,133.83		0.00
PAYDOWNS	9/1/20	9/25/20	142.04	3136ABPW7	FNA 2013-M1 A2	2.36%	8/1/22	142.04		0.00
PAYDOWNS	9/1/20	9/25/20	369.09	3137ASNJ9	FHMS K019 A2	2.27%	3/1/22	369.09		0.00
PAYDOWNS	9/1/20	9/25/20	2,200.76	3131X85Q5	FREDDIE MAC POOL	2.00%	4/1/28	2,200.76		0.00
PAYDOWNS	9/1/20	9/25/20	4,511.39	3140X4TN6	FN FM1456	2.50%	9/1/28	4,511.39		0.00
PAYDOWNS	9/1/20	9/25/20	2,832.01	3136AAZ57	FNR 2012-145 EA	1.25%	1/1/28	2,832.01		0.00
PAYDOWNS	9/1/20	9/25/20	2,981.97	3138MFUC9	FN AQ0578	2.50%	11/1/27	2,981.97		0.00
BUY	9/2/20	9/4/20	435,000.00	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	(434,856.45)	0.26%	
BUY	9/2/20	9/4/20	325,000.00	3137EAEW5	FREDDIE MAC NOTES	0.25%	9/8/23	(325,059.35)	0.24%	
SELL	9/3/20	9/4/20	700,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	714,593.94		12,549.13
BUY	9/3/20	9/16/20	65,000.00	341271AD6	FL ST BOARD OF ADMIN TXBL REV BONDS	1.25%	7/1/25	(65,000.00)	1.26%	
INTEREST	9/6/20	9/6/20	125,000.00	30231GAJ1	EXXON MOBIL CORP (CALLABLE) NOTE	2.39%	3/6/22	1,498.13		
INTEREST	9/7/20	9/7/20	50,000.00	14913Q2N8	CATERPILLAR FINANCIAL SERVICES CORP CORP	3.15%	9/7/21	787.50		
BUY	9/9/20	9/14/20	75,000.00	14913R2F3	CATERPILLAR FINL SERVICE CORPORATE NOTES	0.45%	9/14/23	(74,949.00)	0.47%	
BUY	9/9/20	9/16/20	100,000.00	46647PBS4	JPMORGAN CHASE & CO CORPORATE NOTES	0.65%	9/16/24	(100,000.00)	0.65%	
SELL	9/9/20	9/16/20	100,000.00	46647PAS5	JPMORGAN CHASE & CO CORP NOTES	3.51%	6/18/22	103,177.98		2,217.49
SELL	9/10/20	9/14/20	75,000.00	912828YT1	UNITED STATES TREASURY NOTES	1.50%	11/30/21	76,556.29		1,304.79
INTEREST	9/14/20	9/14/20	60,000.00	88579YBA8	3M COMPANY	3.00%	9/14/21	900.00		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	9/15/20	9/15/20	50,000.00	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	120.83		
INTEREST	9/15/20	9/15/20	35,868.95	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	97.15		
INTEREST	9/15/20	9/15/20	40,000.00	47787NAC3	JDOT 2020-B A3	0.51%	11/15/24	30.03		
INTEREST	9/15/20	9/15/20	150,000.00	14041NFU0	COMET 2019-A2 A2	1.72%	8/15/24	215.00		
INTEREST	9/15/20	9/15/20	35,000.00	44933FAC0	HART 2020-B A3	0.48%	12/16/24	14.00		
INTEREST	9/15/20	9/15/20	170,000.00	65478NAD7	NAROT 2018-C A3	3.22%	6/15/23	456.17		
INTEREST	9/15/20	9/15/20	150,000.00	89231PAD0	TOYOTA AUTO RECEIVABLES OWNER	3.18%	3/15/23	397.50		
INTEREST	9/15/20	9/15/20	71,227.86	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	190.53		
INTEREST	9/15/20	9/15/20	60,632.62	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	156.63		
INTEREST	9/15/20	9/15/20	50,000.00	65479PAD1	NALT 2019-A A3	2.76%	3/15/22	115.00		
INTEREST	9/15/20	9/15/20	150,000.00	02587AAN4	AMXCA 2019-2 A	2.67%	11/15/24	333.75		
INTEREST	9/15/20	9/15/20	77,383.64	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	197.33		
INTEREST	9/15/20	9/15/20	100,000.00	44932NAD2	HYUNDAI AUTO RECEIVABLES TRUST	2.66%	6/15/23	221.67		
INTEREST	9/15/20	9/15/20	95,000.00	65479KAD2	NAROT 2019-A A3	2.90%	10/15/23	229.58		
INTEREST	9/15/20	9/15/20	150,000.00	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	377.50		
INTEREST	9/15/20	9/15/20	65,337.74	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	170.42		
INTEREST	9/15/20	9/15/20	31,410.83	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	83.50		
INTEREST	9/15/20	9/15/20	35,000.00	14315FAD9	CARMX 2020-3 A3	0.62%	3/17/25	18.08		
INTEREST	9/15/20	9/15/20	75,000.00	14042WAC4	COPAR 2019-1 A3	2.51%	11/15/23	156.88		
INTEREST	9/15/20	9/15/20	150,000.00	14315NAC4	CARMAX AUTO OWNER TRUST	3.05%	3/15/24	381.25		
INTEREST	9/15/20	9/15/20	75,000.00	65479CAD0	NAROT 2020-B A3	0.55%	7/15/24	34.38		
INTEREST	9/15/20	9/15/20	60,000.00	02004WAC5	ALLYA 2019-1 A3	2.91%	9/15/23	145.50		

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	9/15/20	9/15/20	75,000.00	254683CK9	DCENT 2019-A1	3.04%	7/15/24	190.00		
INTEREST	9/15/20	9/15/20	69,726.91	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	176.06		
INTEREST	9/15/20	9/15/20	75,000.00	41284UAD6	HDMOT 2020-A A3	1.87%	10/15/24	116.88		
INTEREST	9/15/20	9/15/20	89,365.75	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	223.41		
INTEREST	9/15/20	9/15/20	75,000.00	14315XAC2	CARMX 2020-1 A3	1.89%	12/16/24	118.13		
INTEREST	9/15/20	9/15/20	110,000.00	98162YAD5	WOART 2019-A A3	3.04%	5/15/24	278.67		
INTEREST	9/15/20	9/15/20	100,000.00	02588QAB4	AMXCA 2019-1 A	2.87%	10/15/24	239.17		
INTEREST	9/15/20	9/15/20	50,000.00	12596JAC7	CNH EQUIPMENT TRUST	3.01%	4/15/24	125.42		
INTEREST	9/15/20	9/15/20	103,457.61	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	269.85		
INTEREST	9/15/20	9/15/20	106,021.92	44933AAC1	HART 2018-B A3	3.20%	12/15/22	282.73		
INTEREST	9/15/20	9/15/20	143,089.05	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	376.80		
INTEREST	9/15/20	9/15/20	54,049.62	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	138.73		
INTEREST	9/15/20	9/15/20	41,560.43	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	110.48		
INTEREST	9/15/20	9/15/20	95,000.00	717081EM1	PFIZER INC CORP NOTE	3.00%	9/15/21	1,425.00		
INTEREST	9/15/20	9/15/20	75,000.00	47789JAD8	JDOT 2019-A A3	2.91%	7/15/23	181.88		
PAYDOWNS	9/15/20	9/15/20	6,146.21	98163EAD8	WORLD OMNI AUTO RECEIVABLES TR	3.13%	11/15/23	6,146.21		0.00
PAYDOWNS	9/15/20	9/15/20	1,357.31	34532FAD4	FORDL 2019-A A3	2.90%	5/15/22	1,357.31		0.00
PAYDOWNS	9/15/20	9/15/20	4,145.40	14313FAD1	CARMAX AUTO OWNER TRUST	3.13%	6/15/23	4,145.40		0.00
PAYDOWNS	9/15/20	9/15/20	8,117.90	34531LAD2	FORDL 2018-B A3	3.19%	12/15/21	8,117.90		0.00
PAYDOWNS	9/15/20	9/15/20	7,954.36	02007JAC1	ALLYA 2018-3 A3	3.00%	1/15/23	7,954.36		0.00
PAYDOWNS	9/15/20	9/15/20	7,334.10	65478BAD3	NISSAN AUTO LEASE TRUST	3.25%	9/15/21	7,334.10		0.00
PAYDOWNS	9/15/20	9/15/20	12,266.96	58769LAC6	MBALT 2018-B A3	3.21%	9/15/21	12,266.96		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	9/15/20	9/15/20	7,379.79	58772TAC4	MBALT 2019-A A3	3.10%	11/15/21	7,379.79		0.00
PAYDOWNS	9/15/20	9/15/20	10,271.69	43815AAC6	HAROT 2018-4 A3	3.16%	1/15/23	10,271.69		0.00
PAYDOWNS	9/15/20	9/15/20	8,664.50	44933AAC1	HART 2018-B A3	3.20%	12/15/22	8,664.50		0.00
PAYDOWNS	9/15/20	9/15/20	5,446.42	65479GAD1	NAROT 2018-B A3	3.06%	3/15/23	5,446.42		0.00
PAYDOWNS	9/15/20	9/15/20	7,767.09	89231AAD3	TOYOTA ABS 2018-C A3	3.02%	12/15/22	7,767.09		0.00
PAYDOWNS	9/15/20	9/15/20	6,005.93	58772RAD6	MBART 2018-1 A3	3.03%	1/15/23	6,005.93		0.00
PAYDOWNS	9/15/20	9/15/20	1,328.42	12596EAC8	CNH 2018-B A3	3.19%	11/15/23	1,328.42		0.00
PAYDOWNS	9/15/20	9/15/20	3,912.92	47788EAC2	JDOT 2018-B A3	3.08%	11/15/22	3,912.92		0.00
SELL	9/15/20	9/16/20	90,000.00	69371RN93	PACCAR FINANCIAL CORP NOTES	2.80%	3/1/21	91,177.80		1,079.47
BUY	9/15/20	9/23/20	25,000.00	58769EAC2	MBALT 2020-B A3	0.40%	11/15/23	(24,998.73)	0.40%	
INTEREST	9/16/20	9/16/20	100,000.00	36258NAC6	GMCAR 2020-1 A3	1.84%	9/16/24	153.33		
INTEREST	9/16/20	9/16/20	144,080.96	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	385.42		
INTEREST	9/16/20	9/16/20	100,000.00	362590AC5	GMCAR 2020-3 A3	0.45%	4/16/25	33.75		
INTEREST	9/16/20	9/16/20	57,941.81	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	145.82		
PAYDOWNS	9/16/20	9/16/20	4,193.86	36255JAD6	GMCAR 2018-3 A3	3.02%	5/16/23	4,193.86		0.00
PAYDOWNS	9/16/20	9/16/20	8,811.69	38013FAD3	GMCAR 2018-4 A3	3.21%	10/16/23	8,811.69		0.00
INTEREST	9/20/20	9/20/20	65,000.00	92348TAA2	VZOT 2020-A A1A	1.85%	7/22/24	100.21		
INTEREST	9/20/20	9/20/20	135,793.55	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	367.77		
INTEREST	9/20/20	9/20/20	37,666.62	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	93.54		
INTEREST	9/20/20	9/20/20	12,036.16	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	31.90		
PAYDOWNS	9/20/20	9/20/20	5,447.72	36256GAD1	GMALT 2018-3 A3	3.18%	6/20/21	5,447.72		0.00
PAYDOWNS	9/20/20	9/20/20	10,105.93	92869BAD4	VALET 2018-2 A3	3.25%	4/20/23	10,105.93		0.00

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Activity

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
PAYDOWNS	9/20/20	9/20/20	4,378.09	36256UAD0	GMALT 2019-1 A3	2.98%	12/20/21	4,378.09		0.00
INTEREST	9/21/20	9/21/20	60,000.00	92290BAA9	VZOT 2020-B A	0.47%	2/20/25	30.55		
INTEREST	9/21/20	9/21/20	50,686.17	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	124.60		
PAYDOWNS	9/21/20	9/21/20	4,481.98	43815HAC1	HONDA AUTO RECEIVABLES OWNER T	2.95%	8/21/22	4,481.98		0.00
SELL	9/21/20	9/21/20	50,000.00	46647PAS5	JPMORGAN CHASE & CO CORP NOTES	3.51%	6/18/22	51,661.39		1,157.14
INTEREST	9/22/20	9/22/20	44,652.32	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	105.68		
INTEREST	9/22/20	9/22/20	180,000.00	904764AZ0	UNILEVER CAPITAL CORP NOTES	2.75%	3/22/21	2,475.00		
PAYDOWNS	9/22/20	9/22/20	5,628.91	05586VAC6	BMW VEHICLE LEASE TRUST	2.84%	11/22/21	5,628.91		0.00
BUY	9/22/20	9/29/20	40,000.00	362569AC9	GMALT 2020-3 A3	0.45%	8/21/23	(39,996.17)	0.45%	
BUY	9/22/20	9/29/20	50,000.00	65480EAD3	NALT 2020-B A3	0.43%	10/16/23	(49,994.86)	0.43%	
BUY	9/22/20	9/29/20	125,000.00	43813KAC6	HAROT 2020-3 A3	0.37%	10/18/24	(124,981.64)	0.37%	
INTEREST	9/23/20	9/23/20	175,000.00	06406HBY4	BONY MELLON GLOBAL NOTES (CALLABLE)	3.55%	9/23/21	3,106.25		
INTEREST	9/25/20	9/25/20	50,000.00	09661RAD3	BMWOT 2020-A A3	0.48%	10/25/24	20.00		
INTEREST	9/26/20	9/26/20	60,000.00	69371RQ33	PACCAR FINANCIAL CORP	2.00%	9/26/22	600.00		
BUY	9/29/20	10/6/20	190,000.00	045167EX7	ASIAN DEVELOPMENT BANK CORPORATE NOTES	0.25%	10/6/23	(189,796.70)	0.29%	
INTEREST	9/30/20	9/30/20	750,000.00	912828Q29	US TREASURY NOTES	1.50%	3/31/23	5,625.00		
INTEREST	9/30/20	9/30/20	125,000.00	89236TGW9	TOYOTA MOTOR CREDIT CORP CORPORATE NOTES	2.90%	3/30/23	1,802.43		
TOTALS								(142,048.25)		50,508.49

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
UNITED STATES TREASURY NOTES DTD 11/30/2019 1.500% 11/30/2021	912828YT1	660,000.00	AA+	Aaa	1/2/2020	1/3/2020	658,968.76	1.58	3,327.05	659,371.20	670,415.59
US TREASURY NOTES DTD 01/15/2019 2.500% 01/15/2022	9128285V8	890,000.00	AA+	Aaa	2/3/2020	2/5/2020	909,190.62	1.37	4,716.03	902,730.68	917,117.23
US TREASURY NOTES DTD 02/02/2015 1.500% 01/31/2022	912828H86	300,000.00	AA+	Aaa	2/6/2020	2/10/2020	300,222.66	1.46	758.15	300,150.40	305,437.50
US TREASURY NOTES DTD 05/31/2017 1.750% 05/31/2022	912828XR6	1,985,000.00	AA+	Aaa	6/21/2019	6/24/2019	1,984,844.92	1.75	11,674.08	1,984,912.19	2,038,346.88
US TREASURY NOTES DTD 07/31/2017 1.875% 07/31/2022	9128282P4	1,025,000.00	AA+	Aaa	6/3/2019	6/5/2019	1,025,960.94	1.84	3,237.94	1,025,557.21	1,057,511.77
US TREASURY NOTES DTD 07/31/2017 1.875% 07/31/2022	9128282P4	975,000.00	AA+	Aaa	7/1/2019	7/3/2019	978,123.05	1.77	3,079.99	976,856.05	1,005,925.83
UNITED STATES TREASURY NOTES DTD 01/15/2020 1.500% 01/15/2023	912828Z29	2,000,000.00	AA+	Aaa	1/9/2020	1/15/2020	1,992,890.63	1.62	6,358.70	1,994,577.16	2,061,875.00
US TREASURY NOTES DTD 03/31/2016 1.500% 03/31/2023	912828Q29	750,000.00	AA+	Aaa	3/2/2020	3/4/2020	765,439.45	0.82	30.91	762,535.95	775,195.35
US TREASURY N/B NOTES DTD 05/15/2020 0.125% 05/15/2023	912828ZP8	175,000.00	AA+	Aaa	6/3/2020	6/5/2020	174,371.09	0.25	82.63	174,440.19	174,890.63
Security Type Sub-Total		8,760,000.00					8,790,012.12	1.56	33,265.48	8,781,131.03	9,006,715.78
Supra-National Agency Bond / Note											
INTL BANK OF RECONSTRUCTION AND DEV NOTE DTD 07/25/2018 2.750% 07/23/2021	459058GH0	150,000.00	AAA	Aaa	7/18/2018	7/25/2018	149,649.00	2.83	779.17	149,905.35	153,036.15
ASIAN DEVELOPMENT BANK SUPRANATL DTD 04/07/2020 0.625% 04/07/2022	045167ET6	435,000.00	AAA	Aaa	3/31/2020	4/7/2020	434,604.15	0.67	1,314.06	434,700.13	437,510.39
AFRICAN DEVELOPMENT BANK SUPRANATL DTD 04/03/2020 0.750% 04/03/2023	008281BC0	360,000.00	AAA	Aaa	3/26/2020	4/3/2020	359,499.60	0.80	1,335.00	359,582.31	364,336.20

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Supra-National Agency Bond / Note											
INTER-AMERICAN DEVEL BK CORPORATE NOTES DTD 04/24/2020 0.500% 05/24/2023	4581X0DM7	125,000.00	AAA	Aaa	4/17/2020	4/24/2020	124,957.50	0.51	220.49	124,963.54	125,734.50
ASIAN DEVELOPMENT BANK CORPORATE NOTES DTD 07/14/2020 0.250% 07/14/2023	045167EV1	230,000.00	AAA	Aaa	7/7/2020	7/14/2020	229,615.90	0.31	122.99	229,643.61	229,892.82
ASIAN DEVELOPMENT BANK CORPORATE NOTES DTD 10/06/2020 0.250% 10/06/2023	045167EX7	190,000.00	AAA	Aaa	9/29/2020	10/6/2020	189,796.70	0.29	0.00	189,796.70	189,791.19
Security Type Sub-Total		1,490,000.00					1,488,122.85	0.80	3,771.71	1,488,591.64	1,500,301.25
Municipal Bond / Note											
HONOLULU, HI TXBL GO BONDS DTD 08/21/2019 1.739% 08/01/2022	438687KR5	145,000.00	NR	Aa1	8/8/2019	8/21/2019	145,000.00	1.74	420.26	145,000.00	148,973.00
PORT AUTH OF NY/NJ T/E REV BONDS DTD 07/08/2020 1.086% 07/01/2023	73358W4V3	75,000.00	A+	Aa3	7/2/2020	7/8/2020	75,000.00	1.09	187.79	75,000.00	76,121.25
PORT AUTH OF NY/NJ T/E REV BONDS DTD 07/08/2020 1.086% 07/01/2023	73358W4V3	75,000.00	A+	Aa3	7/7/2020	7/9/2020	75,439.50	0.89	187.79	75,405.54	76,121.25
CT ST TXBL GO BONDS DTD 06/11/2020 2.000% 07/01/2023	20772KJV2	20,000.00	A	A1	5/29/2020	6/11/2020	20,119.40	1.80	122.22	20,107.41	20,729.40
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025	341271AD6	65,000.00	AA	Aa3	9/3/2020	9/16/2020	65,000.00	1.26	34.07	65,000.00	65,986.05
Security Type Sub-Total		380,000.00					380,558.90	1.36	952.13	380,512.95	387,930.95
Federal Agency Mortgage-Backed Security											
FN AQ0578 DTD 11/01/2012 2.500% 11/01/2027	3138MFUC9	108,281.07	AA+	Aaa	9/27/2019	9/30/2019	109,651.49	2.33	225.59	109,481.23	113,361.06

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Mortgage-Backed Security											
FANNIE MAE POOL DTD 01/01/2013 2.500% 01/01/2028	3138MRLV1	105,417.26	AA+	Aaa	2/5/2020	2/18/2020	107,295.00	2.25	219.62	107,147.34	110,112.85
FREDDIE MAC POOL DTD 09/01/2018 2.000% 04/01/2028	3131X85Q5	92,894.75	AA+	Aaa	9/26/2019	9/30/2019	92,575.41	2.04	154.82	92,613.14	96,579.57
FN FM1456 DTD 09/01/2019 2.500% 09/01/2028	3140X4TN6	152,268.50	AA+	Aaa	12/10/2019	12/17/2019	153,791.17	2.37	317.23	153,652.83	159,050.99
FR ZK7590 DTD 09/01/2018 3.000% 01/01/2029	3131XBNF2	79,392.24	AA+	Aaa	12/12/2019	12/17/2019	81,352.24	2.69	198.48	81,180.75	83,798.95
FANNIE MAE POOL DTD 01/01/2019 2.500% 03/01/2029	3140J94Y4	118,840.21	AA+	Aaa	8/15/2019	8/19/2019	120,734.23	2.31	247.58	120,511.76	124,262.53
FN AL8774 DTD 06/01/2016 3.000% 03/01/2029	3138ETXC5	70,258.91	AA+	Aaa	2/5/2019	2/19/2019	70,456.51	2.97	175.65	70,424.68	73,874.60
FANNIE MAE POOL DTD 11/01/2014 2.500% 11/01/2029	3138Y8UX6	101,365.78	AA+	Aaa	3/7/2019	3/18/2019	99,876.98	2.66	211.18	100,092.95	106,208.86
FN BM4485 DTD 09/01/2018 3.000% 09/01/2030	3140J86X6	157,245.15	AA+	Aaa	1/27/2020	1/31/2020	161,937.93	2.68	393.11	161,641.75	165,337.36
Security Type Sub-Total		985,963.87					997,670.96	2.46	2,143.26	996,746.43	1,032,586.77
Federal Agency Collateralized Mortgage Obligation											
FHMS K019 A2 DTD 08/01/2012 2.272% 03/01/2022	3137ASNJ9	146,122.96	AA+	Aaa	3/8/2019	3/13/2019	144,193.69	2.74	276.66	145,204.60	148,375.76
FHLMC MULTIFAMILY STRUCTURED P DTD 12/01/2012 2.355% 07/01/2022	3137AVXN2	175,000.00	AA+	Aaa	8/14/2019	8/19/2019	177,132.81	1.92	343.44	176,299.65	179,178.65
FHLMC MULTIFAMILY STRUCTURED P DTD 12/01/2012 2.307% 08/01/2022	3137AWQH1	100,000.00	AA+	Aaa	9/4/2019	9/9/2019	101,476.56	1.78	192.25	100,934.55	102,518.18
FNA 2013-M1 A2 DTD 01/01/2013 2.365% 08/01/2022	3136ABPW7	68,488.05	AA+	Aaa	9/10/2019	9/13/2019	69,015.09	2.09	134.96	68,822.89	69,797.22
FHLMC MULTIFAMILY STRUCTURED P DTD 02/01/2013 2.682% 10/01/2022	3137AYCE9	175,000.00	AA+	Aaa	6/20/2019	6/25/2019	178,199.22	2.10	391.13	176,955.97	180,839.28

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Collateralized Mortgage Obligation											
FHLMC MULTIFAMILY STRUCTURED P DTD 05/01/2013 2.510% 11/01/2022	3137B1BS0	150,000.00	AA+	Aaa	8/12/2019	8/15/2019	152,765.63	1.92	313.75	151,792.71	155,650.71
FNA 2013-M7 A2 DTD 05/01/2013 2.280% 12/01/2022	3136AEGQ4	52,477.45	AA+	Aaa	9/4/2019	9/9/2019	53,164.95	1.86	99.71	52,938.70	54,261.42
FHMS KP05 A DTD 12/01/2018 3.203% 07/01/2023	3137FKK39	27,588.87	AA+	Aaa	12/7/2018	12/17/2018	27,588.78	3.20	73.64	27,588.82	28,575.45
FHMS KJ27 A1 DTD 11/01/2019 2.092% 07/01/2024	3137FQ3V3	55,679.49	AA+	Aaa	11/20/2019	11/26/2019	55,678.14	2.09	97.07	55,678.39	57,470.20
FNR 2012-145 EA DTD 12/01/2012 1.250% 01/01/2028	3136AAZ57	102,332.42	AA+	Aaa	2/7/2020	2/12/2020	100,881.37	1.44	106.60	100,998.26	102,880.58
Security Type Sub-Total		1,052,689.24					1,060,096.24	2.05	2,029.21	1,057,214.54	1,079,547.45
Federal Agency Bond / Note											
FANNIE MAE NOTES DTD 01/11/2019 2.625% 01/11/2022	3135G0U92	150,000.00	AA+	Aaa	1/9/2019	1/11/2019	149,892.00	2.65	875.00	149,953.98	154,751.25
FREDDIE MAC NOTES DTD 06/08/2020 0.250% 06/08/2022	3134GVJ66	375,000.00	AA+	Aaa	6/4/2020	6/8/2020	374,820.00	0.27	294.27	374,848.36	375,676.50
FREDDIE MAC NOTES DTD 07/23/2020 0.125% 07/25/2022	3137EAET2	305,000.00	AA+	Aaa	7/21/2020	7/23/2020	304,310.70	0.24	72.02	304,376.62	304,845.98
FREDDIE MAC NOTES DTD 04/20/2020 0.375% 04/20/2023	3137EAEQ8	465,000.00	AA+	Aaa	4/17/2020	4/20/2020	463,837.50	0.46	779.84	464,011.61	466,871.63
FREDDIE MAC NOTES DTD 05/07/2020 0.375% 05/05/2023	3137EAER6	525,000.00	AA+	Aaa	5/5/2020	5/7/2020	524,779.50	0.39	787.50	524,809.16	527,147.25
FANNIE MAE NOTES DTD 05/22/2020 0.250% 05/22/2023	3135G04Q3	640,000.00	AA+	Aaa	5/20/2020	5/22/2020	638,073.60	0.35	573.33	638,305.82	640,559.36
FEDERAL HOME LOAN BANKS NOTES DTD 05/09/2013 2.125% 06/09/2023	3133834G3	100,000.00	AA+	Aaa	3/24/2020	3/25/2020	104,362.00	0.75	661.11	103,654.25	105,085.50
FREDDIE MAC NOTES DTD 06/26/2020 0.250% 06/26/2023	3137EAES4	455,000.00	AA+	Aaa	6/24/2020	6/26/2020	453,671.40	0.35	300.17	453,789.09	455,287.56

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FANNIE MAE NOTES DTD 07/10/2020 0.250% 07/10/2023	3135G05G4	480,000.00	AA+	Aaa	7/8/2020	7/10/2020	478,968.00	0.32	270.00	479,046.22	480,307.68
FREDDIE MAC NOTES DTD 08/21/2020 0.250% 08/24/2023	3137EAEV7	475,000.00	AA+	Aaa	8/19/2020	8/21/2020	474,515.50	0.28	131.95	474,533.59	475,317.78
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	435,000.00	AA+	Aaa	9/2/2020	9/4/2020	434,856.45	0.26	81.56	434,859.98	435,167.91
FREDDIE MAC NOTES DTD 09/04/2020 0.250% 09/08/2023	3137EAEW5	325,000.00	AA+	Aaa	9/2/2020	9/4/2020	325,059.35	0.24	60.94	325,057.89	325,125.45
Security Type Sub-Total		4,730,000.00					4,727,146.00	0.41	4,887.69	4,727,246.57	4,746,143.85
Corporate Note											
AMERICAN HONDA FINANCE DTD 02/15/2018 2.650% 02/12/2021	02665WCD1	100,000.00	A-	A3	2/12/2018	2/15/2018	99,860.00	2.70	360.69	99,982.84	100,828.70
UNILEVER CAPITAL CORP NOTES DTD 03/22/2018 2.750% 03/22/2021	904764AZ0	180,000.00	A+	A1	3/19/2018	3/22/2018	179,080.20	2.93	123.75	179,855.65	182,126.16
MORGAN STANLEY CORP NOTES DTD 04/21/2016 2.500% 04/21/2021	61746BEA0	175,000.00	BBB+	A2	12/27/2018	12/31/2018	171,291.75	3.46	1,944.44	174,110.37	176,969.98
HERSHEY COMPANY CORP NOTES DTD 05/10/2018 3.100% 05/15/2021	427866BA5	60,000.00	A	A1	5/3/2018	5/10/2018	59,958.60	3.12	702.67	59,991.50	61,053.54
AMERICAN EXPRESS CO DTD 05/17/2018 3.375% 05/17/2021	025816BU2	100,000.00	BBB+	A3	5/14/2018	5/17/2018	99,983.00	3.38	1,256.25	99,996.46	101,614.90
CHARLES SCHWAB CORP NOTES DTD 05/22/2018 3.250% 05/21/2021	808513AW5	95,000.00	A	A2	5/17/2018	5/22/2018	94,997.15	3.25	1,114.93	94,999.40	96,521.33
WAL-MART STORES INC CORP NOTES DTD 06/27/2018 3.125% 06/23/2021	931142EJ8	140,000.00	AA	Aa2	6/20/2018	6/27/2018	139,993.00	3.13	1,190.97	139,998.30	143,003.84
WELLS FARGO & CO CORP NOTES DTD 07/25/2016 2.100% 07/26/2021	949746SA0	175,000.00	BBB+	A2	12/27/2018	12/31/2018	169,132.25	3.47	663.54	173,135.83	177,445.10
PACCAR FINANCIAL CORP BONDS DTD 08/09/2018 3.150% 08/09/2021	69371RP42	40,000.00	A+	A1	8/6/2018	8/9/2018	39,987.60	3.16	182.00	39,996.47	40,983.04

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Holdings

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
CATERPILLAR FINANCIAL SERVICES CORP CORP DTD 09/07/2018 3.150% 09/07/2021	14913Q2N8	50,000.00	A	A3	9/4/2018	9/7/2018	49,961.50	3.18	105.00	49,988.02	51,357.05
3M COMPANY DTD 09/14/2018 3.000% 09/14/2021	88579YBA8	60,000.00	A+	A1	9/11/2018	9/14/2018	59,877.00	3.07	85.00	59,960.95	61,470.78
PFIZER INC CORP NOTE DTD 09/07/2018 3.000% 09/15/2021	717081EM1	95,000.00	AA-	A1	9/4/2018	9/7/2018	94,871.75	3.05	126.67	94,959.46	97,478.17
BONY MELLON GLOBAL NOTES (CALLABLE) DTD 09/23/2011 3.550% 09/23/2021	06406HBY4	175,000.00	A	A1	12/28/2018	12/31/2018	176,760.50	3.16	138.06	175,594.12	180,250.53
NATIONAL RURAL UTIL COOP CORP NOTE DTD 02/05/2020 1.750% 01/21/2022	63743HET5	100,000.00	A	A2	1/22/2020	2/5/2020	99,912.00	1.79	369.44	99,941.37	101,906.40
HOME DEPOT INC DTD 12/06/2018 3.250% 03/01/2022	437076BV3	25,000.00	A	A2	11/27/2018	12/6/2018	24,931.50	3.34	67.71	24,970.07	26,051.43
EXXON MOBIL CORP (CALLABLE) NOTE DTD 03/06/2015 2.397% 03/06/2022	30231GAJ1	100,000.00	AA	Aa1	11/26/2018	11/28/2018	96,964.00	3.38	166.46	98,675.25	102,613.00
EXXON MOBIL CORP (CALLABLE) NOTE DTD 03/06/2015 2.397% 03/06/2022	30231GAJ1	25,000.00	AA	Aa1	11/26/2018	11/28/2018	24,231.25	3.40	41.61	24,664.56	25,653.25
CITIGROUP INC CORP (CALLABLE) NOTES DTD 04/25/2017 2.750% 04/25/2022	172967LG4	250,000.00	BBB+	A3	7/8/2019	7/10/2019	252,062.50	2.44	2,979.17	251,126.14	258,439.75
GOLDMAN SACHS GROUP INC (CALLABLE) NOTE DTD 01/26/2017 3.000% 04/26/2022	38141GWC4	200,000.00	BBB+	A3	7/8/2019	7/10/2019	201,498.00	2.72	2,583.33	200,472.69	202,732.20
AMERICAN HONDA FINANCE CORP NOTES DTD 11/21/2019 1.950% 05/20/2022	02665WDF5	110,000.00	A-	A3	11/18/2019	11/21/2019	109,962.60	1.96	780.54	109,975.53	112,623.72

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
HONEYWELL INTERNATIONAL CORPORATE NOTES DTD 08/19/2020 0.483% 08/19/2022	438516CC8	120,000.00	A	A2	8/17/2020	8/19/2020	120,000.00	0.48	67.62	120,000.00	120,178.20
PACCAR FINANCIAL CORP DTD 09/26/2019 2.000% 09/26/2022	69371RQ33	60,000.00	A+	A1	9/23/2019	9/26/2019	59,926.80	2.04	16.67	59,951.58	61,734.60
CATERPILLAR FINL SERVICE DTD 01/13/2020 1.950% 11/18/2022	14913Q3C1	110,000.00	A	A3	1/9/2020	1/13/2020	109,949.40	1.97	792.46	109,962.15	113,615.59
BANK OF AMERICA CORP BANK NOTE DTD 01/20/2017 3.124% 01/20/2023	06051GGE3	200,000.00	A-	A2	7/8/2019	7/10/2019	203,014.00	2.67	1,232.24	201,964.94	206,198.60
BANK OF NY MELLON CORP NOTES DTD 01/28/2020 1.850% 01/27/2023	06406RAM9	75,000.00	A	A1	1/21/2020	1/28/2020	74,947.50	1.87	246.67	74,959.34	77,435.93
ADOBE INC CORP NOTE DTD 02/03/2020 1.700% 02/01/2023	00724PAA7	30,000.00	A	A2	1/22/2020	2/3/2020	29,958.90	1.75	85.00	29,967.95	30,904.32
TOYOTA MOTOR CREDIT CORP CORPORATE NOTES DTD 04/01/2020 2.900% 03/30/2023	89236TGW9	125,000.00	A+	A1	5/13/2020	5/15/2020	131,030.00	1.19	10.07	130,230.98	132,442.75
PEPSICO INC CORPORATE NOTES DTD 05/01/2020 0.750% 05/01/2023	713448EY0	65,000.00	A+	A1	4/29/2020	5/1/2020	64,871.30	0.82	203.13	64,889.28	65,656.57
CHEVRON CORP CORPORATE NOTES DTD 05/11/2020 1.141% 05/11/2023	166764BV1	60,000.00	AA	Aa2	5/7/2020	5/11/2020	60,000.00	1.14	266.23	60,000.00	61,110.30
APPLE INC CORPORATE NOTES DTD 05/11/2020 0.750% 05/11/2023	037833DV9	140,000.00	AA+	Aa1	5/4/2020	5/11/2020	139,619.20	0.84	408.33	139,668.93	141,426.74
AMAZON.COM INC CORPORATE NOTES DTD 06/03/2020 0.400% 06/03/2023	023135BP0	125,000.00	AA-	A2	6/1/2020	6/3/2020	124,825.00	0.45	163.89	124,844.18	125,160.00
PACCAR FINANCIAL CORP CORPORATE NOTES DTD 06/08/2020 0.800% 06/08/2023	69371RQ82	45,000.00	A+	A1	6/1/2020	6/8/2020	44,937.45	0.85	113.00	44,944.02	45,428.04
JOHN DEERE CAPITAL CORP CORPORATE NOTES DTD 06/04/2020 0.700% 07/05/2023	24422EVH9	75,000.00	A	A2	6/1/2020	6/4/2020	74,938.50	0.73	170.63	74,945.00	75,604.35

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
CHEVRON USA INC CORPORATE NOTES DTD 08/12/2020 0.426% 08/11/2023	166756AJ5	30,000.00	AA	Aa2	8/10/2020	8/12/2020	30,000.00	0.43	17.40	30,000.00	30,033.39
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 09/14/2020 0.450% 09/14/2023	14913R2F3	75,000.00	A	A3	9/9/2020	9/14/2020	74,949.00	0.47	15.94	74,949.79	74,985.38
JPMORGAN CHASE & CO CORPORATE NOTES DTD 09/16/2020 0.653% 09/16/2024	46647PBS4	100,000.00	A-	A2	9/9/2020	9/16/2020	100,000.00	0.65	27.21	100,000.00	99,987.20
Security Type Sub-Total		3,690,000.00					3,688,283.20	2.29	18,818.72	3,693,673.12	3,763,024.83
Asset-Backed Security											
GMALT 2018-3 A3 DTD 09/26/2018 3.180% 06/20/2021	36256GAD1	6,588.44	AAA	Aaa	9/18/2018	9/26/2018	6,587.92	3.18	6.40	6,588.30	6,599.38
NISSAN AUTO LEASE TRUST DTD 10/24/2018 3.250% 09/15/2021	65478BAD3	28,534.85	AAA	Aaa	10/16/2018	10/24/2018	28,532.36	3.25	41.22	28,534.03	28,660.27
MBALT 2018-B A3 DTD 11/20/2018 3.210% 09/15/2021	58769LAC6	58,960.90	AAA	NR	11/15/2018	11/20/2018	58,959.58	3.21	84.12	58,960.45	59,284.68
MBALT 2019-A A3 DTD 01/30/2019 3.100% 11/15/2021	58772TAC4	53,252.83	AAA	Aaa	1/23/2019	1/30/2019	53,251.27	3.10	73.37	53,252.20	53,634.55
BMW VEHICLE LEASE TRUST DTD 03/20/2019 2.840% 11/22/2021	05586VAC6	39,023.41	AAA	Aaa	3/12/2019	3/20/2019	39,017.60	2.85	27.71	39,020.93	39,280.48
FORDL 2018-B A3 DTD 09/21/2018 3.190% 12/15/2021	34531LAD2	23,292.93	NR	Aaa	9/18/2018	9/21/2018	23,290.96	3.19	33.02	23,292.20	23,380.85
GMALT 2019-1 A3 DTD 02/21/2019 2.980% 12/20/2021	36256UAD0	33,288.53	AAA	Aaa	2/13/2019	2/21/2019	33,283.31	2.99	30.31	33,286.28	33,522.74
NALT 2019-A A3 DTD 04/15/2019 2.760% 03/15/2022	65479PAD1	50,000.00	AAA	Aaa	4/9/2019	4/15/2019	49,996.37	2.76	61.33	49,998.19	50,515.93
FORDL 2019-A A3 DTD 02/25/2019 2.900% 05/15/2022	34532FAD4	48,642.69	AAA	NR	2/20/2019	2/25/2019	48,638.89	2.90	62.70	48,640.78	49,061.70

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
HONDA AUTO RECEIVABLES OWNER T DTD 08/28/2018 2.950% 08/21/2022	43815HAC1	46,204.19	NR	Aaa	8/21/2018	8/28/2018	46,197.85	2.95	37.86	46,201.19	46,816.85
JDOT 2018-B A3 DTD 07/25/2018 3.080% 11/15/2022	47788EAC2	50,136.70	NR	Aaa	7/18/2018	7/25/2018	50,132.90	3.08	68.63	50,134.83	50,835.94
HART 2018-B A3 DTD 12/12/2018 3.200% 12/15/2022	44933AAC1	97,357.42	AAA	Aaa	12/4/2018	12/12/2018	97,356.25	3.20	138.46	97,356.78	98,932.91
TOYOTA ABS 2018-C A3 DTD 08/22/2018 3.020% 12/15/2022	89231AAD3	142,232.91	AAA	Aaa	8/14/2018	8/22/2018	142,207.61	3.02	190.91	142,219.99	144,365.15
ALLYA 2018-3 A3 DTD 06/27/2018 3.000% 01/15/2023	02007JAC1	81,411.39	AAA	Aaa	6/19/2018	6/27/2018	81,405.82	3.00	108.55	81,408.59	82,318.74
HAROT 2018-4 A3 DTD 11/28/2018 3.160% 01/15/2023	43815AAC6	132,817.36	AAA	Aaa	11/20/2018	11/28/2018	132,797.51	3.16	186.53	132,806.36	135,251.89
MBART 2018-1 A3 DTD 07/25/2018 3.030% 01/15/2023	58772RAD6	63,720.98	AAA	Aaa	7/17/2018	7/25/2018	63,718.53	3.03	85.81	63,719.73	64,686.46
TOYOTA AUTO RECEIVABLES OWNER DTD 11/07/2018 3.180% 03/15/2023	89231PAD0	150,000.00	AAA	Aaa	10/31/2018	11/7/2018	149,967.56	3.19	212.00	149,981.73	152,790.14
NAROT 2018-B A3 DTD 07/25/2018 3.060% 03/15/2023	65479GAD1	71,937.22	AAA	Aaa	7/17/2018	7/25/2018	71,934.89	3.06	97.83	71,935.99	73,132.31
VALET 2018-2 A3 DTD 11/21/2018 3.250% 04/20/2023	92869BAD4	125,687.62	AAA	Aaa	11/15/2018	11/21/2018	125,682.33	3.25	124.81	125,684.56	128,262.91
GMCAR 2018-3 A3 DTD 07/18/2018 3.020% 05/16/2023	36255JAD6	53,747.95	AAA	NR	7/11/2018	7/18/2018	53,735.42	3.03	67.63	53,741.15	54,645.40
NAROT 2018-C A3 DTD 12/12/2018 3.220% 06/15/2023	65478NAD7	170,000.00	AAA	Aaa	12/4/2018	12/12/2018	169,967.43	3.22	243.29	169,980.47	173,617.70
HYUNDAI AUTO RECEIVABLES TRUST DTD 04/10/2019 2.660% 06/15/2023	44932NAD2	100,000.00	AAA	NR	4/3/2019	4/10/2019	99,986.84	2.66	118.22	99,991.49	102,027.90
CARMAX AUTO OWNER TRUST DTD 07/25/2018 3.130% 06/15/2023	14313FAD1	61,192.34	AAA	NR	7/18/2018	7/25/2018	61,184.00	3.13	85.13	61,187.73	62,326.37
JDOT 2019-A A3 DTD 03/13/2019 2.910% 07/15/2023	47789JAD8	75,000.00	NR	Aaa	3/5/2019	3/13/2019	74,990.78	2.91	97.00	74,994.08	76,679.54

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
GMALT 2020-3 A3 DTD 09/29/2020 0.450% 08/21/2023	362569AC9	40,000.00	AAA	Aaa	9/22/2020	9/29/2020	39,996.17	0.45	1.00	39,996.18	39,965.72
ALLYA 2019-1 A3 DTD 02/13/2019 2.910% 09/15/2023	02004WAC5	60,000.00	NR	Aaa	2/5/2019	2/13/2019	59,992.75	2.91	77.60	59,995.33	61,194.41
NAROT 2019-A A3 DTD 02/13/2019 2.900% 10/15/2023	65479KAD2	95,000.00	NR	Aaa	2/5/2019	2/13/2019	94,985.61	2.90	122.44	94,990.64	97,261.21
GMCAR 2018-4 A3 DTD 10/10/2018 3.210% 10/16/2023	38013FAD3	135,269.27	AAA	Aaa	10/2/2018	10/10/2018	135,247.86	3.21	180.92	135,256.30	138,384.93
NALT 2020-B A3 DTD 09/29/2020 0.430% 10/16/2023	65480EAD3	50,000.00	AAA	Aaa	9/22/2020	9/29/2020	49,994.86	0.43	1.19	49,994.87	49,994.06
COPAR 2019-1 A3 DTD 05/30/2019 2.510% 11/15/2023	14042WAC4	75,000.00	AAA	Aaa	5/21/2019	5/30/2019	74,984.81	2.51	83.67	74,989.38	76,691.03
WORLD OMNI AUTO RECEIVABLES TR DTD 08/01/2018 3.130% 11/15/2023	98163EAD8	97,311.40	AAA	NR	7/24/2018	8/1/2018	97,302.32	3.13	135.37	97,306.04	99,282.11
CNH 2018-B A3 DTD 09/26/2018 3.190% 11/15/2023	12596EAC8	40,232.01	NR	Aaa	9/18/2018	9/26/2018	40,226.56	3.19	57.04	40,228.70	41,175.44
MBALT 2020-B A3 DTD 09/23/2020 0.400% 11/15/2023	58769EAC2	25,000.00	AAA	NR	9/15/2020	9/23/2020	24,998.73	0.40	2.22	24,998.74	25,000.75
CARMAX AUTO OWNER TRUST DTD 01/23/2019 3.050% 03/15/2024	14315NAC4	150,000.00	AAA	NR	1/16/2019	1/23/2019	149,983.04	3.05	203.33	149,988.61	153,937.50
CNH EQUIPMENT TRUST DTD 02/06/2019 3.010% 04/15/2024	12596JAC7	50,000.00	AAA	Aaa	1/30/2019	2/6/2019	49,989.02	3.01	66.89	49,992.51	51,295.22
WOART 2019-A A3 DTD 01/30/2019 3.040% 05/15/2024	98162YAD5	110,000.00	AAA	Aaa	1/23/2019	1/30/2019	109,981.71	3.04	148.62	109,987.48	112,655.71
DCENT 2019-A1 DTD 02/01/2019 3.040% 07/15/2024	254683CK9	75,000.00	AAA	Aaa	1/28/2019	2/1/2019	74,998.41	3.04	101.33	74,998.90	77,712.35
NAROT 2020-B A3 DTD 06/30/2020 0.550% 07/15/2024	65479CAD0	75,000.00	AAA	Aaa	6/23/2020	6/30/2020	74,997.95	0.55	18.33	74,998.08	75,032.82
VZOT 2020-A A1A DTD 01/29/2020 1.850% 07/22/2024	92348TAA2	65,000.00	AAA	Aaa	1/21/2020	1/29/2020	64,992.39	1.85	36.74	64,993.53	66,655.75

Managed Account Detail of Securities Held

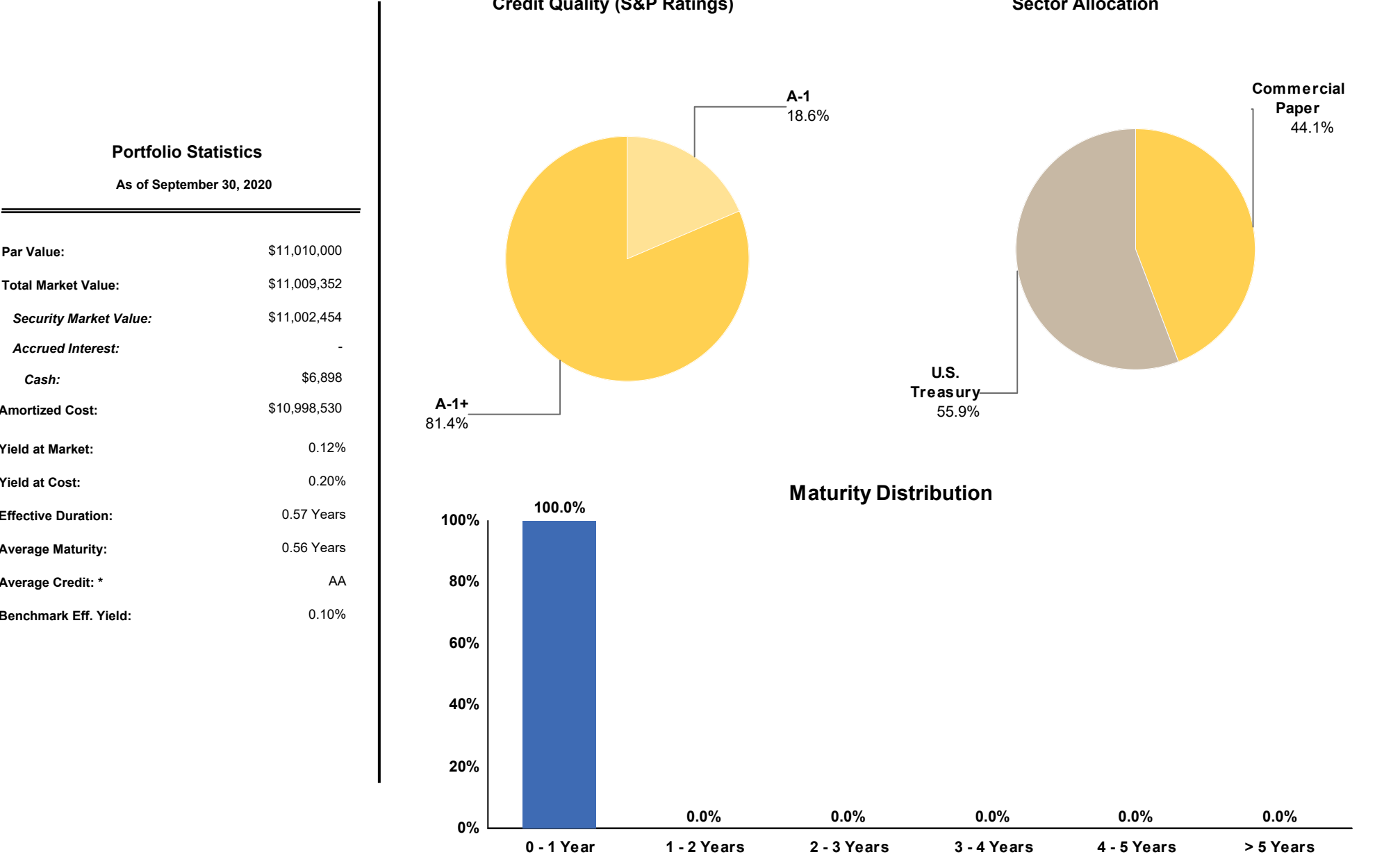
Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
COMET 2019-A2 A2 DTD 09/05/2019 1.720% 08/15/2024	14041NFU0	150,000.00	AAA	NR	8/28/2019	9/5/2019	149,962.23	1.73	114.67	149,970.43	154,117.94
GMCAR 2020-1 A3 DTD 01/15/2020 1.840% 09/16/2024	36258NAC6	100,000.00	AAA	Aaa	1/8/2020	1/15/2020	99,976.45	1.85	76.67	99,980.04	102,208.72
HDMOT 2020-A A3 DTD 01/29/2020 1.870% 10/15/2024	41284UAD6	75,000.00	AAA	Aaa	1/21/2020	1/29/2020	74,983.64	1.87	62.33	74,985.98	76,490.86
AMXCA 2019-1 A DTD 02/14/2019 2.870% 10/15/2024	02588QAB4	100,000.00	NR	Aaa	2/7/2019	2/14/2019	99,983.13	2.87	127.56	99,987.98	103,835.39
HAROT 2020-3 A3 DTD 09/29/2020 0.370% 10/18/2024	43813KAC6	125,000.00	AAA	NR	9/22/2020	9/29/2020	124,981.64	0.37	2.57	124,981.66	124,960.81
BMWOT 2020-A A3 DTD 07/15/2020 0.480% 10/25/2024	09661RAD3	50,000.00	AAA	NR	7/8/2020	7/15/2020	49,996.23	0.48	4.00	49,996.42	50,127.62
JDOT 2020-B A3 DTD 07/22/2020 0.510% 11/15/2024	47787NAC3	40,000.00	NR	Aaa	7/14/2020	7/22/2020	39,993.90	0.51	9.07	39,994.17	40,074.64
AMXCA 2019-2 A DTD 04/29/2019 2.670% 11/15/2024	02587AAN4	150,000.00	NR	Aaa	4/22/2019	4/29/2019	149,991.21	2.67	178.00	149,993.47	155,621.19
CARMX 2020-1 A3 DTD 01/22/2020 1.890% 12/16/2024	14315XAC2	75,000.00	AAA	NR	1/14/2020	1/22/2020	74,985.29	1.89	63.00	74,987.37	76,970.53
HART 2020-B A3 DTD 07/22/2020 0.480% 12/16/2024	44933FAC0	35,000.00	AAA	NR	7/14/2020	7/22/2020	34,993.45	0.48	7.47	34,993.74	35,041.43
VZOT 2020-B A DTD 08/12/2020 0.470% 02/20/2025	92290BAA9	60,000.00	NR	Aaa	8/4/2020	8/12/2020	59,987.40	0.47	7.83	59,987.78	60,032.19
CARMX 2020-3 A3 DTD 07/22/2020 0.620% 03/17/2025	14315FAD9	35,000.00	AAA	NR	7/14/2020	7/22/2020	34,994.00	0.62	9.64	34,994.25	35,173.29
GMCAR 2020-3 A3 DTD 08/19/2020 0.450% 04/16/2025	362590AC5	100,000.00	NR	Aaa	8/11/2020	8/19/2020	99,977.12	0.46	18.75	99,977.70	100,077.30
Security Type Sub-Total		4,000,843.34					4,000,301.86	2.49	4,201.09	4,000,464.31	4,071,601.71
Managed Account Sub Total		25,089,496.45					25,132,192.13	1.61	70,069.29	25,125,580.59	25,587,852.59

CITY OF PALM BAY CORE 1-3 YEAR INVEST

Portfolio Holdings

Securities Sub-Total	\$25,089,496.45	\$25,132,192.13	1.61%	\$70,069.29	\$25,125,580.59	\$25,587,852.59
Accrued Interest						\$70,069.29
Total Investments						\$25,657,921.88

Bolded items are forward settling trades.



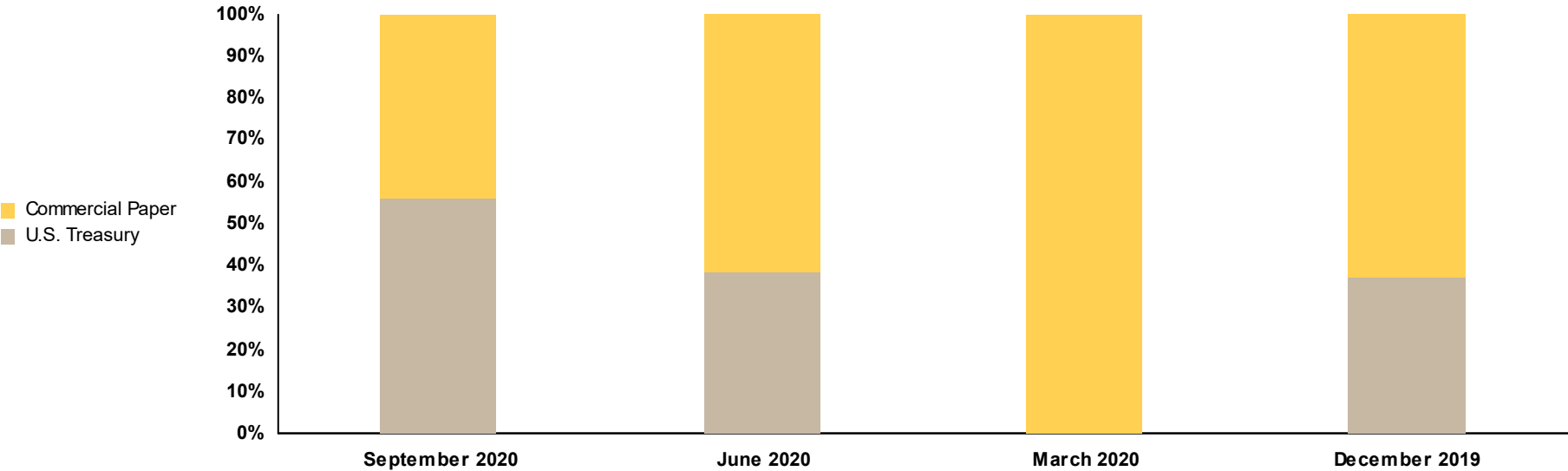
* An average of each security's credit rating assigned a numeric value and adjusted for its relative weighting in the portfolio.

Portfolio Earnings**Quarter-Ended September 30, 2020**

	Market Value Basis	Accrual (Amortized Cost) Basis
Beginning Value (06/30/2020)	\$15,993,976.56	\$15,971,688.82
Net Purchases/Sales	(\$5,003,437.78)	(\$5,003,437.78)
Change in Value	\$11,915.01	\$30,278.46
Ending Value (09/30/2020)	\$11,002,453.79	\$10,998,529.50
Interest Earned	\$276.81	\$276.81
Portfolio Earnings	\$12,191.82	\$30,555.27

Sector Allocation

Sector	September 30, 2020		June 30, 2020		March 31, 2020		December 31, 2019	
	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total	MV (\$MM)	% of Total
U.S. Treasury	6.2	55.9%	6.2	38.5%	0.0	0.0%	1.0	37.2%
Commercial Paper	4.8	44.1%	9.8	61.5%	16.0	100.0%	1.7	62.8%
Total	\$11.0	100.0%	\$16.0	100.0%	\$16.0	100.0%	\$2.7	100.0%

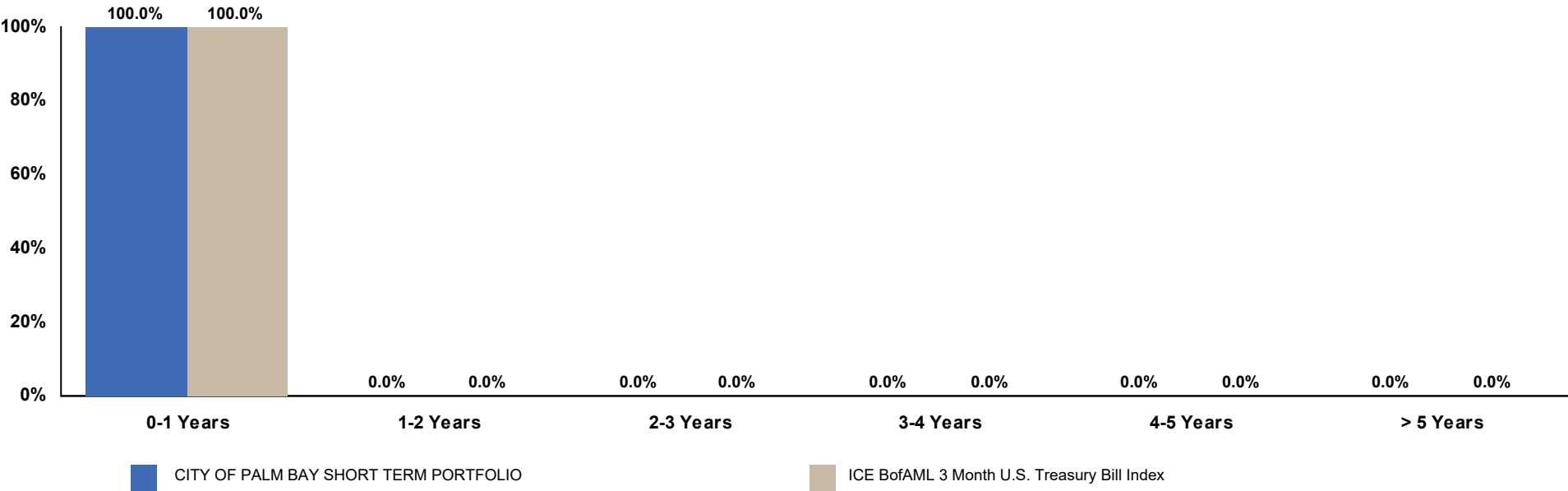


Detail may not add to total due to rounding.

Maturity Distribution

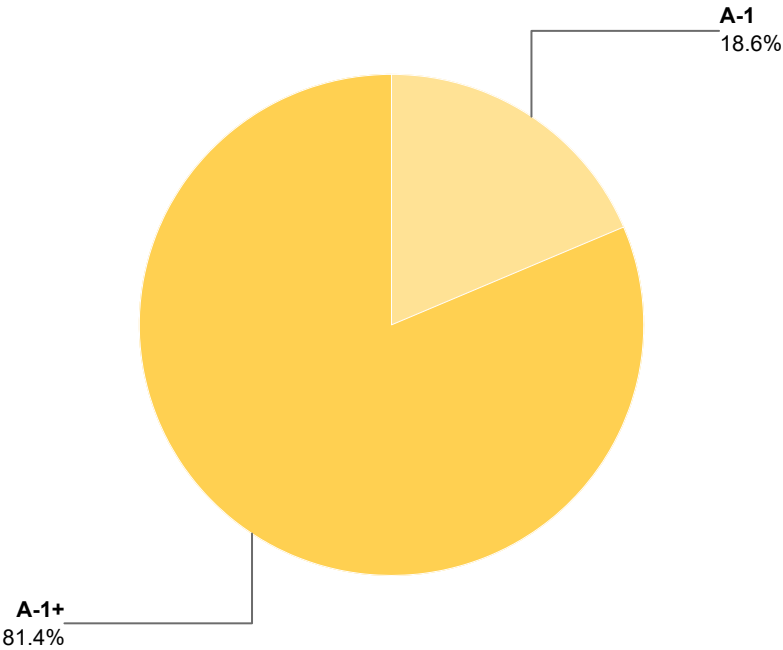
As of September 30, 2020

Portfolio/Benchmark	Yield at Market	Average Maturity	0-1 Years	1-2 Years	2-3 Years	3-4 Years	4-5 Years	>5 Years
CITY OF PALM BAY SHORT TERM PORTFOLIO	0.12%	0.56 yrs	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
ICE BofAML 3 Month U.S. Treasury Bill Index	0.10%	0.23 yrs	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%



Credit Quality
As of September 30, 2020

S&P Rating	Market Value (\$)	% of Portfolio
A-1+	\$8,953,034	81.4%
A-1	\$2,049,420	18.6%
Totals	\$11,002,454	100.0%



Detail may not add to total due to rounding.

Issuer Distribution
As of September 30, 2020

Issuer	Market Value (\$)	% of Portfolio
UNITED STATES TREASURY	6,155,347	55.9%
EXXON MOBIL CORP	2,797,687	25.4%
CREDIT AGRICOLE SA	2,049,420	18.6%
Grand Total:	11,002,454	100.0%

Sector/Issuer Distribution

As of September 30, 2020

Sector / Issuer	Market Value (\$)	% of Sector	% of Total Portfolio
Commercial Paper			
CREDIT AGRICOLE SA	2,049,420	42.3%	18.6%
EXXON MOBIL CORP	2,797,687	57.7%	25.4%
Sector Total	4,847,107	100.0%	44.1%
U.S. Treasury			
UNITED STATES TREASURY	6,155,347	100.0%	55.9%
Sector Total	6,155,347	100.0%	55.9%
Portfolio Total	11,002,454	100.0%	100.0%

CITY OF PALM BAY SHORT TERM PORTFOLIO

Portfolio Activity

Quarterly Portfolio Transactions

Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield at Market	Realized G/L (BV)
BUY									
8/13/20	8/14/20	2,800,000	30229AQP7	EXXON MOBIL CORP COMM PAPER	0.00%	3/23/21	2,796,562.22	0.20%	
Total BUY		2,800,000					2,796,562.22		
INTEREST									
7/1/20	7/1/20	0	MONEY0002	MONEY MARKET FUND			262.41		
8/3/20	8/3/20	0	MONEY0002	MONEY MARKET FUND			1.59		
9/1/20	9/1/20	0	MONEY0002	MONEY MARKET FUND			12.81		
Total INTEREST		0					276.81		
MATURITY									
7/20/20	7/20/20	500,000	62479LGL3	MUFG BANK LTD/NY COMM PAPER	0.00%	7/20/20	500,000.00		0.00
8/3/20	8/3/20	2,300,000	17327AH34	CITIGROUP GLOBAL MARKETS COMM PAPER	0.00%	8/3/20	2,300,000.00		0.00
9/25/20	9/25/20	4,000,000	89233GJR8	TOYOTA MOTOR CREDIT CORP COMM PAPER	0.00%	9/25/20	4,000,000.00		0.00
9/29/20	9/29/20	1,000,000	22533TJV9	CREDIT AGRICOLE CIB NY COMM PAPER	0.00%	9/29/20	1,000,000.00		0.00
Total MATURITY		7,800,000					7,800,000.00		0.00

Quarterly Portfolio Transactions

Tran. Type	Trade Date	Settle Date	Par (\$)	CUSIP	Security Description	Coupon	Maturity Date	Transact Amt (\$)	Yield	Realized G/L (BV)
INTEREST	7/1/20	7/1/20	0.00	MONEY0002	MONEY MARKET FUND			262.41		
MATURITY	7/20/20	7/20/20	500,000.00	62479LGL3	MUFG BANK LTD/NY COMM PAPER	0.00%	7/20/20	500,000.00		0.00
INTEREST	8/3/20	8/3/20	0.00	MONEY0002	MONEY MARKET FUND			1.59		
MATURITY	8/3/20	8/3/20	2,300,000.00	17327AH34	CITIGROUP GLOBAL MARKETS COMM PAPER	0.00%	8/3/20	2,300,000.00		0.00
BUY	8/13/20	8/14/20	2,800,000.00	30229AQP7	EXXON MOBIL CORP COMM PAPER	0.00%	3/23/21	(2,796,562.22)	0.20%	
INTEREST	9/1/20	9/1/20	0.00	MONEY0002	MONEY MARKET FUND			12.81		
MATURITY	9/25/20	9/25/20	4,000,000.00	89233GJR8	TOYOTA MOTOR CREDIT CORP COMM PAPER	0.00%	9/25/20	4,000,000.00		0.00
MATURITY	9/29/20	9/29/20	1,000,000.00	22533TJV9	CREDIT AGRICOLE CIB NY COMM PAPER	0.00%	9/29/20	1,000,000.00		0.00
TOTALS								5,003,714.59		0.00

CITY OF PALM BAY SHORT TERM PORTFOLIO

Portfolio Holdings

Managed Account Detail of Securities Held

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bill											
WI TREASURY SEC. BILLS -- 0.000% 06/17/2021	9127963H0	6,160,000.00	A-1+	P-1	6/24/2020	6/25/2020	6,149,615.27	0.17	0.00	6,152,465.98	6,155,346.74
Security Type Sub-Total		6,160,000.00					6,149,615.27	0.17	0.00	6,152,465.98	6,155,346.74
Commercial Paper											
CREDIT AGRICOLE CIB NY COMM PAPER DTD 06/24/2020 0.000% 12/21/2020	22533TMM5	2,050,000.00	A-1	P-1	6/24/2020	6/24/2020	2,047,232.50	0.27	0.00	2,048,754.63	2,049,419.85
EXXON MOBIL CORP COMM PAPER DTD 08/12/2020 0.000% 03/23/2021	30229AQP7	2,800,000.00	A-1+	P-1	8/13/2020	8/14/2020	2,796,562.22	0.20	0.00	2,797,308.89	2,797,687.20
Security Type Sub-Total		4,850,000.00					4,843,794.72	0.23	0.00	4,846,063.52	4,847,107.05
Managed Account Sub Total		11,010,000.00					10,993,409.99	0.20	0.00	10,998,529.50	11,002,453.79
Securities Sub-Total		\$11,010,000.00					\$10,993,409.99	0.20%	\$0.00	\$10,998,529.50	\$11,002,453.79
Accrued Interest											\$0.00
Total Investments											\$11,002,453.79

Bolded items are forward settling trades.

IMPORTANT DISCLOSURES

This material is based on information obtained from sources generally believed to be reliable and available to the public; however, PFM Asset Management LLC cannot guarantee its accuracy, completeness or suitability. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation. All statements as to what will or may happen under certain circumstances are based on assumptions, some, but not all of which, are noted in the presentation. Assumptions may or may not be proven correct as actual events occur, and results may depend on events outside of your or our control. Changes in assumptions may have a material effect on results. Past performance does not necessarily reflect and is not a guaranty of future results. The information contained in this presentation is not an offer to purchase or sell any securities.

- Market values that include accrued interest are derived from closing bid prices as of the last business day of the month as supplied by Refinitiv, Bloomberg, or Telerate. Where prices are not available from generally recognized sources, the securities are priced using a yield based matrix system to arrive at an estimated market value.
- In accordance with generally accepted accounting principles, information is presented on a trade date basis; forward settling purchases are included in the monthly balances, and forward settling sales are excluded.
- Performance is presented in accordance with the CFA Institute's Global Investment Performance Standards (GIPS). Unless otherwise noted, performance is shown gross of fees. Quarterly returns are presented on an unannualized basis. Returns for periods greater than one year are presented on an annualized basis. Past performance is not indicative of future returns.
- Bank of America/Merrill Lynch Indices provided by Bloomberg Financial Markets.
- Money market fund/cash balances are included in performance and duration computations.
- Standard & Poor's is the source of the credit ratings. Distribution of credit rating is exclusive of money market fund/LGIP holdings.
- Callable securities in the portfolio are included in the maturity distribution analysis to their stated maturity date, although, they may be called prior to maturity.
- MBS maturities are represented by expected average life.

GLOSSARY

- **ACCRUED INTEREST:** Interest that is due on a bond or other fixed income security since the last interest payment was made.
- **AGENCIES:** Federal agency securities and/or Government-sponsored enterprises.
- **AMORTIZED COST:** The original cost of the principal of the security is adjusted for the amount of the periodic reduction of any discount or premium from the purchase date until the date of the report. Discount or premium with respect to short-term securities (those with less than one year to maturity at time of issuance) is amortized on a straight line basis. Such discount or premium with respect to longer-term securities is amortized using the constant yield basis.
- **BANKERS' ACCEPTANCE:** A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill as well as the insurer.
- **COMMERCIAL PAPER:** An unsecured obligation issued by a corporation or bank to finance its short-term credit needs, such as accounts receivable and inventory.
- **CONTRIBUTION TO DURATION:** Represents each sector or maturity range's relative contribution to the overall duration of the portfolio measured as a percentage weighting. Since duration is a key measure of interest rate sensitivity, the contribution to duration measures the relative amount or contribution of that sector or maturity range to the total rate sensitivity of the portfolio.
- **EFFECTIVE DURATION:** A measure of the sensitivity of a security's price to a change in interest rates, stated in years.
- **EFFECTIVE YIELD:** The total yield an investor receives in relation to the nominal yield or coupon of a bond. Effective yield takes into account the power of compounding on investment returns, while nominal yield does not.
- **FDIC:** Federal Deposit Insurance Corporation. A federal agency that insures bank deposits to a specified amount.
- **INTEREST RATE:** Interest per year divided by principal amount and expressed as a percentage.
- **MARKET VALUE:** The value that would be received or paid for an investment in an orderly transaction between market participants at the measurement date.
- **MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.
- **NEGOTIABLE CERTIFICATES OF DEPOSIT:** A CD with a very large denomination, usually \$1 million or more, that can be traded in secondary markets.
- **PAR VALUE:** The nominal dollar face amount of a security.
- **PASS THROUGH SECURITY:** A security representing pooled debt obligations that passes income from debtors to its shareholders. The most common type is the mortgage-backed security.

GLOSSARY

- **REPURCHASE AGREEMENTS:** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date.
- **SETTLE DATE:** The date on which the transaction is settled and monies/securities are exchanged. If the settle date of the transaction (i.e., coupon payments and maturity proceeds) occurs on a non-business day, the funds are exchanged on the next business day.
- **TRADE DATE:** The date on which the transaction occurred; however, the final consummation of the security transaction and payment has not yet taken place.
- **UNSETTLED TRADE:** A trade which has been executed; however, the final consummation of the security transaction and payment has not yet taken place.
- **U.S. TREASURY:** The department of the U.S. government that issues Treasury securities.
- **YIELD:** The rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.
- **YTM AT COST:** The yield to maturity at cost is the expected rate of return based on the original cost, the annual interest receipts, maturity value, and the time period from purchase date to maturity, stated as a percentage on an annualized basis.
- **YTM AT MARKET:** The yield to maturity at market is the rate of return based on the current market value, the annual interest receipts, maturity value, and the time period remaining until maturity, stated as a percentage on an annualized basis.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Nelson Moya, Chief of Police

DATE: 1/7/2021

RE: Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$6,255).

In accordance with Florida law, funding in the amount of \$6,255 is being requested from the Law Enforcement Trust Fund (LETF) designated fund balance for FY 2021.

The Police Department is requesting funding to enroll nine (9) Police Department employees to attend the FBI-LEEDA Command Leadership Institute, a five-day course January 4 – 8, 2021. The Police Department places a strong emphasis on leadership and this course includes dynamic and inspiring training with the intention of preparing employees in the next generation to become leaders within the Police Department. FBI-LEEDA is a nationally recognized leader in law enforcement training and focuses on the concepts of credibility, command discipline, liability and dealing with problem employees. This training will be hosted by the Department which will have significant cost savings by eliminating travel expenditures. Registration per person is \$695 with nine (9) in attendance brings the cost to \$6,255.

Due to the timing of this memo and the fact that the training event will have commenced before this item comes to City Council, the Department has funding available in General Fund to cover the training costs if the use of LETF is not approved.

REQUESTING DEPARTMENT:

Police Department

FISCAL IMPACT:

There is a designated fund balance of \$103,351.03 as of December 17, 2020 in the Law Enforcement Trust Fund from confiscated fund collections.

RECOMMENDATION:

Motion to approve expenditures of \$6,255 from the Law Enforcement Trust Fund for employee training.


ATTACHMENTS:**Description**

LETF 21-02 Certification Statement



CERTIFICATION STATEMENT

TO: Honorable Mayor and Members of the City Council

FROM: Nelson Moya, Police Chief 

DATE: January 7, 2020

SUBJECT: Law Enforcement Trust Fund (LETF) Forfeiture Expenditures

I certify that the request for the use of the Law Enforcement Trust funds will be used for an authorized purpose pursuant to the provisions of Section 932.7055 of the Florida Statutes.

The following details the usage of the requested expenditures:

VENDOR/ORGANIZATION	ITEM DESCRIPTION	COST
FBI-LEEDA	Registration for 9 for Command Leadership Institute	\$6,255
TOTAL		\$6,255



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Nelson Moya, Chief of Police

DATE: 1/7/2021

RE: Consideration of travel and training for specified City Employees (Police Department).

Material Management Technician Bridget Eakins and Material Management Technician Dawn Subrin will be traveling to Daytona Beach, FL January 13, 2021 – January 18, 2021 to attend the International Association for Property and Evidence Training (IAPE) Course. This training is encouraged for all agency personnel that will be working with property and evidence management within a law enforcement agency. It is designed to train the property and evidence technicians on the duties and responsibilities; regarding the legal and ethical requirements required in the operation of a law enforcement property and evidence unit. The Registration Cost is \$765.00, the Lodging Cost is estimated at \$198.00, and the per diem is estimated at \$224.00 with an approximate total of \$1,187.00. This will be paid out of the Support Services Division Account (5011).

Crime Scene Analyst Jessica Welzenbach will be traveling to St. Petersburg, FL June 13, 2021 – June 18, 2021 to attend the Criminal Investigative Analysis Training Course. This training is encouraged for Criminal Analysts that will be working with the increasing number of criminal crimes within the agency. It is designed to train the analyst on the duties and responsibilities; regarding collection, collate and analyze the criminal investigative analysis more effectively. The Registration Cost is \$595.00, the Lodging Cost is estimated at \$620.00, and the per diem is estimated at \$131.00 with an approximate total of \$1,346.00. This will be paid out of the Investigations Division Account (5013).

REQUESTING DEPARTMENT:

Police Department

FISCAL IMPACT:

The total cost of travel is estimated at \$2533.00 and is available in 001-5011-521-5501 (\$765), 001-5011-521-4001 (\$422), 001-5013-521-5501 (\$595) and 001-5013-521-4001 (\$751).

RECOMMENDATION:

Motion to acknowledge and approve travel as mentioned above.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Joan A. Junkala-Brown, Community & Economic Development

DATE: 1/7/2021

RE: Joan Junkala-Brown, Community and Economic Development Director - Community and Economic Development Department update.

Overview of the Community & Economic Development Department, to include the Economic Development, Housing, and Communications Divisions and their respective roles and responsibilities.

REQUESTING DEPARTMENT:
Community & Economic Development

FISCAL IMPACT:
There is no fiscal impact.

RECOMMENDATION:
Request for acknowledgement.

ATTACHMENTS:

Description
CED Department Presentation



Community & Economic Development Department

January 7, 2021 Regular Council Meeting

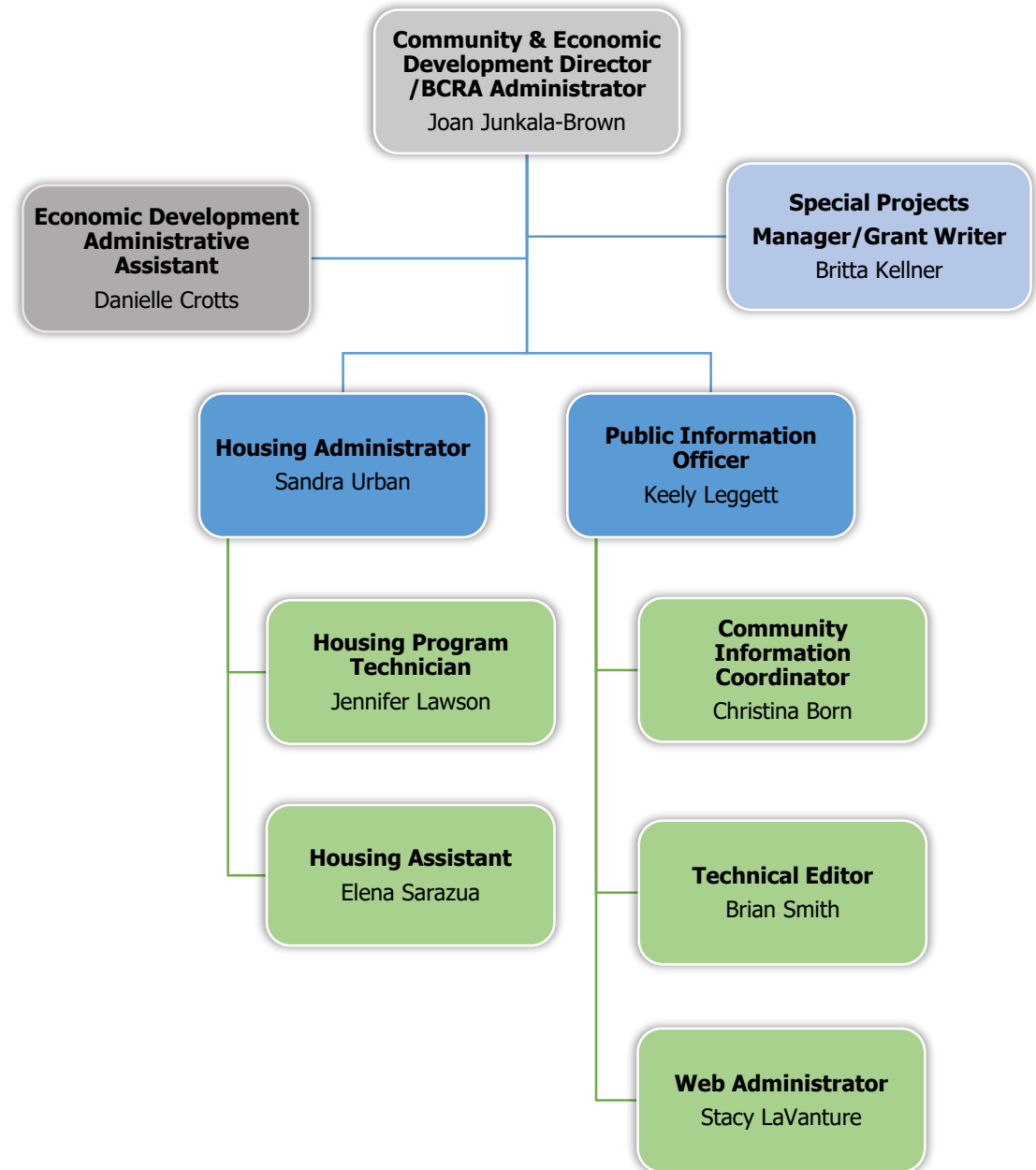
DEPARTMENT MISSION STATEMENT:

To foster a vibrant, diversified and healthy economy with an enhanced quality of life for all residents, providing for a sustainable tax base, businesses and employment opportunities and community amenities.

Community & Economic Development

Organizational Chart

10 full-time positions



Code of Ordinances, Chapter 39

- **Economic Development**

- Attracting, retaining, and providing favorable conditions for the growth of target industry and business that provides high quality employment opportunities for the citizens of Palm Bay and enhances the economic tax base of the City. Staff members of the Division serve as liaisons to the Bayfront Community Redevelopment Agency, Business Improvement District, and Sustainability Board.

- **Housing & Community Development**

- Administer, monitor, and report annually on a variety of federal and state-funded housing and community development programs to provide a wide range of neighborhood and community development strategies for the citizens of Palm Bay, to include housing grant programs and support services for very low-, low-, and moderate-income residents of Palm Bay, affordable housing solutions, fair housing, public services, public facilities and other improvements. Staff members of the Division serve as a liaison to the Community Development Advisory Board.

- **Communications**

- Maintains centralized communications, messaging, and branding of the City as it relates to public-facing media relations, and promotion and marketing of the City. The Public Information Officer (PIO) serves as the point-of-contact for media inquiries from the general public and coordinates with Palm Bay Police and Fire Departments, and other internal and external agencies in instances of emergency preparedness and response.

- **Grants Management & Legislation***

- Identify and applying for grant opportunities to leverage general fund dollars to sustain City operations, programs and services. Seek funding appropriations and legislation to support City initiatives. (* new)

Economic Development Division

MISSION STATEMENT:

To enhance the quality of life for all residents by encouraging community redevelopment, private capital investment and job creation while increasing the tax base of the city

- Enhance and diversify the local tax base through attracting new private capital investment
- Facilitate new private development and employment opportunities
 - Attraction/recruitment new and retain/expand existing businesses and industries
- Foster redevelopment opportunities targeting areas of slum/blight
- Leverage City surplus real estate for favorable development opportunities
- Promote the Palm Bay as a place to do business by implementing business-friendly practices
- Serve as a liaison for businesses and developers to internal and external regulatory agencies
- Coordinate with local resource partners to eliminate impediments to starting or sustaining businesses, industries and jobs such as local workforce agency, lenders, real estate brokers, business planning, chambers of commerce, etc.

Housing & Community Development Division

MISSION STATEMENT:

To enhance the quality of life for low- and -moderate income residents by administering housing and community development grant programs that foster stability, self-sufficiency, and create and sustain decent, safe and affordable housing.

STATE & FEDERAL HOUSING & COMMUNITY DEVELOPMENT GRANT PROGRAMS:

- SHIP – increasing and sustaining single-family homeownership (down payment and housing rehabilitation funding assistance)
- CDBG – community development efforts to assist low and moderate-income residents and eliminate slum and blight (increasing public services, enhancing public facilities, and fostering economic opportunities for LMI areas)
- HOME – encouraging affordable housing development, affordable home ownership and providing for tenant-based rental assistance
- Neighborhood Stabilization Program – address abandoned and foreclosed homes while increasing permanent housing opportunities for low- and moderate-income persons
- Voluntary Home Buyout – addressing repetitive loss and damage for homeowners within flood prone areas through using a combination of state and federal grant funding

Communications Division

MISSION STATEMENT:

To facilitate public engagement and collaboration through dissemination of information to residents, businesses and stakeholders

- Coordination with all City departments to gather and disseminate information on City-led projects, programs, initiatives, news and events
- Distribute timely information to residents on various topics using a variety of outlets, to include leveraging media partners, press releases, e-notifications, website, social media, print media, digital marketing, cable and news radio, etc.
- Responsible for developing and managing City content for all public-facing materials
- Coordinates with departments to prepare public advisories and respond to media inquiries
- Responsible for the strategic marketing of the City as a destination for permanent residents, businesses and visitors

NEW Grant Writing & Legislative – Citywide

- Coordination with City departments
 - Seek and apply for state and federal grant opportunities to leverage the City's general fund dollars
 - Identify legislative priorities (i.e. critical infrastructure, water quality projects)
 - Seek state and federal assistance following declared disasters
- Ensures compliance with grants programs
 - Monitors grants for compliance with regulations
 - Ensures timely quarterly and annual reporting
 - Provides technical assistance to departments in maintaining compliance
- Coordinates with the City's state lobbying firm
 - Monitor state and federal legislation impacting the City
 - Advocate for legislation and funding appropriations

Emergency Preparedness & Assistance

- Coordination with Brevard County Emergency Management Division during declared emergencies to implement the countywide Comprehensive Emergency Management Plan (CEMP)
- Coordination with City departments to implement departmental Continuity of Operations Plans (COOP)
- Coordination with City departments to keep the public informed
- Educate businesses on pre- and post-disaster preparedness to limit business interruption following an emergency
- Provide temporary emergency assistance to the City's vulnerable population following declared emergencies, i.e. Coronavirus pandemic
 - Coronavirus Relief Fund – providing rental, mortgage and utility assistance to eligible residents facing hardship due to COVID-19
 - CDBG-CV & CDBG-CV3 – providing public services to mitigate the adverse effects of the Coronavirus in LMI areas

Boards

- Bayfront Community Redevelopment Agency (sunsets 2024)
 - Special Dependent District of the City, Chapter 163, Part III, Florida Statutes
 - Redevelopment in the elimination of slum and blight and creation of affordable housing
- Business Improvement District
 - Special Dependent District of the City, Chapter 189, Part II, Florida Statutes
 - Funds business development, infrastructure and job creation
- Community Development Advisory Board
 - Serves as the City's Affordable Housing Advisory Committee, Section 420.9076, Florida Statutes
 - Makes recommendations to the City on programs and policies related to affordable housing and community development activities impacting low- and moderate-income residents
- Sustainability Board
 - Advises the City on matters relating to pollution, water quality, community education and involvement, and local climate risks

Funds

- General Funds for general administration, personnel and operating expenses
 - 001-3410 (Economic Development)
 - 001-3411 (Housing & Community Development)
 - 001-3416 (Communications)
- Bayfront Redevelopment Trust Fund (181)
- State Housing Investment Partnership (SHIP) Trust Fund (111)
- Community Development Block Grant (CDBG) Fund (112)
- HOME Investment Partnership Fund (114)
- Neighborhood Stabilization Program Fund (123)
- Coronavirus Relief Fund (124)
- CDBG-CV1 (126)



THANK YOU



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Laurence Bradley, AICP, Growth Management Director

DATE: 1/7/2021

RE: Ordinance 2020-58, amending the Code of Ordinances, Chapter 170, Construction Codes and Regulations, Subchapter 'Building Code', by eliminating the requirement for a building permit for accessory structures 120 square feet or less in residential districts associated with single-family dwellings and revising provisions contained therein (Case T-20-2020, City of Palm Bay), final reading. (Councilman Bailey)

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

The City of Palm Bay (Growth Management Department) has submitted a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, to eliminate the requirement for a Building Permit for accessory structures 120 square feet or less, associated with single-family dwellings. The structures must be no more than one-story, have no utilities, water, electric, etc. It cannot be used for human habitation, may not be placed on a poured concrete slab, and must be pre-certified to be compliant with State of Florida approved construction standards. All structures must still comply with Section 185.118 (Accessory Structures). The amendment also updates Section 170.005 to acknowledge the 7th Edition of the Florida Building Code, or as amended. The Building Official is also requesting that a new Exhibit A be adopted to update "Chapter 1 – Administration," the City's local portion of the Florida Building Code. This textual amendment was developed at the request of Councilman Jeff Bailey.

On September 3, 2020, the City Council voted to send the original textual amendment back to the Planning and Zoning Board so that the allowable area of the accessory structures could be reduced from 400 square feet to 120 square feet. The change has been incorporated into the amendment, and it should be noted that the Building Officials Association of Florida (BOAF) supports exemptions of up to 120 square feet.

All accessory structures currently require a building permit, and any electrical, mechanical, or plumbing work will still require a permit. The benefits of having the Building Department continue to issue permits for accessory structures is the assurance that all applicable City and state codes are met and effortlessly enforceable. The permits ensure that licensed contractors and owner-builders are held to the same set of standards, the integrity of structures, and the recording of installations for future reference. The permits currently generate \$25,000 to \$35,000 annually in fees.

The final reading of this code amendment cannot occur until the Florida Building Commission reviews and approves the change as an Administrative Amendment to Chapter 1 of the Florida Building Code.

REQUESTING DEPARTMENT:

Growth Management

RECOMMENDATION:

Request for consideration that if Case T-20-2020 is approved, a zoning review remain as a requirement.

Planning and Zoning Board Recommendation:

Approval of the request by a vote of 3 to 2, with the recommendation that a zoning review remain as a requirement.

Planning and Zoning Board minutes are not fully transcribed at this time; the following is an excerpt:

Motion by Mr. Hill, seconded by Ms. Jordan to submit Case T-20-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. The motion carried with members voting as follows: Mr. Weinberg, nay; Ms. Jordan, aye; Mr. Boerema, aye; Mr. Hill, nay; Ms. Maragh, aye. Mr. Warner was not present.

ATTACHMENTS:

Description

Case T-20-2020

Exhibit A – BOAF Model Admin Code Chapter 1 FBC 7th Edition

Ordinance 2020-58

Board Minutes



REVISED

STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Laurence Bradley, AICP, Growth Management Director

CASE NUMBER

T-20-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

City of Palm Bay, Growth Management
Department

PROPERTY LOCATION/ADDRESS

Not applicable

SUMMARY OF REQUEST

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, to eliminate the requirement for a Building Permit for accessory structures **400 >> 120<<** square feet or less, in residential districts accessory to single-family dwellings. The structures must be no more than 1-story, have no utilities, water, electric, etc., **and** not be used for human habitation, **>>may not be placed on a poured concrete slab, and must be pre-certified to be compliant with State of Florida approved construction standards.<<** All structures must still comply with Section 185.118 (Accessory Structures). The amendment also updates Section 170.005 to acknowledge the 7th Edition of the Florida Building Code or as amended. The applicant for this amendment is the City of Palm Bay. **>>Further, the Building Official is requesting that a new Exhibit A be adopted which will update "Chapter 1 – Administration" of the Florida Building Code.<<** This amendment was developed at the request of a member of the City Council.

COMPREHENSIVE PLAN COMPATIBILITY

Not specifically addressed.

BACKGROUND:

The Growth Management Department, acting upon a request by a member of the City Council, has submitted this proposed textual amendment. >>This amendment was recommended for denial by Planning & Zoning on August 5, 2020 by a vote of 4 to 1. On September 3, 2020 the City Council vote to table this item and send it back to Planning & Zoning for a revision from 400 square feet to 120 square feet. Also, based upon discussions with Building Official the provisions about not being placed on a poured concrete slab and Florida construction standards were added. The amendment is going back to Planning & Zoning on December 2, 2020 and back to City Council for new first reading on December 17, 2020.<<

The amendment would eliminate the requirement to obtain a building permit for accessory structures 400 >>120<< square feet or less, in residential districts accessory to single-family dwellings. The structures would be limited to one story and would not be allowed, without a permit, to have electrical or plumbing installed, >>may not be placed on a poured concrete slab, and must be pre-certified to be compliant with State of Florida approved construction standards.<< The structures could not be used for human habitation. The structures would still have to comply with Section 185.118 (Accessory Structures).

The proposed amendment would require a review by staff to confirm compliance with the Land Development Code Section 185.118 (Accessory Structures), but it would be done at no charge and no building permit would be required. Also, accessory structures located on properties with on-site wells and/or septic systems will require permits from the Florida Department of Health (FDOH). Staff has confirmed with FDOH that permits from the agency will be required. Growth Management staff will request a copy of the FDOH permit as part of its review.

Chapter 1 (Scope & Administration) of the Florida Building Code allows local municipalities to adopt amendments to that chapter. >>Since the changes now proposed comply with BOAF recommendations these changes do not need to be reviewed by the Florida Building Commission (FBC). Also, proposed by the Building Official will be a new "Chapter 1 – Administration" which will update the City's local portion of the Florida Building Code.<<Amendments to Chapter 1 must be submitted by the Building Official to the Florida Building Commission (FBC) after preliminary action by the City Council. Thus, after the first reading but prior to the second reading, this amendment must be reviewed and approved by the FBC and an Administrative Amendment issued. Attached to this report is the proposed wording, which will modify Section 105.2 of the Florida Building Code.

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in strikethrough format.

ANALYSIS:

Currently all accessory structures require a building permit. Also, any electrical, mechanical, or plumbing work must receive a permit for such work. All accessory structures are issued a Certificate of Completion after they have been inspected by a Building Inspector.

>>The new changes in the proposed ordinance reduce the allowable area from 400 square feet to 120 square feet, restriction placement to not be on a poured concrete slab and require that the construction be pre-certified to State of Florida approved construction standards. These are beneficial changes as they reduce potential hazards from larger structures and uncertified construction without a review by the Building Official.

It should also be noted that the Building Officials Association of Florida (BOAF) publicly supports exemptions of up to 120 square feet so this change is in accord with their recommendation.

The changes as now proposed in this revised text are better since the size has been reduced the original proposal of 400 square feet to the BOAF recommended size of 120 square feet. It should be noted that a Zoning Review will be required and FDOH permit issued if applicable. It is also an improvement over the earlier wording exempt structures must be pre-certified to state standards.<<

There are some benefits to having the Building Division continue to issue permits for accessory structures. These include:

- 1) Staff reviews the paperwork to make sure that the accessory structure complies with all of the requirements of the Land Development Code and if applicable, a FDOH permit has been issued. While a zoning review will still be required the fact that a building permit is not required makes enforcement of other requirements potentially more difficult.
- 2) By issuing a Building Permit for accessory structures they must be installed by a licensed contractor or an owner-builder who agrees to abide by the same requirements as a licensed contractor.
- 3) Building Inspectors can check the installation and structural integrity of the structure as part of their inspection.
- 4) When a permit is issued the City has a record of when the structure was installed which is useful, especially when it is not being properly maintained and Code Compliance needs to seek a remedy.

- 5) The Building Division issues hundreds of these permits per year. The average cost of an accessory structure permit for a standard size single-family lot is approximately between \$80 to \$100. Thus, the fiscal impact of this text amendment would be approximately between \$25,000 to \$35,000 per year.

STAFF RECOMMENDATION:

If this amendment is approved, staff recommends that a zoning review remain as a requirement. The final reading of this code amendment cannot occur until after the Florida Building Commission reviews and approves the change as an Administrative Amendment to Chapter 1 of the Florida Building Code.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 170: CONSTRUCTION CODES AND REGULATIONS

BUILDING CODE

§ 170.005 ADOPTED.

(A) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Building mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Building Code for the city.

(1) The city's administrative amendments to the Florida Building Code - Building, Chapter 1, Administration, are hereby adopted, and by reference, incorporated herein as Exhibit A (03-04-14) >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(2) The city's administrative amendments to the *Florida Building Code* - Building, are hereby adopted, and by reference, incorporated herein as Exhibit B >>A<< (03-04-14) >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(B) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Residential mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Residential Building Code for the city.

(1) The city's administrative amendments to the *Florida Building Code* - Residential, are hereby adopted, and by reference, incorporated herein as Exhibit A (03-04-14) >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(C) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Plumbing mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Plumbing Code for the city.

(D) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Mechanical mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Mechanical Code for the city.

(E) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Fuel Gas mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Fuel Gas Code for the city.

(F) *Florida Building Code* >>7<< *5th Edition* >>or as amended<< - Existing Building mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Existing Building Code for the city.

(1) The city's administrative amendments to the *Florida Building Code* - Existing Building, are hereby adopted, and by reference, incorporated herein as Exhibit A ~~(03-04-14)~~ >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(G) *Florida Building Code* >>7<< 5th Edition >>or as amended<< - Accessibility mandated by the State of Florida is hereby recognized as the Accessibility Code for the city.

(H) *Florida Building Code* >>7<< 5th Edition >>or as amended<< - Energy Conservation mandated by the State of Florida is hereby recognized as the Energy Conservation Code for the city.

(I) ~~2011~~ >>2014 or as amended<< *National Electrical Code* - Electrical mandated by the State of Florida is hereby recognized as the Electrical Code for the City.

>>(J) Pursuant to Section 105.2 of the Florida Building Code, structures in Residence Zones accessory to a single-family residence shall be exempt from the requirement to obtain a Building Permit provided that the structure:

- (1) does not exceed 400 >>120<< square feet
- (2) does not exceed 1-story
- (3) has no utilities (water, electric, etc.)
- (4) is not used for human habitation
- (5) >>is not placed on top of a poured concrete slab
- (6) is pre-certified to be compliant with State of Florida approved construction standards
- (7)<< complies with Section 185.118 of the Zoning Code<<

FLORIDA BUILDING CODE – BUILDING, 6th EDITION (2017)

Chapter 1 – Scope & Administration

105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code. *Permits* shall not be required for the following:

>>Building:

1. One-story detached accessory structures not used for human habitation, which have no utilities – water, electric, etc., provided the floor area does not exceed 400 square feet (20 m²).<<<



LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopmentweb@palmbayflorida.org

CODE TEXTUAL AMENDMENT APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:

Section 170.005 (A) through (I) and the creation of (J).

PROPOSED LANGUAGE (attach addendum if necessary):

See attached

JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)

Per City Council direction, to allow the exemption from the requirement to obtain a Building Permit for structures accessory to a single-family residence that meet certain criteria.

CITY OF PALM BAY, FLORIDA
CODE TEXTUAL AMENDMENT APPLICATION
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐

***\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."**

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant Laurence Bradley Digitally signed by Laurence Bradley
DN: dc=org, dc=palmbayflorida, ou=Community
Planning & Economic Development, ou=Land
Development, cn=Laurence Bradley
Date: 2020.07.16 09:44:48 -04'00' Date 7/16/20

Printed Name of Applicant Laurence Bradley, AICP, Growth Management Director

Full Address 120 Malabar Road SE, Palm Bay, FL 32907

Telephone (321) 733-3042 Email laurence.bradley@palmbayflorida.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name _____

Full Address _____

Telephone _____ Email _____

***NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

EXHIBIT A



BOAF MODEL ADMINISTRATIVE CODE CHAPTER 1
FOR THE 7th Edition (2020) FLORIDA BUILDING CODE

**Approved by the BOAF Board of Directors
October 1, 2020**

BOAF Model Administrative Code – 7th Edition (2020)

The Building Officials Association of Florida is proud to present this model document for use by its members as a tool to facilitate the uniform and consistent application of local amendments to the administrative provisions of the Florida Building Code. Every effort has been made to present the amendments in mandatory language format. The language that is shaded represents those text revisions approved by the BOAF Board of Directors.

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CHAPTER 1 SCOPE AND ADMINISTRATION

PART 1—SCOPE AND APPLICATION SECTION 101 GENERAL

[A] 101.1 Title. These regulations shall be known as the *Florida Building Code*, hereinafter referred to as “this code.”

[A] 101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one-and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with the *Florida Building Code, Residential*.
2. Code requirements that address snow loads and earthquake protection are pervasive; they are left in place but shall not be utilized or enforced because Florida has no snow load or earthquake threat.

[A] 101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. *Appendix J, Appendix Q*

101.2.2 Florida Building Code, Residential Construction standards or practices which are not covered by Florida Building Code, Residential volume shall be in accordance with the provisions of Florida Building Code, Building.

[A] 101.3 Intent. The purpose of this code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide a

reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.3.1 Quality control. Quality control of materials and workmanship is not within the purview of this code except as it relates to the purposes stated herein.

101.3.2 Warranty and Liability. The permitting, plan review or inspection of any building, system or plan by this jurisdiction, under the requirements of this code, shall not be construed in any court as a warranty of the physical condition of such building, system or plan or their adequacy. This jurisdiction shall not be liable in tort for damages or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

[A] 101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

[A] 101.4.1 Gas. The provisions of the *Florida Building Code, Fuel Gas* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

[A] 101.4.2 Mechanical. The provisions of the *Florida Building Code, Mechanical* shall apply to the installation, *alterations*, *repairs* and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy related systems.

[A] 101.4.3 Plumbing. The provisions of the *Florida Building Code, Plumbing* shall apply to the installation, *alteration*, *repair* and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all

aspects of a medical gas system.

[A] 101.4.4 Property maintenance The provisions of the City of *Palm Bay Code of Ordinances* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

[A] 101.4.5 Fire prevention. For provisions related to fire prevention, refer to the *Florida Fire Prevention Code*. The *Florida Fire Prevention Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair, alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

[A] 101.4.6 Energy. The provisions of the *Florida Building Code, Energy Conservation* shall apply to all matters governing the design and construction of buildings for energy efficiency.

[A] 101.4.7 Existing buildings. The provisions of the *Florida Building Code, Existing Building* shall apply to matters governing the *repair, alteration*, change of occupancy, *addition* to and relocation of existing buildings.

101.4.8 Accessibility. For provisions related to accessibility, refer to the *Florida Building Code, Accessibility*.

101.4.9 Manufactured buildings. For additional administrative and special code requirements, see Section 458, *Florida Building Code, Building*, and Rule 61-41 F.A.C.

SECTION 102 APPLICABILITY

[A] 102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.1.1 The *Florida Building Code* does not apply to, and no code enforcement action shall be brought with respect to, zoning requirements, land use requirements and owner specifications or programmatic requirements which do not pertain to and govern the design, construction, erection, alteration, modification, repair or demolition of public or private buildings, structures or facilities or to programmatic requirements that do not pertain to enforcement of the *Florida Building Code*.

Additionally, a local code enforcement agency may not administer or enforce the *Florida Building Code, Building* to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

102.2 Building. The provisions of the *Florida Building Code* shall apply to the construction, erection, alteration, modification, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every public and private building, structure or facility or floating residential structure, or any appurtenances connected or attached to such buildings, structures or facilities. Additions, alterations, repairs and changes of use or occupancy group in all buildings and structures shall comply with the provisions provided in the *Florida Building Code, Existing Building*. The following buildings, structures and facilities are exempt from the *Florida Building Code* as provided by law, and any further exemptions shall be as determined by the legislature and provided by law:

- (a) Building and structures specifically regulated and preempted by the federal government.
- (b) Railroads and ancillary facilities associated with the railroad.
- (c) Nonresidential farm buildings on farms.
- (d) Temporary buildings or sheds used exclusively for construction purposes.
- (e) Mobile or modular structures used as temporary offices, except that the provisions of Part II (Sections 553.501-553.513, *Florida Statutes*) relating to accessibility by persons with disabilities shall apply to such mobile or modular structures. Permits shall be required for structural support and tie-down, electric supply and all other such utility connections to such mobile or modular structures as required by this jurisdiction.
- (f) Those structures or facilities of electric utilities, as defined in Section 366.02, *Florida Statutes*, which are directly involved in the

generation, transmission, or distribution of electricity.

- (g) Temporary sets, assemblies, or structures used in commercial motion picture or television production, or any sound-recording equipment used in such production, on or off the premises.
- (h) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other nonwood features.
- (i) Family mausoleums not exceeding 250 square feet (23 m²) in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (j) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- (k) A building or structure having less than 1,000 square feet (93 m²) which is constructed and owned by a natural person for hunting and which is repaired or reconstructed to the same dimension and condition as existed on January 1, 2011, if the building or structure:
 - 1. Is not rented or leased or used as a principal residence;
 - 2. Is not located within the 100-year flood plain according to the Federal Emergency Management Agency's current Flood Insurance Rate Map; and
 - 3. Is not connected to an off-site electric power or water supply.

102.2.1 In addition to the requirements of Sections 553.79 and 553.80, *Florida Statutes*, facilities subject to the provisions of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of Chapter 395, *Florida Statutes*, and Part II of Chapter 400, *Florida Statutes*, and the certification requirements of the federal government.

102.2.2 Residential buildings or structures moved into or within a county or municipality shall not be required to be brought into compliance with the state minimum building code in force at the time the building or structure is moved, provided:

- 1. The building or structure is structurally sound

and in occupiable condition for its intended use;

- 2. The occupancy use classification for the building or structure is not changed as a result of the move;
- 3. The building is not substantially remodeled;
- 4. Current fire code requirements for ingress and egress are met;
- 5. Electrical, gas and plumbing systems meet the codes in force at the time of construction and are operational and safe for reconnection; and
- 6. Foundation plans are sealed by a professional engineer or architect licensed to practice in this state, if required by the *Florida Building Code, Building* for all residential buildings or structures of the same occupancy class.

102.2.3 The *building official* shall apply the same standard to a moved residential building or structure as that applied to the remodeling of any comparable residential building or structure to determine whether the moved structure is substantially remodeled. The cost of the foundation on which the moved building or structure is placed shall not be included in the cost of remodeling for purposes of determining whether a moved building or structure has been substantially remodeled.

102.2.4 This section does not apply to the jurisdiction and authority of the Department of Agriculture and Consumer Services to inspect amusement rides or the Department of Financial Services to inspect state-owned buildings and boilers.

102.2.5 Each enforcement district shall be governed by a board, the composition of which shall be determined by the affected localities.

- 1. At its own option, each enforcement district or local enforcement agency may adopt rules granting to the owner of a single-family residence one or more exemptions from the *Florida Building Code* relating to:
 - a. Addition, alteration, or repairs performed by the property owner upon his or her own property, provided any addition or alteration shall not exceed 1,000 square feet (93 m²) or the square footage of the primary structure, whichever is less.
 - b. Addition, alteration, or repairs by a nonowner within a specific cost limitation set by rule, provided the total cost shall not exceed \$5,000 within any 12-month period.
 - c. Building and inspection fees.

2. However, the exemptions under subparagraph 1 do not apply to single-family residences that are located in mapped flood hazard areas, as defined in the code, unless the enforcement district or local enforcement agency has determined that the work, which is otherwise exempt, does not constitute a substantial improvement, including the repair of substantial damage, of such single-family residences.
3. Each code exemption, as defined in subparagraphs 1a, 1b, and 1c shall be certified to the local board 10 days prior to implementation and shall only be effective in the territorial jurisdiction of the enforcement district or local enforcement agency implementing it.

102.2.6 This section does not apply to swings and other playground equipment accessory to a one- or two-family dwelling.

Exception: Electrical service to such playground equipment shall be in accordance with Chapter 27 of this code.

[A] 102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] 102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

[A] 102.4.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Florida Codes listed in Section 101.4, the provisions of this code or the Florida Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or

illegal any of the other parts or provisions.

[A] 102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Building Code, Existing Building*, , *City of Palm Bay Code of Ordinances* or the *Florida Fire Prevention Code*.

[A] 102.6.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *Florida Building Code, Building* or *Florida Building Code, Residential*, as applicable, for new construction or with any current *permit* for such occupancy.

[A] 102.6.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the *Florida Fire Prevention Code*, *City of Palm Bay Code of Ordinances* or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

102.7 Relocation of manufactured buildings.

- (1) Relocation of an existing manufactured building does not constitute an alteration.
- (2) A relocated building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the *Florida Building Code* (after March 1, 2002), the wind speed map of the *Florida Building Code* shall be applicable.
- (3) A relocated building shall comply with the flood hazard area requirements of the new location, if applicable.

102.8 Existing mechanical equipment. An agency or local government may not require that existing mechanical equipment located on or above the surface of a roof be installed in compliance with the requirements of the *Florida Building Code* except during reroofing when the equipment is being replaced or moved and is not in compliance with

the provisions of the *Florida Building Code* relating to roof-mounted mechanical units.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103

DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. The Department of Building Safety is hereby created and the official in charge thereof shall be known as the *building official*.

103.2 Appointment. The *building official* shall be appointed by the chief appointing authority of the jurisdiction.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *building official* shall have the authority to appoint a deputy *building official*, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the *building official*.

For the maintenance of existing properties, see the, *City of Palm Bay Code of Ordinances*

SECTION 104

DUTIES AND POWERS OF BUILDING OFFICIAL

[A] 104.1 General. The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Applications and permits. The *building official* shall receive applications, review *construction documents* and issue *permits* for the erection, and *alteration*, demolition and moving of buildings and structures, inspect the premises for which such *permits* have been issued and enforce compliance with the provisions of this code.

104.2.1 Determination of substantially improved or substantially damaged existing buildings and

structures in flood hazard areas. For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of existing buildings or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes substantial improvement or *repair* of *substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612 or R322 of the Florida Building Code, Residential, as applicable.

[A] 104.3 Notices and orders. The *building official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.4 Inspections. The *building official* shall make all of the required inspections, or the *building official* shall have the authority to accept reports of inspection by *approved agencies* or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved agency* or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.5 Identification. The *building official* shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] 104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the *building official* has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the *building official* is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the *building official* shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the *building official* shall have recourse to the remedies

provided by law to secure entry.

[A] 104.7 Department records. The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records per FS 119.

104.8 Liability. The *building official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.8.1 Legal defense. Any suit or criminal complaint instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representatives of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[A] 104.9 Approved materials and equipment. Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

[A] 104.9.1 Used materials and equipment. The use of used materials that meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *building official*.

[A] 104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.10.1 Flood hazard areas. The *building official* shall coordinate with the floodplain administrator to review requests submitted to the *building official* that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

[A] 104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *building official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] 104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in

order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

104.12 Requirements not covered by code. Any requirements necessary for strength, stability or proper operation of an existing or proposed building, structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or other technical codes, shall be determined by the *building official*.

SECTION 105 PERMITS

[A] 105.1 Required. Any owner or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

[A] 105.1.1 Annual facility permit. In lieu of an individual *permit* for each *alteration* to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the *building official* is authorized to issue an annual *permit* for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The *building official* shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. An annual facility *permit* shall be assessed with an annual fee and shall be valid for one year from date of issuance. A separate *permit* shall be obtained for each facility and for each construction trade, as applicable. The *permit* application shall contain a general description of the parameters of work intended to be performed

during the year.

[A] 105.1.2 Annual Facility permit records. The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building official* shall have access to such records at all times or such records shall be filed with the *building official* as designated.

105.1.3 Food permit. In accordance with Section 500.12, *Florida Statutes*, a food *permit* from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

105.1.4 Public swimming pool. The local enforcing agency may not issue a building permit to construct, develop, or modify a public swimming pool without proof of application, whether complete or incomplete, for an operating *permit* pursuant to Section 514.031, *Florida Statutes*. A certificate of completion or occupancy may not be issued until such operating *permit* is issued. The local enforcing agency shall conduct their review of the building *permit* application upon filing and in accordance with Chapter 553, *Florida Statutes*. The local enforcing agency may confer with the Department of Health, if necessary, but may not delay the building *permit* application review while awaiting comment from the Department of Health.

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction, to include work in any special flood hazard area. Exemptions granted under this section do not relieve the owner or contractor from their duty to comply with applicable provisions of the Florida Building Code, and requirements of the *local floodplain management ordinance*. *Permits* shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²), is not placed on top of poured concrete slab and is pre-certified to be compliant with State of Florida approved construction standards. Complies with Section 185.118 of the City of Palm Bay Zoning Code.
2. Fences not over 6 feet (1829 mm) high and not part of a Pool Barrier.

3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support, of Groups R-3 and U occupancies.
13. Non fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of

towers and antennas.

Temporary testing systems: A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.
8. The installation, replacement, removal or metering of any load management control device.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

[A] 105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.

[A] 105.2.2 Minor repairs. Ordinary minor repairs may be made with the approval of the *building official* without a *permit*, provided the repairs do

not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required *means of egress*, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include *addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety*, and such repairs shall not violate any of the provisions of the technical codes.

[A] 105.2.3 Public service agencies. A *permit* shall not be required for the installation, *alteration* or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

[A] 105.3 Application for *permit*. To obtain a *permit*, the applicant shall first file an application therefor in writing on a form furnished by the building department for that purpose.

Permit application forms shall be in the format prescribed by a local administrative board, if applicable, and must comply with the requirements of Sections 713.135(5) and (6), *Florida Statutes*.

Each application shall be inscribed with the date of application, and the code in effect as of that date. For a building *permit* for which an application is submitted prior to the effective date of the *Florida Building Code*, the state minimum building code in effect in the permitting jurisdiction on the date of the application governs the permitted work for the life of the *permit* and any extension granted to the *permit*.

Effective October 1, 2017, a local enforcement agency shall post each type of building *permit* application on its website. Completed applications must be able to be submitted electronically to the appropriate building department. Accepted methods of electronic submission include, but are not limited to, e-mail submission of applications in portable document format or submission of applications through an electronic fill-in form available on the building department's website or through a third-party submission management software. Payments, attachments, or drawings required as part of the application may be submitted in person in a nonelectronic format, at

the discretion of the *building official*.

[A] 105.3.1 Action on application. The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the *building official* shall reject such application in writing, stating the reasons therefor. If the *building official* is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefor as soon as practicable. When authorized through contractual agreement with a school board, in acting on applications for *permits*, the *building official* shall give first priority to any applications for the construction of, or addition or renovation to, any school or educational facility.

105.3.1.1 If a state university, Florida college or public school district elects to use a local government's code enforcement offices, fees charged by counties and municipalities for enforcement of the *Florida Building Code* on buildings, structures, and facilities of state universities, state colleges, and public school districts shall not be more than the actual labor and administrative costs incurred for plans review and inspections to ensure compliance with the code.

105.3.1.2 No *permit* may be issued for any building construction, erection, alteration, modification, repair, or addition unless the applicant for such *permit* provides to the enforcing agency which issues the *permit* any of the following documents which apply to the construction for which the *permit* is to be issued and which shall be prepared by or under the direction of an engineer registered under Chapter 471, *Florida Statutes*:

1. Plumbing documents for any new building or addition which requires a plumbing system with more than 250 fixture units or which costs more than \$125,000.
2. Fire sprinkler documents for any new building or addition which includes a fire sprinkler system which contains 50 or more sprinkler heads. Personnel as authorized by chapter 633 *Florida Statutes*, may design a fire sprinkler system of 49 or fewer heads and may design the alteration of an existing fire sprinkler system if the alteration consists of the relocation, addition or deletion of not more than 49 heads, notwithstanding the size of the

- existing fire sprinkler system.
3. Heating, ventilation, and air-conditioning documents for any new building or addition which requires more than a 15-ton-per-system capacity which is designed to accommodate 100 or more persons or for which the system costs more than \$125,000. This paragraph does not include any document for the replacement or repair of an existing system in which the work does not require altering a structural part of the building or for work on a residential one-, two-, three-, or four-family structure.

An air-conditioning system may be designed by an installing air-conditioning contractor certified under Chapter 489, *Florida Statutes*, to serve any building or addition which is designed to accommodate fewer than 100 persons and requires an air-conditioning system with a value of \$125,000 or less; and when a 15-ton-per system or less is designed for a singular space of a building and each 15-ton system or less has an independent duct system. Systems not complying with the above require design documents that are to be sealed by a professional engineer.

Example 1: When a space has two 10-ton systems with each having an independent duct system, the contractor may design these two systems since each unit (system) is less than 15 tons.

Example 2: Consider a small single-story office building which consists of six individual offices where each office has a single three-ton package air conditioning heat pump. The six heat pumps are connected to a single water cooling tower. The cost of the entire heating, ventilation and air-conditioning work is \$47,000 and the office building accommodates fewer than 100 persons. Because the six mechanical units are connected to a common water tower, this is considered to be an 18-ton system.

Note: It was further clarified by the Commission that the limiting criteria of 100 persons and \$125,000 apply to the building occupancy load and the cost for the total air-conditioning system of the building.

4. Any specialized mechanical, electrical, or plumbing document for any new building or addition which includes a medical gas, oxygen, steam, vacuum, toxic air filtration, halon, or fire

detection and alarm system which costs more than \$5,000.

5. Electrical documents. See *Florida Statutes* 471.003(2)(h). Any electrical or plumbing or air-conditioning and refrigeration system meeting the following thresholds are required to be designed by a Florida Registered Engineer. The system, Requires an electrical system with a value of over \$125,000; and Requires an aggregate service capacity of over 600 amperes (240 volts) on a residential electrical system or over 800 amperes (240 volts) on a commercial or industrial electrical system;
NOTE: It was further clarified by the Commission that the limiting factor of 240 volt or over is required to be designed by an Engineer. Documents requiring an engineer seal by this part shall not be valid unless a professional engineer who possesses a valid certificate of registration has signed, dated, and stamped such document as provided in Section 471.025, *Florida Statutes*.
6. All public swimming pools and public bathing places defined by and regulated under Chapter 514, *Florida Statutes*.

[A] 105.3.2 Time limitation of application. An application for a *permit* for any proposed work shall be deemed to have been abandoned becoming null and void 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.3.3 An enforcing authority may not issue a building *permit* for any building construction, erection, alteration, modification, repair or addition unless the *permit* either includes on its face or there is attached to the *permit* the following statement: "NOTICE: In addition to the requirements of this *permit*, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional *permits* required from other governmental entities such as water management districts, state agencies, or federal agencies."

105.3.4 A building *permit* for a single-family residential dwelling must be issued within 30 working days of application therefor unless unusual circumstances require a longer time for processing

the application or unless the *permit* application fails to satisfy the *Florida Building Code* or the enforcing agency's laws or ordinances.

105.3.5 Identification of minimum premium policy. Except as otherwise provided in Chapter 440, *Florida Statutes*, Workers' Compensation, every employer shall, as a condition to receiving a building *permit*, show proof that it has secured compensation for its employees as provided in Sections 440.10 and 440.38, *Florida Statutes*.

105.3.6 Asbestos removal. Moving, removal or disposal of asbestos-containing materials on a residential building where the owner occupies the building, the building is not for sale or lease, and the work is performed according to the owner-builder limitations provided in this paragraph. To qualify for exemption under this paragraph, an owner must personally appear and sign the building *permit* application. The permitting agency shall provide the person with a disclosure statement in substantially the following form:

Disclosure Statement: State law requires asbestos abatement to be done by licensed contractors. You have applied for a *permit* under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own asbestos abatement contractor even though you do not have a license. You must supervise the construction yourself. You may move, remove or dispose of asbestos-containing materials on a residential building where you occupy the building and the building is not for sale or lease, or the building is a farm outbuilding on your property. If you sell or lease such building within 1 year after the asbestos abatement is complete, the law will presume that you intended to sell or lease the property at the time the work was done, which is a violation of this exemption. You may not hire an unlicensed person as your contractor. Your work must be done according to all local, state and federal laws and regulations which apply to asbestos abatement projects. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances.

105.3.7 Applicable Code for Manufactured Buildings. Manufacturers should be permitted to complete all buildings designed and approved prior to the effective date of a new code edition, provided a clear signed contract is in place. The contract shall provide specific data mirroring that

required by an application for *permit*, specifically, without limitation, date of execution, building owner or dealer, and anticipated date of completion. However, the construction activity must commence within 6 months of the contract's execution. The contract is subject to verification by the Department of Business and Professional Regulation.

105.3.8 Public right of way. A *permit* shall not be given by the *building official* for the construction of any building, or for the alteration of any building where said building is to be changed and such change will affect the exterior walls, bays, balconies, or other appendages or projections fronting on any street, alley or public lane, or for the placing on any lot or premises of any building or structure removed from another lot or premises, unless the applicant has received a right of way *permit* from the authority having jurisdiction over the street, alley or public lane.

105.4 Conditions of the *permit*. The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

105.4.1 *Permit* intent. A *permit* issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes, nor shall issuance of a *permit* prevent the *building official* from thereafter requiring a correction of errors in plans, construction or violations of this code. Every *permit* issued shall become invalid unless the work authorized by such *permit* is commenced within 6 months after its issuance, or if the work authorized by such *permit* is suspended or abandoned for a period of 6 months after the time the work is commenced.

105.4.1.1 If work has commenced and the *permit* is

revoked, becomes null and void, or expires because of lack of progress or abandonment, a new *permit* covering the proposed construction shall be obtained before proceeding with the work.

105.4.1.2 If a new *permit* is not obtained within 180 days from the date the initial *permit* became null and void, the *building official* is authorized to require that any work which has been commenced or completed be removed from the building site. Alternately, a new *permit* may be issued on application, providing the work in place and required to complete the structure meets all applicable regulations in effect at the time the initial *permit* became null and void and any regulations which may have become effective between the date of expiration and the date of issuance of the new *permit*.

105.4.1.3 Work shall be considered to be in active progress when the *permit* has received an approved inspection within 180 days. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due directly to judicial injunction, order or similar process.

105.4.1.4 The fee for renewal reissuance and extension of a *permit* shall be set forth by the administrative authority.

105.5 Expiration. Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* holder and property owner shall be responsible to either complete all work in accordance with the permitted plans and inspection or remove any partially completed work in a safe and code compliant manner. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated as determined by the *building official*.

105.5.1 Additional options for closing a *permit*. Pursuant to Section 553.79(15), Florida Statutes, a property owner, regardless of whether the property owner is the one listed on the application for the building *permit*, may close a building *permit* by complying with the following requirements:

1. The property owner may retain the original contractor listed on the permit or hire a different contractor appropriately licensed in this state to perform the work necessary to

satisfy the conditions of the permit and to obtain any necessary inspection in order to close the *permit*. If a contractor other than the original contractor listed on the *permit* is hired by the property owner to close the permit, such contractor is not liable for any defects in the work performed by the original contractor and is only liable for the work that he or she performs.

2. The property owner may assume the role of an owner-builder, in accordance with Sections 489.103(7) and 489.503(6), *Florida Statutes*.
3. If a building *permit* is expired and its requirements have been substantially completed, as determined by the local enforcement agency, the *permit* may be closed without having to obtain a new building *permit*, and the work required to close the *permit* may be done pursuant to the building code in effect at the time the local enforcement agency received the application for the *permit*, unless the contractor has sought and received approval from the local enforcement agency for an alternative material, design or method of construction.
4. A local enforcement agency may close a building *permit* 6 years after the issuance of the *permit*, even in the absence of a final inspection, if the local enforcement agency determines that no apparent safety hazard exists.

For purposes of this section, the term "close" means that the requirements of the *permit* have been satisfied.

105.5.2 For the purposes of this subsection, a *closed permit* shall mean a *permit* for which all requirements for completion have been satisfied or a *permit* that has been administratively closed by the *building official*.

105.5.3 For the purposes of this subsection, an *open permit* shall mean a *permit* that has not satisfied all requirements for completion as defined in 105.5.1.1.

[A] 105.6 Denial or revocation. Whenever a *permit* required under this section is denied or revoked because the plan, or the construction, erection, alteration, modification, repair, or demolition of a building, is found by the local enforcing agency to be not in compliance with the *Florida Building Code*, the local enforcing agency shall identify the specific plan or project features that do not comply with the applicable codes, identify the specific code chapters

and sections upon which the finding is based, and provide this information to the *permit* applicant. If the local building code administrator or inspector finds that the plans are not in compliance with the *Florida Building Code*, the local building code administrator or inspector shall identify the specific plan features that do not comply with the applicable codes, identify the specific code chapters and sections upon which the finding is based, and provide this information to the local enforcing agency. The local enforcing agency shall provide this information to the *permit* applicant.

105.6.1 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building *permit* to; issue a notice of violation to; or fine, penalize, sanction or assess fees against an arm's-length purchaser of a property for value solely because a building *permit* applied for by a previous owner of the property was not closed. The local enforcement agency shall maintain all rights and remedies against the property owner and contractor listed on the *permit*.

105.6.2 Pursuant to Section 553.79(16), Florida Statutes, a local enforcement agency may not deny issuance of a building *permit* to a contractor solely because the contractor is listed on other building *permits* that were not closed. A local enforcement agency has the authority to deny a new *permit* application from an applicant for other reasons.

[A] 105.7 Placement of *permit*. The building *permit* or copy shall be kept on the site of the work until the completion of the project.

105.8 Notice of commencement. In accordance with Section 713.135, *Florida Statutes*, when any person applies for a building *permit*, the authority issuing such *permit* shall print on the face of each *permit* card in no less than 14-point, capitalized, boldfaced type: "WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT."

105.9 Asbestos. The enforcing agency shall require

each building *permit* for the demolition or renovation of an existing structure to contain an asbestos notification statement which indicates the owner's or operator's responsibility to comply with the provisions of Section 469.003, *Florida Statutes*, and to notify the Department of Environmental Protection of his or her intentions to remove asbestos, when applicable, in accordance with state and federal law.

105.1 Certificate of protective treatment for prevention of termites. A weather-resistant job-site posting board shall be provided to receive duplicate treatment certificates as each required protective treatment is completed, providing a copy for the person the *permit* is issued to and another copy for the building *permit* files. The treatment certificate shall provide the product used, identity of the applicator, time and date of the treatment, site location, area treated, chemical used, percent concentration and number of gallons used, to establish a verifiable record of protective treatment. If the soil chemical barrier method for termite prevention is used, final exterior treatment shall be completed prior to final building approval.

105.11 Notice of termite protection. A permanent sign which identifies the termite treatment provider and need for reinspection and treatment contract renewal shall be provided. The sign shall be posted near the water heater or electric panel.

105.12 Work starting before *permit* issuance. Upon approval of the *building official*, the scope of work delineated in the building *permit* application and plan may be started prior to the final approval and issuance of the *permit*, provided any work completed is entirely at risk of the *permit* applicant and the work does not proceed past the first required inspection.

105.13 Phased *permit* approval. After submittal of the appropriate construction documents, the *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted. Corrections may be required to meet the requirements of the technical codes.

105.14 *Permit* issued on basis of an affidavit.

Whenever a *permit* is issued in reliance upon an affidavit or whenever the work to be covered by a *permit* involves installation under conditions which, in the opinion of the *building official*, are hazardous or complex, the *building official* shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations shall supervise such work. In addition, they shall be responsible for conformity to the *permit*, provide copies of inspection reports as inspections are performed, and upon completion make and file with the *building official* written affidavit that the work has been done in conformity to the reviewed plans and with the structural provisions of the technical codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the *building official*. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*.

Exception: *Permit* issued on basis of an affidavit shall not extend to the flood load and flood resistance requirements of the *Florida Building Code*.

105.15 Opening protection. When any activity requiring a building *permit*, not including roof covering replacement or repair work associated with the prevention of degradation of the residence, that is applied for on or after July 1, 2008, and for which the estimated cost is \$50,000 or more for a site built single-family detached residential structure that is located in the wind-borne debris region as defined in this code and that has an insured value of \$750,000 or more, or, if the site built single-family detached residential structure is uninsured or for which documentation of insured value is not presented, has a just valuation for the structure for purposes of ad valorem taxation of \$750,000 or more; opening protections as required within this code or *Florida Building Code, Residential* for new construction shall be provided.

Exception: Where defined wind-borne debris regions have not changed, single family residential structures permitted subject to the *Florida Building Code* are not required to comply with this section.

105.16 Inspection of existing residential building not impacted by construction.

(a) A local enforcing agency, and any local building

code administrator, inspector, or other official or entity, may not require as a condition of issuance of a one- or two-family residential building *permit* the inspection of any portion of a building, structure, or real property that is not directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the *permit* is sought.

- (b) This subsection does not apply to a building *permit* sought for:
1. A substantial improvement as defined in s. 161.54, *Florida Statutes* or as defined in the *Florida Building Code*.
 2. A change of occupancy as defined in the *Florida Building Code*.
 3. A conversion from residential to nonresidential or mixed use pursuant to s. 553.507(2)(a), *Florida Statutes* or as defined in the *Florida Building Code*.
 4. A historic building as defined in the *Florida Building Code*.
- (c) This subsection does not prohibit a local enforcing agency, or any local building code administrator, inspector, or other official or entity, from:
1. Citing any violation inadvertently observed in plain view during the ordinary course of an inspection conducted in accordance with the prohibition in paragraph (a).
 2. Inspecting a physically nonadjacent portion of a building, structure, or real property that is directly impacted by the construction, erection, alteration, modification, repair, or demolition of the building, structure, or real property for which the *permit* is sought in accordance with the prohibition in paragraph (a).
 3. Inspecting any portion of a building, structure, or real property for which the owner or other person having control of the building, structure, or real property has voluntarily consented to the inspection of that portion of the building, structure, or real property in accordance with the prohibition in paragraph (a).
 4. Inspecting any portion of a building, structure, or real property pursuant to an inspection warrant issued in accordance with ss. 933.20-933.30, *Florida Statutes*.

105.17 Streamlined low-voltage alarm system installation permitting.

- (1) As used in this section, the term:
- (a) "Contractor" means a person who is

- qualified to engage in the business of electrical or alarm system contracting pursuant to a certificate or registration issued by the department under Part II of Chapter 489, *Florida Statutes*.
- (b) "Low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system, as defined in s. 489.505, *Florida Statutes*, that is hardwired and operating at low voltage, as defined in the *National Electrical Code* Standard 70, Current Edition, or a new or existing low-voltage electric fence, and ancillary components or equipment attached to such a system, or fence, including, but not limited to, home-automation equipment, thermostats, closed-circuit television systems, access controls, battery recharging devices, and video cameras.
- (c) "Low-voltage electric fence" means an alarm system, as defined in s. 489.505, that consists of a fence structure and an energizer powered by a commercial storage battery not exceeding 12 volts which produces an electric charge upon contact with the fence structure.
- (d) "Wireless alarm system" means a burglar alarm system of smoke detector that is not hardwired.
- (2) Notwithstanding any provision of this code, this section applies to all low-voltage alarm system projects for which a *permit* is required by a local enforcement agency. However, a *permit* is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.
- (3) A low-voltage electric fence must meet all of the following requirements to be permitted as a low-voltage alarm system project and no further *permit* shall be required for the low-voltage alarm system project other than as provided in this section:
- (a) The electric charge produced by the fence upon contact must not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission Standard No. 60335-2-76, Current Edition.
- (b) A nonelectric fence or wall must completely enclose the low-voltage electric fence. The low-voltage electric fence may be up to 2 feet higher than the perimeter nonelectric fence or wall.
- (c) The low-voltage electric fence must be identified using warning signs attached to the fence at intervals of not more than 60 feet.
- (d) The low-voltage electric fence shall not be installed in an area zoned exclusively for single-family or multi-family residential use.
- (e) The low-voltage electric fence shall not enclose the portions of a property which are used for residential purposes.
- (4) This section does not apply to the installation or replacement of a fire alarm if a plan review is required.
- (5) A local enforcement agency shall make uniform basic *permit* labels available for purchase by a contractor to be used for the installation or replacement of a new or existing alarm system at a cost as indicated in s. 553.793, *Florida Statutes*. The local enforcement agency may not require the payment of any additional fees, charges, or expenses associated with the installation or replacement of a new or existing alarm.
- (a) A local enforcement agency may not require a contractor, as a condition of purchasing a label, to submit information other than identification information of the licensee and proof of registration or certification as a contractor.
- (b) A label is valid for 1 year after the date of purchase and may only be used within the jurisdiction of the local enforcement agency that issued the label. A contractor may purchase labels in bulk for one or more unspecified current or future projects.
- (6) A contractor shall post an unused uniform basic *permit* label in a conspicuous place on the premises of the low-voltage alarm system project site before commencing work on the project.
- (7) A contractor is not required to notify the local enforcement agency before commencing work on a low-voltage alarm system project. However, a contractor must submit a Uniform Notice of a Low-Voltage Alarm System Project as provided under subsection (7) to the local enforcement agency within 14 days after completing the project. A local enforcement agency may take disciplinary action against a contractor who fails to timely submit a Uniform Notice of a Low-Voltage Alarm

- System Project.
- (8) The Uniform Notice of a Low-Voltage Alarm System Project may be submitted electronically or by facsimile if all submissions are signed by the owner, tenant, contractor, or authorized representative of such persons. The Uniform Notice of a Low-Voltage Alarm System Project shall be in the format prescribed by the local enforcement agency and must comply with the requirements of s. 553.793(7), *Florida Statutes*.
 - (9) A local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the contractor must take corrective action as necessary to pass inspection.
 - (10) A municipality, county, district, or other entity of local government may not adopt or maintain in effect any ordinance or rule regarding a low-voltage alarm system project that is inconsistent with this section.
 - (11) A uniform basic *permit* label shall not be required for the subsequent maintenance, inspection, or service of an alarm system that was permitted in accordance with this section. The provisions of this act are not intended to impose new or additional licensure requirements on persons licensed in accordance with the applicable provisions of Chapter 489, *Florida Statutes*.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

[A] 106.1 Live loads posted. In commercial or industrial buildings, for each floor or portion thereof designed for *live loads* exceeding 50 psf (2.40 kN/m²), such design *live loads* shall be conspicuously posted by the owner or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

[A] 106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

[A] 106.3 Restrictions on loading. It shall be unlawful to place, or cause or *permit* to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by

this code.

SECTION 107 SUBMITTAL DOCUMENTS

[A] 107.1 General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* where required by Chapter 471, *Florida Statutes* & 61G15 Florida Administrative Code or Chapter 481, *Florida Statutes* & 61G1 Florida Administrative Code. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

[A] 107.2 Construction documents. *Construction documents* shall be in accordance with Sections 107.2.1 through 107.2.6.

107.2.1 Information on construction documents. *Construction documents* shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted where *approved by the building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*. Such drawings and specifications shall contain information, in the form of notes or otherwise, as to the quality of materials, where quality is essential to conformity with the technical codes. Such information shall be specific, and the technical codes shall not be cited as a whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information. All information, drawings, specifications and accompanying data shall bear the name and signature of the person responsible for the design.

[A] 107.2.2 Fire protection system shop drawings.

Shop drawings for the *fire protection system(s)* shall be submitted to indicate conformance to this code and the *construction documents* and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 107.2.3 Means of egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress* including the path of the *exit discharge* to the *public way* in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the *construction documents* shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

[A] 107.2.4 Exterior wall envelope. *Construction documents* for all buildings shall describe the *exterior wall envelope* in sufficient detail to determine compliance with this code. The *construction documents* shall provide details of the *exterior wall envelope* as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The *construction documents* shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the *construction documents* maintain the weather resistance of the *exterior wall envelope*. The supporting documentation shall fully describe the *exterior wall* system that was tested, where applicable, as well as the test procedure used.

107.2.5 Exterior balcony and elevated walking surfaces. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious moisture barrier, the *construction documents* shall include details for all elements of the impervious moisture barrier system. The *construction documents* shall include manufacturer's installation instructions.

[A] 107.2.6 Site plan. The *construction documents* submitted with the application for *permit* shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from *lot lines*, the

established street grades and the proposed finished grades and, as applicable, *flood hazard areas*, *floodways*, and *design flood elevations*; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The *building official* is authorized to waive or modify the requirement for a site plan where the application for *permit* is for *alteration* or *repair* or where otherwise warranted.

[A] 107.2.6.1 Design flood elevations. Where *design flood elevations* are not specified, they shall be established in accordance with Section 1612.3.1.

107.2.6.2 For the purpose of inspection and record retention, site plans for a building may be maintained in the form of an electronic copy at the worksite. These plans must be open to inspection by the *building official* or a duly authorized representative, as required by the *Florida Building Code*.

[A] 107.2.7 Structural information. The *construction documents* shall provide the information specified in Section 1603.

[A] 107.3 Examination of documents. The *building official* shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Exceptions:

1. Building plans approved pursuant to Section 553.77(5), *Florida Statutes*, and state-approved manufactured buildings are exempt from local codes enforcing agency plan reviews except for provisions of the code relating to erection, assembly or construction at the site. Erection, assembly and construction at the site are subject to local permitting and inspections. Photocopies of plans approved according to Rule 61-41.009, *Florida Administrative Code*, shall be sufficient for local *permit* application documents of record for the modular building portion of the permitted project.
2. Industrial construction on sites where design, construction and fire safety are supervised by appropriately licensed design and inspection professionals and which contain adequate in-house fire departments and rescue squads is

exempt, subject to approval by the *building official*, from review of plans and inspections, providing the appropriate licensed design and inspection professionals certify that applicable codes and standards have been met and supply appropriate approved drawings to local building and fire-safety inspectors.

[A] 107.3.1 Approval of construction documents.

When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

[A] 107.3.2 Previous approvals. This code shall not require changes in the *construction documents*, construction or designated occupancy of a structure for which a lawful *permit* has been heretofore issued or otherwise law-fully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[A] 107.3.3 Phased approval. The *building official* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

[A] 107.3.4 Design professional in responsible charge. Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the *owner's* authorized agent to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner's* authorized agent shall designate a substitute *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building*

official shall be notified in writing by the *owner* or *owner's* authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

107.3.4.1 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the *building official*.

Deferral of any submittal items shall have the prior approval of the *building official*. The *registered design professional in responsible charge* shall list the deferred submittals on the *construction documents* for review by the *building official*.

Documents for deferred submittal items shall be submitted to the *registered design professional in responsible charge* who shall review them and forward them to the *building official* with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been *approved* by the *building official*.

107.3.4.2 Certifications by contractors authorized under the provisions of Section 489.115(4)(b), *Florida Statutes*, shall be considered equivalent to sealed plans and specifications by a person licensed under Chapter 471, *Florida Statutes*, or Chapter 481, *Florida Statutes*, by local enforcement agencies for plans review for permitting purposes relating to compliance with the wind-resistance provisions of the code or alternate methodologies approved by the Florida Building Commission for one- and two-family dwellings. Local enforcement agencies may rely upon such certification by contractors that the plans and specifications submitted conform to the requirements of the code for wind resistance. Upon good cause shown, local government code enforcement agencies may accept or reject plans sealed by persons licensed under Chapters 471, 481 or 489, *Florida Statutes*.

107.3.5 Minimum plan review criteria for

buildings. The examination of the documents by the *building official* shall include the following minimum criteria and documents: a floor plan; site plan; foundation plan; floor/roof framing plan or truss layout; all fenestration and building envelope penetrations; flashing; and rough opening dimensions; and all exterior elevations:

Commercial Buildings:

Building:

1. Site requirements:
 - Parking Fire access
 - Vehicle loading
 - Driving/turning radius
 - Fire hydrant/water supply/post indicator valve (PIV)
 - Set back/separation (assumed property lines)
 - Location of specific tanks, water lines and sewer lines
 - Flood hazard areas, flood zones, and design flood elevations
2. Occupancy group and special occupancy requirements shall be determined (with cross check with the energy code submittal).
3. Minimum type of construction shall be determined (see Table 503).
4. Fire-resistant construction requirements shall include the following components:
 - Fire-resistant separations
 - Fire-resistant protection for type of construction
 - Protection of openings and penetrations of rated walls
 - Fireblocking and draftstopping* and calculated fire resistance
5. Fire suppression systems shall include:
 - Early warning smoke evacuation systems
 - Schematic fire sprinklers
 - Standpipes
 - Pre-engineered systems
 - Riser diagram.
6. Life safety systems shall be determined and shall include the following requirements:
 - Occupant load and egress capacities
 - Early warning
 - Smoke control
 - Stair pressurization
 - Systems schematic
7. Occupancy load/egress requirements shall include:
 - Occupancy load
 - Gross
 - Net
 - Means of egress
 - Exit access
 - Exit
 - Exit discharge
 - Stairs construction/geometry and protection
8. Structural requirements shall include:
 - Soil conditions/analysis
 - Termite protection
 - Design loads
 - Wind requirements
 - Building envelope
 - Impact resistant coverings or systems
 - Structural calculations (if required)
 - Foundation
 - Flood requirements in accordance with Section 1612, including lowest floor elevations, enclosures, flood damage-resistant materials
 - Wall systems Floor systems
 - Roof systems
 - Threshold inspection plan
 - Stair systems
9. Materials shall be reviewed and shall at a minimum include the following:
 - Wood
 - Steel
 - Aluminum
 - Concrete
 - Plastic
 - Glass
 - Masonry
 - Gypsum board and plaster Insulating (mechanical)
 - Roofing
 - Insulation
 - Building envelope portions of the Energy Code (including calculation and mandatory requirements)
10. Accessibility requirements shall include the following:
 - Site requirements
 - Accessible route
 - Vertical accessibility
 - Toilet and bathing facilities
 - Drinking fountains
 - Equipment
 - Special occupancy requirements
 - Fair housing requirements
11. Interior requirements shall include the following:
 - Interior finishes (flame spread/smoke development)
 - Light and ventilation (including corresponding portion of the energy code)
 - Sanitation
12. Special systems:
 - Doors
 - Emergency lighting and exit signs
 - Specific occupancy requirements
 - Construction requirements
 - Horizontal exits/exit passageways

- Elevators
- Escalators
- Lifts
- 13. Swimming pools:
 - Barrier requirements
 - Spas
 - Wading pools
- 14. Location and installation details. The specific location and installation details of each fire door, fire damper, ceiling damper and smoke damper shall be shown and properly identified on the building plans by the designer.

Electrical:

1. Electrical:
 - Wiring
 - Services
 - Feeders and branch circuits
 - Overcurrent protection
 - Grounding
 - Wiring methods and materials
 - GFCIs
 - Electrical portions of the Energy Code (including calculation and mandatory requirements)
2. Equipment
3. Special occupancies
4. Emergency systems
5. Communication systems
6. Low voltage
7. Load calculations
8. Design flood elevation

Plumbing:

1. Minimum plumbing facilities
2. Fixture requirements
3. Water supply piping
4. Sanitary drainage
5. Water heaters
6. Vents
7. Roof drainage
8. Back flow prevention
9. Irrigation
10. Location of water supply line
11. Grease traps
12. Environmental requirements
13. Plumbing riser
14. Design flood elevation
15. Water/plumbing portions of the Energy Code (including calculation and mandatory requirements)

Mechanical:

1. Mechanical portions of the Energy calculations
2. Exhaust systems: Clothes dryer exhaust
Kitchen equipment exhaust
Specialty exhaust systems
3. Equipment

4. Equipment location
5. Make-up air
6. Roof-mounted equipment
7. Duct systems
8. Ventilation
9. Combustion air
10. Chimneys, fireplaces and vents
11. Appliances
12. Boilers
13. Refrigeration
14. Bathroom ventilation
15. Laboratory
16. Design flood elevation

Gas:

1. Gas piping
2. Venting
3. Combustion air
4. Chimneys and vents
5. Appliances
6. Type of gas
7. Fireplaces
8. LP tank location
9. Riser diagram/shutoffs
10. Design flood elevation
11. Gas portions of the Energy Code (including calculation and mandatory requirements)

Demolition:

1. Asbestos removal

Residential (one- and two-family):

1. Site requirements:
 - Set back/separation (assumed property lines)
 - Location of septic tanks
2. Fire-resistant construction (if required)
3. Fire
4. Smoke detector locations
5. Egress:
 - Egress window size and location stairs construction requirements
6. Structural requirements shall include:
 - Wall section from foundation through roof, including assembly and materials connector tables wind requirements structural calculations (if required)
 - Termite protection
 - Design loads
 - Wind requirements
 - Building envelope
 - Foundation
 - Wall systems
 - Floor systems
 - Roof systems
 - Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures,

equipment, and flood damage-resistant materials

7. Accessibility requirements:
 - Show/identify Accessible bath
8. Impact resistant coverings or systems
9. Residential Energy Code submittal (including calculation and mandatory requirements)

Manufactured buildings/housing:

1. Site requirements
 - Setback/separation (assumed property lines)
 - Location of septic tanks (if applicable)
2. Structural
 - Wind zone
 - Anchoring
 - Blocking
3. Plumbing
 - List potable water source and meter size (if applicable)
4. Mechanical
 - Exhaust systems
 - Clothes dryer exhaust
 - Kitchen equipment exhaust
5. Electrical exterior disconnect location

Exemptions: Plans examination by the building official shall not be required for the following work:

1. Replacing existing equipment such as mechanical units, water heaters, etc.
2. Reroofs
3. Minor electrical, plumbing and mechanical repairs
4. Annual maintenance *permits*
5. Prototype plans:
 - Except for local site adaptations, siding, foundations and/or modifications.
 - Except for structures that require waiver.
6. Manufactured buildings plan except for foundations and modifications of buildings on site and as listed above in manufactured buildings/housing.

[A] 107.4 Amended construction documents. Work shall be installed in accordance with the *approved construction documents*, and any changes made during construction that are not in compliance with the *approved construction documents* shall be resubmitted for approval as an amended set of *construction documents*.

[A] 107.5 Retention of construction documents. One set of *approved construction documents* shall be retained by the *building official* for a period of not less than 180 days from date of completion of

the permitted work, or as required by state or local laws.

107.6 Affidavits. The *building official* may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the technical codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and, if accompanied by drawings, show the structural design and that the plans and design conform to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The *building official* may without any examination or inspection accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the *building official* copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the technical codes. Where the building official relies upon such affidavit, the architect or engineer shall assume full responsibility for compliance with all provisions of the technical codes and other pertinent laws or ordinances. The *building official* shall ensure that any person conducting plans review is qualified as a plans examiner under Part XII of Chapter 468, *Florida Statutes*, and that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*.

107.6.1 Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Parts 59 and 60), the authority granted to the *building official* to issue *permits*, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Sections 105.14 and 107.6, shall not extend to the flood load and flood-resistance construction requirements of the *Florida Building Code*.

SECTION 108 TEMPORARY STRUCTURES AND USES

[A] 108.1 General. The *building official* is authorized to issue a *permit* for temporary structures and temporary uses. Such *permits* shall be limited as to time of service, but shall not be permitted for more than 180 days. The *building official* is authorized to grant extensions for demonstrated cause.

[A] 108.2 Conformance. Temporary structures and

uses shall comply with the requirements in Section 3103.

[A] 108.3 Temporary power. The *building official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

[A] 108.4 Termination of approval. The *building official* is authorized to terminate such *permit* for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 109 FEES

[A] 109.1 Payment of fees. A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fee, if any, has been paid.

[A] 109.2 Schedule of *permit* fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

109.2.1 Types of Fees Enumerated. Fees may be charged for but not limited to the following:

- *Permits*;
- Plans examination;
- Certificates of competency (including fees for applications, examinations, renewal, late renewal, and reciprocity);
- Re-inspections;
- Administrative fees (including fees for investigative and legal costs incurred in the context of certain disciplinary cases heard by the board);
- Variance requests;
- Administrative appeals;
- Violations; and
- Other fees as established by local resolution or ordinance.

[A] 109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value

at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

[A] 109.4 Work commencing before *permit* issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary *permits* or without prior approval from the *building official* as permitted in Section 105.2.2 or 105.12 shall be subject to a fee established by the *building official* that shall be in addition to the required *permit* fees or as provided by local ordinance. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required *permit(s)* must be applied for within three (3) business days and any unreasonable delay in obtaining those *permit(s)* shall result in the charge of a double fee. The payment of a double fee shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a *permit*. The *building official* may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

[A] 109.5 Related fees. The payment of the fee for the construction, *alteration*, removal or demolition for work done in connection to or concurrently with the work authorized by a building *permit* shall not relieve the applicant or holder of the *permit* from the payment of other fees that are prescribed by law.

[A] 109.6 Refunds. The *building official* is authorized to establish a refund policy.

SECTION 110 INSPECTIONS

[A] 110.1 General. Construction or work for which a *permit* is required shall be subject to inspection by the *building official* and such construction or work shall remain exposed and provided with access for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this

code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the *owner* or the owner's authorized agent to cause the work to remain exposed and provided with access for inspection purposes. The *building official* shall be permitted to require a boundary line survey prepared by a Florida licensed professional surveyor and mapper whenever the boundary lines cannot be readily determined in the field. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

110.1.1 Manufacturers and fabricators. When deemed necessary by the *building official*, he/she shall make, or cause to be made, an inspection of materials or assemblies at the point of manufacture or fabrication. A record shall be made of every such examination and inspection and of all violations of the technical codes.

110.1.2 Inspection service. The *building official* may make, or cause to be made, the inspections required by Section 110. He or she may accept reports of department inspectors, independent inspectors or of recognized inspection services, provided that after investigation he/she is satisfied as to their licensure, qualifications and reliability. A certificate required by any provision of this code shall not be based on such reports unless the same are recorded by the building code inspector or the architect or engineer performing building code inspections in a manner specified by the *building official*. The *building official* shall ensure that all persons making such inspections shall be certified in accordance to Chapter 468 Florida Statutes.

[A] 110.2 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

[A] 110.3 Required inspections. The *building official* upon notification from the *permit* holder or his or her agent shall make the following inspections, or any other such inspection as deemed necessary and shall either release that portion of the construction or shall notify the *permit* holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The *building official* shall determine the timing and sequencing

of when inspections occur and what elements are inspected at each inspection.

Building

1. Foundation inspection. To be made after trenches are excavated, any required reinforcing steel is in place, forms erected and shall at a minimum include the following building components:
 - Stem-wall
 - Monolithic slab-on-grade
 - Piling/pile caps
 - Footers/grade beams
 - 1.1. Slab Inspection: Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
 - 1.2. A foundation/form board survey prepared and certified by a Florida licensed professional surveyor and mapper may be required, prior to approval of the slab inspection. The survey shall certify placement of the building on the site, illustrate all surrounding setback dimensions and shall be available at the job site for review by the building inspector. In lieu of providing a survey, the contractor may elect to uncover all property line markers and string-up all property lines in preparation for inspection.
 - 1.3. In flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation certification shall be submitted to the authority having jurisdiction.
2. Framing inspection. To be made after the roof, all framing, fireblocking and bracing is in place, all concealing wiring, all pipes, chimneys, ducts and vents are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved* and shall at a minimum include the following building components:
 - Window/door framing
 - Window U-factor/SHGC (as indicated on approved energy calculations)
 - Vertical cells/columns
 - Lintel/tie beams
 - Framing/trusses/bracing/connectors (including truss layout and engineered

- drawings)
- *Draftstopping/fireblocking*
- Curtain wall framing
- Energy insulation (Insulation R-factor as indicated on approved energy calculations)
- Accessibility
- Verify rough opening dimensions are within tolerances.
- Window/door buck attachment
- 2.1 Insulation Inspection: To be made after the framing inspection is approved and the insulation is in place, according to approved energy calculation submittal. Includes wall and ceiling insulation.
- 2.2 Lath and gypsum board inspection for fire-resistance rated or shear assemblies. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before ant plastering is applied or gypsum board joints and fasteners are taped and finished.
- 3. Sheathing inspection. To be made either as part of a dry-in inspection or done separately at the request of the contractor after all roof and wall sheathing and fasteners are complete and shall at a minimum include the following building components:
 - Roof sheathing
 - Wall sheathing
 - Continuous air barrier
 - Exterior siding/cladding
 - Sheathing fasteners
 - Roof/wall dry-in

NOTE: Sheathing fasteners installed and found to be missing the structural member (shiners) shall be removed and properly reinstalled prior to installation of the dry-in material.
- 4. Exterior wall coverings. Shall at a minimum include the following building components in progress inspections:
 - Exterior wall coverings and veneers
 - Soffit coverings
- 5. Roofing inspection. Shall at a minimum be made in at least two inspections and include the following building components:
 - Dry-in
 - Insulation
 - Roof coverings (including In Progress as necessary)
 - Insulation on roof deck (according to submitted energy calculation)
- Flashing
- 5.1 Re-roof sheathing inspection. An affidavit with a notarized signature of a state or locally licensed roofing contractor for the installation of additional sheathing fasteners as required by the Existing Building Code may be accepted at the discretion of the *building official*.
- 6. Final inspection. To be made after the building is completed and ready for occupancy.
 - 6.1. In flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.
- 7. Swimming pool inspection. First inspection to be made after excavation and installation of reinforcing steel, bonding and main drain and prior to placing of concrete.
 - a. Steel reinforcement inspection
 - b. Underground electric inspection
 - c. Underground piping inspection including a pressure test.
 - d. Underground electric inspection under deck area (including the equipotential bonding)
 - b. Underground piping inspection under deck area
 - c. Deck inspection: to be made prior to installation of the deck material (with forms, deck drains, and any reinforcement in place
 - d. Safety Inspection; Made prior to filling the pool with the bonding connections made, the proper drain covers installed and the final barriers installed.
 - e. Final pool piping
 - f. Final Electrical inspection
 - g. Final inspection to be made when the swimming pool is complete and all required enclosure requirements are in place.
In order to pass final inspection and receive a certificate of completion, a residential swimming pool must meet the requirements relating to pool safety features as described in Section 454.2.17 of this code.
- 8. Demolition inspections. First inspection to be made after all utility connections have been dis- connected and secured in such manner that no unsafe or unsanitary conditions shall

exist during or after demolition operations. Final inspection to be made after all demolition work is completed.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility cross-overs; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the *Florida Building Code*. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).
10. Where impact-resistant coverings or impact-resistant systems are installed, the *building official* shall schedule adequate inspections of impact-resistant coverings or impact-resistant systems to determine the following:
The system indicated on the plans was installed.
The system is installed in accordance with the manufacturer's installation instructions and the product approval.

Electrical

1. Underground inspection. To be made after trenches or ditches are excavated, conduit or cable installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing is in place and prior to the installation of wall or ceiling membranes.
3. Final inspection. To be made after the building is complete, all required electrical fixtures are in place and properly connected or protected, and the structure is ready for occupancy.
4. Existing Swimming Pools. To be made after all repairs or alterations are complete, all required electrical equipment, GFCI protection, and equipotential bonding are in place on said alterations or repairs.

Plumbing

1. Underground inspection. To be made after trenches or ditches are excavated, piping installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing is in place and all soil, waste and vent piping is complete, and prior to this installation of wall or ceiling membranes.
Includes plumbing provisions of the energy code and approved energy calculation provisions.

3. Final inspection. To be made after the building is complete, all plumbing fixtures are in place and properly connected, and the structure is ready for occupancy.

Note: See Section 312 of the *Florida Building Code, Plumbing* for required tests.

Mechanical

1. Underground inspection. To be made after trenches or ditches are excavated, underground duct and fuel piping installed, and before any backfill is put in place.
2. Rough-in inspection. To be made after the roof, framing, *fireblocking* and bracing are in place and all ducting, and other concealed components are complete, and prior to the installation of wall or ceiling membranes. Includes mechanical provisions of the energy code and approved energy calculation provisions.
3. Final inspection. To be made after the building is complete, the mechanical system is in place and properly connected, and the structure is ready for occupancy.

Gas

1. Rough piping inspection. To be made after all new piping authorized by the permit has been installed, and before any such piping has been covered or concealed or any fixtures or gas appliances have been connected. Includes gas provisions of the energy code and approved energy calculation provisions.
2. Final piping inspection. To be made after all piping authorized by the *permit* has been installed and after all portions which are to be concealed by plastering or otherwise have been so concealed, and before any fixtures or gas appliances have been connected. This inspection shall include a pressure test.
3. Final inspection. To be made on all new gas work authorized by the *permit* and such portions of existing systems as may be affected by new work or any changes, to ensure compliance with all the requirements of this code and to assure that the installation and construction of the gas system is in accordance with reviewed plans.

Site Debris

1. The contractor and/or owner of any active or inactive construction project shall be responsible for the clean-up and removal of all construction debris or any other miscellaneous discarded articles during the course of the construction project and prior to receiving final inspection approval. Construction job sites must be kept clean and in a safe condition at all

- times.
2. All debris shall be kept in such a manner as to prevent it from being spread by any means.

[A] 110.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

[A] 110.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

[A] 110.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.4 and Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official*.

[A] 110.3.4 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, *fireblocking* and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are *approved*.

[A] 110.3.5 Lath, gypsum board and gypsum panel product inspection. Lath, gypsum board and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel products, interior and exterior, are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance-rated assembly or a shear assembly.

110.3.6 Weather-exposed balcony and walking surface waterproofing. Where balcony or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and the structural framing is protected by an impervious

moisture barrier, all elements of the impervious-moisture-barrier system shall not be concealed until inspected and *approved*.

[A] 110.3.7 Fire and smoke-resistant penetrations. Protection of joints and penetrations in *fire-resistance-rated* assemblies, *smoke barriers* and smoke partitions shall not be concealed from view until inspected and *approved*.

[A] 110.3.8 Energy efficiency inspections. Inspections shall be made to determine compliance with *FBC, Energy Conservation* and confirm with the approved energy code submittal (by appropriate trade) and corresponding mandatory requirements and shall include, but not be limited to, inspections for: corresponding envelope insulation R- and U-values, fenestration U-value, and Solar Heat Gain Coefficient, duct system R-value, and HVAC, lighting, electrical and water-heating equipment efficiency.

[A] 110.3.9 Other inspections. In addition to the inspections specified in Sections 110.3 through 110.3.8, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

[A] 110.3.10 Special inspections. Reserved.

110.3.11 Final inspection. The final inspection shall be made after all work required by the building *permit* is completed.

110.3.11.1 Flood hazard documentation. If located in a *flood hazard area*, documentation of the elevation of the lowest floor as required in Section 1612.5 and Section R322 of the Florida Building Code, Residential, shall be submitted to the *building official* prior to the final inspection.

110.3.11.2 Commercial Energy Code documentation. If required by energy code path submittal, confirmation that commissioning result requirements have been received by building owner.

110.3.11.3 Residential Energy Code documentation. If required by energy code path submittal (R405), confirmation that the duct test requirements shall be received by building official.

110.3.12 Termites. Building components and building surroundings required to be protected from termite damage in accordance with Section 1503.7, Section 2304.12.9 or Section 2304.12.4, specifically required to be inspected for termites in accordance with Section 2114, or required to have chemical soil treatment in accordance with Section 1816 shall not be covered or concealed until the release from the *building official* has been received.

110.3.13 Impact-resistant coverings or systems. Where impact-resistant coverings or systems are installed to meet requirements of this code, the *building official* shall schedule adequate inspections of impact-resistant coverings or systems to determine the following:

1. The system indicated on the plans was installed.
2. The system is installed in accordance with the manufacturer's installation instructions and the product approval.

[A] 110.4 Inspection agencies. The *building official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

[A] 110.5 Inspection requests. It shall be the duty of the holder of the building *permit* or their duly authorized agent to notify the *building official* when work is ready for inspection. It shall be the duty of the *permit* holder to provide access to and means for inspections of such work that are required by this code.

[A] 110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *building official*. The *building official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the *permit* holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *building official*.

110.7 Shoring. For threshold buildings, shoring and associated formwork or falsework shall be designed and inspected by a Florida licensed professional engineer prior to any required mandatory inspections by the threshold building inspector.

110.8 Threshold building.

110.8.1 During new construction or during repair or restoration projects in which the structural system or structural loading of a building is being modified, the enforcing agency shall require a special inspector to perform structural inspections on a threshold building pursuant to a structural inspection plan prepared by the engineer or architect of record. The structural inspection plan must be submitted to the enforcing agency prior to the issuance of a building *permit* for the construction of a threshold building. The purpose of the structural inspection plans is to provide specific inspection procedures and schedules so that the building can be adequately inspected for compliance with the permitted documents. The special inspector may not serve as a surrogate in carrying out the responsibilities of the *building official*, the architect, or the engineer of record. The contractor's contractual or statutory obligations are not relieved by any action of the special inspector.

110.8.2 The special inspector shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with the shoring and reshoring plans submitted to the enforcing agency. A fee simple title owner of a building, which does not meet the minimum size, height, occupancy, occupancy classification, or number-of-stories criteria which would result in classification as a threshold building under s. 553.71(7), *Florida Statutes* may designate such building as a threshold building, subject to more than the minimum number of inspections required by the *Florida Building Code*.

110.8.3 The fee owner of a threshold building shall select and pay all costs of employing a special inspector, but the special inspector shall be responsible to the enforcement agency. The inspector shall be a person certified, licensed or registered under Chapter 471, *Florida Statutes*, as an engineer or under Chapter 481, *Florida Statutes*, as an architect.

110.8.4 Each enforcement agency shall require that, on every threshold building:

110.8.4.1 The special inspector, upon completion of the building and prior to the issuance of a certificate of occupancy, file a signed and sealed statement with the enforcement agency in substantially the following form: "To the best of my knowledge and belief, the above described construction of all structural load-bearing components complies with

the permitted documents, and the shoring and reshoring conforms to the shoring and reshoring plans submitted to the enforcement agency.”

110.8.4.2 Any proposal to install an alternate structural product or system to which building codes apply be submitted to the enforcement agency for review for compliance with the codes and made part of the enforcement agency’s recorded set of *permit* documents.

110.8.4.3 All shoring and reshoring procedures, plans and details be submitted to the enforcement agency for recordkeeping. Each shoring and reshoring installation shall be supervised, inspected and certified to be in compliance with the shoring documents by the contractor.

110.8.4.4 All plans for the building which are required to be signed and sealed by the architect or engineer of record contain a statement that, to the best of the architect’s or engineer’s knowledge, the plans and specifications comply with the applicable minimum building codes and the applicable fire-safety standards as determined by the local authority in accordance with this section and Chapter 633, *Florida Statutes*.

110.8.5 No enforcing agency may issue a building *permit* for construction of any threshold building except to a licensed general contractor, as defined in Section 489.105(3)(a), *Florida Statutes*, or to a licensed building contractor, as defined in Section 489.105(3)(b), *Florida Statutes*, within the scope of her or his license. The named contractor to whom the building *permit* is issued shall have the responsibility for supervision, direction, management and control of the construction activities on the project for which the building *permit* was issued.

110.8.6 The building department may allow a special inspector to conduct the minimum structural inspection of threshold buildings required by this code, Section 553.73, *Florida Statutes*, without duplicative inspection by the building department. The *building official* is responsible for ensuring that any person conducting inspections is qualified as a building inspector under Part XII of Chapter 468, *Florida Statutes*, or certified as a special inspector under Chapter 471 or 481, *Florida Statutes*. Inspections of threshold buildings required by Section 553.79(5), *Florida Statutes*, are in addition to the minimum inspections required by this code.

SECTION 111

CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and does not find violations of the provisions of this code or other laws that are enforced by the department of building safety, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the *owner* or the *owner’s* authorized agent.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. For buildings and structures in flood hazard areas, a statement that documentation of the as-built lowest floor elevation has been provided and is retained in the records of the authority having jurisdiction
7. The name of the *building official*.
8. The edition of the code under which the *permit* was issued.
9. The use and occupancy, in accordance with the provisions of Chapter 3.
10. The type of construction as defined in Chapter 6.
11. The design *occupant load*.
12. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
13. Any special stipulations and conditions of the building *permit*.

[A] 111.3 Temporary occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire

work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

[A] 111.4 Revocation. The *building official* is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

111.5 Certificate of completion. A certificate of completion is proof that a structure or system is complete and for certain types of *permits* is released for use and may be connected to a utility system. This certificate does not grant authority to occupy a building, such as shell building, prior to the issuance of a certificate of occupancy.

SECTION 112 SERVICE UTILITIES

[A] 112.1 Connection of service utilities. A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a *permit* is required, until released by the *building official*.

[A] 112.2 Temporary connection. The *building official* shall have the authority to authorize the temporary connection of the building or system to the utility, source of energy, fuel or power.

[A] 112.3 Authority to disconnect service utilities. The *building official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without the approval required by Section 112.1 or 112.2. The *building official* shall notify the serving utility, and wherever possible the *owner* and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner* or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 113

BOARD OF APPEALS Reserved

SECTION 114 VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

114.3 Prosecution of violation. If the notice of violation is not complied with promptly, the *building official* is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

SECTION 115 STOP WORK ORDER

[A] 115.1 Authority. Where the *building official* finds any work regulated by this code being performed in a manner either contrary to the

provisions of this code or dangerous or unsafe, the *building official* is authorized to issue a stop work order.

[A] 115.2 Issuance. The stop work order shall be in writing and shall be given to the *owner* of the property involved, the owner's authorized agent or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate *means of egress* facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the *building official* deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

116.2 Record. The *building official* shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

116.3 Notice. If an unsafe condition is found, the *building official* shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to

SECTION 117 VARIANCES IN FLOOD HAZARD AREAS

117.1 Flood hazard areas. Pursuant to Section 553.73(5), *Florida Statutes*, the variance procedures adopted in the local flood plain management ordinance shall apply to requests submitted to the *building official* for variances to the provisions of

for the order and the conditions under which the cited work will be permitted to resume.

[A] 115.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

the *building official* acceptance or rejection of the terms of the order.

116.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

116.5 Restoration. Where the structure or equipment determined to be unsafe by the *building official* is restored to a safe condition, to the extent that repairs, *alterations* or *additions* are made or a change of occupancy occurs during the restoration of the structure, such *repairs, alterations, additions* and change of occupancy shall comply with the requirements of Section 105.2.2 and the *Florida Building Code, Existing Building*. requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the *building official* acceptance or rejection of the terms of the order.

Section 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of Section R322 of the *Florida Building Code, Residential*. This section shall not apply to Section 3109 of the *Florida Building Code, Building*.

ORDINANCE 2020-58

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 170, CONSTRUCTION CODES AND REGULATIONS, SUBCHAPTER 'BUILDING CODE', BY ELIMINATING THE REQUIREMENT FOR A BUILDING PERMIT FOR ACCESSORY STRUCTURES 400>>120<< SQUARE FEET OR LESS IN RESIDENTIAL DISTRICTS ASSOCIATED WITH SINGLE-FAMILY DWELLINGS AND REVISING PROVISIONS CONTAINED THEREIN; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 170, Construction Codes and Regulations, Subchapter 'Building Code', Section 170.005, Adopted, is hereby amended and shall henceforth read as follows:

"Section 170.005 ADOPTED.

(A) Florida Building Code 5>>7<<th Edition >>or as amended<< - Building mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Building Code for the city.

(1) The city's administrative amendments to the Florida Building Code - Building, Chapter 1, Administration, are hereby adopted, and by reference, incorporated herein as Exhibit A (03-04-14)>>(01-07-21)<< and made a part of this section as if fully set forth herein.

(2) The city's administrative amendments to the Florida Building Code - Building, are hereby adopted, and by reference, incorporated herein as

Exhibit B ~~(03-04-14)~~ >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(B) Florida Building Code 5>>7<<th Edition >>or as amended<< - Residential mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Residential Building Code for the city.

(1) The city's administrative amendments to the Florida Building Code - Residential, are hereby adopted, and by reference, incorporated herein as Exhibit A ~~(03-04-14)~~ >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(C) Florida Building Code 5>>7<<th Edition >>or as amended<< - Plumbing mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Plumbing Code for the city.

(D) Florida Building Code 5>>7<<th Edition >>or as amended<< - Mechanical mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Mechanical Code for the city.

(E) Florida Building Code 5>>7<<th Edition >>or as amended<< - Fuel Gas mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Fuel Gas Code for the city.

(F) Florida Building Code 5>>7<<th Edition >>or as amended<< - Existing Building mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Existing Building Code for the city.

(1) The city's administrative amendments to the Florida Building Code - Existing Building, are hereby adopted, and by reference, incorporated herein as Exhibit A ~~(03-04-14)~~ >>(01-07-21)<< and made a part of this section as if fully set forth herein.

(G) Florida Building Code 5>>7<<th Edition >>or as amended<< - Accessibility mandated by the State of Florida is hereby recognized as the Accessibility Code for the city.

(H) Florida Building Code 5>>7<<th Edition >>or as amended<< - Energy Conservation mandated by the State of Florida is hereby recognized as the Energy Conservation Code for the city.

(I) ~~2011~~**>>2014 or as amended<<** National Electrical Code - Electrical mandated by the State of Florida is hereby recognized as the Electrical Code for the City.

>>(J) Pursuant to Section 105.2 of the Florida Building Code, structures in Residence Zones accessory to a single-family residence shall be exempt from the requirement to obtain a Building Permit provided that:

- (1) the structure does not exceed ~~400~~**>>120<<** square feet;**
- (2) the structure does not exceed 1-story;**
- (3) the structure has no utilities (water, electric, etc.);**
- (4) the structure is not used for human habitation; and**
- >>(5) the structure is not placed on top of a poured concrete slab;**
- (6) the structure is pre-certified to be compliant with State of Florida approved construction standards; and<<**
- ~~(5)~~**>>(7)<<** the structure complies with Section 185.118 of the Zoning Code.<<**

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the

inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and read in title only and duly enacted at Meeting 2020- , held on , 2020.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: City of Palm Bay
Case: T-20-2020

~~Strikethrough~~ words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.

CITY OF PALM BAY, FLORIDA
PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2020-14

Held on Wednesday, December 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Kay Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present	
VICE CHAIRPERSON:	Leeta Jordan	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Donny Felix	Present	
MEMBER:	Richard Hill	Present	
MEMBER:	Khalilah Maragh	Present	
MEMBER:	Rainer Warner	Absent	(Excused)
NON-VOTING MEMBER:	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

CITY STAFF: Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Valentino Perez, Building Official.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-13; November 4, 2020. Motion by Ms. Maragh, seconded by Mr. Hill to approve the minutes as presented. The motion carried with members voting unanimously.

Motion by Mr. Boerema, seconded by Ms. Maragh to continue Case CU-37-2020 to the January 6, 2021 Planning and Zoning Board meeting. The motion carried with members voting unanimously.

7. ****Z-38-2020 – SAMUEL GUINTO AND MICHELLE D. GUINTO**

Mr. Murphy presented the staff report for Case Z-38-2020. The applicant had requested a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. Staff recommended Case Z-38-2020 for approval.

Mr. Samuel Guinto (applicant) stated that he recently purchased the subject property and planned to build a single-family home on the site.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case Z-38-2020 to City Council for approval of a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

OLD BUSINESS:

1. **T-20-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY COUNCILMAN JEFF BAILEY)**

Mr. Bradley presented the staff report for Case T-20-2020 by synthesizing the changes to the request since the board's review on August 5, 2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. Staff recommended that if Case T-20-2020 was approved, a zoning review would remain part of the requirement. The amendment was at the request of Councilman Jeff Bailey.

Mr. Bradley noted that the final reading of the code amendment could not occur until after the Florida Building Commission had reviewed and approved the change as an Administrative Amendment to Chapter 1 of the Florida Building Code.

Mr. Boerema questioned why a poured concrete base was not preferred. Mr. Perez explained that concrete slabs could not be exempted from plan reviews.

Ms. Maragh asked about the recommendation to require zoning reviews. Mr. Bradley elaborated on how Land Development Division staff would continue to review the placement of accessory structures in compliance with zoning regulations and to check whether the structures were on septic systems. Zoning reviews would not include building permits or inspections since accessory structures would be pre-certified to State of Florida standards.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Mr. Weinberg reread the benefits listed in the staff report for continuing to have the Building Department issue permits for accessory structures. He could not support the subject request and felt that the minimum cost of a permit ensured the safety and integrity of installed structures. Improper structures could pose a danger to neighborhoods during hazardous weather.

Motion by Mr. Hill, seconded by Ms. Jordan to submit Case T-20-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code.

Ms. Maragh inquired about the types of uses that would be allowed in a 120 square-foot building. Mr. Bradley stated that the subject proposal allowed for sheds, chicken coops, and other small uninhabitable accessory structures without utilities. The structures would have to meet pre-certified construction standards before being placed on a property, but there would be no inspections. Ms. Maragh questioned the relevance of the required standards if no follow-up inspections would occur. Mr.

Bradley explained how pre-certified structures already met wind load and construction integrity standards. Mr. Perez added that the subject proposal was for pre-manufactured certified structures, which prevented site builds. He noted how sheds under 400 square feet were currently exempt from licensing requirements by State statute. He commented on how pre-manufactured structures were typically purchased from dealers, and that their installers ensured that the proper anchors and specifications were utilized.

Ms. Maragh asked if there had been a problem with providing the inspections. Mr. Perez stated that the inspections were not a burden; however, many municipalities were now exempting smaller accessory structures from requiring permits. Brevard County provided exemptions for structures up to 100 square feet. He stated his support of the subject proposal and commented on how homeowners usually monitored installations to ensure their accessory structures were properly installed.

Mr. Weinberg restated his opposition to the proposal as there were many homeowners who would not ensure their structures were properly installed or anchored. The inspection fee was minimal compared to the damage a flying structure could cause to other properties. He stated his awareness of property rights but believed it was a responsibility of government to protect the right to be safe.

Ms. Jordan asked about other cities that offered similar exemptions. Mr. Bradley noted that Brevard County, the City of Cocoa, Indian River County, and other local municipalities offered exemptions for small accessory structures. Mr. Weinberg remarked that there were also municipalities that did not offer the exemption. Mr. Perez indicated how the International Building Code exempted structures up to 200 square feet from having to acquire a permit.

A vote was called on the motion by Mr. Hill, seconded by Ms. Jordan to submit Case T-20-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. The motion carried with members voting as follows:

Mr. Weinberg	Nay
Ms. Jordan	Aye
Mr. Boerema	Aye
Mr. Hill	Nay
Ms. Maragh	Aye

City Council will hear Case T-20-2020 on December 17, 2020.

2. T-33-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY COUNCILMAN JEFF BAILEY)

Mr. Bradley presented the staff report for Case T-33-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052 RC, Restricted Commercial District, to modify front yard building parking setbacks, and to reduce the minimum side corner building setback. The proposed changes would encourage development along Malabar Road, a major commercial corridor, while still providing protections for residential properties located both in the RC district and the adjoining residential zoning districts. Staff recommended Case T-33-2020 for approval. The amendment was at the request of Councilman Jeff Bailey.

Mr. Boerema inquired into how the subject amendment's reduction of Malabar Road frontage would affect future road widening plans, especially if a building was constructed at the reduced 25-foot side corner setback. The commercial development of RC lots would necessitate lane widenings. Mr. Bradley stated that there could potentially be an impact on the west road widening of Malabar Road, and specific property conditions and options, such as takings, would have to be considered. The intention of the proposal was to encourage commercial development. He did not believe the north side of Malabar Road required additional land for the west road widening, and Malabar Road east of Minton Road had already been widened where the RC properties existed.

Ms. Maragh questioned whether there was an issue that required RC commercial activity. Mr. Bradley stated that some RC property owners had concerns regarding their ability to develop the sites and wanted criteria in line with other zoning districts, like the CC, Community Commercial District. Mr. Weinberg asked how the proposed

change from a 15-foot setback to a 10-foot setback compared to the CC district's front yard parking areas that faced arterial roads. Mr. Bradley stated that the same setback was allowed by the CC district. The proposed amendment would also make the RC district consistent with the GC, General Commercial and NC, Neighborhood Commercial Districts.

Mr. Balter informed the board of the City's Right-of-Way Acquisition team, and that most of the land acquisition for the Malabar Road widening had already taken place within the City. The City would enter into an agreement with property owners during the administrative review process of projects if additional right-of-way was needed. Mr. Murphy added that all identified properties for the west Malabar Road widening were on the southside of Malabar Road. The only RC property west of Minton Road was on the north side of the road. Existing right-of-way and the center medians on Malabar Road could be used if additional widening was required east of Minton Road. It would be years before there would be enough traffic trips to generate an additional east Malabar Road widening.

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case T-33-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052 RC, Restricted Commercial District, to modify front yard building parking setbacks, and to reduce the minimum side corner building setback. The motion carried with members voting unanimously.

City Council will hear Case T-33-2020 on December 17, 2020.

3. T-34-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY DEPUTY MAYOR KENNY JOHNSON)

Mr. Balter presented the staff report for Case T-34-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Sections 185.006 Definitions and 185.042 NC, Neighborhood Commercial District, to modify provisions for the NC district. Staff recommended Case T-34-2020 for approval. The amendment was at the request of Deputy Mayor Kenny Johnson.

Mr. Weinberg commented that the proposed amendment would require small-box stores like Dollar General to offer fresh fruits, vegetables, and meats. Mr. Balter stated that this was correct, and that the ordinance also included a one-mile distance requirement to avoid the saturation of Dollar General Stores.

Ms. Maragh stated that the fresh fruit, vegetable, and meat requirement seemed unreasonable for small businesses. She asked about the quantity of fresh items a business would be required to carry. Mr. Balter stated that ten percent of gross floor area must be set aside for fresh fruits, vegetables, and meats for a new business to operate in an NC district.

Mr. Weinberg envisioned neighborhood markets in the NC district.

There was no public present in the audience for public comments and there was no correspondence in the file.

Motion by Mr. Hill, seconded by Mr. Boerema to submit Case T-34-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Sections 185.006 Definitions and 185.042 NC, Neighborhood Commercial District, to modify provisions for the NC district. The motion carried with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Nay
Mr. Boerema	Aye
Mr. Hill	Aye
Ms. Maragh	Nay

City Council will hear Case T-34-2020 on December 17, 2020.

NEW BUSINESS:

1. ****CU-29-2020 – M. DAVID MOALLEM
(MATT CASON, CONCEPT DEVELOPMENT INC., REP.)**

Case CU-29-2020 was discussed following Announcements, New Business Item 1.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Joan A. Junkala-Brown, Community & Economic Development

DATE: 1/7/2021

RE: Ordinance 2020-85, amending the Code of Ordinances, Chapter 39, Community and Economic Development, by including additional provisions for the Economic Development Division and adding the Business Improvement District as a departmental division, final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

Staff wishes to amend Chapter 39 of the Code of Ordinances of the City of Palm Bay pertaining to the Community and Economic Development Department to include the Business Improvement District as a special dependent district of the City and the additional responsibility of the Department to serve as a liaison to the Sustainability Board.

REQUESTING DEPARTMENT:
Community & Economic Development

FISCAL IMPACT:
There is no fiscal impact.

RECOMMENDATION:
Motion to approve an ordinance amending Chapter 39, Code of Ordinances of the City of Palm Bay.

ATTACHMENTS:
Description
Ordinance 2020-85

ORDINANCE 2020-85

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE III, ADMINISTRATION, CHAPTER 39, COMMUNITY AND ECONOMIC DEVELOPMENT, BY INCLUDING ADDITIONAL PROVISIONS FOR THE ECONOMIC DEVELOPMENT DIVISION; AND ADDING THE BUSINESS IMPROVEMENT DISTRICT AS A DEPARTMENTAL DIVISION; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title III, Administration, Chapter 39, Community and Economic Development Department, Section 39.03, Departmental Divisions, is hereby amended and shall henceforth read as follows:

“Section 39.03 DEPARTMENTAL DIVISIONS.

(A) *Economic Development.*

(1) Responsible for attracting, retaining, and providing favorable conditions for the growth of target industry and business that provides high quality employment opportunities for the citizens of Palm Bay and enhances the economic tax base of the City. Staff members of the Division serve as liaisons to the >>Bayfront Community Redevelopment Agency,<< Business Improvement District>>, and Sustainability Board<<.

* * *

>>(E) *Business Improvement District.*

(1) Provides for capital improvements, services, programs, opportunities, and initiatives that generate business development and redevelopment, and that foster job creation, business growth and expansion as authorized by Chapter 189, Part II, of the Florida Statutes, and in accordance with the Business Corridor Improvement Plan. The Department Director serves as a liaison to the Business Improvement District Board.<<”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-_____, held on _____, 2020; and
read in title only and duly enacted at Meeting 2020-_____, held on _____, 2020.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Patricia Smith, City Attorney

THRU: Erich Messenger

DATE: 1/7/2021

RE: Ordinance 2020-86, amending the Code of Ordinances, Chapter 92, Noise, by modifying definitions contained therein, final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

Ordinance 2020-56 that created Chapter 92, titled "Noise" contained a typo that became a part of the Noise Ordinance adopted by the City Council.

The typo in the Noise Ordinance reads: "'Weekday' means Monday through Thursday, and Sunday if it precedes a holiday." "'Weekend' means Friday, Saturday or the Sunday before a holiday." Instead, the Noise Ordinance should be amended to read:

"'Weekday' means Sunday through Thursday, excluding any day that immediately precedes a holiday."

"'Weekend' means Friday, Saturday, and any day that immediately precedes a holiday."

REQUESTING DEPARTMENT:

Police Department, City Attorney's Office

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to approve the ordinance.

ATTACHMENTS:

Description

Ordinance 2020-86

ORDINANCE 2020-86

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE IX, GENERAL REGULATIONS, CHAPTER 92, NOISE, BY MODIFYING DEFINITIONS CONTAINED THEREIN; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title IX, General Regulations, Chapter 92, Noise, Section 92.02, Definitions, is hereby amended and shall henceforth read as follows:

“Section 92.02 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Definitions of technical terms used in this chapter, which are not defined in this section, shall be obtained from publications of acoustical terminology issued by ANSI or its successor body.

* * *

WEEKDAY. ~~Monday~~**>>Sunday<<** through Thursday, and ~~Sunday if it~~**>>excluding any day that immediately<<** precedes a holiday.

WEEKEND. Friday, Saturday ~~or the Sunday before~~**>>, and any day that immediately precedes<<** a holiday.”

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020-_____, held on _____, 2020; and read in title only and duly enacted at Meeting 2020-_____, held on _____, 2020.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

~~Strikethrough~~ words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Laurence Bradley, AICP, Growth Management Director

DATE: 1/7/2021

RE: Ordinance 2020-87, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'District Regulations', by modifying front yard building setbacks and parking areas, and reducing the minimum side corner building setback in RC (Restricted Commercial District) zoning (Case T-33-2020, City of Palm Bay), final reading. (Councilman Bailey)

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

The City of Palm Bay (Growth Management Department) has submitted a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052(F)(7) Restricted Commercial (RC) District, Lot and structure requirements, Minimum yard requirements, to modify front yard setbacks that face an arterial road from 40 feet to 30 feet for buildings and from 15 feet to 10 feet for parking areas. Also, to modify side corner building setbacks from 30 feet to 25 feet. The rationale provided for this amendment is to encourage development within the RC zoning district by reducing the setback requirements. This textual amendment was developed at the request of Councilman Jeff Bailey.

The RC district was created in 2001 and applied along Malabar Road from what was previously RS-1 and RS-2 residential zoning districts. The RC district serves as a transition from residential use, and other noncommercial development, to commercial use. A total of 136 RC lots presently abut Malabar Road, including parcels both north and south of Malabar Road at two to three lots deep. There are 33 of 66 undeveloped RC lots with frontage on Malabar Road.

Staff supports the intent of the amendment to encourage development along the major commercial corridor (Malabar Road) while still providing protections for residential properties in both the RC district and the adjoining residential zones.

REQUESTING DEPARTMENT:
Growth Management

RECOMMENDATION:

Motion to Case T-33-2020 is recommended for approval.

Planning and Zoning Board Recommendation:

Unanimous approval of the request.

Planning and Zoning Board minutes are not fully transcribed at this time; the following is an excerpt:

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case T-33-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052 RC, Restricted Commercial District, to modify front yard building parking setbacks, and to reduce the minimum side corner building setback. The motion carried with members voting unanimously: Mr. Weinberg, aye; Ms. Jordan, aye; Mr. Boerema, aye; Mr. Hill, aye; Ms. Maragh, aye. Mr. Warner was not present.

ATTACHMENTS:

Description

Case T-33-2020

Ordinance 2020-87

Board Minutes



STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmabayflorida.org

Prepared by

Laurence Bradley, AICP, Growth Management Director

CASE NUMBER

T-33-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

City of Palm Bay, Growth Management
Department

PROPERTY LOCATION/ADDRESS

Not Applicable

SUMMARY OF REQUEST

Change to §185.052 – Restricted Commercial (RC) District to modify front yard setbacks that face an arterial road from 40 feet to 30 feet for buildings and from 15 feet to 10 feet for parking areas. Also, to modify side corner building setbacks from 30 feet to 25 feet.

Existing Zoning

Not Applicable

Existing Land Use

Not Applicable

Site Improvements

Not Applicable

Site Acreage

Not Applicable

APPLICABILITY

Citywide

COMPREHENSIVE PLAN COMPATIBILITY

Not specifically Addressed

BACKGROUND:

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, §185.052 (F) (7) Restricted Commercial (RC) District, Lot and Structure Requirements, Minimum yard requirements to modify front yard setbacks that face an arterial road from 40 feet to 30 feet for buildings and from 15 feet to 10 feet for parking areas. Also, to modify side corner building setbacks from 30 feet to 25 feet.

The Growth Management Department, acting upon a request from a member of the City Council, has submitted this proposed text amendment. This amendment would reduce specific setback requirements in the RC Zoning District.

The rationale provided for this amendment is to encourage development within the RC Zoning District by reducing the setback requirements. This will also make the RC District setbacks more consistent with other commercial zoning districts including Office Professional (OP), Neighborhood Commercial (NC), Community Commercial (CC) and General Commercial (GC).

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in strikethrough format.

ANALYSIS:

The RC District was created in 2001 and applied along Malabar Road from what was previously RS-1 and RS-2 Residential zoning. The stated purpose of the District in the Land Development Code (LCD) is noted below:

“The purpose of the restricted commercial district shall be to locate and establish areas within the city which are uniquely suited for commercial development, but which are transitioning from residential or other noncommercial development to commercial use. Such areas to be primarily along major transportation corridors connecting other community commercial clusters. The uses and development standards included in the district are intended to provide compatibility between uses, protect nearby residential districts, provide access control along corridors, provide quality development, enhance corridor appearance, and provide additional commercial opportunities within the city.”

There are two areas of RC Zoning. The larger section runs from Cassia Avenue on the south and Goldcoast Road on the north of Malabar Road west to Aviation Avenue on the north and City Hall on the south side of Malabar. The second smaller area of RC is found on the north side of Malabar between Belvedere Road and Greenbrier Avenue.

The RC District includes parcels abutting Malabar Road, but also includes parcels both north and south of Malabar 2 to 3 lots deep.

The staff report at the time suggested, and the regulations that were ultimately adopted, called for a larger front setback (40' instead of 30') to allow for more front landscaping and to protect residential uses. Single-family residences still existing in the areas noted above as Non-Conforming uses and the RC District still abuts many single-family homes located in the RS-1 and RS-2 districts.

It should also be noted that RC is the only District which requires an 8-foot high masonry wall on the side & rear property lines when the RC parcel abuts a residentially zoned parcel. This was also done with the idea of providing extra protection for residential uses and was at the request of existing homeowners during public workshops.

There are a total of 136 lots designated as RC District, which make up less than 1% of the total lots in Palm Bay. The total area of these lots is just over 48 acres, which is also less than 1% of the total land area of the City. Approximately 48% of the lots are undeveloped (66 parcels). Half of the vacant parcels (33) have frontage on Malabar Road.

These changes would allow for reduced front setbacks for buildings and parking for frontage on Malabar Road and reduced side corner building setbacks for all lots within the district.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed changes as they are intended to encourage development along a major commercial corridor (Malabar Road) while still providing protections for residential properties located both within the RC district and the adjoining residential zones.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: ZONING CODE

§ 185.052 RC - RESTRICTED COMMERCIAL DISTRICT.

(F) *Lot and structure requirements.*

(7) Minimum yard requirements:

(a) Front: Forty (40) feet minimum building setback. >>Thirty (30) feet minimum building setback for front yards which face an arterial road.<< Parking areas may be located in the front yard except within fifteen (15) feet on the front lot line >>or ten (10) feet for parking areas located in a front yard which face an arterial road<<.

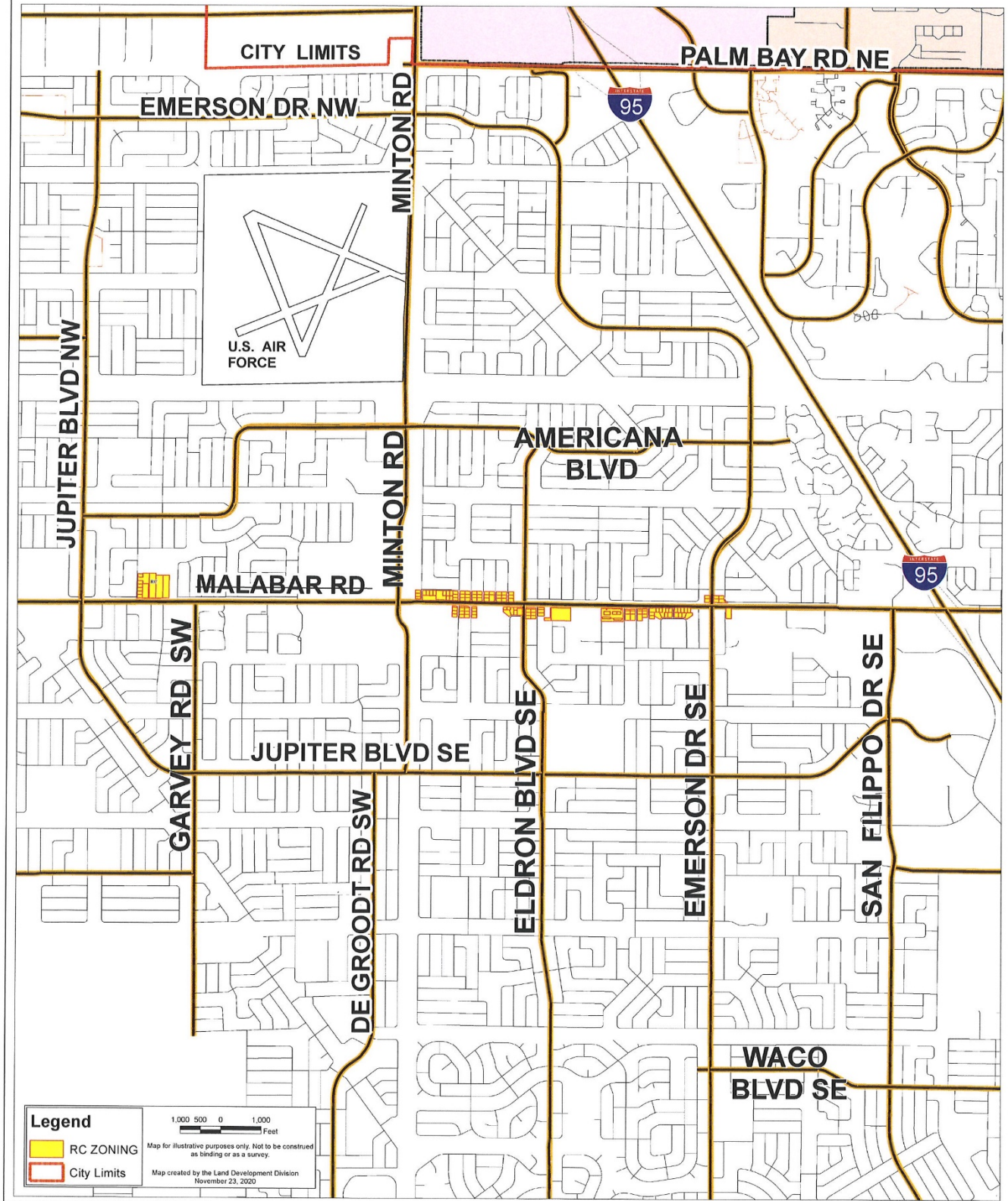
(b) Side interior: Ten (10) feet minimum building setback. Parking areas may be located in the side yard, except within five (5) feet of the side lot line. Side yards abutting residentially zoned property shall maintain a thirty (30) feet minimum setback for all buildings and parking.

(c) Side corner: ~~Thirty (30)~~ >>Twenty-five (25)<< feet minimum building setback. Parking areas may be located in side corner yard, except within ten (10) feet of any street.

(d) Rear: Thirty (30) feet minimum building and parking setback.



RC - RESTRICTED COMMERCIAL ZONING MAP





LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopmentweb@palmbayflorida.org

CODE TEXTUAL AMENDMENT APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:

Section 185.052

PROPOSED LANGUAGE (attach addendum if necessary):

See attached.

JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)

RC - The proposed changes are intended to facilitate development in the RC Zone by reducing the setbacks in front yard areas.

CITY OF PALM BAY, FLORIDA
CODE TEXTUAL AMENDMENT APPLICATION
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐

***\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."**

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant Laurence Bradley Digitally signed by Laurence Bradley
DN: dc=org, dc=palmbayflorida, ou=Community
Planning & Economic Development, ou=Land
Development, cn=Laurence Bradley
Date: 2020.10.16 09:33:06 -04'00' Date 10/13/2020

Printed Name of Applicant Laurence Bradley, AICP, Growth Management Director

Full Address 120 Malabar Road SE, Palm Bay, FL 32907

Telephone (321) 733-3042 Email laurence.bradley@palmbayflorida.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name _____

Full Address _____

Telephone _____ Email _____

***NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

ORDINANCE 2020-87

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 185, ZONING CODE, SUBCHAPTER 'DISTRICT REGULATIONS', BY MODIFYING FRONT YARD BUILDING SETBACKS AND PARKING AREAS, AND REDUCING THE MINIMUM SIDE CORNER BUILDING SETBACK IN RC (RESTRICTED COMMERCIAL DISTRICT) ZONING; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Land Development Code, Subchapter 'District Regulations', Section 185.052, RC – Restricted Commercial District, is hereby amended and shall henceforth read as follows:

“Section 185.052 RC – RESTRICTED COMMERCIAL DISTRICT.

* * *

(F) *Lot and structure requirements.*

* * *

(7) Minimum yard requirements:

(a) Front: Forty (40) feet minimum building setback.
>>Thirty (30) feet minimum building setback for front yards which face an arterial road.<< Parking areas may be located in the front yard except within fifteen (15) feet on the front lot line **>>or ten (10) feet for parking areas located in a front yard which face an arterial road<<**.

* * *

(c) Side corner: ~~Thirty (30)~~ **>>Twenty-five (25)<<** feet minimum building setback. Parking areas may be located in side corner yard, except within ten (10) feet of any street.

* * *

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2020- , held on , 2020; and read in
title only and duly enacted at Meeting 2020- , held on , 2020.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: City of Palm Bay

Case: T-20-2020

~~Strikethrough~~ words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.

CITY OF PALM BAY, FLORIDA
PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2020-14

Held on Wednesday, December 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Kay Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present	
VICE CHAIRPERSON:	Leeta Jordan	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Donny Felix	Present	
MEMBER:	Richard Hill	Present	
MEMBER:	Khalilah Maragh	Present	
MEMBER:	Rainer Warner	Absent	(Excused)
NON-VOTING MEMBER:	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

CITY STAFF: Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Valentino Perez, Building Official.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-13; November 4, 2020. Motion by Ms. Maragh, seconded by Mr. Hill to approve the minutes as presented. The motion carried with members voting unanimously.

Motion by Mr. Boerema, seconded by Ms. Maragh to continue Case CU-37-2020 to the January 6, 2021 Planning and Zoning Board meeting. The motion carried with members voting unanimously.

7. **Z-38-2020 – SAMUEL GUINTO AND MICHELLE D. GUINTO

Mr. Murphy presented the staff report for Case Z-38-2020. The applicant had requested a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. Staff recommended Case Z-38-2020 for approval.

Mr. Samuel Guinto (applicant) stated that he recently purchased the subject property and planned to build a single-family home on the site.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case Z-38-2020 to City Council for approval of a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

OLD BUSINESS:

1. T-20-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY COUNCILMAN JEFF BAILEY)

Mr. Bradley presented the staff report for Case T-20-2020 by synthesizing the changes to the request since the board's review on August 5, 2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. Staff recommended that if Case T-20-2020 was approved, a zoning review would remain part of the requirement. The amendment was at the request of Councilman Jeff Bailey.

Mr. Bradley noted that the final reading of the code amendment could not occur until after the Florida Building Commission had reviewed and approved the change as an Administrative Amendment to Chapter 1 of the Florida Building Code.

Mr. Boerema questioned why a poured concrete base was not preferred. Mr. Perez explained that concrete slabs could not be exempted from plan reviews.

Ms. Maragh asked about the recommendation to require zoning reviews. Mr. Bradley elaborated on how Land Development Division staff would continue to review the placement of accessory structures in compliance with zoning regulations and to check whether the structures were on septic systems. Zoning reviews would not include building permits or inspections since accessory structures would be pre-certified to State of Florida standards.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Mr. Weinberg reread the benefits listed in the staff report for continuing to have the Building Department issue permits for accessory structures. He could not support the subject request and felt that the minimum cost of a permit ensured the safety and integrity of installed structures. Improper structures could pose a danger to neighborhoods during hazardous weather.

Motion by Mr. Hill, seconded by Ms. Jordan to submit Case T-20-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code.

Ms. Maragh inquired about the types of uses that would be allowed in a 120 square-foot building. Mr. Bradley stated that the subject proposal allowed for sheds, chicken coops, and other small uninhabitable accessory structures without utilities. The structures would have to meet pre-certified construction standards before being placed on a property, but there would be no inspections. Ms. Maragh questioned the relevance of the required standards if no follow-up inspections would occur. Mr.

Bradley explained how pre-certified structures already met wind load and construction integrity standards. Mr. Perez added that the subject proposal was for pre-manufactured certified structures, which prevented site builds. He noted how sheds under 400 square feet were currently exempt from licensing requirements by State statute. He commented on how pre-manufactured structures were typically purchased from dealers, and that their installers ensured that the proper anchors and specifications were utilized.

Ms. Maragh asked if there had been a problem with providing the inspections. Mr. Perez stated that the inspections were not a burden; however, many municipalities were now exempting smaller accessory structures from requiring permits. Brevard County provided exemptions for structures up to 100 square feet. He stated his support of the subject proposal and commented on how homeowners usually monitored installations to ensure their accessory structures were properly installed.

Mr. Weinberg restated his opposition to the proposal as there were many homeowners who would not ensure their structures were properly installed or anchored. The inspection fee was minimal compared to the damage a flying structure could cause to other properties. He stated his awareness of property rights but believed it was a responsibility of government to protect the right to be safe.

Ms. Jordan asked about other cities that offered similar exemptions. Mr. Bradley noted that Brevard County, the City of Cocoa, Indian River County, and other local municipalities offered exemptions for small accessory structures. Mr. Weinberg remarked that there were also municipalities that did not offer the exemption. Mr. Perez indicated how the International Building Code exempted structures up to 200 square feet from having to acquire a permit.

A vote was called on the motion by Mr. Hill, seconded by Ms. Jordan to submit Case T-20-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. The motion carried with members voting as follows:

Mr. Weinberg	Nay
Ms. Jordan	Aye
Mr. Boerema	Aye
Mr. Hill	Nay
Ms. Maragh	Aye

City Council will hear Case T-20-2020 on December 17, 2020.

2. T-33-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY COUNCILMAN JEFF BAILEY)

Mr. Bradley presented the staff report for Case T-33-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052 RC, Restricted Commercial District, to modify front yard building parking setbacks, and to reduce the minimum side corner building setback. The proposed changes would encourage development along Malabar Road, a major commercial corridor, while still providing protections for residential properties located both in the RC district and the adjoining residential zoning districts. Staff recommended Case T-33-2020 for approval. The amendment was at the request of Councilman Jeff Bailey.

Mr. Boerema inquired into how the subject amendment's reduction of Malabar Road frontage would affect future road widening plans, especially if a building was constructed at the reduced 25-foot side corner setback. The commercial development of RC lots would necessitate lane widenings. Mr. Bradley stated that there could potentially be an impact on the west road widening of Malabar Road, and specific property conditions and options, such as takings, would have to be considered. The intention of the proposal was to encourage commercial development. He did not believe the north side of Malabar Road required additional land for the west road widening, and Malabar Road east of Minton Road had already been widened where the RC properties existed.

Ms. Maragh questioned whether there was an issue that required RC commercial activity. Mr. Bradley stated that some RC property owners had concerns regarding their ability to develop the sites and wanted criteria in line with other zoning districts, like the CC, Community Commercial District. Mr. Weinberg asked how the proposed

change from a 15-foot setback to a 10-foot setback compared to the CC district's front yard parking areas that faced arterial roads. Mr. Bradley stated that the same setback was allowed by the CC district. The proposed amendment would also make the RC district consistent with the GC, General Commercial and NC, Neighborhood Commercial Districts.

Mr. Balter informed the board of the City's Right-of-Way Acquisition team, and that most of the land acquisition for the Malabar Road widening had already taken place within the City. The City would enter into an agreement with property owners during the administrative review process of projects if additional right-of-way was needed. Mr. Murphy added that all identified properties for the west Malabar Road widening were on the southside of Malabar Road. The only RC property west of Minton Road was on the north side of the road. Existing right-of-way and the center medians on Malabar Road could be used if additional widening was required east of Minton Road. It would be years before there would be enough traffic trips to generate an additional east Malabar Road widening.

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case T-33-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.052 RC, Restricted Commercial District, to modify front yard building parking setbacks, and to reduce the minimum side corner building setback. The motion carried with members voting unanimously.

City Council will hear Case T-33-2020 on December 17, 2020.

3. T-34-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY DEPUTY MAYOR KENNY JOHNSON)

Mr. Balter presented the staff report for Case T-34-2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Sections 185.006 Definitions and 185.042 NC, Neighborhood Commercial District, to modify provisions for the NC district. Staff recommended Case T-34-2020 for approval. The amendment was at the request of Deputy Mayor Kenny Johnson.

Mr. Weinberg commented that the proposed amendment would require small-box stores like Dollar General to offer fresh fruits, vegetables, and meats. Mr. Balter stated that this was correct, and that the ordinance also included a one-mile distance requirement to avoid the saturation of Dollar General Stores.

Ms. Maragh stated that the fresh fruit, vegetable, and meat requirement seemed unreasonable for small businesses. She asked about the quantity of fresh items a business would be required to carry. Mr. Balter stated that ten percent of gross floor area must be set aside for fresh fruits, vegetables, and meats for a new business to operate in an NC district.

Mr. Weinberg envisioned neighborhood markets in the NC district.

There was no public present in the audience for public comments and there was no correspondence in the file.

Motion by Mr. Hill, seconded by Mr. Boerema to submit Case T-34-2020 to City Council for approval of a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Sections 185.006 Definitions and 185.042 NC, Neighborhood Commercial District, to modify provisions for the NC district. The motion carried with members voting as follows:

Mr. Weinberg	Aye
Ms. Jordan	Nay
Mr. Boerema	Aye
Mr. Hill	Aye
Ms. Maragh	Nay

City Council will hear Case T-34-2020 on December 17, 2020.

NEW BUSINESS:

1. ****CU-29-2020 – M. DAVID MOALLEM
(MATT CASON, CONCEPT DEVELOPMENT INC., REP.)**

Case CU-29-2020 was discussed following Announcements, New Business Item 1.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Laurence Bradley, AICP, Growth Management Director

DATE: 1/7/2021

RE: Ordinance 2021-01, rezoning property located southwest of and adjacent to Zanzibar Road, in the vicinity south of Waco Boulevard and east of the Melbourne-Tillman Water Control District Canal 42 R-1, from IU (Institutional Use District) to RS-2 (Single-Family Residential District) (1.00 acre) (Case Z-38-2020, Samuel and Michelle Guinto), first reading (Quasi-Judicial Proceeding).

Mr. Samuel Guinto and Ms. Michelle D. Guinto have submitted for a Rezoning to change from an IU, Institutional Use District to an RS-2, Single-Family Residential District. The one-acre property is located west of and adjacent to Zanzibar Road SE, in the vicinity south of Waco Boulevard SE, and is bordered by RS-2 properties on all sides. The applicant plans to construct one (1) single-family residence on the property.

The property was originally intended for public utility use. The property has changed ownership three times; however, the City has never owned the property and has no need for the property.

REQUESTING DEPARTMENT:

Growth Management

RECOMMENDATION:

Motion to approve Case Z-38-2020.

Planning and Zoning Board Recommendation:

Unanimous approval of the request.

ATTACHMENTS:

Description

Case Z-38-2020

Board Minutes

Ordinance 2021-01



STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Patrick J. Murphy, Assistant Growth Management Director

CASE NUMBER

Z-38-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

Samuel and Michelle Guinto

PROPERTY LOCATION/ADDRESS

Tract K of the Port Malabar Unit 16 subdivision.
Located south of Waco Boulevard SE, adjacent to
Zanzibar Road SE

SUMMARY OF REQUEST

The applicant is requesting a rezoning from the IU, Institutional Use District, to the RS-2, Single-Family Residential District.

Existing Zoning

IU, Institutional Use

Existing Land Use

Single Family Residential Use

Site Improvements

Vacant, undeveloped land

Site Acreage

1.0 acres, more or less

SURROUNDING ZONING & USE OF LAND

North

RS-2, Single-Family Residential; Single-Family Home

East

RS-2, Single-Family Residential; Vacant, Undeveloped Land

South

RS-2, Single-Family Residential; City Drainage Ditch

West

RS-2, Single-Family Residential; MTWCD Canal 42 R-1

COMPREHENSIVE PLAN

COMPATIBILITY

Yes; the Future Land Use is Single Family Residential Use

BACKGROUND:

The subject property is located south of Waco Boulevard SE, west of and adjacent to Zanzibar Road SE. Specifically, the property is Tract K, of Port Malabar Unit 16, as recorded in Plat Book 15, Page 90. The land is approximately 1.0 acre in size.

The Tract was intended for a future public utility use by the developer, the General Development Corporation (GDC). As the successor to GDC, the Atlantic Gulf Communities Corporation sold the tract in 1997. Since then, the property has been sold three (3) times. The City does not need the tract, nor has it ever held title to the land.

The applicant recently purchased the property and is requesting a rezoning from the IU, Institutional Use District, to the RS-2, Single-Family Residential District. The applicant is Samuel and Michelle Guinto.

ANALYSIS:

The provisions of the RS-2 zoning district are intended to apply to an area of medium density single-family residential development. Lot sizes and other restrictions are intended to promote high-quality residential development. Some nonresidential uses compatible with the character of the district are allowed, such as churches, schools and public utility installations.

The applicant intends to construct one (1) single-family residence upon the property. Provisions of the RS-2 zoning district require a minimum lot width of 75'. Since the tract only contains 81.54' of width along Zanzibar Road, the tract could not be legally split, to create a second lot, without purchasing property from the adjacent tract (Tract G).

Surrounding the property on all sides is RS-2 zoning, with a Melbourne-Tillman Canal to the west and a City drainage ditch to the south. A single-family dwelling abuts the property to the north and vacant, undeveloped land is located to the east. Rezoning the property, as requested, will match the adjacent neighborhood and provide compatibility.

STAFF RECOMMENDATION:

Staff recommends Case Z-38-2020 for approval.

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.

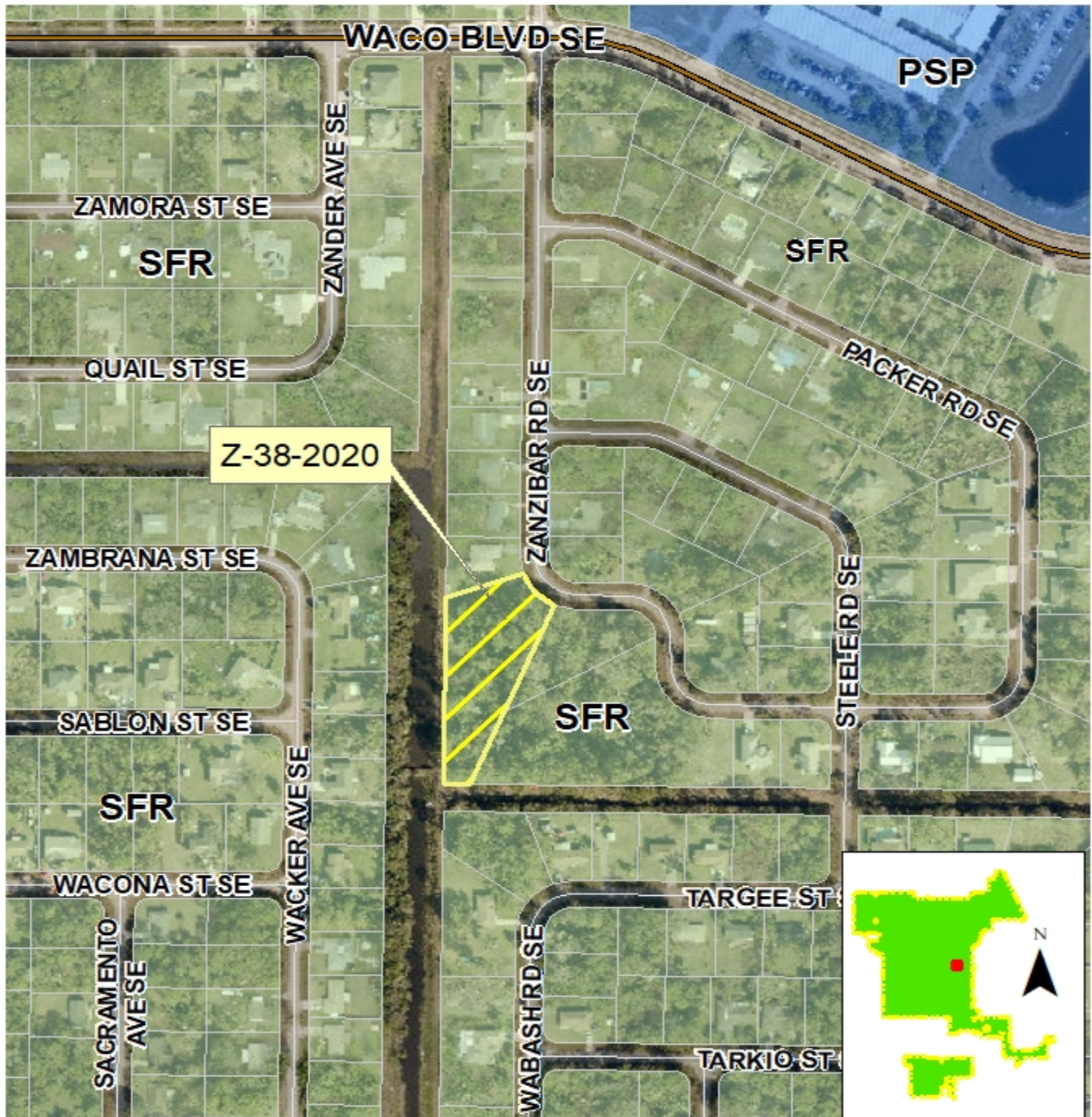


AERIAL LOCATION MAP CASE Z-38-2020

Subject Property

West of and adjacent to Zanzibar Road SE, and east of the Melbourne-Tillman Water Control District Canal 42 R-1

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP

CASE Z-38-2020

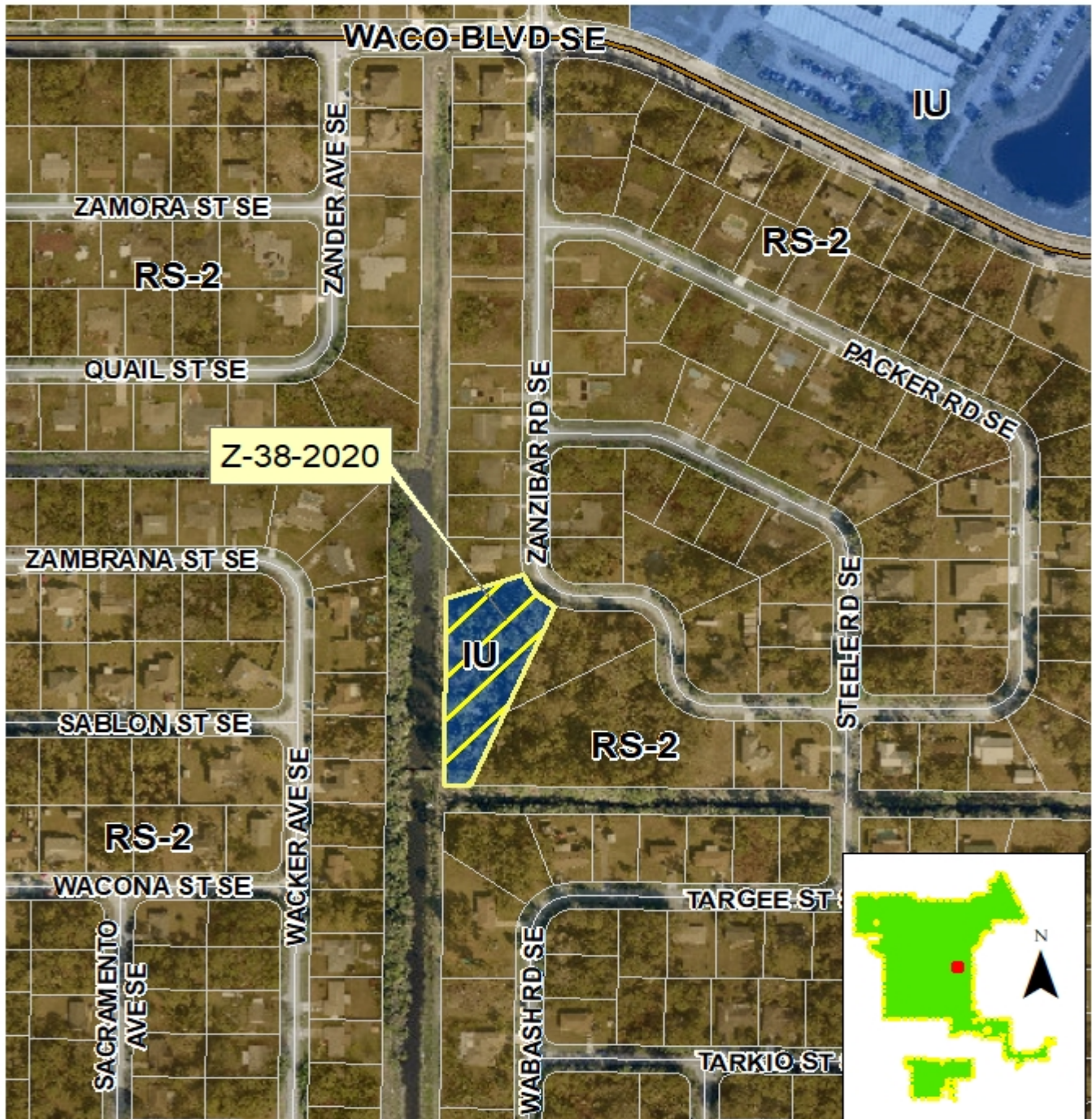
Subject Property

West of and adjacent to Zanzibar Road SE, and east of the Melbourne-Tillman Water Control District Canal 42 R-1

Future Land Use Classification

SFR – Single Family Residential Use

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP

CASE Z-38-2020

Subject Property

West of and adjacent to Zanzibar Road SE, and east of the Melbourne-Tillman Water Control District Canal 42 R-1

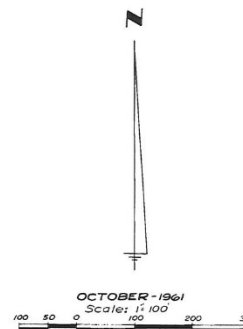
Current Zoning Classification

IU –Institutional Use District

PORT MALABAR UNIT SIXTEEN

A SUBDIVISION OF A PORTION OF SECTION 16,
AND A RESUBDIVISION OF A PORTION OF THE
FLORIDA INDIAN RIVER LAND COMPANY
PLAT BOOK 1, PAGE 165, IN SECTIONS 17 AND 21,
ALL IN TOWNSHIP 29 SOUTH, RANGE 37 EAST
CITY OF PALM BAY, BREVARD COUNTY, FLORIDA

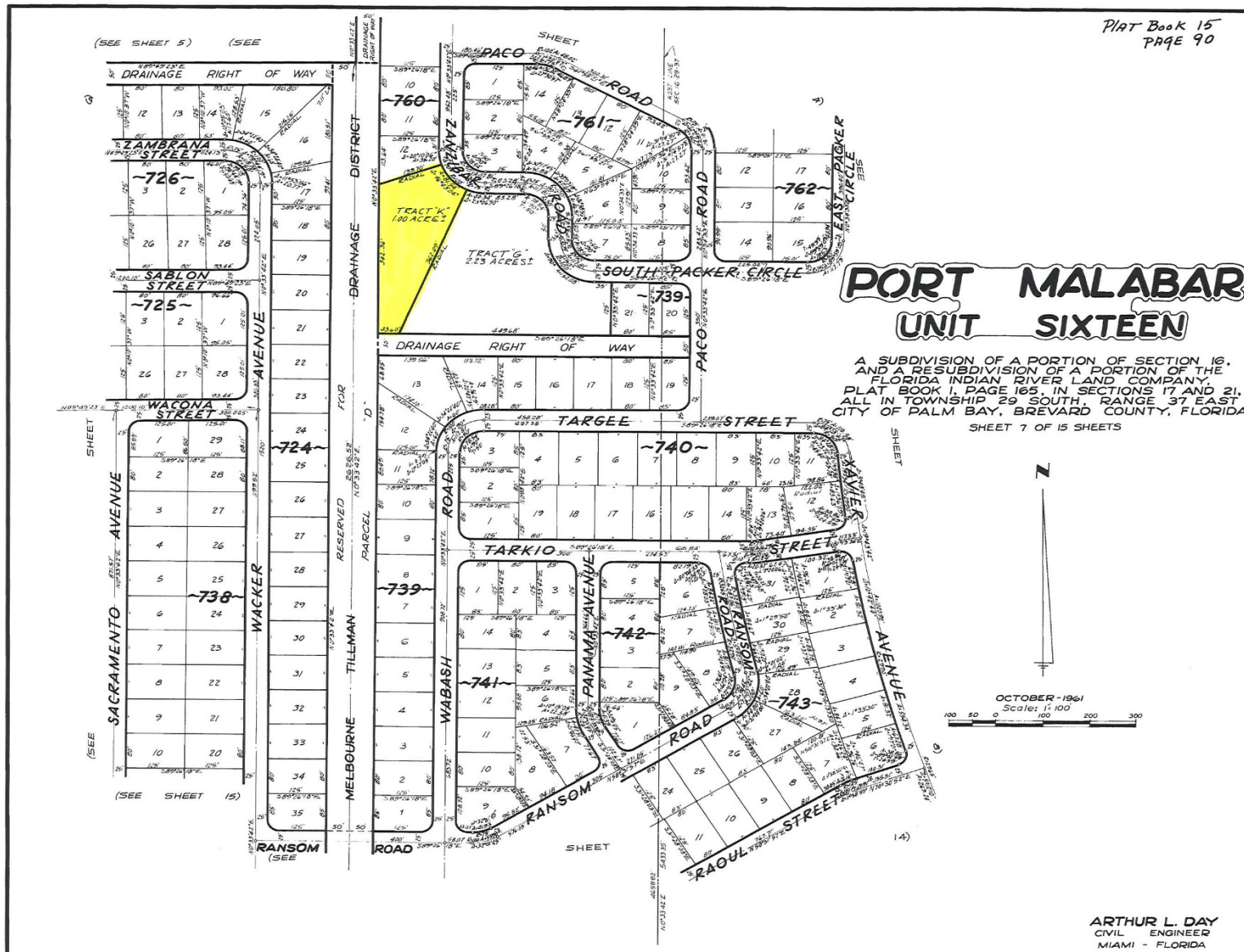
SHEET 7 OF 15 SHEETS



CALCULATED BY: J.E.
DRAWN BY: J.K.S.
CHECKED BY: J.G.
APPROVED BY: GSK

ARTHUR L. DAY
CIVIL ENGINEER
MIAMI - FLORIDA

SHEET 7 OF 15 SHEETS
161 LOTS THIS SHEET





LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042
Landdevelopment@palmbayflorida.org

REZONING APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

PARCEL ID

29-37-17-GP-~~2~~K

TAX ACCOUNT NUMBER

2934971

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

TRACT K, PORT MALABAR UNIT SIXTEEN, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 15, PAGES 84-98, PUBLIC
RECORDS OF BREVARD COUNTY, FLORIDA

PROPERTY ADDRESS

NOT ASSIGNED

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):

1.0

ZONING CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.)

IU

ZONING CLASSIFICATION DESIRED (ex.: IU, LI, etc.)

RS-2

STRUCTURES LOCATED ON THE PROPERTY

NONE

PRESENT USE OF THE PROPERTY:

VACANT

INTENDED USE OF THE PROPERTY AND JUSTIFICATION FOR THE CHANGE:

BUILD SINGLE FAMILY DWELLING. LAND PARCEL IS ALREADY LOCATED IN A RESIDENTIAL NEIGHBORHOOD SURROUNDED BY, AND ADJACENT TO, OTHER SINGLE FAMILY DWELLINGS.

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☐ *\$650.00 Application Fee. Make Check payable to "City of Palm Bay."
- ☐ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☐ School Board of Brevard County School Impact Analysis Application (if applicable).
- ☐ Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guideline.
- ☐ **Where the property owner is not the representative for the request**, a LETTER must be attached giving the notarized consent of the property owner(s) to a representative.

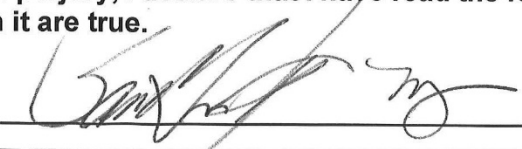
Name of Representative

Samuel Guinto

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers to the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

CITY OF PALM BAY, FLORIDA
REZONING APPLICATION
PAGE 3 OF 3

Under penalties of perjury, I declare that I have read the foregoing rezoning application and that the facts stated in it are true.

Owner Signature  Date 13 NOV 2020

Printed Name SAMUEL GUINTO & MICHELLE D. GUINTO

Full Address 1061 ZAMBRANA ST SE, PALM BAY, FLORIDA 32909

Telephone (858) 205-2644 Email SXGUINTO@GMAIL.COM

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

Prepared by:
Peninsula Title Services, LLC
4888 Babcock Street NE
Palm Bay, Florida 32905
File Number: 20-40653
Parcel ID Number: 29-37-17-GP-*-K

Warranty Deed

Made this 10 day of November, 2020, A.D. By **JAYSHREE PATEL, a married woman**, hereinafter called the grantor, to **SAMUEL GUINTO and MICHELLE D. GUINTO husband and wife**, whose address is 1061 Zambrana Street SE, Palm Bay, Florida 32909, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

Track K, PORT MALABAR UNIT SIXTEEN, according to the plat thereof, as recorded in Plat Book 15, Pages 84 through 98, of the Public Records of Brevard County, Florida.

Subject to restrictions, reservations and easements of record, governmental authority, if any and taxes for the year 2020 and subsequent years.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

FIRST WITNESS

Printed Name

SECOND WITNESS

Printed Name

JAYSHREE PATEL

Address: 1108 S. Riverside Drive, Indialantic, Florida 32903

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 10 day of November, 2020, by JAYSHREE PATEL, a married woman, who is personally known to me or who did produce Driver's License as identification.

Notary Public

My commission expires:



CITY OF PALM BAY, FLORIDA
PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2020-14

Held on Wednesday, December 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Kay Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present	
VICE CHAIRPERSON:	Leeta Jordan	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Donny Felix	Present	
MEMBER:	Richard Hill	Present	
MEMBER:	Khalilah Maragh	Present	
MEMBER:	Rainer Warner	Absent	(Excused)
NON-VOTING MEMBER:	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

CITY STAFF: Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Valentino Perez, Building Official.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-13; November 4, 2020. Motion by Ms. Maragh, seconded by Mr. Hill to approve the minutes as presented. The motion carried with members voting unanimously.

Motion by Mr. Boerema, seconded by Ms. Maragh to continue Case CU-37-2020 to the January 6, 2021 Planning and Zoning Board meeting. The motion carried with members voting unanimously.

7. ****Z-38-2020 – SAMUEL GUINTO AND MICHELLE D. GUINTO**

Mr. Murphy presented the staff report for Case Z-38-2020. The applicant had requested a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. Staff recommended Case Z-38-2020 for approval.

Mr. Samuel Guinto (applicant) stated that he recently purchased the subject property and planned to build a single-family home on the site.

The floor was opened and closed for public comments; there were no comments from the audience and there was no correspondence in the file.

Motion by Ms. Maragh, seconded by Mr. Hill to submit Case Z-38-2020 to City Council for approval of a zoning change from an IU, Institutional Use District to an RS-2, Single Family Residential District. The motion carried with members voting unanimously.

The board resumed consideration of items in the order shown on the agenda.

OLD BUSINESS:

1. **T-20-2020 – CITY OF PALM BAY (GROWTH MANAGEMENT DEPARTMENT – REQUESTED BY COUNCILMAN JEFF BAILEY)**

Mr. Bradley presented the staff report for Case T-20-2020 by synthesizing the changes to the request since the board's review on August 5, 2020. The applicant had requested a textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 170: Construction Codes and Regulations, Section 170.005 Adopted, to exempt accessory structures associated with a single-family residence, that meet certain criteria, from the requirement of obtaining a building permit and to adopt the 7th Edition of the Florida Building Code. Staff recommended that if Case T-20-2020 was approved, a zoning review would remain part of the requirement. The amendment was at the request of Councilman Jeff Bailey.

ORDINANCE 2021-01

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE ZONING ORDINANCE OF THE CITY OF PALM BAY BY CHANGING THE ZONING OF PROPERTY FROM IU (INSTITUTIONAL USE DISTRICT) TO RS-2 (SINGLE-FAMILY RESIDENTIAL DISTRICT); WHICH PROPERTY IS LOCATED SOUTHWEST OF AND ADJACENT TO ZANZIBAR ROAD, IN THE VICINITY SOUTH OF WACO BOULEVARD AND EAST OF THE MELBOURNE-TILLMAN WATER CONTROL DISTRICT CANAL 42 R-1, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR A CHANGE OF THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The Zoning Ordinance of the City of Palm Bay, Brevard County, Florida, is hereby amended to provide for the rezoning of property from IU (Institutional Use District) to RS-2 (Single-Family Residential District), being legally described as follows:

Tract "K", Port Malabar Unit 16, according to the plat thereof as recorded in Plat Book 15, Page 90, of the Public Records of Brevard County, Florida; Section 17, Township 29S, Range 37E; containing 1.00 acre, more or less.

SECTION 2. The Zoning Map of the City of Palm Bay is hereby revised to reflect this amendment.

SECTION 3. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2021- , held on , 2021; and
read in title only and duly enacted at Meeting 2021- , held on , 2021.

ATTEST:

Robert Medina, MAYOR

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida
Ordinance 2021-01

Reviewed by CAO: _____

Applicant: Samuel and Michelle Guinto
Case: Z-38-2020

cc: (date) Applicant
Case File



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Laurence Bradley, AICP, Growth Management Director

DATE: 1/7/2021

RE: Ordinance 2021-02, granting approval of a Final Development Plan for a proposed single-family residential Planned Unit Development (PUD) to be known as 'Gardens of Waterstone Phase 1 PUD' on property located west of and adjacent to Mara Loma Boulevard, in the vicinity south of Melbourne Tillman Water Control District Canal 38 (44.65 acres) (Case FD-36-2020, Waterstone Farms, LLC, and PB&J Garden Investment, LLC) (Quasi-Judicial Proceeding), first reading.

Waterstone Farms, LLC / PB&J Garden Investment, LLC (Jake Wise, P.E. and Rochelle Lawandales, Representatives) have submitted for Final Planned Unit Development approval of a 154-unit residential subdivision to be known as Gardens at Waterstone Phase I PUD. This 44.65-acre development is located north of and adjacent to Mara Loma Boulevard SE, and west of Babcock Street SE.

The overall development was annexed into the City (Ordinance 2004-35) in 2004, totaling 1,167 acres. A series of 37 future land use map amendments between 2005 and 2018 has brought the total amount of entitled units to 2,596. This specific phase of the development will be constructed in one phase and will consist of a gated entrance, a neighborhood park, walking trails, recreation and open space areas, stormwater management ponds, and private roadways.

REQUESTING DEPARTMENT:

Growth Management

RECOMMENDATION:

Request for the City Council to determine if Case FD-36-2020 meets the criteria of Section 185.067 of the Palm Bay Code of Ordinances. If the request should be approved, staff recommends the following conditions:

- A. Fully engineered construction drawings;
- B. Specific layout and architectural drawings illustrating the amenities and walking trails;
- C. The technical comments generated by the Development Review Staff shall be observed and incorporated into the subdivision design.

Planning and Zoning Board Recommendation:

Unanimous approval of the request, subject to the staff comments contained in the staff report.

ATTACHMENTS:**Description**

Case FD-36-2020

Board Minutes

Ordinance 2021-02

Ordinance 2021-02, Exhibit A

Ordinance 2021-02, Exhibit B

Ordinance 2021-02, Exhibit C



REVISED

STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Christopher Balter, Senior Planner

CASE NUMBER

FD-36-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

Benjamin E. Jefferies- Waterstone Farms, LLC

PROPERTY LOCATION/ADDRESS

A portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of the San Sebastian Farms Subdivision

SUMMARY OF REQUEST

Final Planned Unit Development approval for a 154-unit residential subdivision to be known as Gardens at Waterstone Phase 1 PUD.

Existing Zoning

PUD, Planned Unit Development

Existing Land Use

Single-Family Residential Use

Site Improvements

Vacant Unimproved Land (Former Orange Groves)

Site Acreage

44.65 acres, more or less

SURROUNDING ZONING & USE OF LAND

North

Melbourne-Tillman Drainage Canal No. 38

East

PUD; Heron Bay at Waterstone; Single-Family Homes

South

PUD; The Lakes at Waterstone; Single-Family Homes and Undeveloped Land

West

PUD; Waterstone at Palm Bay; Undeveloped Land

COMPREHENSIVE PLAN COMPATIBILITY

The future land use designation of the subject property is Single-Family Residential Use. The development of a single-family planned unit development is compliant with the Single-Family Residential Use future land use designation. The proposed density is 3.44 units per acre, which is below the maximum density defined in the City's Comprehensive Plan for Single-Family Residential Use (up to 5 units per acre).

BACKGROUND:

The subject property is located north of and adjacent to Mara Loma Boulevard SE, and west of Babcock Street SE. Specifically a portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of San Sebastian Farms Subdivision, of Brevard County Florida. This Final PUD request includes approximately 44.65 acres of land.

In 2004 the subject property was annexed into the City via Ordinance 2004-35 totaling 1,167 acres. The original Future Land Use amendment designated all of the lands as Single-Family Residential Use via Ordinance 2004-52; which stated that 1,800 units could be placed on the lands of Waterstone or Cypress Bay Preserve. Site specific conditions were placed on the amendment via Ordinance 2004-48. Between 2005 and 2018, a series of 37 future land use map amendments were made bringing the total units entitled to 2,596. The total entitlements encumbered are as follows: 1802 units on the west side of Babcock Street, and 362 units on the east side of Babcock Street.

ANALYSIS:

The applicant is requesting Final Development Plan (FDP) approval for a Planned Unit Development (PUD), to construct a single-family residential subdivision called Gardens at Waterstone Phase 1. The planned unit development is a concept which encourages and permits variation in residential developments by allowing deviation in lot size, bulk or type of dwellings, density, lot coverage, setbacks and open space, from those elements required in any singular zoning classification found in the city's Zoning Code.

The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as commercial uses designed to serve the inhabitants of the proposed community. The planned unit development process simplifies the procedure for obtaining approval of these developments through simultaneous review of the proposed land use, site consideration, public needs and requirements, and health and safety factors.

Specifically, the FDP proposes a 154-unit single-family development that will be constructed in one phase. Per the **PDP >>FDP<<**, typical lots within the residential development are 40' x 125'. The minimum size home will be **800 >>1200<<** square feet. The development will consist of a gated entrance with amenities, neighborhood park, walking trails, recreation and open space areas, stormwater management ponds, and private roadways.

Lastly, technical staff review comments are attached to this report.

CONDITIONS:

In order to receive FDP approval, the proposal must meet the requirements of Section 185.067 of the City of Palm Bay's Code of Ordinances. Upon review, the request appears conform with the applicable requirements of this section. The following items shall be addressed upon submission of the administrative construction plan approval:

- A. Fully engineered construction drawings;
- B. Specific layout and architectural drawings illustrating the amenities and walking trails;
- C. The technical comments generated by the Development Review Staff (attached) shall be observed and incorporated into the subdivision design.

STAFF RECOMMENDATION:

Case FD-36-2020 is recommended for approval, subject to the staff comments contained in this report.

TECHNICAL COMMENTS

CASE FD-36-2020 – Gardens at Waterstone Phase 1 PUD

BREVARD COUNTY (Jeffrey Ball, Planning and Zoning Manager):

1. Brevard County has no concerns at this time. The applicant has previously acknowledged that a Traffic Signal Warrant Analysis will be conducted with the completion of Cypress Bay and the Gardens developments. They have also previously advised that a traffic signal, if warranted, will be the responsibility of the developer to provide for the design, permitting, and construction of said traffic signal.

PUBLIC WORKS (Natalie Shaber, Engineer II):

1. An updated signal warrant, and traffic impact analysis will be required because of the constructed elementary school, adjacent Cypress Bay Development, and constructed St. John's Heritage Parkway.

2. Additional safety features such as a cross walk across Mara Loma Blvd. Please make sure the proposed Mara Loma Blvd improvements comply with the City of Palm Bay Public Works manual, right-of-way manual as well as the ss184.18 Roadway Design City of Palm Bay Ordinances.

3. Please evaluate the flow capacity and cross section of the ditch off site, the condition of the pipe in the Stile drainage right of way (by the Willow brook right-of-way). Replace pipe if required.

4. Please provide landscape plans for the Mara Loma Blvd Extension. Please provide reliable tree root containment to prevent damage of the roadway and sidewalks in the Mara Loma Blvd. right-of-way.

5. Make sure the proposed landscaping does not interfere with the sight distance. A two-year maintenance bond shall be required prior to the certificate of completion. The maintenance bond is 25 percent of the total value of the work in the public right-of-way.

6. Please provide a Landscape agreement for the right-of-way to be executed between the Waterstone PUD CDD (successors and assigns) and the City to perpetually maintain the proposed landscaping in the public right-of-way.

7. Please be advised that all project improvements are privately maintained until publicly accepted and approved per City of Palm Bay Ordinance Chapter 182. The stormwater management system shall meet the most stringent criteria from the St. John's River Water Management District and the City of Palm Bay's Floodplain and Stormwater Management Ordinance Chapter 174, when those criteria conflict. (SS 174.071).

8. Drainage easement shall be provided over the system where it connects to Waterstone Phase One.
9. The Courtyards at Waterstone plan and the Waterstone Phase 1 Site plans shall be revised to include this new upstream subdivision that will be routed south.
10. Grading of the rear lots 23-41 of the Gardens shall be Type A
11. ADA compliant sidewalks shall connect to the existing sidewalks on Mara Loma Blvd.

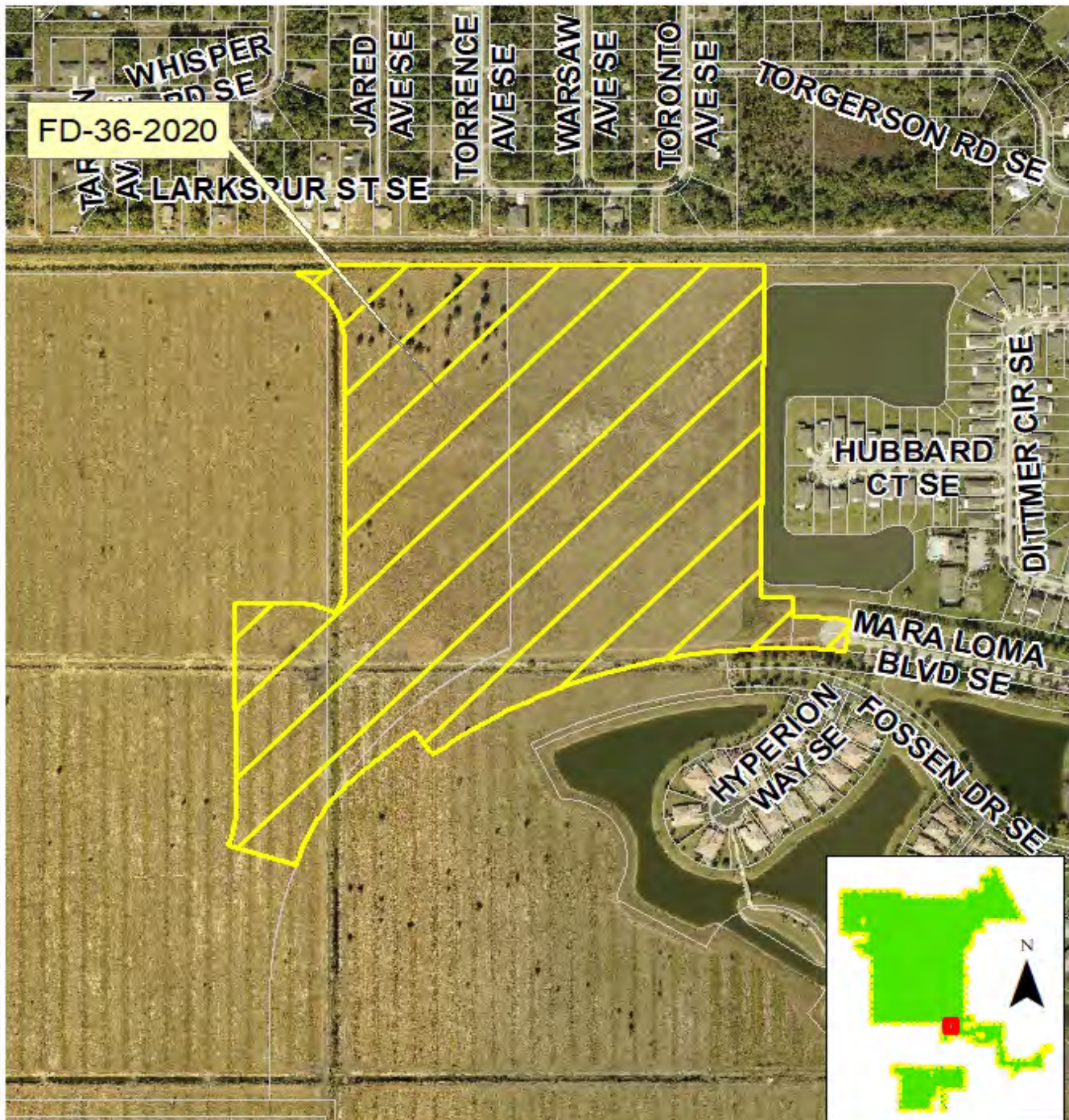
UTILITIES (Christopher Little, Utilities Director):

The Utilities Department has no objection to the proposed 154 single-family residential units.

Upon development of the site, the following shall apply for connection to the City's Water and Sewer Utilities System:

1. The applicant/owner, at their expense, will be required to design, permit, install, inspect and test water & sewer systems of adequate size to accommodate the development and to connect to the City's water & sewer system. [§ 200.11(D)(1) – On-Site Facilities]
2. The applicant/owner may be required to extend and/or loop service from the On-Site Facilities to the existing water and sewer connection points. [§ 200.11(D)(2) – Off-Site Facilities].
3. The applicant/owner will be responsible for the property's hydraulic share for the new utilities required to serve the development. Oversizing of utilities at the request of the Utilities Department will be subject to a refunding agreement or refundable advance [§ 200.11(D) & (E)]. The City of Palm Bay's 2017 Wastewater Master Plan & 2017 Water Master Plan, both of which are available by request, identify proposed mainline extensions with the City's current pipe sizing requirements.
4. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City. All Utility impact/connection charges noted in the "Utility Agreement" must be paid as outlined in the terms and conditions of the Utility Agreement. All fees are subject to change annually on October 1. The Property Owner shall submit a certified copy of the property deed as verification of ownership as part of the Utility Agreement.
5. All utility construction, materials, and testing shall be in accordance with the latest revision of the Palm Bay Utility Departments Policies, Procedures and Standards Handbook and the Standard Detail Drawings. Prior to any construction, all required FDEP Permit applications for the Water and Sanitary Sewer Construction shall be processed through and copies of the Permits filed with the Utilities Department.

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.

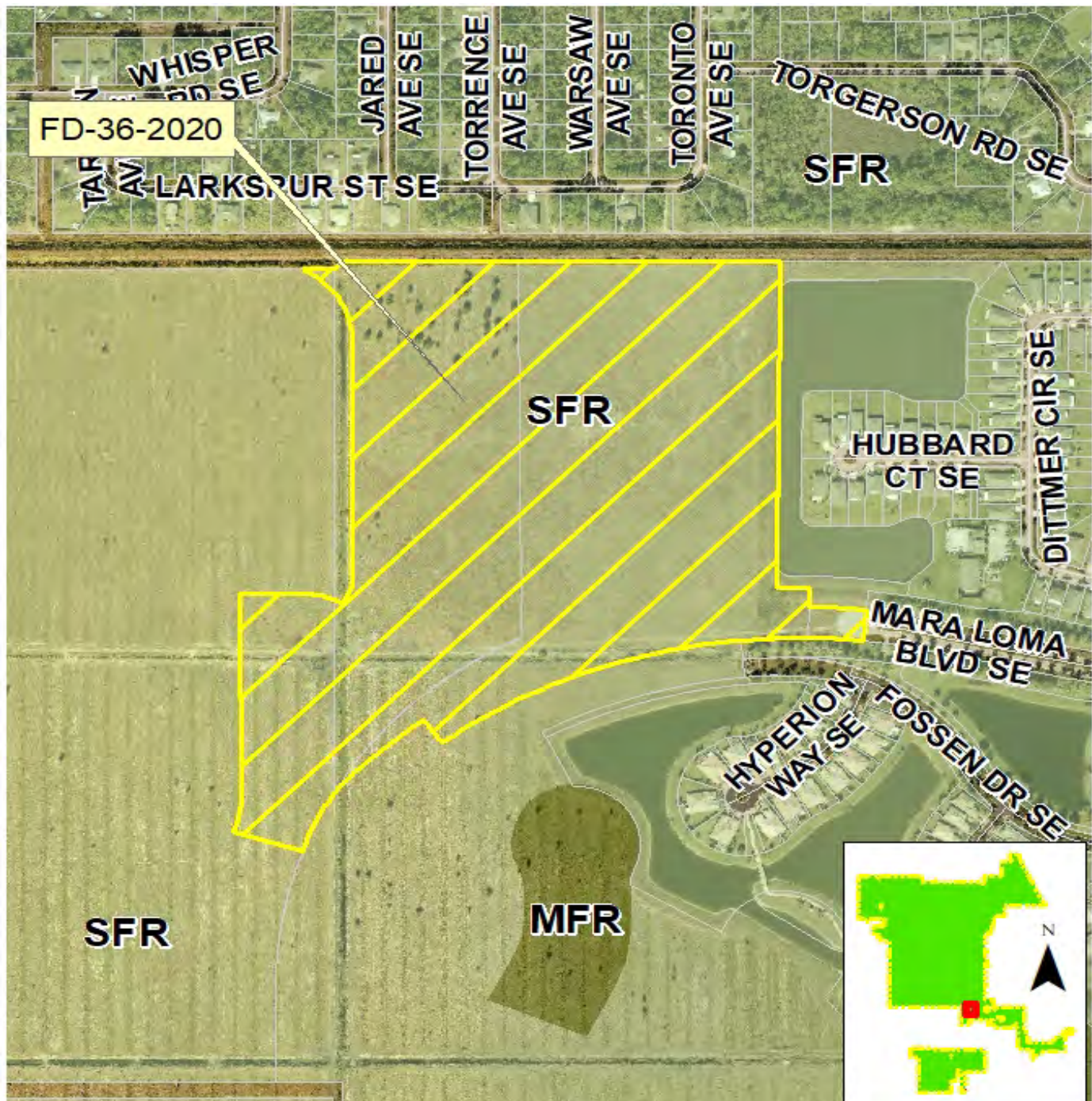


AERIAL LOCATION MAP CASE FD-36-2020

Subject Property

West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP CASE FD-36-2020

Subject Property

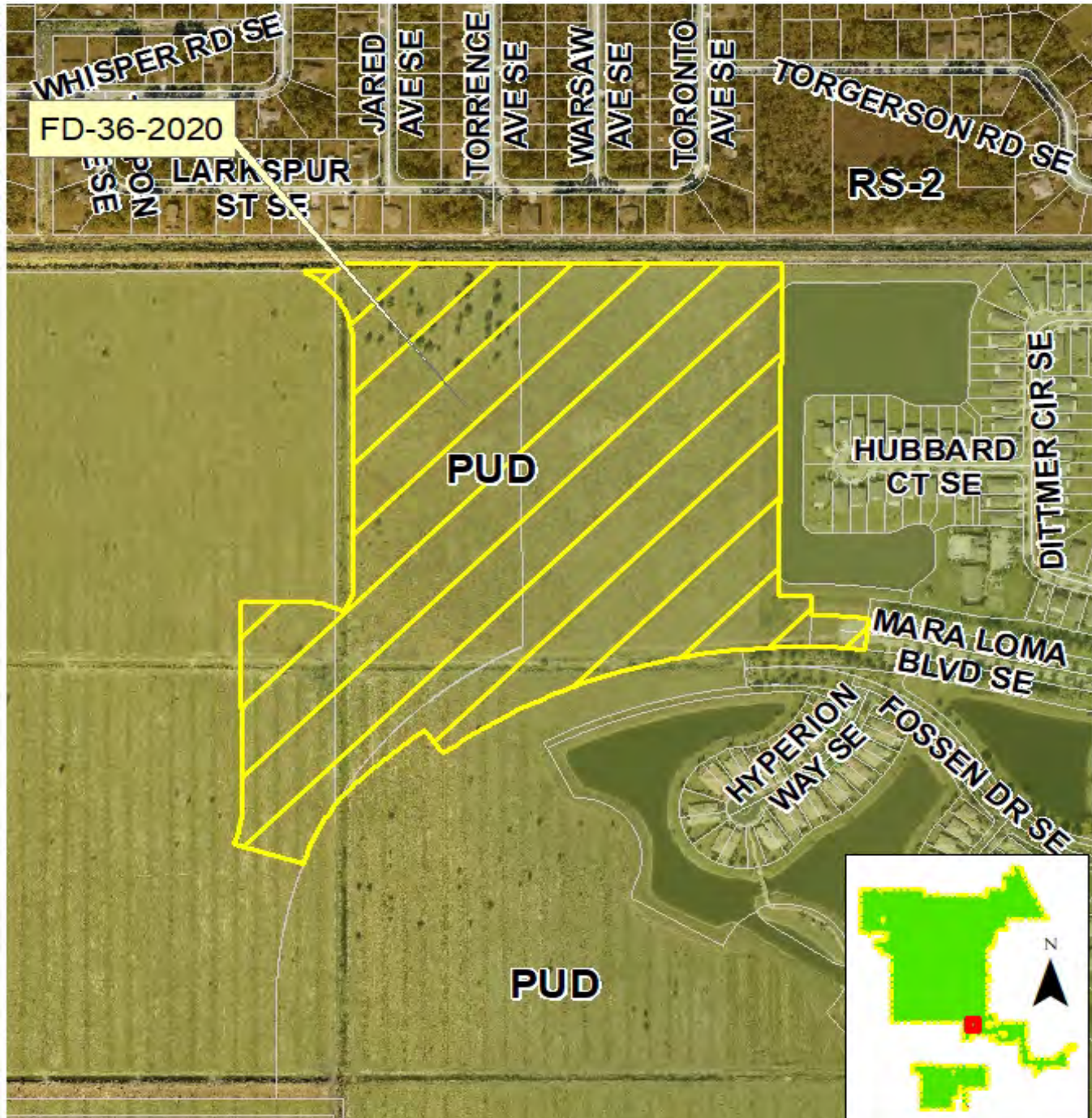
West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Future Land Use Classification

SFR – Single Family Residential Use



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP

CASE FD-36-2020

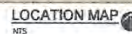
Subject Property

West of and adjacent to Mara Loma Boulevard SE and south of the Melbourne Tillman Water Control District Canal 38

Current Zoning Classification

PUD – Planned Unit Development

PALM BAY, FL
DATE:
OCTOBER 8, 2020
PREPARED FOR:
**WATERSTONE FARMS, LLC &
PB & J GARDENS INVESTMENT, LLC**

[illegible]



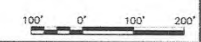
TRACT AREA SUMMARY

TRACT	ACRES	TRACT USE
D-1	4.63	DRAINAGE, OPEN SPACE & LANDSCAPE
D-2	6.97	DRAINAGE, OPEN SPACE & LANDSCAPE
D-3	2.57	DRAINAGE, OPEN SPACE & LANDSCAPE
D-4	1.82	DRAINAGE, OPEN SPACE & LANDSCAPE
D-5	3.08	DRAINAGE, OPEN SPACE & LANDSCAPE
L-1	1.21	LANDSCAPE, OPEN SPACE & DRAINAGE
REC-1	2.12	RECREATION, OPEN SPACE & LANDSCAPE
RW-1	3.09	PUBLIC RIGHT-OF-WAY
RW-2	3.87	PRIVATE RIGHT-OF-WAY
S-1	0.18	BIOWAGE, OPEN SPACE
U-1	0.24	UPT STATION
RESIDENTIAL	18.64	SINGLE FAMILY (154 LOTS)

LEGEND:

PROJECT BOUNDARY	---
POND CONTOURS	---
RECREATION, LANDSCAPING AND OPEN SPACE	34
SINGLE FAMILY LOTS	34
STORM POND	D-3
ROADWAY	---
TEMPORARY CUL-DE-SAC	---
CONCRETE SIDEWALK	---
LINEAR TRAIL	---

FINAL DEVELOPMENT SUBDIVISION PLAN



CONSTRUCTION ENGINEERING GROUP

CONSULTING

DATE: 10/08/20

SCALE: 1"=100'

PROJ. NO.: 190061

DESIGNED BY: CCM

DRAWN BY: SMO

CHECKED BY: JTV

DATE: 10/08/20

GARDENS AT WATERSTONE

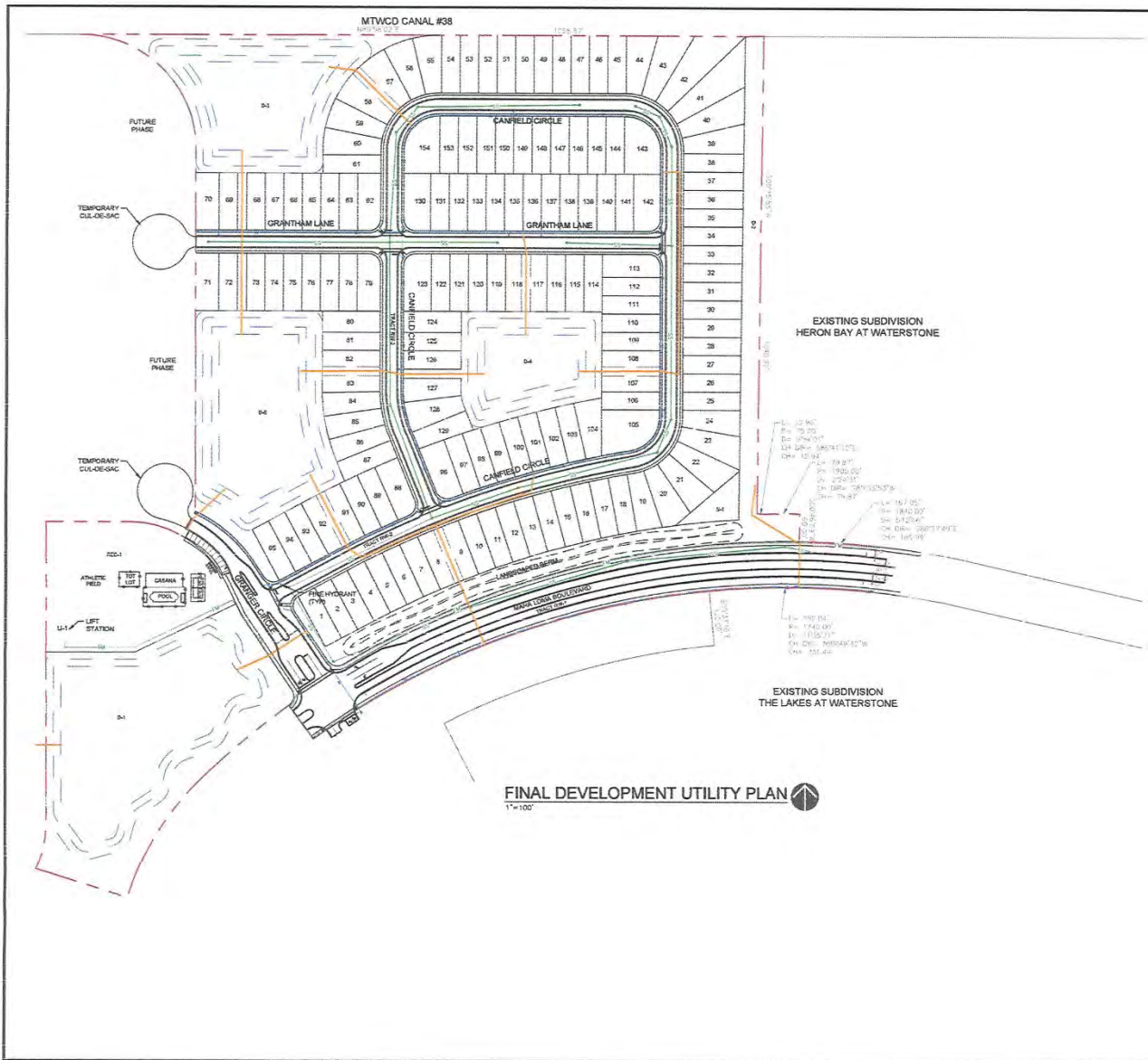
PHASE 1

WATERSTONE FARMS, LLC & P.B. & J. GARDENS INVESTMENT, LLC

3300 LOMA BOULEVARD, PALM BEACH, FLORIDA

FINAL DEVELOPMENT SUBDIVISION PLAN

GW-2



LEGEND:

- PROJECT BOUNDARY
- POND CONTOURS
- STORM PIPE
- WATER MAIN
- SANITARY SEWER LINE
- FORCE MAIN

DATE	10/08/20
SCALE	1"=100'
PROJ. NO.	190061
DESIGNED BY	CCM
DRAWN BY	SMB
CHECKED BY	JTW
ISSUING NO.	GW-3

**GARDENS AT WATERSTONE
PHASE 1**

WATERSTONE FARMS, LLC & F&S J GARDENS INVESTMENT, LLC
10000 W. GARDEN LANE, SUITE 100, DALLAS, TEXAS 75247, FLORIDA

**CONSTRUCTION
ENGINEERING
GROUP**
Consulting Engineers

AL DEVELOPMENT UTILITY PLAN

SKETCH OF DESCRIPTION
"THIS IS NOT A BOUNDARY SURVEY"



A PARCELS OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 33 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN SEBASTIAN TOWNSHIP, SECTION 5, TOWNSHIP 33 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

[illegible]

LEGAL INFORMATION SERVICES, INC. 10000 RIVERCHURCH LANE, SUITE 100, FARMINGTON, CT 06030-1000

[illegible]

LEGAL DESCRIPTION: 0.150. PROPOSED HARRIS LOMA EXCAVATIONS

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN URBANUS TOWN, SECTION 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS DEPICTED ON PLAT BOOK 1, PAGE 77 OF THE BREVARD COUNTY RECORDS.

[illegible]

NOTES:

1. THE BEARING BASIS OF THIS SKETCH OF DESCRIPTION IS THE NORTH LINE OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, WHICH BEARS N69°58'02"E AND AS SHOWN HEREON.
2. THIS IS A SKETCH OF DESCRIPTION, NOT A BOUNDARY SURVEY.

GRAPHIC SCALE



HORIZON SURVEYORS
OF CENTRAL FLORIDA, INC. LB 6360
POINCIANA DR., MELBOURNE, FL 32935
MAIL: INFO@HORIZONSURVEYORS.COM
PHONE : (321) 254-8133

SCALE 1" = 100'	REVISION TABLE			
DATE 10-07-20	DATE	DESCRIPTION	BY	APPROVED
DRAWN BY HCB				

PREPARED FOR THE EXCLUSIVE USE OF
WATERSTONE
FARMS, LLC

I HEREBY CERTIFY THAT THE PROPERTY HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THIS MAP OF SURVEY IS ACCURATE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 50-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOTE:

THIS SKETCH IS NOT
VALID UNLESS IT BEARS
A SIGNATURE AND A
SURVEYOR'S SEAL

ROBERT R. DOERRER, JR.
PROFESSIONAL LAND SURVEYOR #3982

SURVEY FOR: GARDENS OF WATERSTONE PH1
DRAWING NUMBER: 5858-20-1007
PAGE 1 OF 1

A SUBDIVISION LYING IN SECTIONS 4 & 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA,
BEING A PORTION OF SECTION 4 AND A "REPLAT" OF A PORTION OF LOTS 1 & 32, SECTION 5, "SAN-SEBASTIAN FARMS",
RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



DEDICATION

[illegible]

ST.	WATERS OF AMERICA, LLC
STANDARD & POOR'S	245, 255, 265

27.	WATKINS, JAMES, LLC 235 WEST 60th St. Louis, MO 63112 OFF. 314.436.1100 FAX 314.436.1101
-----	---

Figure 1. The effect of the concentration of the *Agaricus bisporus* spores on the growth of *Agaricus bisporus* on the substrate.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322 UCBAW/SJS/STP

<p> University of North Carolina </p>	<p> University of North Carolina </p>
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M₂ Classification: External (see instructions)[illegible]

72-11571-100 TOWERS, 198. 240 211

ACCEPTED FOR PUBLICATION, OCT. 17, 1962

I HEREBY CERTIFY, THAT I HAVE REVIEWED THE FOREGOING PLAN AND FIND THAT IT IS IN CONFORMITY WITH CHAPTER 177, PART 1, FLORIDA STATUTES.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Journal of Interpersonal Violence 28(12)

BY MUNICIPAL

0-11237

© 2000 Blackwell Science Ltd, *Journal of Internal Medicine* 247: 399–405

APPROXIMATE THE FOLLOWING VALUE

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1. *we have a copy of the book in the library of the University of Toronto.*

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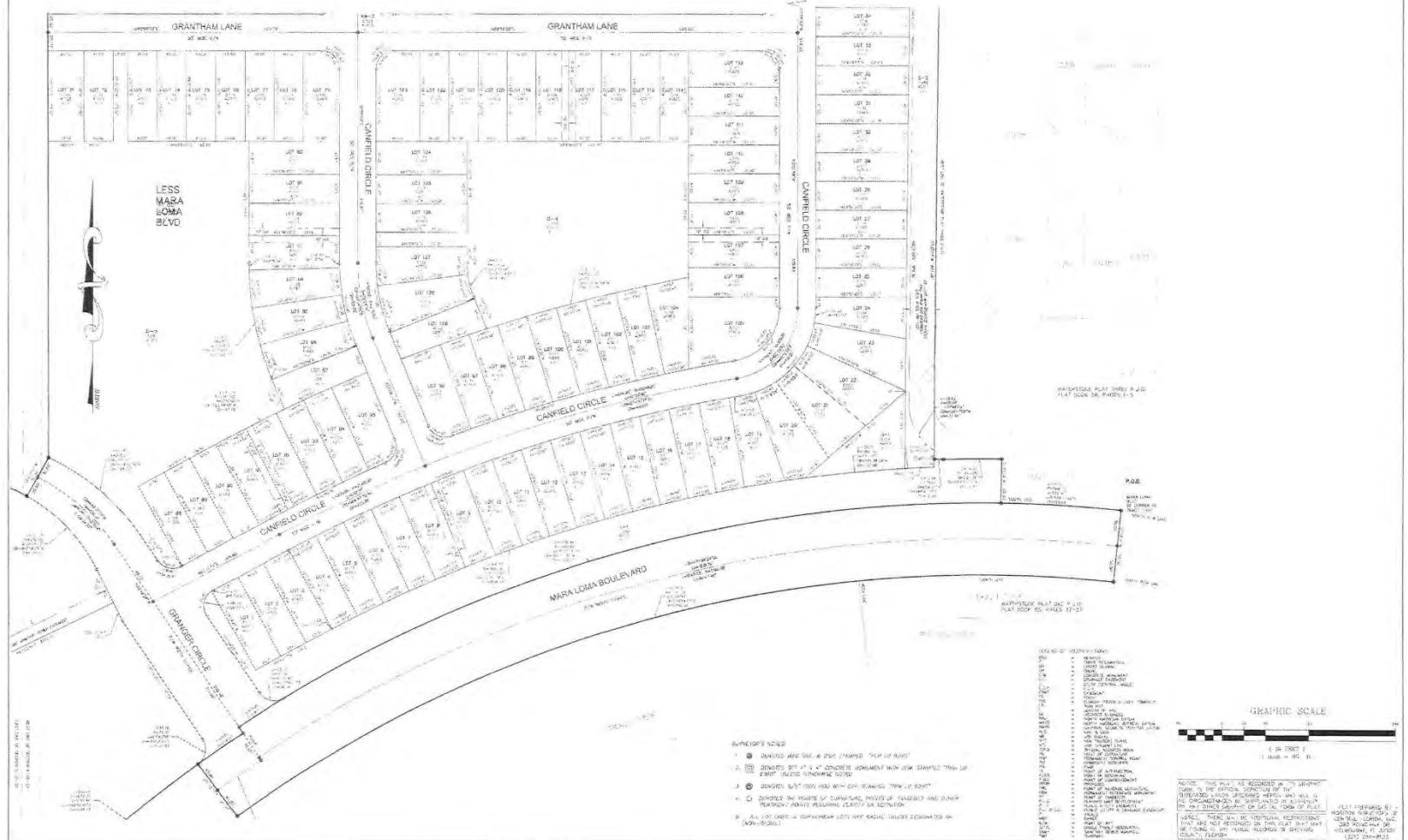
10. *Journal of the American Medical Association*, 273:1221-1225 (1995).

7018 J. Neurosci., July 26, 2006 • 26(30):7011–7020

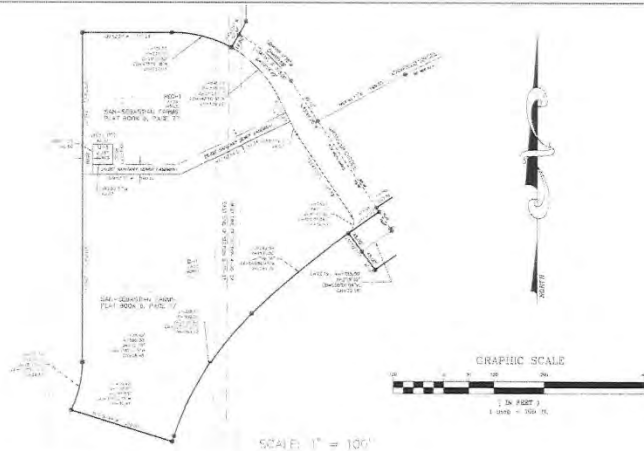
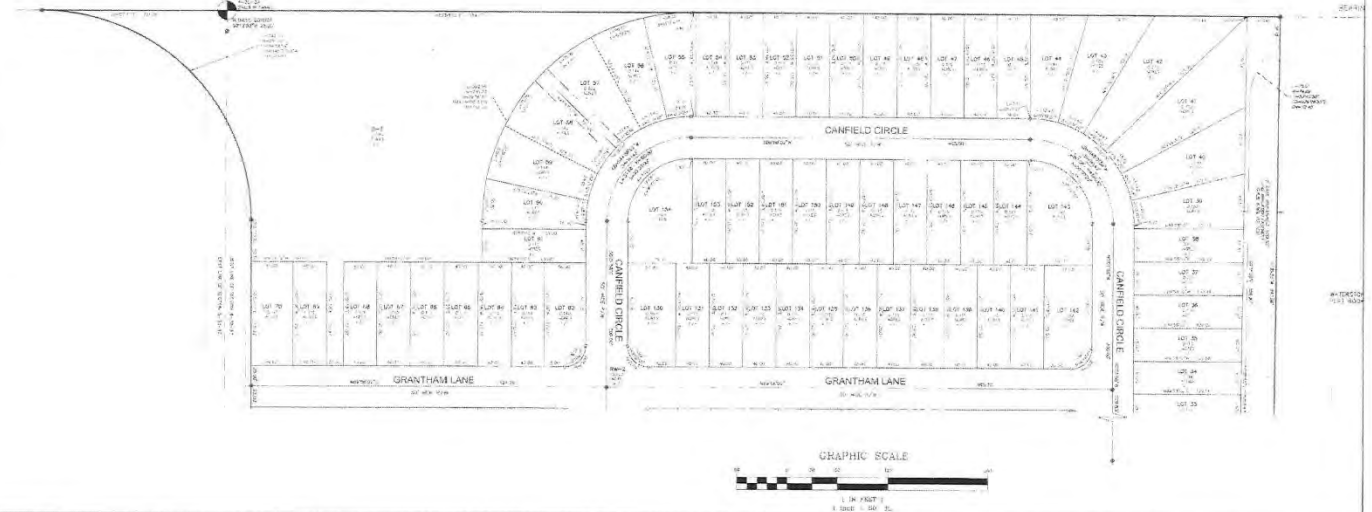
1. *Journal of the American Medical Association*, 2000; 284: 2689-2694.

A SUBDIVISION LYING IN SECTIONS 4 & 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA.
BEING A PORTION OF SECTION 4 AND A "REPLAT" OF A PORTION OF LOTS 1 & 32, SECTION 5, "SAN-SEBASTIAN FARMS",
RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SECTIONS 4 & 5, 30 SOUTH, RING 37 EAST



PLAT BOOK PAGE
SHEET 5 OF 3
SECTIONS 4 & 5, 30 SOUTH, RNG 31 EAST



- [illegible]

- DISSEMINATED INFECTION**
1. ☒ **1** **DISSEMINATED MACULAR PAIN STAINING "RICE WATER"**
 2. ☒ **2** **DISSEMINATED SKIN RASH AT CONJUGAL JUNCTION WITH DISSEMINATED "RICE WATER" LESIONS, BUBBLING WOUNDS**
 3. ☒ **3** **DISSEMINATED SKIN RASH WITH CONJUGAL STAINING "RICE WATER"**
 4. ☒ **4** **LOCALISED SKIN PUSTULES, ULCERS, POINTS OF TENDERNES, AND OTHER TYPICAL SIGNS OF SPREADING LESIONS OF SUPRAVITA**
 5. ☒ **5** **ALL 1-4: LOCAL TO DISSEMINATED LESION AND RASH, AND/OR DISSEMINATED AND (PAINFUL)**

NOTED THIS MAY BE RECORDED IN ITS OWN
FILE IS NO OTHER SECTION OF THE
SUSPECTS LANDS OWNED - FIVE, AND WILL BE
NO CIRCUMSTANCES IS SUPPLEMENTED IN A MANNER
BY THE OTHER PARTS OF THE LAND OF THE
LAND.

NOTED THERE MAY BE ADDITIONAL RECORDS
THAT ARE NOT RECORDED IN THIS FILE THAT MAY
BE FOUND IN THE PUBLIC RECORDS OF DEERING
COUNTY, ARIZONA.

- PLAT PREPARED BY -
NATION GUARDIAN OF
CHINA, CHINA, NC
NO. RONGDAN GR.
WELSHMAN H. 3019-
(50) 25-A-R12

TAB D

**Gardens at Waterstone
Final Development Plan
Compliance and Justification Report**

**Prepared by:
Rochelle W. Lawandales, FAICP Waterstone
Development Company, LLC for
Co-Applicants:
Waterstone Farms, LLC and
PB&J Gardens Investment, LLC**

October 27, 2020

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

PROJECT: GARDENS AT WATERSTONE

Gardens is a 154 lot single family subdivision with supporting infrastructure and site improvements including vehicular access, sidewalks, pedestrian/exercise trails, a future amenity center, landscaping, utilities, and stormwater to be located at the west end of the existing Mara Loma Boulevard. Map A shows the project location.

PROPERTY OWNER:

Benjamin E. Jefferies, Waterstone Development Company, LLC Managing Member of Waterstone Farms, LLC.

CO-APPLICANTS: Waterstone Farms, LLC and PB&J Gardens Investment, LLC

EXISTING ZONING: Planned Unit Development

LAND USE: Single Family Residential

REQUEST:

The applicants seek approval for a new Final Development Plan in an existing PUD district zoning for a project to be called "Gardens at Waterstone", which is a portion of the prior approved Master development plan located west of Heron Bay. It was originally part of the Heron Bay subdivision, designed for 38' and 40' lots and this project seeks to construct 154, 40' x 125' lots.

APPLICATION PACKAGE SUBMISSION:

This package includes the required items from the City's PUD application form in the TABS below:

- A. 1. CHECK IN THE AMOUNT OF \$1,500
2. FINAL DEVELOPMENT PLAN APPLICATION; LETTERS OF AUTHORIZATION FROM WATERSTONE and PB&J
3. CHECK FOR \$200 AND THE SCHOOL CONCURRENCY FORM
- B. FINAL DEVELOPMENT PLAN BY CEG, SHOWING VICINITY, VEHICULAR AND PEDESTRIAN CIRCULATION AND ALL ITEMS IN Sec. 185.067 (B)
- C. PRELIMINARY PLAT BY HORIZON SURVEYORS, INC.
- D. NARRATIVE COMPLIANCE AND JUSTIFICATION REPORT, WHICH INCLUDES AS ATTACHMENTS:
 1. APPROVED PRELIMINARY DEVELOPMENT PLAN 2005 ESTABLISHING ZONING
 2. CONCURRENCY DETERMINATION INFORMATION
 3. RESUME OF ROCHELLE W. LAWANDELES, FAICP
 4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD
- E. ENVIRONMENTAL ASSESSMENT BY JON SHEPHARD ATLANTIC ENVIRONMENTAL SERVICES
- F. LASSITER TRANSPORTATION GROUP CONCURRENCY LETTER DATED APRIL 11, 2018 to CHRISTOPHER BALTER, CITY OF PALM BAY
- G. STORMWATER PERMIT
- H. LIST OF ADJACENT PROPERTY OWNERS FROM BREVARD COUNTY PLANNING
- I. DRAFT COVENANTS (DEED RESTRICTIONS)
- J. TITLE OPINION

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

EXECUTIVE SUMMARY

Property owned by Wheeler Farms was annexed into the City in 2004 via Ordinance 2004-35 totaling 1167 acres. The original Future Land Use amendment designating all the lands single family residential was accomplished in 2004 via Ordinance 2004-52 and 1800 residential units could be placed on either Waterstone (west of Babcock Street) or the original acres owned by Wheeler on lands currently known as Cypress Bay Preserve (east of Babcock Street). Site specific conditions were placed on the amendment in Ordinance 2004-48, in Policy FU 8.3 (G), adopted the same date as Ordinance 2004-52. Between 2005 and 2018, a series of 37 future land use map amendments have been made bringing the total units entitled for construction to be over 2,500. The Table 1 below shows the current entitlements:

**Table 1
Current Residential Entitlements**

WATERSTONE AND CYPRESS BAY			
ORIGINAL APPROVALS		WESTSIDE*	EASTSIDE*
As of October 2014 David Watkins' letter		2191	1058**
Less platted (Heron Bay and Lakes)		-296	
Total as of October 2014 David Watkins' letter		1895	1058
Number adjustments required for City failure to process small scale amendments by Divosta:			
		-417	
Less 41 acreage as multifamily @ 10 units per acre			
Plus 41 acres single family @1.5 units/ac		60	
Revised Total as of 2017		1538	1058
2018 and 2019 MODIFICATIONS			
Cypress Bay Farms Residential PUD	(FD 18-2018/ Ord 2019-02 APPROVED JANUARY, 2019)		-396
Courtyards PD	(FD-19-2019/Ord 2019-69 APPROVED JANUARY 2, 2020)	-201	
Waterstone Small Scale Amendments from SF to MF totalling 16.487 acres @ 10 units/ac	(CP-6-7-8-2018 approved by Ordinances 2018-20, 21, 22)	165	
Transfer of 300 to West Side per Original approval and David Watkins letter		300	-300
GRAND TOTAL ALL UNITS AS OF JUNE, 2020		1802	362
*WESTSIDE refers to the area on the west side of Babcock Street known as Waterstone (including Waterstone Farms, LLC and Waterstone Holdings, LLC)			
*EASTSIDE refers to the lands on the east side of Babcock Street referred to Cypress Bay owned by Cypress Bay Farms, LLC			
**300 original units were able to go to west side.			

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

The Project underwent an ownership change and Pulte (Divosta Division) brought forth a Preliminary Development Plan for the 1167 acres and obtained Final Development Plan approval and PUD zoning in 2005 (See Map B) and began to permit, develop and complete several phases, including Heron Bay and the Lakes of Waterstone, which included 296 units, an elementary school site, and recreational amenities which are built and sold out today. The approval also included concurrency for 900 units, water and sewer, and other infrastructure. Map C shows the original development plan, and the area now proposed for the Gardens.

Waterstone revised the project lay-out in 2017 and submitted a new Preliminary Development Plan for the lands on the west side of Babcock Street to amend the 2005 development plan. The City Council granted Preliminary Development Plan approval on January 18, 2018. Final Development Plan/Preliminary Plat approval was granted by City Council action on June 7, 2018 for the 'Gardens at Waterstone', a phase of Waterstone in the northwest segment. That project was not adopted properly by the City and became void, rendering the 2018 revised Preliminary Development Plan void and maintaining the 2005 adopted plan.

With this new application, the owners, Waterstone Farms, LLC are petitioning the City for approval of a new Final development plan only for the Gardens Phase 1. Construction would begin after approval of a Final Development Plan, Preliminary Plat and construction plans and the developer obtaining all permits. Map D shows the design, layout, vehicular and pedestrian circulation, open space, utilities, and stormwater system to meet the code requirements.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAP A
LOCATION MAP



MAP B
CITY ZONING MAP



As required by the original land use approvals, Waterstone provides a mix of uses with the Waterstone Commercial Center with its significant frontage on the west side of Babcock Street. It will contain 133 acres, more or less, broken into lots and tracts sufficient in size for a variety of retail, office and related commercial uses to support the region. FDOT has completed the I-95 Interchange and the City has completed construction of the St. Johns Heritage Parkway (SJHP) from Babcock Street east to I-95. Numerous commercial developers and commercial project owners are ready to come into the City of

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Palm Bay, and with the roadway network now available and more residential units being planned and constructed, the demand for and support of commercial ventures will rise.

A three mile water and sewer main running along Babcock Street from Valkaria Road south to Mara Loma Boulevard was installed completely at the developer's expense for the Waterstone project. In addition, when Mara Loma Boulevard was extended west from Babcock Street approximately 2,600 feet, large force mains, water mains, and three sewer lift stations were installed. All totaled, over \$10 million has been spent over the course of time on infrastructure improvements, including Mara Loma Blvd., 3 lift stations and utilities, permits, traffic/planning/environmental studies, stormwater management, environmental mitigation, and dedication of Rights-of-Way for the Parkway, among other items for the Waterstone project. The City has made commitments to assure future capacity through wastewater plant expansions.

Additionally, over the last 3 years, numerous meetings regarding the Waterstone/Cypress Bay master plans, transportation and infrastructure requirements and improvements, utility needs and extensions, have been held not only with Palm Bay officials and staff, but also with Brevard County, FDOT, Florida Power and Light, environmental regulatory agencies, and others to assure not only the highest quality product, but one that also will be a signature project for the City of Palm Bay.

The remaining land outside of the first phases developed by Pulte Homes is under the ownership of Waterstone Farms, LLC, and Waterstone Holdings, LLC. These companies have been working diligently over the last 10 years and have:

1. Obtained environmental permits from the Army Corps of Engineers and conceptual SJRWMD for the proposed residential areas of Waterstone;
2. Submitted traffic studies to the City and County for the developments planned for Waterstone;
3. Performed a signal warrant study for the Babcock/St. Johns Heritage Parkway (SJHP) intersection; and submitted requests for County permits for driveways and an access management plan for Babcock Street;
4. Obtained Final SJRWMD permits for the Waterstone Commercial Center;
5. Obtained Preliminary PUD approval for Waterstone (lands west of Babcock) in January, 2018;
6. Obtained Conceptual SJRWMD permits for 803 acres under a master stormwater system (on file with SJRWMD);
7. Obtained Final PUD approval for a 283 lot subdivision called the Gardens at Waterstone on June 7, 2018;
8. Obtained Final SJRWMD permit for 101 acres, covering the Gardens at Waterstone, for a the stormwater system to serve the subdivision;
9. Obtained Final PUD approval for 201 lot subdivision called 'Courtyards at Waterstone' in January, 2020. That project is under construction.
10. Obtained Preliminary Development Plan approval for 'Gardens at Waterstone' in December, 2020. (Pending)

On January 18, 2018, Waterstone Holdings, LLC, Waterstone Farms, LLC and DR Horton, as co applicants, obtained approval of a revised Preliminary Development Plan amending the 2005 Master Plan for the undeveloped property on the west side of Babcock Street for a 1770 unit residential development. This approval included the Waterstone Commercial Center containing 133 acres fronting Babcock Street and Waterstone at Palm Bay consisting of 604 acres west of the commercial center, south and west of The Lakes at Waterstone and Heron Bay communities for a series of residential subdivisions.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Final Development Plan/Preliminary Plat approval was granted by City Council action on June 7, 2018 for the 'Gardens at Waterstone', a phase of Waterstone in the northwest segment. That project was not adopted properly by the City and became void, rendering the 2018 revised Preliminary Development Plan void and maintaining the 2005 adopted plan.

Map C shows the new proposed Gardens at Waterstone overlaid on the existing approved Preliminary Development Plan.

FINAL DEVELOPMENT PLAN (Map D) for 'GARDENS OF WATERSTONE'

Gardens is a 154 lot subdivision. The project will use a new access point to be created off an extended Mara Loma Boulevard onto a new private road to be called Granger Circle. There are utilities available to service the development and Waterstone retains County traffic concurrency for 403 units.

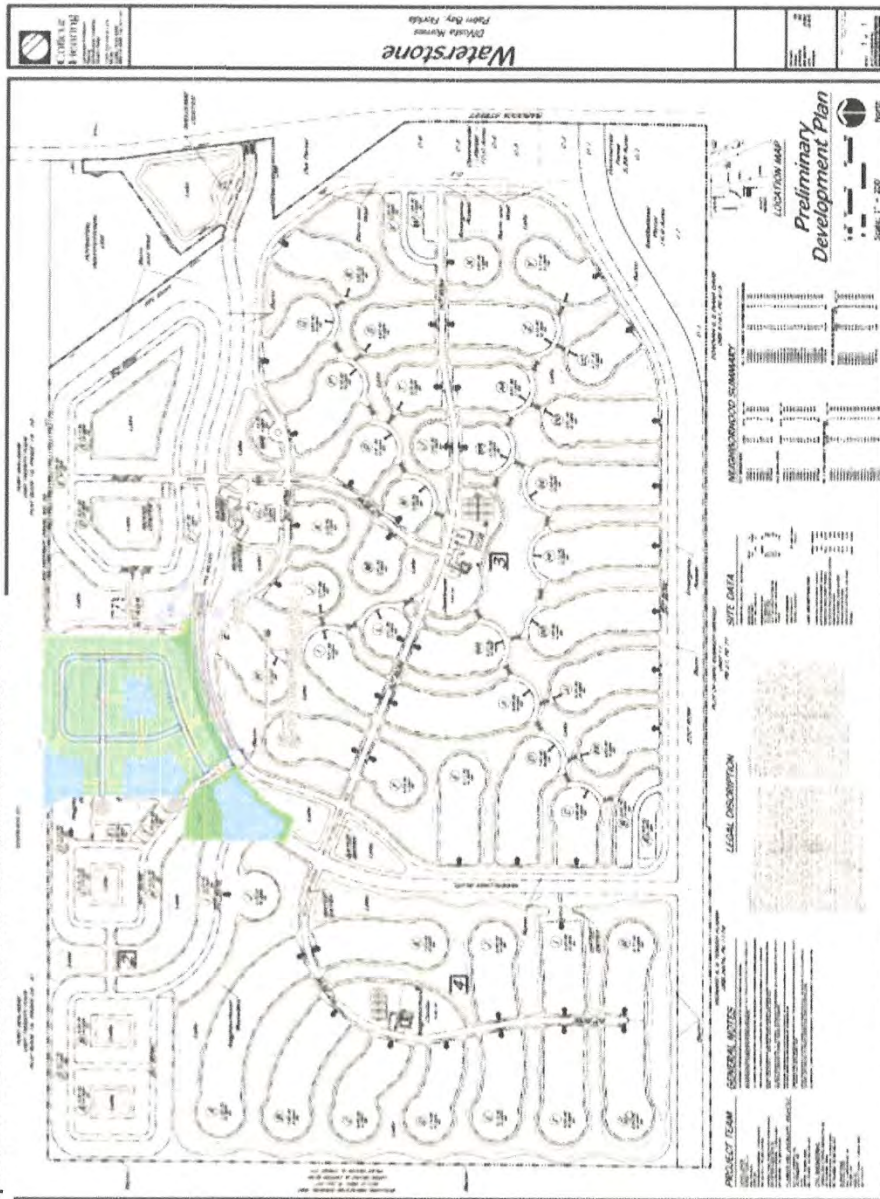
The following discussion relates specifically to this proposed subdivision and application. Map D shows the proposed Gardens Final development plan. The project data table below identifies the number and type of lots, percentages for categorical site areas and improvements, and open space.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

MAP C

ORIGINAL PRELIMINARY DEVELOPMENT PLAN FOR WATERSTONE AT PALM BAY WITH APPROXIMATE
LOCATION OF GARDENS

Proposed Gardens at Waterstone on 2005 PDP



*Approximate location. Not to scale. Graphic exhibit only.

MAP D

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Table 2
PROJECT DATA

PROJECT DATA:

GENERAL STATEMENT:

THE PROPOSED PROJECT CONSISTS OF INFRASTRUCTURE AND SITE IMPROVEMENTS TO ACCOMMODATE A 154 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION INCLUDING VEHICULAR ACCESS, SIDEWALKS, PEDESTRIAN/EXERCISE TRAILS, A FUTURE AMENITY CENTER, LANDSCAPING, WATER, SEWER AND STORMWATER SYSTEMS. IT PROPOSES TO EXTEND MARA LOMA BOULEVARD AND CONTINUE THE MANICURED LANDSCAPED BERMS.

OWNER/APPLICANT:

WATERSTONE FARMS, LLC
235 WEST DRIVE
MELBOURNE, FL 32904
TEL: (321) 757-5600

CIVIL ENGINEER:

JAKE T. WISE, P.E.
2651 EAU CALLEE BLVD., SUITE A
MELBOURNE, FLORIDA 32935
TEL: (321) 610-1760
E-MAIL: JWIS@CEENGINEERING.COM

CO-APPLICANT:

PB & J GARDENS INVESTMENT, LLC
P. MICHAEL EVANS
169B W. HIBISCUS BLVD., SUITE A
MELBOURNE, FL 32901
TEL: (321) 953-3300

SURVEYOR:

HORIZON SURVEYORS OF CENTRAL
FLORIDA, INC.
390 POINCIANA DRIVE
MELBOURNE, FL 32935
TEL: (321) 254-8133
EMAIL: BOB@HORIZONSURVEYORS.COM

LOCATION:

SECTION: 35
TOWNSHIP: 25
RANGE: 36E
PARCEL ID: 30-37-04-00-500, 30-37-05-HF-1, 30-37-04-00-250
TAX ACCOUNT: 3000216, 3000217, 3010608

SETBACKS

PROPOSED:

LOT COUNT:

FRONT:	25 FT	40'x125' LOTS = 154
SIDE:	5 FT	<u>MAXIMUM BUILDING HEIGHT:</u>
REAR:	20 FT	2 STORY: 25 FT
SIDE CORNER:	15 FT	<u>MINIMUM WIDTHS:</u>
		SIDEWALKS: 5 FT
		RIGHT-OF-WAY WIDTH: 50 FT

CALCULATED STORMWATER BASIN COVERAGE:

IMPERVIOUS:	SF	ACRE	PERCENT
RESIDENTIAL (60%):	745,350	17.11	38
RIGHT-OF-WAY	259,985	5.97	13
RECREATIONAL AREA:	75,369	1.73	4
TOTAL IMPERVIOUS:	1,080,704	24.81	56
PERVIOUS:	116,220	2.67	6
POND:	748,205	17.17	38
TOTAL:	1,945,129	44.65	100

OPEN SPACE REQUIREMENTS:

OVERALL AREA (44.65 ACRES):

ON-SITE PONDS (D1 & D5):	6.44 AC	(57%)
OPEN SPACE:	2.79 AC	(24%)
RECREATION AREA:	2.16 AC	(19%)
PROVIDED:	11.39 AC	(100%)
REQUIRED:	11.16 AC	

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Figure 1 below also shows the land uses within the City's Study Area Boundary taken from the Comprehensive Plan in the City's website. Figure 2 shows the project is contained within the urban service boundary and also shows the historic location of the western St. Johns Heritage Parkway.

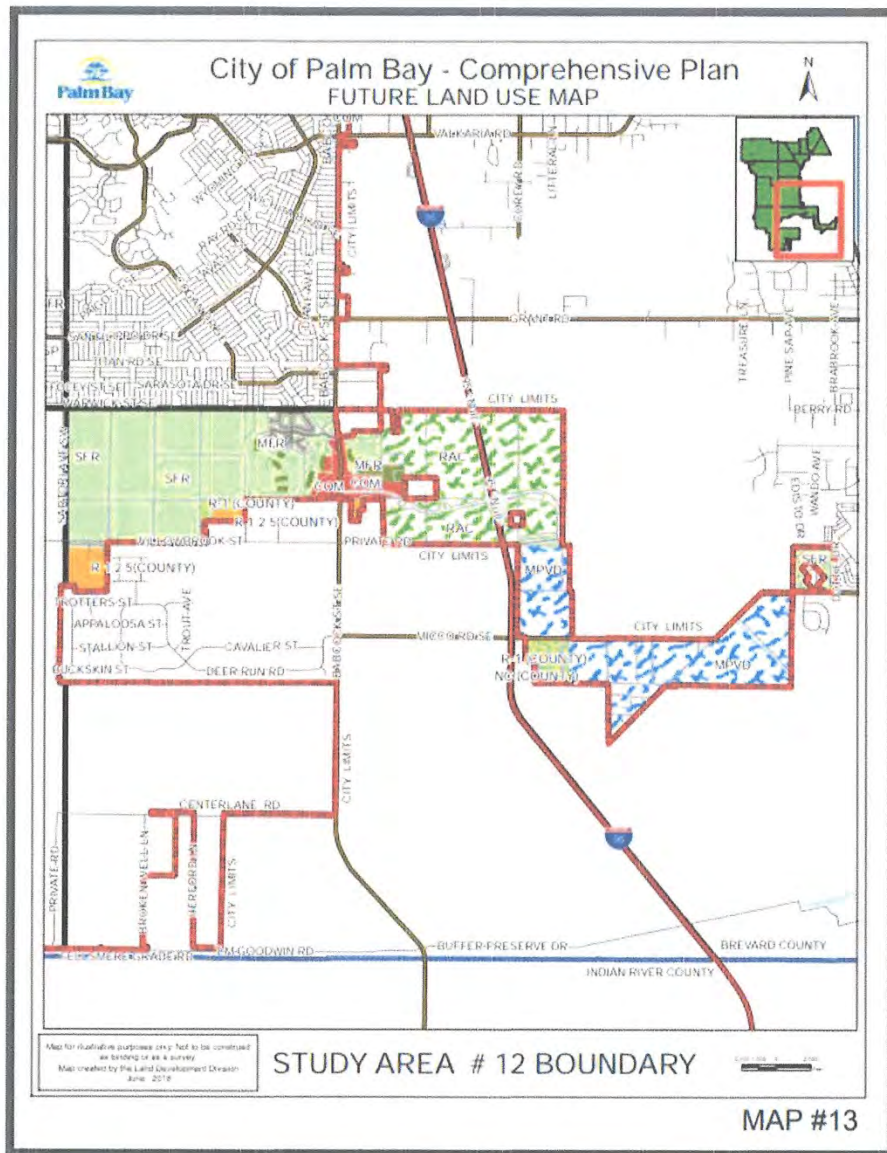


Figure 1: Future Land Use Map taken from the City's Comprehensive Plan on the City of Palm Bay Website, April, 2019

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

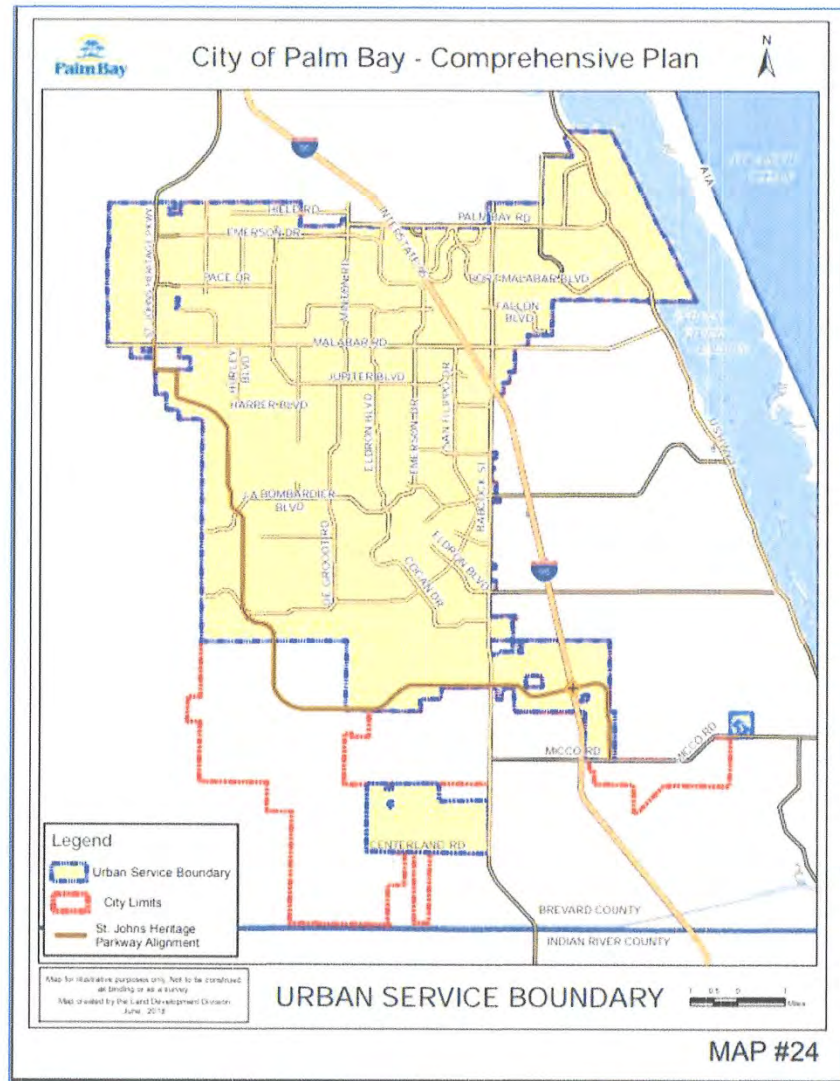


Figure 2 Urban Services Boundary Map adopted by the City in the EAR, October 2017; as shown on the City of Palm Bay website, April, 2019.

The following Objectives or Policies are implemented via this proposed development plan:

- OBJECTIVE FLU-1.3 Land Development Regulations shall provide for planned unit developments, planned commercial developments, planned industrial developments, planned residential developments, and mixed-use developments.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

- POLICIES FLU-1.3A The City shall continue to implement Land Development Regulations for Planned Unit Developments.
- OBJECTIVE FLU-1.4 Establish an Urban Service Area to control urban sprawl.
 - POLICIES FLU-1.4A The Urban Service Area maps shall be adopted for the ten-year time frame of the Comprehensive Plan as depicted in the adopted Urban Service Boundary Map.
- OBJECTIVE FLU-2.1 By 2001, adopt land development regulations which create a full range of types and styles, including planned unit developments, multi-family housing, ranges of single family densities, and mixed use with residential/nonresidential consistent with the needs of all age groups, incomes and lifestyles.
 - POLICIES FLU-2.1A The Zoning Code shall be amended to provide for a variety of types and densities of residential development in conformance with this Element and the Future Land Use Map.
 - POLICIES FLU-2.1B Continue to utilize Planned Unit Development (PUD) techniques to protect environmentally sensitive areas, protect amenities, and mitigate flood hazards.
- OBJECTIVE FLU-2.2 Residential development which can be served by public and community services meeting all LOS standards.
 - POLICIES FLU-2.2A Base residential development decisions on the adopted LOS standards for community facilities and services, the Future Land Use Map, and the policies of the Comprehensive Plan.
 - (Original Wheeler) FLU-8.3G The following special conditions shall be applicable to Case No. CP-12-2003 adopted by City Council as Ordinance No. 2004-52.
 1. Maximum residential density is capped at 1,800 residential units. **(THIS HAS INCREASED OVER TIME DUE TO 37 LAND USE AMENDMENTS)**
 2. A future school site be designated on the property at a suitable location and of suitable size as determined by negotiation between the developer and the Brevard County School Board. **(SCHOOL SITE CONSTRUCTED-SUNRISE ELEMENTARY)**
 3. The developer is required to identify and apply for the necessary Future Land Use Map amendment to provide commercial and public/semipublic uses necessary to service the proposed development within 5 years or prior to development of 600 units, whichever occurs first. **(133+/- ACRES HAVE BEEN DESIGNATED FOR COMMERCIAL LAND USE)**

CITIZEN PARTICIPATION/COUNTY COORDINATION

Several meetings have been held with the existing HOA's of Waterstone, and a Neighborhood meeting was held as recently as September 17, 2019 for the Courtyards at Waterstone neighboring development plan and project. A neighborhood meeting to meet the Citizen Participation requirements for Gardens preliminary plan was held on October 26, 2020. Minutes were provided to the City. Labels for notifying everyone within 500' are provided to the City for mailing the courtesy notice under Tab H.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

JOINT PLANNING AGREEMENT

The City's Growth Management staff regularly distributes the required courtesy copies of documents to the County planning staff pursuant to a 2016 Joint Planning Agreement.

UTILITIES

The development will connect to City water and wastewater. One additional lift station is proposed to be extended into the development from Mara Loma Boulevard to provide utility services. The City has long planned for an expansion to its wastewater plant and has made expansions to the water plant. The City recently approved the staff to proceed with planning/design/permitting of the expansion.

STORMWATER/DRAINAGE

Permit #96251-24 is provided in the Tab G, but is shown as Figure 3. It is for a larger area than the 44 acres currently being applied for, which includes future phases of Gardens subdivision. All retention areas shall be owned and maintained by the residential homeowners association and shall be permitted through the Water Management District. The project will be designed to meet all pre and post development stormwater management as currently by the various agencies and the City by obtaining all required permits.

ENVIRONMENTAL ISSUES

A former grove, there are no environmental issues, no trees, no habitat or endangered species, no wetlands, or other known environmental issues on the proposed subdivision's lands. The property was originally a citrus grove. It was later converted into the existing cattle pasture. The proposed project is designed to and will be consistent with the following Goals, Objectives and Policies of the City's Comprehensive Plan.

GOAL FLU-6 Wise and efficient use of the City's natural resources.

- OBJECTIVE FLU-6.1 An intensity and distribution of land use and development which minimizes the impact on the natural environment.
 - POLICIES FLU-6.1A Land use decisions shall be based upon the support capability of the natural environment as determined by conformance to the Floodplain Management

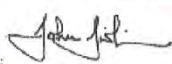
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT		
Post Office Box 1429 Palatka, Florida 32178-1429		
PERMIT NO: 96251-24	DATE ISSUED: April 26, 2018	
PROJECT NAME: Waterstone at Palm Bay - Phase I		
A PERMIT AUTHORIZING: Authorization of a Stormwater Management System for Waterstone at Palm Bay - Phase I, a 101.37 - acre project to be constructed and operated as per plans received by the District on April 4, 2018.		
LOCATION: Section(s): 4 Brevard County	Township(s): 30S	Range(s): 37E
Receiving Water Body:		
Name: Sotile Canal	Class: III Fresh	
ISSUED TO: Waterstone Farms, LLC 235 West Dr Melbourne, FL 32904-1043		
The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.		
This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.		
This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.		
PERMIT IS CONDITIONED UPON:		
See conditions on attached "Exhibit A", dated April 26, 2018		
AUTHORIZED BY: St. Johns River Water Management District Division of Regulatory Services		
By: 		
John Julianna Regulatory Coordinator		

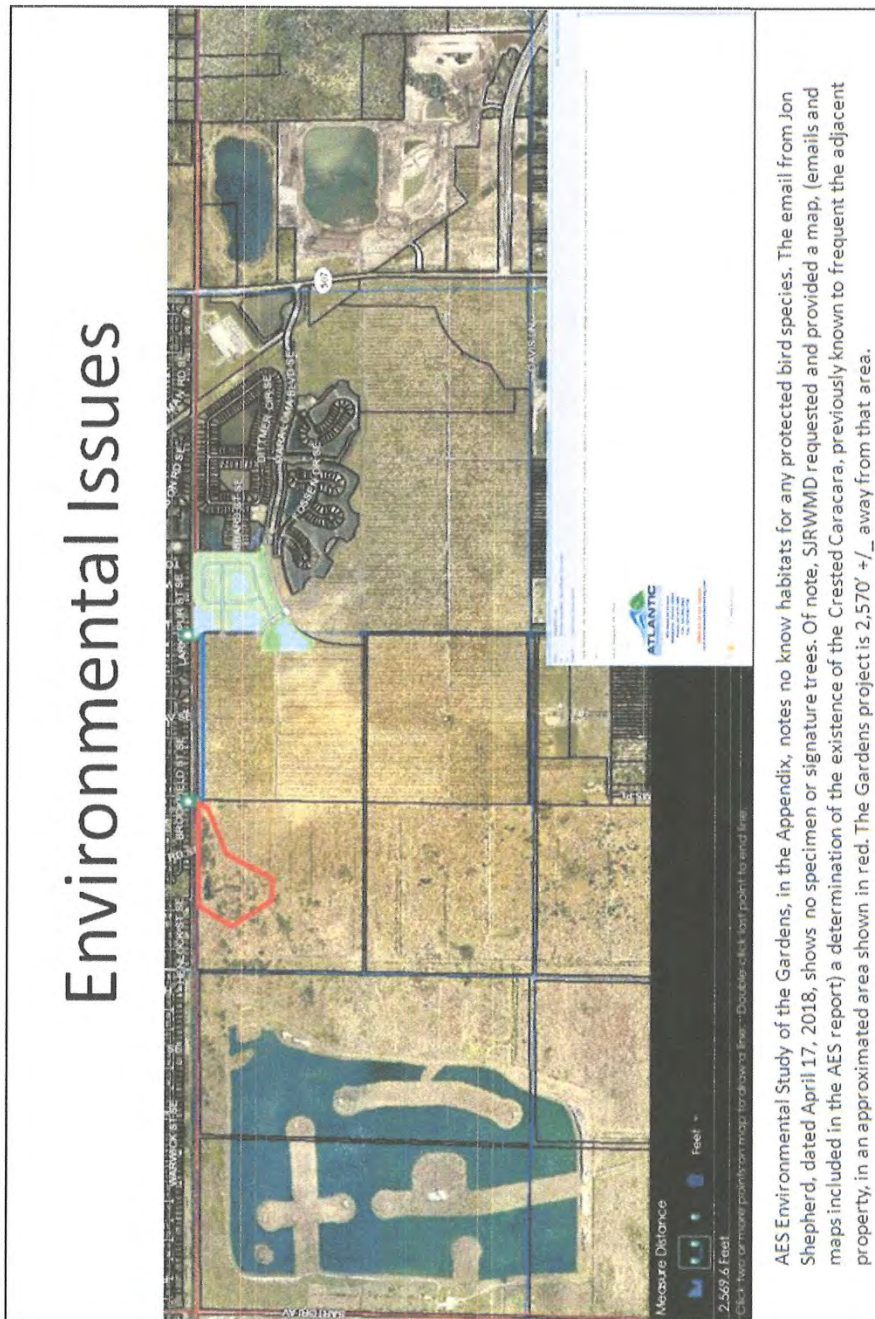
Figure 3 SJRWMD Permit covering the proposed 44 acre project

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Ordinance, the Stormwater Management and Conservation Ordinance, the Trees and Shrubbery Ordinance, and the Zoning Ordinance.

Map F, Environmental Issues, shows via a recent aerial, the cleared land and current conditions of this project. A report from Jon Shepherd, Atlantic Environmental Services (AES) is attached to this document and identified as Tab E. That report reflects the possible existence, as determined by SJRWMD, of a Crested Caracara on adjacent property, over 2500' away, owned by others. The AES report demonstrates that there are no specimen or signature trees on the property. The conclusion of that report is: AES determined that the Property supports approximately 44.654 acres of uplands and therefore can proceed with the planned development.

Map F
Environmental Issues



WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

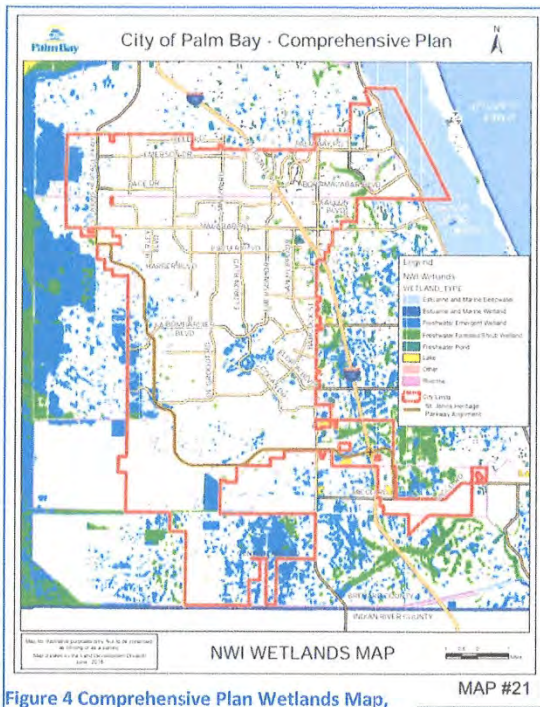


Figure 4 Comprehensive Plan Wetlands Map, dated June, 2018, taken from the City of Palm Bay's website, April, 2019

Figures 4 and 5 are taken from the City's Comprehensive Plan as found on the City's website. If the project is found to be in a Flood Zone, the owner will comply with FEMA requirements and obtain requisite permits.



Figure 5 Comprehensive Plan FEMA 100 Year Floodplain Map,

TRANSPORTATION CONCURRENCY AND MOBILITY

In 2005, traffic concurrency was approved by the City and County for 900 residential units, Sunrise Elementary School, and the current intersection of Mara Loma and Babcock St. Of those approved 900 units, 296 units have been used for Heron Bay and the Lakes of Waterstone. Courtyards at Waterstone used 201 units. From the 403 available, Gardens will use 154, leaving 249 units under this currency determination. Street names have been approved by the Brevard County Address assignment office and are on file with the City's Planning Department.

The PD application requires a vehicular circulation plan, which is shown as part of the development plan. **Gardens** will be served by extending the existing Mara Loma Boulevard to the intersection of the new subdivision on Granger Circle, which if gated, will make all roads in Gardens private roads. Mara Loma, as a 2 lane collector, has capacity and meets concurrency requirements to serve the new subdivision. The section of Mara Loma has been dedicated to the City. All streets within the project are to be private and amenities will be maintained by the Gardens at Waterstone Homeowners Association, Inc.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

The following is a general overview of the proposed uses, as well as dimensional information.

GENERAL RESIDENTIAL USES

The proposed project is a subdivision within a planned unit development zoning district consisting solely of 154 single family homes on 40' X 125' (on average) lots, ancillary recreation, utilities, and infrastructure. Figure 6 shows potential examples of what the residences may look like.

Residential uses will be controlled by the Deed Restrictions submitted with the application for final development plan approval. A Homeowner's Association will provide for maintenance.

Single Family Minimum Yard requirements (Setbacks):

All single family:

Front Yard:	25 feet
Rear Yard:	20 feet
Side yard:	5 feet
Side Corner:	15 feet
Pool Setback:	5 feet

Single Family Height: 2 stories (25 feet)

COMPATIBILITY WITH SURROUNDING AREA

The project is being placed on former groves and is a phase of a Master Planned community started in 2005. Heron Bay and the Lakes of Waterstone are 2 subdivisions that have been constructed containing 296 units. Homes on the Gardens 40' lots will range from 1200 square feet minimum with values from \$225,000 to over \$350,000 depending on size and amenity packages. This project will be compatible in style, type, value, and amenities with its surrounding area, including the large scale planned Regional Activity Center Emerald Lakes (approved in 2011 and 2016) and Cypress Bay PUD (2018) to the east. With over 1500 units remaining to be developed in the Waterstone project, the developers will not build any product that will destroy the future potential of various planned subdivisions. Therefore, the Gardens will be comparable to and compatible with the remaining subdivisions with the planned development in size, scale, character, intensity, and design as well.

COMFORMANCE WITH LAND DEVELOPMENT CODE (REVIEW CRITERIA)

All of the lands in Waterstone are zoned Planned Unit Development. The applications submitted for the Gardens project recognizes the expiration of the Waterstone at Palm Bay preliminary development plan as approved January 2018 and seeks to amend the 2005 Master Development Plan by ***obtaining approval of a new Final Development Plan for the specific area of the Gardens at Waterstone.***

This document and narrative demonstrates how the Gardens project is consistent with the Comprehensive Plan, compliant with Land Development Code, and meets the review criteria in Chapter 185.066 of the City's Code, warranting approval. Since the project is zoned Planned Unit Development Zoning, therefore, a rezoning is not required.

FINAL DEVELOPMENT PLAN COMFORMANCE WITH LAND DEVELOPMENT CODE (REVIEW CRITERIA)

A full justification narrative was submitted with the Preliminary Planned Unit Development application materials. The preliminary PUD was heard by the Planning and Zoning (PZ) Board on November 4, 2020

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

and is expected to be heard by the City Council on December 3, 2020. The Staff, PZ Board, and City Council found the project consistent with the Comprehensive Plan, compliant with Land Development Code, and that it met the review criteria in Chapter 185.066 of the City's Code, warranting approval.

The procedure for approval of the Final PUD is found in the City's Land Development Code section 185.067:

§ 185.067 PROCEDURE FOR SECURING APPROVAL OF A FINAL DEVELOPMENT PLAN. The developer shall have one (1) year from the approval of the preliminary development plan for a planned unit development zone in which to file a final development plan application. At the request of the developer, and for good cause shown, the City Council may extend the period required for the filing of the application for a time certain not to exceed one (1) year. The final development plan application may request approval for the entire planned unit development plan or any stage. If approval is not requested for the entire planned unit development, the developer shall have one (1) year from approval of the final development plan application to file another final development plan application for approval of any or all of the remaining stages specified in the preliminary development plan. At the request of the developer, and for good cause shown, the City Council may extend for a time certain not to exceed one (1) year, the period for the filing of the application.

(A) *Required exhibits.* The exhibits identified in § [185.066](#)(B)(2)(a) shall be attached to the final development plan application.

Response: The application was determined to be complete by the Growth Management Department.

(1) In addition to the requirements of (A) above, a boundary and topographic map shall be submitted and shall include the location, size and type of all trees (per the standards identified in [Chapter 180](#)).

(2) Development schedule. The development schedule shall contain the following information:

- (a) The order of construction of the proposed stages delineated in the development plan.
- (b) The proposed date for the beginning of construction of such stages.
- (c) The proposed date for the completion of construction on such stages.
- (d) The proposed schedule for the construction and improvement of common open space within such stages, including any complementary buildings.

(3) Deed restrictions. Deed restriction proposals to preserve the character of the common open space as set forth in § [185.064](#). The deed restrictions shall include a prohibition against partition by any residential property owner.

Response: Draft Deed restrictions are included with this submittal.

(4) Instruments dedicating all rights-of-way, easements and other public lands shown on the final development plan from all persons having any interest in the land.

NOTE: THESE ARE SHOWN ON THE PRELIMINARY PLAT ATTACHED TO THIS APPLICATION

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

(5) Title opinion. A title opinion from an attorney showing the status of the title to the site encompassed by the final development plan and all liens, encumbrances and defects, if any.

Response: The application was determined to be complete.

(B) Procedure.

(1) A fee as established by resolution pursuant to § 169.004 shall accompany the final development plan application for the purpose of administration, additionally, engineering, plat filing, necessary copies and travel fees will be incurred.

Response: The application included the required fee.

(2) The Planning and Zoning Board shall recommend the approval, approval subject to conditions, or disapproval of the final development plan with the preliminary development plan, the sufficiency and accurateness of the required exhibits, and the requirements and purposes of this subchapter and any other applicable provision of this code of ordinances and any other regulation of the city. The Planning and Zoning Board shall recommend the approval, approval subject to change, or denial of the final development plan.

Response: On November 4, 2020, the City's Planning and Zoning Board heard case PUD-32-2020 in a duly noticed public hearing. After the hearing was closed, a board member moved approval, the motion was seconded and the project was recommended to the City Council for approval.

A reiteration of the justification statement with the Planning Board Review criteria follows.

CHAPTER 185.066 PRELIMINARY DEVELOPMENT PLAN PROJECT JUSTIFICATION: COMPLIANCE WITH REVIEW CRITERIA TAKEN FROM THE CITY'S LAND DEVELOPMENT CODE ON AMERICAN LEGAL'S WEB-SITE.

The Gardens at Waterstone Final PUD submittal included all the required documents and exhibits requested under the code. The Gardens at Waterstone is almost completely the same configuration as it was in 2005 and in 2018 when approved by the City Council.

185.066 (B) (5) Review criteria. The decision of the Planning and Zoning Board on the preliminary development plan application shall include the findings of fact that serve as a basis for its recommendation. In making its recommendation, the Planning and Zoning Board shall consider the following facts:

(a) Degree of departure of proposed planned unit development from surrounding residential areas in terms of character and density.

JUSTIFICATION: Gardens at Waterstone is part of an approved project and plan that was given Planned Unit Development Zoning in 2005. The project is west of the built subdivisions of Heron Bay and Lakes of Waterstone, which were begun by Pulte/Divosta around 2006. Completed with 296 homes and an elementary school, utilities are permitted, sized and installed to serve the entire planned development in lines run from Valkaria Road to Mara Loma Blvd, and 2600' feet of Mara Loma Blvd is constructed and dedicated. The Courtyards at Waterstone, approved in 2020, will be owned by the same developers and contain the same amenities and design features. Therefore, there is complete compatibility with the existing development.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Land use entitlements exist on 1200+/- acres straddling both sides of south Babcock Street. The proposed project is one of several large scale developments stimulated and supported by the new I-95 interchange and Parkway. Therefore, there is little departure from the current or proposed residential areas by the proposed project, which is in complete conformance with the character, density, and intensity of development approved by the State and City for this area.

(b) Compatibility within the planned unit development and relationship with surrounding neighborhoods.

JUSTIFICATION: Projects on adjacent lands have received City and/or State approval for similar mixed use, large scale developments with commensurate land use and zoning. As an extension of the original planned development, Gardens is compatible in size, scale, character, intensity, and design with both built subdivisions and future planned subdivisions.

(c) Prevention of erosion and degrading of surrounding area.

JUSTIFICATION: Gardens will meet all required agency permitting processes and procedures and create no off-site drainage issues. Preliminary St. John's River Water Management District Permits have been received and are on file with the City.

(d) Provision for future public education and recreation facilities, transportation, water supply, sewage disposal, surface drainage, flood control and soil conservation as shown in the preliminary development plan.

JUSTIFICATION: The original Waterstone Development donated land for an elementary school, Sunrise Elementary, which is open and serving the public. There are no other schools to be provided by Waterstone. Gardens will have on site recreation amenities for use by its residents. All utilities will be planned for and installed by the developer(s), approved by the City, served by the City and permitted by the required Agencies. All required environmental permits will be obtained through the respective agencies. Currently, ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT PERMIT #96251-24 gives conceptual approval to the master planned drainage system for the Gardens multiple phases on 101 acres. That permit is on public record and filed with the City.

(e) The nature, intent and compatibility of common open space, including the proposed method for the maintenance and conservation of the common open space.

JUSTIFICATION: The overall Waterstone project's residential areas will ultimately provide approximately 180 acres of recreational and open space amenities in both active and passive recreational areas. The Gardens will have its own smaller localized recreation areas that may include such elements as tot-lots and other active or passive play amenities, and may contain fountains, gazebos, and trails. A 'Gardens at Waterstone Homeowners Owner's Association, Inc.' (HOA) will be responsible for operation and maintenance of the amenities within the residential areas.

(f) The feasibility and compatibility of the development plan to function as an independent development.

JUSTIFICATION: Each neighborhood within the Waterstone project will function on its own. Utilities provided by the owner to serve the existing Waterstone community will serve this project. The Gardens will have its own deed restrictions, HOA/POA, articles of incorporation and by-laws, permits, and plat.

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

(g) The availability and adequacy of primary streets and thoroughfares to support traffic to be generated within the proposed planned unit development.

JUSTIFICATION: Numerous Traffic Studies by Lassiter Transportation Group analyzing the roadway impacts and what improvements are necessary have been submitted over the years and are on file with the City and County. A Technical Memorandum was prepared for the Courtyards submittal with the 2020 application and is on file with the City. It shows that when the Cypress Bay Residential project of 400 is complete and the Gardens is complete, a traffic signal warrant study will be needed for the Mara Loma intersection with Babcock Street. Brevard County is conducting a PDE for widening of the roadway. The new interchange and Parkway is open. There is adequate roadways to support the project.

(h) The availability and adequacy of water and sewer service to support the proposed planned unit development.

JUSTIFICATION: Gardens will utilize the lines provided for the existing Waterstone Communities and tie into the City's water and wastewater system. The City began long range planning in 2012 with its consultants Wade-Trim for the utility needs for the new communities planned for Northwest and Southern Palm Bay. The City has begun the long planned expansion to its wastewater plant and has made expansions to the water plant. The City will be the provider of the requisite services. The owner engineer, CEG, working in concert with the City's Utilities department, has been advised that there is capacity available to serve this project.

(i) The benefits within the proposed development and to the general public to justify the requested departure from standard land use requirements inherent in a planned unit development classification.

JUSTIFICATION: Unlike using singular zoning districts and subdivision practices, Gardens is planned to be a quality, integrated, creative development similar in style and value to the existing Waterstone and Bayside Lakes Subdivisions. Landscaped roads, themed signage, entry features, underground utilities, specialty lighting, and deed restrictions will dictate and govern the uses, standards, character and quality of the development. In most cases, the requirements will be stricter than the City code. Because it's within the PUD district, there is greater control and quality than in a single development zone.

(j) The conformity and compatibility of the planned unit development within any adopted development plan of the city.

JUSTIFICATION: This project is in compliance with the Comprehensive Plan of the City.

(k) The conformity and compatibility of the proposed common open space, primary residential and secondary nonresidential uses within the proposed planned unit development.

JUSTIFICATION: This project includes active and passive recreational uses for common enjoyment by the residents. There are no commercial uses within the Gardens.

CONCLUSION

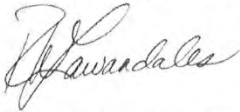
Several supporting documents are included in the Appendices. Exhibits required by the applications are under separate cover. Based upon my review of the documents, in my opinion, as a Fellow of the American Institute of Certified Planners, with 40 years of professional planning practice in the state of Florida, the proposed Gardens Final Development Plan is:

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

-
- **consistent with the Planned Unit Development Zoning Classification currently on the property,**
 - **consistent with the Comprehensive Plan,**
 - **compliant with the City's land development code, and ,**
 - **compatible with the surrounding community.**

This narrative report, required by the application, is intended to serve as substantial competent evidence and testimony in all public hearings or proceedings related to the Gardens.

Respectfully submitted,



Rochelle W. Lawandales, FAICP
Waterstone Development Company, LLC

MAPS AND FIGURES

MAPS

- MAP A: GARDENS LOCATION MAP**
MAP B: CITY ZONING MAP
**MAP C: ORIGINAL PRELIMINARY DEVELOPMENT PLAN FOR WATERSTONE AT PALM BAY
WITH APPROXIMATE LOCATION OF GARDENS**
MAP D: PROPOSED FINAL DEVELOPMENT PLAN
MAP E: CITY FUTURE LAND USE MAP
MAP F: ENVIRONMENTAL ISSUES

FIGURES

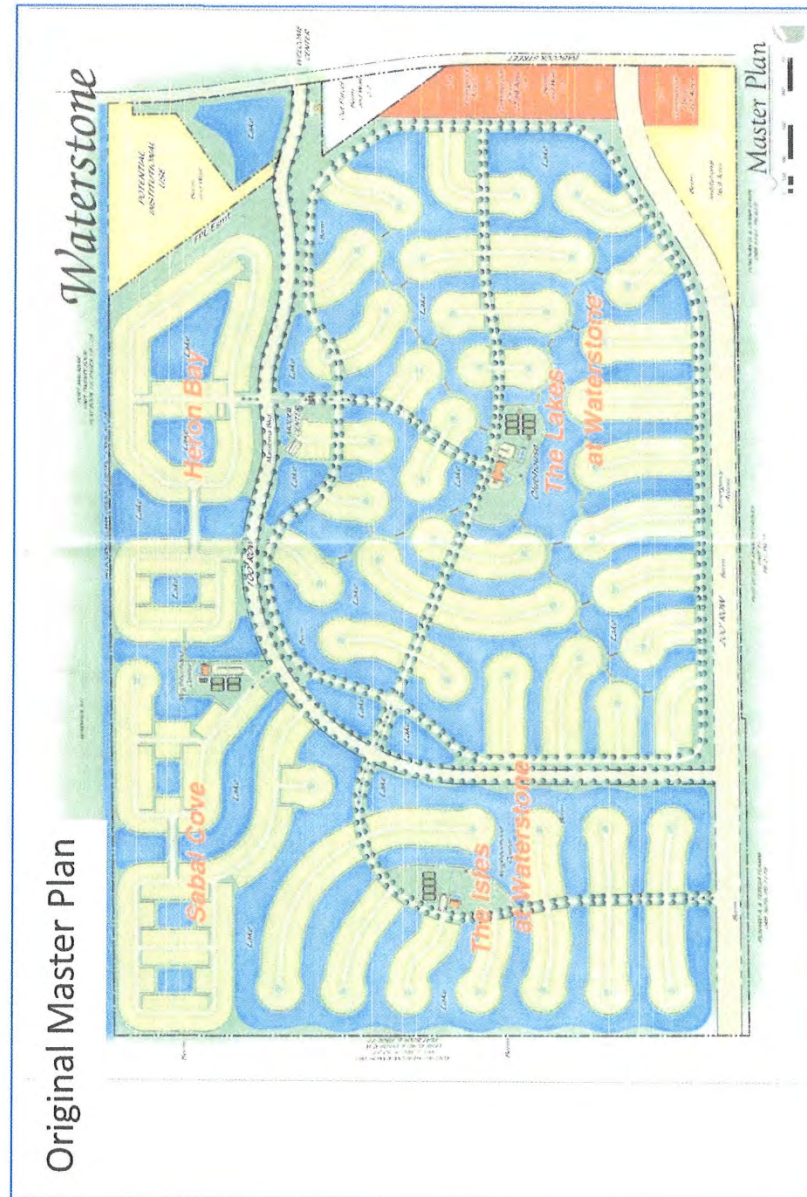
- FIGURE 1** Future Land Use Map taken from the City's Comprehensive Plan on the City of Palm Bay Website, April, 2019
FIGURE 2 Urban Services Boundary Map adopted by the City in the EAR, October 2017; as shown on the City of Palm Bay website, April, 2019.
FIGURE 3 SJRWMD Permit covering the proposed 44 acre project
FIGURE 4 Comprehensive Plan Wetlands Map, dated June, 2018, taken from the City of Palm Bay's website, April, 2019
FIGURE 5 Comprehensive Plan FEMA 100 Year Floodplain Map, taken from the City of Palm Bay's website, April, 2019
FIGURE 6 Single Family residential examples

APPENDICES

- 1. APPROVED PRELIMINARY DEVELOPMENT PLAN 2005 ESTABLISHING ZONING**
- 2. CONCURRENCY DETERMINATION INFORMATION**
- 3. RESUME OF ROCHELLE W. LAWANDALES, FAICP**
- 4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD**

APPENDICES

1. APPROVED ORIGINAL MASTER PLAN

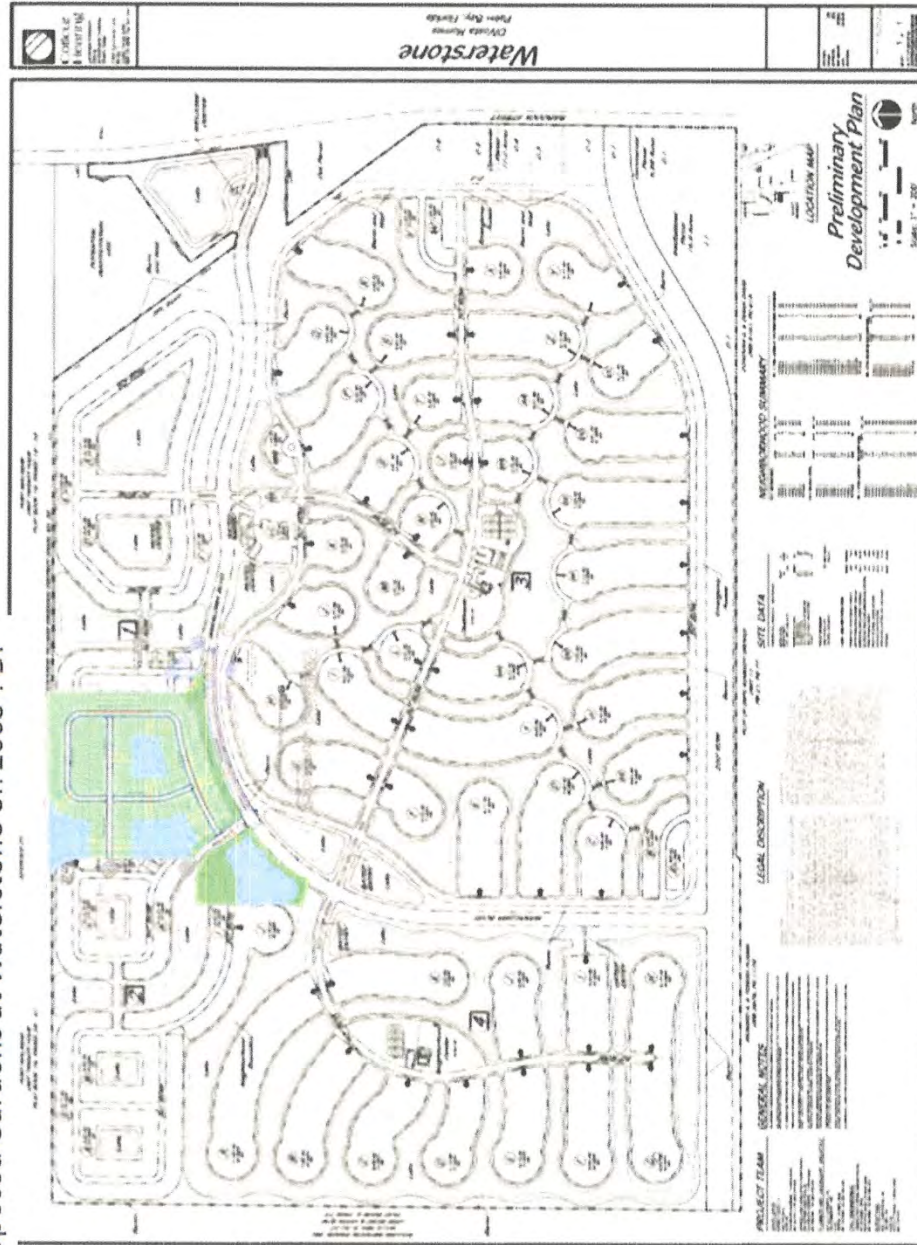


May 15, 2005 FINAL PUD Approval

Resulted in PUD Zoning
Shown on City's GIS today

WATERSTONE FARMS, LLC AND PB&J GARDENS INVESTMENT, LLC
FINAL DEVELOPMENT PLAN APPLICATION FOR GARDENS AT WATERSTONE

Proposed Gardens at Waterstone on 2005 PDP



* Approximate location. Not to scale. Graphic exhibit only.

2. CONCURRENCY DETERMINATION INFORMATION



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: George Clark, Roadway and Landscaping

FROM: Rich Votapka, P.E., Traffic Engineering *R. Votapka*

DATE: April 29, 2005

SUBJECT: Babcock Street/Waterstone PUD Driveway Connections **Revised**
April 20, 2005 for Roadway & Easement Improvement Application
No. 0175908

I have reviewed the April 19, 2005 response comment letter written by David Leach of PBS & J to John Denninghoff and the April 18, 2005 revised plans received by our office today. As a result, I requested additional information which was provided by David Leach, Project Manager, to you on April 27, 2005. After reviewing the information with John Denninghoff, Transportation Engineering Director, and R.W. Thompson, Traffic Engineering Director, it was agreed that the responses and the plans are in satisfactory compliance with both the Transportation Engineering and Traffic Engineering comments stated in my letter of April 18, 2005. Therefore, the April 19, 2005 PBS & J plans are approved with the following conditions:

1. The land use shall not be altered from the 900 unit Waterstone Planned Unit Development (PUD) adjacent to Babcock Street in Palm Bay, Florida including the proposed elementary school. Any changes in use or traffic circulation (including connections outside the PUD) shall require a new review by Brevard County concerning the concurrency determination and engineering details to confirm that Brevard County approval of this project can still remain in full force and effect.
2. According to the March 29, 20005 Traffic Analysis as prepared by PBS & J, Inc. for the Waterstone PUD, a traffic signal will eventually be warranted for the intersection of Babcock Street and Mara Loma Drive. When the traffic signal becomes warranted, Bayside Lakes Development, Inc. the developer, or the Waterstone Homeowners Association (HOA) shall be required to modify the Brevard County Driveway/Access Connection Permit (no. p0175908) for this project and have the traffic signal installed at the developer's or the HOA's expense.

3. At such time that Bayside Lakes Development, Inc. purchases the large tract of land that contains a borrow pit on the east side of the Babcock Street right-of-way and that lies directly opposite the Waterstone PUD, Bayside Lakes Development, Inc. agrees to accommodate the stormwater runoff from the future widening of Babcock street along the entire frontage of Waterstone PUD abutting the Babcock Street right-of-way.
- c: Deborah Adkison, Eng. I, Transportation Eng.
John Denninghoff, Transportation Eng. Director
Bob Kamm, Director, Office of Transportation Planning
R. W. Thompson, Traffic Eng. Director

Contractor responsible for any damage to Right-of-Way and Easements and must repair and restore to Brevard County and Florida Department of Transportation Standards prior to C/O or Final

Open pits must be completed within 10 days of excavation date.
No excavation within 48" of edge of pavement.
Directional Lane Method only in County Right-of-Way.

Brevard County Roadway and F easement Permits
Expire 60 days from date of issuance. Your
permit will expire 7-4-2005
(Contact Roadway and F easement Permitting with
any questions. (321) 633-2178 ext 2

Chapter 580, Florida Statutes, requires the permittee, prior to any excavation or demolition activities, to notify the DNR/CAL system (also called Streamline State One-Call). This is to be done not less than 2, nor more than 5, business days before beginning. 1-800-432-4770

Road cuts must be replaced with flowable fill. Must contact inspectors 2 weeks in advance of work start date.



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

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2. According to the March 29, 2005 Traffic Analysis as prepared by PBS & J, Inc. for the Waterstone PUD, a traffic signal will eventually be warranted for the intersection of Babcock Street and Mara Loma Drive. When the traffic signal becomes warranted, Bayside Lakes Development, Inc. the developer, or the Waterstone Homeowners Association (HOA) shall be required to modify the Brevard County Driveway/Access Connection Permit (no. p0175908) for this project and have the traffic signal installed at the developer's or the HOA's expense.

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- c: Deborah Adkison, Eng. 1, Transportation Eng.
John Denninghoff, Transportation Eng. Director
Bob Kamm, Director, Office of Transportation Planning
R.W. Thompson, Traffic Eng. Director

BREVARD COUNTY FEE COLLECTION
DEVELOPMENT RECEIPT

TYPE II FEES		TYPE I FEES	
ROADS:	0.00	CS ENVIRON:	0.00
FIRE RESCUE:	0.00	CS LANE USE:	0.00
CORRECTIONAL:	0.00	CONCURRENCE:	0.00
SW DISPOSAL:	0.00	DRIVWAY:	500.00
EMS:	0.00	DRIVWAY BOND:	0.00
LIBRARY:	0.00	BUILDING PERMIT:	0.00
SCHOOL:	0.00	FLOOD ZONE:	0.00
CREDIT:	0.00	RADON/SEAL:	0.00
TOTAL IMPACT FEES:	0.00	REPOSITRY:	0.00
SEWER CONNECTION:	0.00	LANDSCAPE:	0.00
MINE WATER:	0.00	UTIL RESERVE:	0.00
SERVICE FEES:	0.00	ADD RESERVE:	0.00
BLDG REINSR FEE:	0.00	ADDRESS:	0.00
BUILD REINSR DUE:	0.00	SEPTIC FEES:	0.00
TYPE II FIRE:	0.00	TYPE I FIRE:	0.00
UTIL REINSR FEE:	0.00	LOT DRAINAGE:	0.00
UTIL REINSR DUE:	0.00	TOTAL TYPE I FEE:	500.00
DRIVWAY REINSR:	0.00	TYPE I BAL DUE:	0.00
DRWAY REINSR DUE:	0.00		
SEPTIC REINSR FEE:	0.00		
SEPTIC REINSR DUE:	0.00		
DRAINAGE REINSR:	0.00		
DRAIN REINSR DUE:	0.00		
EST. TYPE II FEES:	0.00		
TYPE II DUE:	0.00		

* NOTE: TYPE II DUE AMOUNT MAY VARY DUE TO ADDITIONAL FEES OR FEE REDUCTION
CREDIT REASON:

TOTAL FEES: 500.00
TOTAL PAYMENTS TYPE I: 500.00 TOTAL PAYMENTS TYPE II: 0.00

ADDRESS: 5150 BASCOCK ST PALM BAY

CONTROL NUMBER: P0231945 PERMIT NUMBER: P0175906

LEGAL DESC: 30-3704

APPROVED BY: BC CHECK NUMBER: 3329 DEPOSIT-AREA: C

PERSON ACCEPTING-FEE: KOD DATE: 2004/11/17

BLOG INSPECTIONS: 633-2187 ENV. HEALTH: 633-2100 PUB. WORKS: 633-2079

BREVARD COUNTY FEE COLLECTION
DEVELOPMENT RECEIPT

TYPE II FEES		TYPE I FEES	
ROADS:	0.00	OS ENVIRON:	0.00
FIRE RESERVE:	0.00	OS LAND USE:	0.00
CORRECTIONAL:	0.00	CURRENCY:	0.00
SW DISPOSAL:	0.00	DRIVEWAY:	300.00 P
EMER:	0.00	DRIVEWAY BOND:	0.00
LIBRARY:	0.00	BUILDING PERMIT:	0.00
SCHOOL:	0.00	FLOOD ZONE:	0.00
CREDIT:	0.00	RADON/BQAT:	0.00
TOTAL IMPACT FEES:	0.00	REPOSITORY:	0.00
SEWER CONNECTION:	0.00	LANDSCAPE:	0.00
MIMS WATER:	0.00	UTIL RESERVE:	0.00
SERVICE FEES:	0.00	ADD BEDROOM:	0.00
BLDG REINSP FEE:	0.00	ADDRESS:	0.00
BUILD REINSP DUE:	0.00	SEPTIC FEES:	0.00
TYPE II FINE:	0.00	TYPE I FINE:	0.00
UTIL REINSP FEE:	0.00	LOT DRAINAGE:	0.00
UTIL REINSP DUE:	0.00	TOTAL TYPE I FEES:	300.00
DRIVEWAY REINSP:	0.00	TYPE I BAL. DUE:	0.00
DRWAY REINSP DUE:	0.00		
SEPTIC REINSP FEE:	0.00		
SEPTIC REINSP DUE:	0.00		
DRAINAGE REINSP:	0.00		
DRAIN REINSP DUE:	0.00		
EST. TYPE II FEES:	0.00		
TYPE II DUE:	0.00		

* NOTE TYPE II DUE AMOUNT MAY VARY DUE TO ADDITIONAL FEES OR FEE REDUCTION
CREDIT REASON:

TOTAL FEES: 500.00
TOTAL PAYMENTS TYPE I: 300.00 TOTAL PAYMENTS TYPE II: 0.00

ADDRESS: 9150 BRADCOCK ST PALM BAY

CONTROL NUMBER: P0237020 PERMIT NUMBER: P0180172

LEGAL DESC: 30-3704

APPROVED BY: SC CHECK NUMBER: 2361 DEPOSIT-AREA: C

PERSON ACCEPTING-FEE: NJA DATE: 2005-01-19

BLDG INSPECTIONS: 673-2187 ENV. HEALTH: 673-2100 PUB. WORKS: 633-2079



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: Billy Osborne, Roadways & Landscaping Director
George Clark, Roadways & Landscaping Department

FROM: John P. Denninghoff, P.E., Transportation Engineering Director

SUBJECT: Waterstone PLD Driveway Connections

DATE: February 15, 2005

Transportation Engineering has completed a review of two proposed driveway connections to Babcock Street for the above referenced development. Based on recently received site data including a traffic study as submitted by the applicant (letter dated February 3, 2005) and the subsequent positive concurrency determination by the Transportation Planning office as well as a letter regarding this developments approval status from the City of Palm Bay, we recommend the following prior to issuance of the requested permit:

1. Final approval of the engineering plans (see attached memo from Traffic Engineering dated February 2, 2005) is required. The required revisions appear to be minor.
2. The traffic study shall be revised to reflect the trips anticipated from the school and other minor study revisions that are required in accordance with the comments provided by the Transportation Planning office (see attached memo dated February 8, 2005). The revisions are not considered to be major and are not anticipated to affect concurrency.
3. The intersection of Babcock Street and the southerly entrance may require signalization (the final traffic analysis should address this possibility). The permit shall stipulate that in the event a traffic signal becomes warranted the development (either the HOA or the developer) shall modify the permit and complete the installation of the signal.
4. The permit shall stipulate that the land use shall not be altered from the 900 unit PLD including an elementary school. Changes in use or traffic circulation (including connections outside the PLD) shall require a review of the concurrency determination and the engineering details to confirm that the approval can stand.
5. The other typical conditions including time frame for expiration shall apply.

Attachments

CC: Dick Thompson, P.E., Traffic Engineering Director
Bob Kamun, MPO Director
Ed Washburn, P.E., Interim Assistant County Manager
Peggy Busacca, Interim County Manager
Randy Oller, Planning & Zoning
Ben Jeffries, Applicant
Sue Hann, Deputy City Manager, Palm Bay

Post-It® Fax Note	757	Date 2/15/05	Page 6
To	Den 3	From	John P. Denninghoff
Co Dept		Co	
Phone #		Phone #	607 7302
Fax #	952 0981	Fax #	602 2023



BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS

**INTER-OFFICE
MEMORANDUM**

TO: George Clark, Special Projects Coordinator III, Roadways Permitting

FROM: R.W. Thompson, P.E., Traffic Engineering Director *R.W. Thompson*

DATE: February 2, 2005

SUBJECT: Babcock Street/Waterstone Subdivision and School Access Drives
Permit No. P0175908

We have completed our review of subject plans and have listed our comments below.

- 1) Please provide additional right-of-way for future 4-laning of Babcock Street. Current design standards for an urban arterial street requires a minimum of 114' right-of-way, plus an additional 12' on each side for right turn lanes. It appears that Babcock Street right-of-way is 100' wide. If so, we will need 7' on the west side for the entire length of the parent property and an additional 12' where ever a right turn lane could be required.
- 2) Show northbound left turn lanes for each access drive intersecting Babcock Street. Design speed shall be 55mph. Queue distance shall be determined by traffic engineering study. Widening transitions shall meet FDOT Standard Index No. 526, sheet 2 of 8 for a 55mph design speed.
- 3) Provide a traffic impact analysis, performed by a licensed professional engineer, that routinely performs traffic engineering reports.
- 4) Please provide more detailed plans, so as to clearly spell out what these two access roads will be serving, so that we can make sound engineering design decisions on concurrency and roadway/intersection design and spacing of access drives, in regard to final approval of your permit request.
- 5) Show pavement/roadbed design proposed for all work to be completed within the Babcock Street right-of-way.
- 6) Show 50' radii on all drive radii.
- 7) Show actual cross sections, with elevations and slopes, on Babcock @ 100' intervals, plus sections at centerline of each drive, at north ends of proposed right turn lanes and cross sections @ 100' intervals from the beginning of the widening for the northbound left turn lanes to the north end of the transition areas. If the 3-lane widened areas are less than 500' apart, the roadway shall become a 36' 3-lane roadway continuous.
- 8) Show the right turn lanes to be squared off at the north end of the tapers and stripe out the excess asphalt, behind the taper, with thermoplastic material.



February 11, 2005

John Denninghoff, P.E.,
Director of Transportation Engineering
Brevard County
2725 Judge Fran Jamieson Way
Viera, Florida 32940

RE: Waterstone PUD

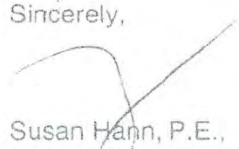
Dear John:

In confirmation of our meeting with City staff and Mr. Jeffries earlier this week, the Waterstone PUD is currently a self-contained project and does not interconnect with any other projects that would add trips to Babcock Street. In the event that connections to other projects are contemplated, City staff will advise Brevard County staff and work with County staff to evaluate any impacts to Babcock Street. This will likely include traffic impact analyses and concurrency determinations. In addition, the City is working with the developers in this area to facilitate the construction of a southern leg of the Palm Bay Parkway, ultimately connecting to Interstate 95. I would ask that the County staff cooperate in pursuing this opportunity such that we can collectively deliver the necessary transportation infrastructure in this area of South Brevard County.

Please note that the Waterstone site plan does show a connection to the south east of Tract 13 (school site); however, there is no development plan for this property at this time.

Please let me know if additional information is required.

Sincerely,



Susan Hann, P.E.,
Deputy City Manager

cc: Lee R. Feldman, City Manager
Dave Watkins, Growth Management Director
Ben Jeffries

Office of the City Manager

120 Malabar Road, SE • Palm Bay, FL 32907
Phone: 321.952.3413 • Fax: 321.952.3412 • www.palmbayflorida.org

MEMORANDUM

TO: Ed Washburn, Interim Assistant County Manager

FROM: Bob Kamm, Director, Office of Transportation Planning
Kama Dobbs, Transportation Planner, Office of Transportation Planning

DATE: February 9, 2005

RE Waterstone Subdivision Preliminary Traffic Analysis

Transportation Planning staff has reviewed the Waterstone Subdivision Preliminary Traffic Analysis and has the following comments:

1. Based on the method the County uses for determining concurrency and the segmentation of Babcock Street (Indian River Co. to Valkaria Rd.), this project meets concurrency requirements. However, when the links that make up the (RC to Valkaria segment are examined, the project causes the northernmost link from Grant Rd. to Valkaria Rd. to fail on a daily traffic basis.
2. The site plan shows no connections to the adjacent city street system or to potential future developments to the west and south. In the interest of providing safe and convenient access to the site and to destinations within the City, we strongly encourage the City and applicant consider providing site access via existing or future City streets. In addition to the Babcock St. access, Alternate access will, first, reduce traffic loadings on Babcock. Second, trip lengths for residents to reach commercial sites in Palm Bay, especially those in the far western section of the project, will be shorter. Third, the project contains a school site that will likely draw on elementary students inside the City. Providing a connection will enable students and parents to safely access the school on foot and bicycle, eliminate the need for all parents to use Babcock Street and create more of a "neighborhood school" that parents now consistently expect.
3. We agree with the general assumption on page 4, regarding the likelihood of 90% of site traffic being to/from the north.
4. Please show the calculations used in Table 2. Our calculations, using average trip generation rates for daily traffic (9.57 trips per day per unit) yield 8,613 daily trips, not 7,849.
5. Please recalculate directional distribution based on corridor-specific data, rather than using the FDOT K and D that are for the entire County. Raw count data can be provided by the MPO for calculations. A direction value of 53.08% seems inconsistent with the 90% trip distribution to the north.
6. In order to maintain travel speeds and enhance safety at the driveways, NB left turn lanes should be provided at the project entrances. There is potential for serious rear-end collisions on this segment due to the 35 mph speed limit.
7. Please show calculations used to determine the data shown in Table 3. It is unclear how the consultant arrived at the existing peak hour volumes that are shown. These differ significantly from the MPO's raw data.
8. What is the spacing between driveways? The plot on page 3 is difficult to read. We can't determine the scale, nor can we locate the 2nd driveway onto Babcock.
9. Please show sources/calculations for Table 4. Add background traffic growth from 2004 - 2010. Although traffic counts "spiked" in 1996 and 1997, and the TRENDS analysis programmed showed negative growth, professional judgment should be used to determine the growth trend from 1999 - 2004. If the consultant believes that growth is negative, a substantial amount of justification should be provided.

- 10 The project reserves land for an elementary school site. School traffic is not included in the trip generation calculations. The only use considered was residential. Given that schools can be a significant trip generator, the trip generation calculations should show values with and without a school. The level of service calculation based on daily traffic should also be amended to show with and without school scenarios.

- 9) Show 4' paved shoulder with 6' turf shoulder @ 6% slope along all new construction of turn lanes and along the left turn lane widening areas. Shoulder slopes shall be 6:1 and back slopes shall be 4:1.
- 10) Show 6' wide x 6" thick fiber reinforced concrete sidewalk along all public road frontage
- 11) Provide corner cuts for future traffic signal poles.
- 12) Show all applicable signs and pavement markings. All signs shall have high intensity faces. All signs shall be per FDOT and Brevard County Standards. All pavement markings shall be per FDOT Std. Index Nos. 17346 and 17352.
- 13) Provide a plan view of all right-of-way improvements on Babcock, from 1000' south of the south access drive, to 1000' north of the north access drive. This includes both sides of Babcock Street.
- 14) Show the hard median noses extended east with striping and RPM's, to the point where the nb left turning radius and the eb left turning radius intersect.
- 15) The south driveway shall have a 2nd 30" stop sign in the median, with an R4-7 median nose sign & Type I Object Marker on the back side (facing Babcock Street).
- 16) Please size your site's storm water ponds to be capable of future runoff of a 6-laned Babcock Street, for the entire length of this parent property.

If you have any questions concerning the above comments, please call me at 321 633-2077.

3. RESUME OF ROCHELLE W. LAWANDALES, FAICP

ROCHELLE W. LAWANDALES, FAICP

EDUCATION

- Graduate Degree:** MASTER OF CITY AND REGIONAL PLANNING
CLEMSON UNIVERSITY, CLEMSON, S.C. 1979
- Bachelor of Arts:** SOCIOLOGY/PSYCHOLOGY
CLEMSON UNIVERSITY, CLEMSON, S.C. 1977
- Other Studies:** ALLIANCE FRANÇAISE, PARIS, FRANCE (1976)
- Certifications:** American Institute of Certified Planners
- Honors:** Inducted into the College of Fellows by the American Planning Association/American Institute of Certified Planners, 2018

EXPERIENCE

Private Consultation Service: Lawandales Planning Affiliates, Inc.,(LPA), owned by Rochelle W. Lawandales, AICP, has been serving communities and individuals with planning services since 1989, including, but not limited to:

- Local governments including, Palm Bay, Palm Shores, Melbourne Beach, Malabar, Melbourne, Fellsmere, Cocoa Beach, Satellite Beach, New Smyrna Beach, Tampa, Savannah, Georgia, South Daytona, Rockledge, Cocoa, Port Orange
- National and Local developers, including, but not limited to: American Tower Systems, a subsidiary of CBS, Inc.(site selection for telecommunication towers across Florida), Lennar Homes(zoning, land development), Mercedes Homes(zoning/land development approvals), Heritage Properties, St. Mary's Catholic Community Church(zoning/conditional use), Mattress Barn(comp plan and zoning), Boozer Properties, Plymel Realty, Charlie Boyd (zoning), FBC of Brevard(zoning), Richard Stottler d/b/a Cape Kennedy Shores, Inc., Ben Jefferies d/b/a Bayside Lakes Development Corporation, Waterstone Development Company, LLC; Mike Erdman, d/b/a as KEW, Inc., Roy Pence, Coy Clark, Centex Homes (zoning/land development), among others.
- Many noted Land Use/Real Estate Lawyers, individuals or developers who have needed expert planning services for development reviews and approvals, eminent domain, or expert witness testimony for quasi-judicial or legislative hearings. Ms. Lawandales has been certified as an expert witness in local government hearings, Circuit and District Courts in Florida, and Chapter 120 Administrative hearings.

Comprehensive and Neighborhood Planning experience includes:

- West Melbourne, Malabar, and Cocoa Comprehensive Plans
- Amendments for Melbourne Beach, Brevard County, Fellsmere, Palm Shores, South Daytona, Indian Harbor Beach, Cocoa, Palm Bay
- South Daytona Evaluation and Appraisal Report
- Neighborhood Strategic Plan for the City of Melbourne's North CDBG Target Area "Booker T. Washington Neighborhood
- Former City of Fellsmere Consulting Planner, Comprehensive Plan 2003 completion and several large scale Updates

Redevelopment, Urban Design and Historic Preservation experience includes:

- City of Titusville: Land Development Codes and Urban Design Manual with Kimley-Horn and Associates
- City of Port Orange: TDM/TSM Strategic Plan with Kimley-Horn and Associates

ROCHELLE W. LAWANDALES, FAICP

- City of Rockledge: Community Redevelopment Area consulting Director, 2003-2010; CRA Plan Update 2009; Redevelopment Mixed Use District-Comprehensive Plan amendment, Land Development Code amendment, and Design Manual; Barton Boulevard Streetscape design;
- City of Fellsmere: Mixed-Use District Code and Urban Design/Streetscape Concepts; Findings of Necessity and established district with the Community Redevelopment Area Plan, 2005; City Hall Master Plan; Preparing Design Manual and Streetscape Plan for downtown;
- City of Palm Bay: Bayfront Redevelopment Area projects; Waterstreet Development Master Plan, Waterstreet Strategic Funding Plan, with Brad Smith Associates; Award winning Powell Subdivision Visioning, streetscape design; Palm Bay Road streetscape; Indian River Scenic By-ways establishment and Corridor Management Plan; Design Manual/Pattern Book for urban design in CRA district
- City of Cocoa: Redevelopment Area Streetscape/Urban Design Project; Heart of Cocoa, Delannoy Avenue, and Whitley Bay; in association with Baskerville-Donovan, Inc.
- City of Melbourne: Booker T. Washington Neighborhood Strategic Plan. Redevelopment, Urban Design and Streetscape concepts; *Eau Gallie Urban Infill and Community Redevelopment Plan, Streetscape, and Urban Design Concepts; CRA Expansion-Blight Study. This project won the 2003 National APA Community Initiative Award*; Blight Study for Downtown Melbourne Area Expansion; Downtown Blight Study and Evaluation/Audit of the CRA Redevelopment Plan; Babcock Street Blight Study and first Community Redevelopment Plan, with HDR, Inc and Brad Smith Associates.
- Town of Melbourne Beach: Ocean Avenue Redevelopment, Streetscape and Design Guidelines; Ocean Avenue Traffic Light, Pavers, Colors, and Lighting Design; TEA-21 Enhancement Project Design/Streetscape Elements; Melbourne Beach Municipal Complex with Rood and Zwick, Architects in Association and Brad Smith Associates;
- City of South Daytona: Assisted in creation of redevelopment district, Redevelopment Plan and Urban Design Concepts
- City of Indian Harbor Beach: Mixed Use District Code and Urban Design/Streetscape Concepts
- City of Satellite Beach: Blight Study, creation of redevelopment district, Community Redevelopment Plan and Urban design recommendation
- Town of Palm Shores: Community Redevelopment Blight Study and Urban Design recommendations
- Harris Corporation Master Plan-a micro-"urban design" project, with Brad Smith Associates
- Cocoa Beach Redevelopment Area-SR 520 Urban Design/Beautification Project, with Brad Smith Associates
- Blight Study, Redevelopment Plan, Comprehensive Plan amendment and Land Development Code amendments for the Merritt Island Redevelopment Agency area expansion
- Conceptual redevelopment plan for the Max Brewer Causeway, part of the Titusville Redevelopment Area
- Conceptual Master Plan, Sandpoint Park, Honeycutt and Associates, part of Titusville Redevelopment Area

Historic Preservation and Main Street

- Eau Gallie Arts District (EGAD) Economic Restructuring Plan, 2012
- Henegar Center for the Arts, Building Feasibility Study for use of 1920's High School, 2008
- Melbourne Main Street Strategic Plan
- Hamilton County Main Street Historic District Survey and Recommendations, Hamilton County, Florida
- Established an Historic District for the downtown area in Cocoa (Cocoa Village) and wrote Preservation and Development Guidelines
- Secured funding, assisted in the planning and supervised the \$500,000 rehabilitation of the E.P. Porcher House, a National Register Property in Cocoa
- Drafted a Model Historic Preservation Ordinance for graduate school

Public Participation Workshop Facilitation and Visioning Processes

South Daytona, Melbourne, Melbourne Beach, Fellsmere, Zion Christian Church, Florida Air Academy, Eau Gallie, Satellite Beach, Cocoa, Palm Shores, Indian River Scenic Highway Coalition, Cocoa Beach, Rockledge,

ROCHELLE W. LAWANDALES, FAICP

Palm Bay, Melbourne Main Street, Interstate Business Park, Le Centre, Savannah, Tampa Downtown Development Authority; New Smyrna Beach Redevelopment Agency

Land Development Regulations include:

Complete Land Development Regulations for West Melbourne, Malabar, South Daytona, Fellsmere and Cocoa; and updates or changes to LDR's for Titusville (Form Based Code), Rockledge, Palm Shores, Fellsmere, Melbourne, Cocoa, Melbourne Beach, Indian Harbor Beach, and Satellite Beach. Performance Standards Zoning Code for Cocoa Redevelopment Agency, with Frielich-Leitner, Esq. Architectural and Site Design Guidelines; Recreation Impact Fee Ordinances; Performance Standards Zoning Codes; Historic Preservation Districts and Historic Preservation Land Development Code; Downtown Redevelopment Codes; Mixed-Use District Codes

Grants experience:

Successes have included Historic Preservation, Florida Communities Trust, FRDAP, FIND, FCMP, Brownfields, Enterprise Zones/Foreign Trade zone designations, for a variety of programs, services and facilities; and overall obtaining over \$5M for a variety of local or county public improvements.

Recreation projects:

Recreation master planning services have included Wabasso Causeway Park and Round Island Park with Brad Smith Associates for Indian River County; Melbourne Community Park Location and Design Study, Front Street Park, Sherwood Park and Carver Park for the City of Melbourne; City of Fellsmere Senior League, Little League Community Parks, and Grant Ave. Neighborhood Park; Waterstreet Redevelopment Plan with several Park Components for the City of Palm Bay; Westbrook Community Park for Lennar Homes; Indian River Lagoon Scenic Highway Program; Ryckman and Loggerhead Parks for the Town of Melbourne Beach; Palm Shores Shoreside Park; Sandpoint Park and Max Brewer Causeway, (Brevard County) with Honeycutt and Associates, Inc.

Public Service:

Ms. Lawandales' first 10 years of practice were spent serving the public sector:

- West Melbourne, Florida: Planning Director, 1979-1980
- Melbourne, Florida: Special Projects and Grants Administrator, 1980-1983
- Cocoa, Florida: Redevelopment Director 1986; Community Improvement Administrator, 1986-1989.

Other Employment

Since 2011, Ms. Lawandales has continued to serve as a sole proprietor planning consultant to the public and private sectors to provide expert testimony, planning consultation, code changes, and sustainability programs for various clients. In 2014, she was hired as the Professional Planner for Waterstone Development Company, LLC in Melbourne, FL.

Miscellaneous talents and experience:

- Designing, Implementing, and Directing the We Care Program for the Brevard County Medical Society, Brevard County Health Unit, and area Hospitals, which brought private medical care to the indigent of Brevard County
- Counseling for troubled youth and their families as a caseworker for Devereux Outpatient Services
- Principal for religious schools for 4 years/teacher for 13
- Adjunct Professor, Planning and Urban Design, University of Central Florida, Fall, 2004
- Coldwater Creek, Retail Sales Associate, Part time, 2005-present

Prior Affiliations:

- Florida Redevelopment Association, President, 2009-2010; Legislative Policy Committee; Board member 2006-2011; Treasurer, 2007-2008
- Florida Chapter American Planning Association: Legislative Policy Committee (almost 20 years and currently)
- American Institute of Certified Planners/American Planning Association (current)
- Florida League of Cities: Legislative Policy Committee

ROCHELLE W. LAWANDALES, FAICP

- Florida Chambers, Six Pillars Committee
- Florida League of Cities: Keys to the Cities Task Force, 2010
- Brevard Tomorrow

Previous Community Service:

- Past Chair(13 years) and Member (16 years), Satellite Beach Planning and Zoning Board
- Past Chair (4 years), Satellite Beach Community Redevelopment Agency Advisory Board,
- Past service on Melbourne's Planning and Zoning Board and Architectural Review Board
- Junior League of South Brevard, Various Executive Board, Board positions and member 19 years
- Former Chair, State Public Affairs Committee for the Junior Leagues of Florida; established the Growth Management Task Force
- Former Committee Member, Land Use and Growth Management Subcommittee, Brevard Tomorrow, Tourist Development Council Signage Committee; Landscape and Tree Preservation Ordinance, Brevard County
- Leadership Brevard 1994 Graduate

4. OCTOBER, 2019 LETTER FROM LARRY BRADLEY REGARDING ZONING AND PUD

October 1, 2019

Mr. Benjamin E. Jefferies, Managing Member
Waterstone Farms, LLC/Waterstone Holdings, LLC
235 West Drive
Melbourne, FL 32904

RE: The Gardens of Waterstone at Palm Bay

Dear Mr. Jefferies:

On January 18, 2018, the City of Palm Bay City Council approved a preliminary development plan (Preliminary PUD) for the Waterstone Development (PUD-51-2017). On June 6, 2018, the City of Palm Bay City Council approved a final development plan for the Gardens of Waterstone at Palm Bay.

The Code of Ordinances for the City of Palm Bay requires a final development plan to be adopted within one year from the approval of a Preliminary PUD. Further, a final development plan must be adopted by ordinance.

The final development plan was adopted by motion. Consequently, the final development plan is deficient because it was not adopted by ordinance. Further, the Preliminary PUD is also deficient because the final development plan was not properly adopted within the required 1-year timeframe.

Therefore, it is the conclusion of the Growth Management Department that neither the Preliminary PUD adopted January 18, 2019, nor the final development plan approved on June 6, 2018 are valid for the reasons described herein. Further you have submitted new applications, which if approved properly and timely, would allow development on the PUD zoned property.

Please feel free to contact me or the Land Development staff in Growth Management if you have any questions or wish to discuss this matter further.

Sincerely,



Laurence Bradley, AICP
Director of Growth Management

Page 2
Letter to Benjamin Jefferies
October 1, 2019

Cc: Lisa Morelli, City Manager
Patricia Smith, City Attorney
Terese Jones, City Clerk
Patrick Murphy, Assistant Director of Growth Management



Land Development Division
120 Malabar Road SE
Palm Bay, FL 32907
321-733-3042
Landdevelopmentweb@palmabayflorida.org

FINAL DEVELOPMENT PLAN APPLICATION

This application must be completed, legible, and returned, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, Monday through Friday, during division office hours, to be processed for consideration by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

APPLICATION TYPE:

☒ **PUD**

Planned Unit Development
(Section 185.067)

☐ **PMU**

Parkway Mixed Use District
(Final Design Plan)
(Section 185.057(C))

☐ **PCRD**

Planned Community
Redevelopment District
(Section 185.055(L))

☐ **RAC**

Regional Activity Center District
(Section 185.056(C))

PROPOSED DEVELOPMENT NAME Gardens at Waterstone

PARCEL ID Parcel ID:30-37-04-00-250 Portions of:Parcel ID:30-37-04-00-500/Parcel ID:30-37-05-HF-1

TAX ACCOUNT NO. Portions of Account:3010608/3000217/3000216

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

See attached

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 44.654 +/- Acres

TOTAL LOTS PROPOSED (list by use): 154

DEVELOPER Co-Applicants: PB & J Gardens Investment, LLC/Waterstone Farms, LLC

Full Address 1698-A W. Hibiscus Boulevard Melbourne, FL 32901/235 West Dr. Melbourne, FL 32904

Telephone (404)-205-3025/321.223.4664 Email mike.fmdc@gmail.com/rochelle.lawandales@gmail.com

ENGINEER Jake Wise, PE Construction Engineering Group (CEG)

Full Address 2651 W. Eau Gallie Blvd, Suite A Melbourne, Florida 32935

Telephone Direct: 321.610.1760 Email jwise@cegengineering.com

SURVEYOR Horizon Surveyors of Central Florida, Inc.

Full Address 390 Poinciana Dr. Melbourne, FL 32935

Telephone 321-254-8133 Email harry@horizonsurveyors.com

CITY OF PALM BAY, FLORIDA
FINAL DEVELOPMENT PLAN APPLICATION
PAGE 2 OF 2

FINAL DEVELOPMENT PLAN CRITERIA FOR SUBMITTAL:

- 1) TWO (2) COPIES OF THE FINAL DEVELOPMENT PLAN AND SUPPORTING DOCUMENTATION SHALL BE ATTACHED TO THE APPLICATION. THE FINAL PLAN AND SUPPORTING DOCUMENTATION MUST ALSO BE PROVIDED ON MEMORY DRIVE.
- 2) LAYOUT OF THE DEVELOPMENT PLAN SHALL BE IN PLAT FORM THAT MEETS THE REQUIREMENTS OF FLORIDA STATUTE CHAPTER 177.
- 3) THE FINAL DEVELOPMENT PLAN SHALL CONTAIN THE INFORMATION REQUIRED PER THE CITY OF PALM BAY LAND DEVELOPMENT CODE SECTION FOR A PUD, PMU, PCRD, OR RAC. **ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE PLAN FOR THE SPECIFIC TYPE OF DEVELOPMENT REQUESTED (PUD, PMU, PCRD, RAC).** THE ADDITIONAL CRITERIA IS LISTED IN THE CODE OF ORDINANCES AND AVAILABLE FROM STAFF.

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS FINAL DEVELOPMENT PLAN APPLICATION:

_____ *A \$1,500.00 application fee shall accompany the Final Development Plan application for the purposes of administration. Make check payable to "City of Palm Bay."

_____ Final Development Plan (see above Final Development Plan Criteria for Submittal).

_____ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)

_____ Citizen Participation Plan. Required when a preliminary development plan application was not submitted. Refer to Section 169.005 of the Land Development Code for guidelines.

_____ School Board of Brevard County School Impact Analysis Application (if applicable).

_____ Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guidelines.

_____ **Where property is not owned by the applicant**, a letter must be attached giving the notarized consent of the owner to the applicant to apply for the final development plan.

I, THE UNDERSIGNED UNDERSTAND THAT THIS FINAL DEVELOPMENT PLAN APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FINAL DEVELOPMENT PLAN APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant

B. E. Jeffries

Date 10-26-20

Printed Name of Applicant

Benjamin E. Jeffries

Full Address

235 WEST DR Melbourne FL 32904

Telephone

(321) 757-5600

Email

BEN@WATERSTONEFLA.COM

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

CITY OF PALM BAY, FLORIDA
FINAL DEVELOPMENT PLAN APPLICATION
PAGE 2 OF 2

FINAL DEVELOPMENT PLAN CRITERIA FOR SUBMITTAL:

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THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS FINAL DEVELOPMENT PLAN APPLICATION:

- x *A \$1,500.00 application fee shall accompany the Final Development Plan application for the purposes of administration. Make check payable to "City of Palm Bay."
- x Final Development Plan (see above Final Development Plan Criteria for Submittal).
- x List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at 321-633-2060.)
- na Citizen Participation Plan. Required when a preliminary development plan application was not submitted. Refer to [Section 169.005](#) of the Land Development Code for guidelines.
- x School Board of Brevard County [School Impact Analysis Application](#) (if applicable).
- tbd Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines.
- x **Where property is not owned by the applicant, a [letter](#) must be attached giving the notarized consent of the owner to the applicant to apply for the final development plan.**

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UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FINAL DEVELOPMENT PLAN APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant P. Michael Evans Date 10-26-20
Printed Name of Applicant P. Michael Evans
Full Address 1698 W. Hebercus Blvd
Telephone 321-953-3300 Email Mike.findeegman@com

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY

November 12, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: Waterstone Farms, LLC Benjamin E. Jefferies, Managing Member

Address: 235 West Drive Melbourne, Florida 32904

Telephone: 321.757.5600

Email: ben@waterstonefla.com

hereby authorize:

Representative: Jake T. Wise, PE (CEG, Engineering)

Address: 2651 Eau Gallie Blvd. Suite A Melbourne, FL 32935

Telephone: 321.610-1760

Email: jwise@cegengineering.com

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC



(Property Owner Signature)

STATE OF Georgia

COUNTY OF Putnam

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of November, 2020 by

Benjamin Jefferies, property owner.





, Notary Public

☐ Personally Known or ☒ Produced the Following Type of Identification:

Drivers License

November 12, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: Waterstone Farms, LLC Benjamin E. Jefferies, Managing Member

Address: 235 West Drive, Melbourne, FL 32904

Telephone: 321.757.5600

Email: ben@waterstonefla.com

hereby authorize:

Representative: Rochelle W. Lawandales, FAICP

Address: 235 West Drive, Melbourne, FL 32904

Telephone: 321.223.4664

Email: rochelle.lawandales@gmail.com

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC

B. E. Jefferies

(Property Owner Signature)

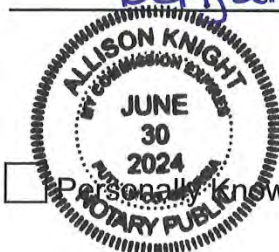
STATE OF Georgia

COUNTY OF Putnam

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of November, 2020 by

Benjamin Jefferies

, property owner.



Allison Knight

, Notary Public

☐ Personally known or ☒ Produced the Following Type of Identification:

Drivers license

November 12, 2020

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: PB&J GARDEN INVESTMENT, LLC

Address: 1698 W.HIBISCUS BLVD STE A MELBOURNE, FL 32901

Telephone: 321.626.9946

Email: MIKE.FMDC@GMAIL.COM

hereby authorize:

Representative: Jake T. Wise, PE (CEG, Engineering)

Address: 2651 Eau Gallie Blvd. Suite A Melbourne, FL 32935

Telephone: 321.610-1760

Email: jwise@cegengineering.com

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC

P. Michael Evans MAR
(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

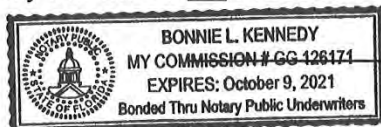
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of November, 2020 by

P. Michael Evans, property owner.

Bonnie L. Kennedy
BONNIE L. KENNEDY

, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:



_____, 20_____

Re: Letter of Authorization

As the property owner of the site legally described as:

Account:3000216Parcel ID:30-37-04-00-500/Account:3000217Parcel ID:30-37-05-HF-1/
Account:3010608Parcel ID:30-37-04-00-250/Account:3000219Parcel ID:30-37-05-HF-750

I, Owner Name: PB&J GARDEN INVESTMENT, LLC

Address: 1698 W.HIBISCUS BLVD STE A MELBOURNE, FL 32901

Telephone: 321.626.9946

Email: MIKE.FMDC@GMAIL.COM

hereby authorize:

Representative: Rochelle W. Lawandales, FAICP

Address: 235 WEST DRIVE MELBOURNE, FL 32904

Telephone: 321.223.4664

Email: ROCHELLE.LAWANDALES@GMAIL.COM

to represent the request(s) for:

Any and all applications regarding properties owned by Waterstone Farms, LLC

P. Michael Evans mar

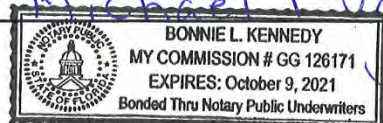
(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of November, 2020 by

P. Michael Evans, property owner.



Bonnie L. Kennedy

BONNIE L. KENNEDY, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:

CITY OF PALM BAY, FLORIDA
PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2020-14

Held on Wednesday, December 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Kay Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present	
VICE CHAIRPERSON:	Leeta Jordan	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Donny Felix	Present	
MEMBER:	Richard Hill	Present	
MEMBER:	Khalilah Maragh	Present	
MEMBER:	Rainer Warner	Absent	(Excused)
NON-VOTING MEMBER:	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

CITY STAFF: Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Valentino Perez, Building Official.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-13; November 4, 2020. Motion by Ms. Maragh, seconded by Mr. Hill to approve the minutes as presented. The motion carried with members voting unanimously.

2. ****FS-2-2020 – SABAL PALM SQUARE - 2501 LLC (BRUCE MOIA, P.E., REP.)
(REQUEST TO CONTINUE TO JANUARY 6, 2021)**

Mr. Weinberg announced the request to continue Case FS-2-2020 to the January 6, 2021 Planning and Zoning Board meeting. Board action was required to continue the case.

Motion by Ms. Jordan, seconded by Mr. Hill to continue Case FS-2-2020 to the January 6, 2021 Planning and Zoning Board meeting. The motion carried with members voting unanimously.

3. **CP-10-2020 – SKA PROPERTIES, LLC
(DEAN MEAD ATTORNEYS AT LAW, REP.)**

Case CP-10-2020 was discussed under Announcements, Item 2.

4. ****CPZ-10-2020 – SKA PROPERTIES, LLC
(DEAN MEAD ATTORNEYS AT LAW, REP.)**

Case CPZ-10-2020 was discussed under Announcements, Item 2.

5. ****FD-36-2020 – GARDENS AT WATERSTONE PHASE I –
WATERSTONE FARMS, LLC / PB&J GARDEN INVESTMENT,
LLC (JAKE WISE, P.E. AND ROCHELLE LAWANDALES,
FAICP, REPS.)**

Mr. Balter presented the staff report for Case FD-36-2020. The applicant had requested Final Development Plan approval of a PUD, Planned Unit Development to allow a proposed 154 single-family residential development called Gardens at Waterstone Phase I. Staff recommended Case FD-36-2020 for approval, subject to the staff comments contained in the staff report.

Mr. Balter stated that the traffic warrant study mentioned in the technical comments of the staff report had been submitted by the applicant to the Public Works Director.

Ms. Rochelle Lawandales, FAICP, with Waterstone Development Company (representative for the applicant) stated that there was a great deal of interest in the

region, and more developments would be coming before the board. She noted that the minimum square footage for the subject proposal would be 1,200 square feet as outlined in the deed restrictions. The traffic study for Mara Loma Boulevard SE had been submitted, and many of the technical comments had been addressed or were in the process of being met. She stated that the subject proposal was in full concert with staff recommendations.

The floor was opened for public comments.

Mr. Luciano Flores (resident at Hubbard Court SE) spoke against the request. He was concerned about construction traffic damaging Mara Loma Boulevard. A percentage of homeowner association fees were used to maintain the road, so he wanted to know who would be responsible for damages.

In response to the public comments, Ms. Lawandales explained that Mara Loma Boulevard was a City street and that homeowner association maintenance fees were used to maintain its landscaping and borders. The project would be licensed and bonded, and damages during construction would be the contractor's responsibility. Mr. Murphy confirmed that the City had accepted ownership and maintenance of Mara Loma Boulevard SE in 2006.

The floor was closed for public comments and there was no correspondence in the file.

Motion by Mr. Boerema, seconded by Mr. Hill to submit Case FD-36-2020 to City Council for Final Development Plan approval of a PUD, Planned Unit Development to allow a proposed 154 single-family residential development called Gardens at Waterstone Phase I, subject to the staff comments contained in the staff report. The motion carried with members voting unanimously.

6. ****CU-37-2020 – BABCOCK LLC (ROBERT V. SCHWERER, ESQ. AND
HASSAN KAMAL, P.E., REPS.)
(REQUEST TO CONTINUE TO JANUARY 6, 2021)**

Mr. Weinberg announced the request to continue Case CU-37-2020 to the January 6, 2021 Planning and Zoning Board meeting. Board action was required to continue the case.

ORDINANCE 2021-02

A ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, APPROVING A FINAL DEVELOPMENT PLAN TO BE KNOWN AS 'GARDENS OF WATERSTONE PHASE 1 PUD' IN PUD (PLANNED UNIT DEVELOPMENT) ZONING; WHICH PROPERTY IS LOCATED WEST OF AND ADJACENT TO MARA LOMA BOULEVARD, IN THE VICINITY SOUTH OF MELBOURNE TILLMAN WATER CONTROL DISTRICT CANAL 38, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 3, 2020, the City of Palm Bay granted a preliminary Planned Unit Development (PUD) to be known as 'Gardens of Waterstone Phase 1 PUD' to Waterstone Farms, LLC, and

WHEREAS, application for Final Development Plan approval in PUD (Planned Unit Development) zoning to permit a 154-unit residential subdivision to be known as 'Gardens of Waterstone Phase 1 PUD' on property legally described herein, has been made by Waterstone Farms, LLC, and PB&J Garden Investment, LLC, and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on December 2, 2020, which voted to recommend to the City Council approval of the application, and

WHEREAS, all provisions applicable to the Planned Unit Development (PUD) under Chapter 185, Zoning, of the Palm Bay Code of Ordinances, have been satisfied by the applicant, with conditions, and

WHEREAS, the City Council of the City of Palm Bay, after due deliberation and consideration, reviewed and considered the reports, documents, testimony, and other materials presented, and has determined that such development plan will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants final development plan approval for ‘Gardens of Waterstone Phase 1 PUD’ on property zoned PUD (Planned Unit Development), which property is legally described herein as Exhibit ‘A’.

SECTION 2. The final development plan is granted subject to the staff comments contained in the Staff Report and the following conditions:

- A. The property shall be developed in substantial conformance with the Final Development Plan which is, by reference, incorporated herein as Exhibit ‘B’, except as may be modified by the conditions of approval;
- B. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit ‘C’;
- C. Fully engineered construction drawings;
- D. Specific layout and architectural drawings illustrating the amenities and walking trails;
- E. The technical comments generated by the Development Review Staff shall be observed and incorporated into the subdivision design; and
- F. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

SECTION 3. This ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2021-_____, held on _____, 2021; and read
in title only and duly enacted at Meeting 2021-_____, held on _____, 2021.

ATTEST:

Robert Medina, MAYOR

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida
Ordinance 2021-02

Reviewed by CAO: _____

Applicant: Waterstone Farms, LLC, and PB&J Garden Investment, LLC
Case: FD-36-2020

cc: (date) Brevard County Recording
Applicant
Case File

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: (TOTAL)

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN SEBASTIAN FARMS, SECTION 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE RUN N89°58'02"E ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 1258.57 FEET TO THE NORTHWEST CORNER OF WATERSTONE PLAT THREE P.U.D., AS RECORDED IN PLAT BOOK 59, PAGES 1 THROUGH 5, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN S00°35'55"W, ALONG THE WEST LINE OF SAID WATERSTONE PLAT THREE P.U.D., FOR A DISTANCE OF 1040.42 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 75.00 FEET WITH A CHORD THAT BEARS S86°41'22"E FOR A DISTANCE OF 12.94 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 9°54'01", FOR A DISTANCE OF 12.96 FEET TO A POINT OF REVERSE CURVATURE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1900.00 FEET WITH A CHORD WHICH BEARS N89°33'53"E FOR A DISTANCE OF 79.87 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2°24'31", FOR A DISTANCE OF 79.87 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S00°46'09"W FOR A DISTANCE OF 60.00 FEET TO THE SOUTH LINE OF TRACT "OS5" OF AFOREMENTIONED WATERSTONE PLAT THREE P.U.D. AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1840.00 FEET WITH A CHORD THAT BEARS S86°37'49"E FOR A DISTANCE OF 166.99 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF THE AFORESAID CURVE AND TRACT "OS5", THROUGH A CENTRAL ANGLE OF 5°12'06", A DISTANCE OF 167.05 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "OS5" AND A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S05°58'14"W FOR A DISTANCE OF 100.00 FEET TO THE NORTH LINE OF TRACT "OS5" OF WATERSTONE PLAT ONE P.U.D., AS RECORDED IN PLAT BOOK 55, PAGE 37 THROUGH 57, OF THE PUBLIC RECORDS OF BREVARD COUNTY FLORIDA, AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1740.00 FEET WITH A CHORD THAT BEARS S74°54'53"W FOR A DISTANCE OF 1250.28 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°06'41", FOR A DISTANCE OF 1278.53 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N36°08'27"W, A DISTANCE OF 90.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING RADIUS OF 1830.00 FEET WITH A CHORD THAT BEARS S49°56'45"W A DISTANCE OF 249.79 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 7°49'36", A DISTANCE OF 249.98 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 590.00 FEET WITH CHORD THAT BEARS S31°45'36"W FOR A DISTANCE OF 290.91 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°32'41, A DISTANCE OF 293.94 FEET TO A POINT OF TANGENCY;THENCE RUN S17°29'16"W FOR A DISTANCE OF 11.52 FEET; THENCE RUN N72°30'44"W FOR A DISTANCE OF 210.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND A CHORD WHICH BEARS N12°39'17"E FOR A DISTANCE OF 99.53 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°33'20", FOR A DISTANCE OF 100.36 FEET TO A POINT OF TANGENCY; THENCE RUN N00°07'23"W FOR A DISTANCE OF 660.00 FEET; THENCE RUN N89°52'37"W FOR A DISTANCE OF 177.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 235.00 FEET AND A CHORD WHICH BEARS S75°19'38"W FOR A DISTANCE OF 120.03 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°35'30", FOR A DISTANCE OF 121.37 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N29°28'07"E FOR A DISTANCE OF 60.48 FEET; THENCE RUN N00°07'23"W FOR A DISTANCE OF 786.06 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CHORD WHICH BEARS N45°07'23"W FOR A DISTANCE OF 353.55 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", FOR A DISTANCE OF 392.70 FEET TO A POINT ON THE NORTH LINE OF AFOREMENTIONED SECTION 5; THENCE RUN N89°52'37"E FOR A DISTANCE OF 221.06 FEET TO THE POINT OF BEGINNING; CONTAINING 44.654 ACRES MORE OR LESS.

LEGAL DESCRIPTION: (PROPOSED MARA LOMA BOULEVARD)

A PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 30 SOUTH RANGE 37 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF TRACT "OS5", WATERSTONE PLAT THREE P.U.D., AS RECORDED IN PLAT BOOK 59, PAGES 1 THROUGH 5, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN S 05° 58' 14" W FOR A DISTANCE OF 100.00 FEET TO THE NORTH LINE OF TRACT "OS5", WATERSTONE PLAT ONE, AS RECORDED IN PLAT BOOK 55, PAGES 37 THROUGH 57, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, ALSO BEING A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 1740.00 FEET, AND WHOSE CHORD BEARS S 74° 54' 53" W FOR A DISTANCE OF 1250.28 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 42° 06' 41", FOR A DISTANCE OF 1278.87 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N 36° 08' 27" W FOR A DISTANCE OF 90.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 1830.00 FEET, AND WHOSE CHORD BEARS N 55° 01' 04" E FOR A DISTANCE OF 74.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02° 19' 02", FOR A DISTANCE OF 74.01 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N 33° 49' 26" W FOR A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 1840.00 FEET, AND WHOSE CHORD BEARS N 76° 04' 24" E FOR A DISTANCE OF 1252.43 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE; THROUGH A CENTRAL ANGLE OF 39° 47' 40", FOR A DISTANCE OF 1277.96 FEET TO THE POINT OF BEGINNING; CONTAINING 3.003 ACRES, MORE OR LESS.

LEGAL DESCRIPTION: (LESS PROPOSED MARA LOMA BOULEVARD)

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN SEBASTIAN FARMS, SECTION 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE RUN N89°58'02"E ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 1258.57 FEET TO THE NORTHWEST CORNER OF WATERSTONE PLAT THREE P.U.D., AS RECORDED IN PLAT BOOK 59, PAGES 1 THROUGH 5, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE RUN S00°35'55"W, ALONG THE WEST LINE OF SAID WATERSTONE PLAT THREE P.U.D., FOR A DISTANCE OF 1040.42 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 75.00 FEET WITH A CHORD THAT BEARS S86°41'22"E FOR A DISTANCE OF 12.94 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 9°54'01", FOR A DISTANCE OF 12.96 FEET TO A POINT OF REVERSE CURVATURE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1900.00 FEET WITH A CHORD WHICH BEARS N89°33'53"E FOR A DISTANCE OF 79.87 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 2°24'31", FOR A DISTANCE OF 79.87 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN S00°46'09"W FOR A DISTANCE OF 60.00 FEET TO THE SOUTH LINE OF TRACT "OS5" OF AFOREMENTIONED WATERSTONE PLAT THREE P.U.D. AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1840.00 FEET WITH A CHORD THAT BEARS S73°28'21"W FOR A DISTANCE OF 1094.11 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF THE SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°35'33", FOR A DISTANCE OF 1110.91 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, S33°49'26"E FOR A DISTANCE OF 10.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING RADIUS OF 1830.00 FEET WITH A CHORD THAT BEARS S51°06'16"W A DISTANCE OF 323.57 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°08'38", A DISTANCE OF 323.99 FEET TO A POINT OF COMPOUND CURVATURE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 590.00 FEET WITH CHORD THAT BEARS S31°45'36"W FOR A DISTANCE OF 290.91 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°32'41, A DISTANCE OF 293.94 FEET TO A POINT OF TANGENCY;THENCE RUN S17°29'16"W FOR A DISTANCE OF 11.52 FEET; THENCE RUN N72°30'44"W FOR A DISTANCE OF 210.00 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND A CHORD WHICH BEARS N12°39'17"E FOR A DISTANCE OF 99.53 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°33'20", FOR A DISTANCE OF 100.36 FEET TO A POINT OF TANGENCY; THENCE RUN N00°07'23"W FOR A DISTANCE OF 660.00 FEET; THENCE RUN N89°52'37"E FOR A DISTANCE OF 177.29 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 235.00 FEET AND A CHORD WHICH BEARS S75°19'38"W FOR A DISTANCE OF 120.03 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°35'30", FOR A DISTANCE OF 121.37 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE RUN N29°28'07"E FOR A DISTANCE OF 60.48 FEET; THENCE RUN N00°07'23"W FOR A DISTANCE OF 786.06 FEET TO A POINT OF CURVATURE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 250.00 FEET AND A CHORD WHICH BEARS N45°07'23"W FOR A DISTANCE OF 353.55 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", FOR A DISTANCE OF 392.70 FEET TO A POINT ON THE NORTH LINE OF AFOREMENTIONED SECTION 5; THENCE RUN N89°52'37"E FOR A DISTANCE OF 221.06 FEET TO THE POINT OF BEGINNING; CONTAINING 41.651 ACRES MORE OR LESS.

PALM BAY, FL

DATE:

OCTOBER 8, 2020

PREPARED FOR:

WATERSTONE FARMS, LLC &
PB & J GARDENS INVESTMENT, LLC

LEGAL DESCRIPTION: TOTALY

[illegible][illegible]

LOCATION MAP

CLINICAL SIGNIFICANCE

<u>SETBACKS</u>	<u>PROPOSED</u>	<u>LOT COUNT</u>
FRONT:	25 FT	40'x125' LOTS = 154
SIDE:	5 FT	<u>MAXIMUM BUILDING HEIGHT:</u>
REAR:	20 FT	2 STORY: 25 FT
SIDE CORNER:	15 FT	<u>MINIMUM WIDTHS:</u>
		SIDEWALKS: 5 FT
		RIGHT-OF-WAY WIDTH: 50 FT

<u>OPEN SPACE REQUIREMENTS:</u>		
<u>OVERALL AREA (44.65 ACRES):</u>		
ON-SITE PONDS (D1 & D5):	6.44 AC	(57%)
OPEN SPACE:	2.79 AC	(24%)
RECREATION AREA:	2.18 AC	(19%)
PROVIDED:	11.39 AC	(100%)
REQUIRED:	11.16 AC	

DATE: 10/09/20 SCALE: NTS PROJECT NO.: 190081 DESIGNED BY: CCM DRAWN BY: SMS CHECKED BY: JTW DESIGNED BY: GW-1		CONSTRUCTION ENGINEERING GROUP Company	REVISION DATE BY
			1 10/09/20 JTW



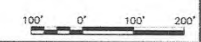
TRACT AREA SUMMARY

TRACT	ACRES	TRACT USE
D-1	4.63	DRAINAGE, OPEN SPACE & LANDSCAPE
D-2	6.97	DRAINAGE, OPEN SPACE & LANDSCAPE
D-3	2.57	DRAINAGE, OPEN SPACE & LANDSCAPE
D-4	1.85	DRAINAGE, OPEN SPACE & LANDSCAPE
D-5	3.08	DRAINAGE, OPEN SPACE & LANDSCAPE
L-1	1.21	LANDSCAPE, OPEN SPACE & DRAINAGE
REC-1	2.12	RECREATION, OPEN SPACE & LANDSCAPE
RW-1	3.09	PUBLIC RIGHT-OF-WAY
RW-2	3.57	PRIVATE RIGHT-OF-WAY
S-1	0.18	BIOWAGE, OPEN SPACE
U-1	0.24	LIFT STATION
RESIDENTIAL	18.64	SINGLE FAMILY (154 LOTS)

LEGEND:

PROJECT BOUNDARY	---
POND CONTOURS	---
RECREATION, LANDSCAPING AND OPEN SPACE	34
SINGLE FAMILY LOTS	34
STORM POND	D-3
ROADWAY	---
TEMPORARY CUL-DE-SAC	---
CONCRETE SIDEWALK	---
LINEAR TRAIL	---

FINAL DEVELOPMENT SUBDIVISION PLAN



CONSTRUCTION ENGINEERING GROUP

CONSULTING

DATE: 10/08/20

SCALE: 1"=100'

PROJ. NO.: 190061

DESIGNED BY: CCM

DRAWN BY: SMD

CHECKED BY: JTV

DATE: 10/08/20

GARDENS AT WATERSTONE

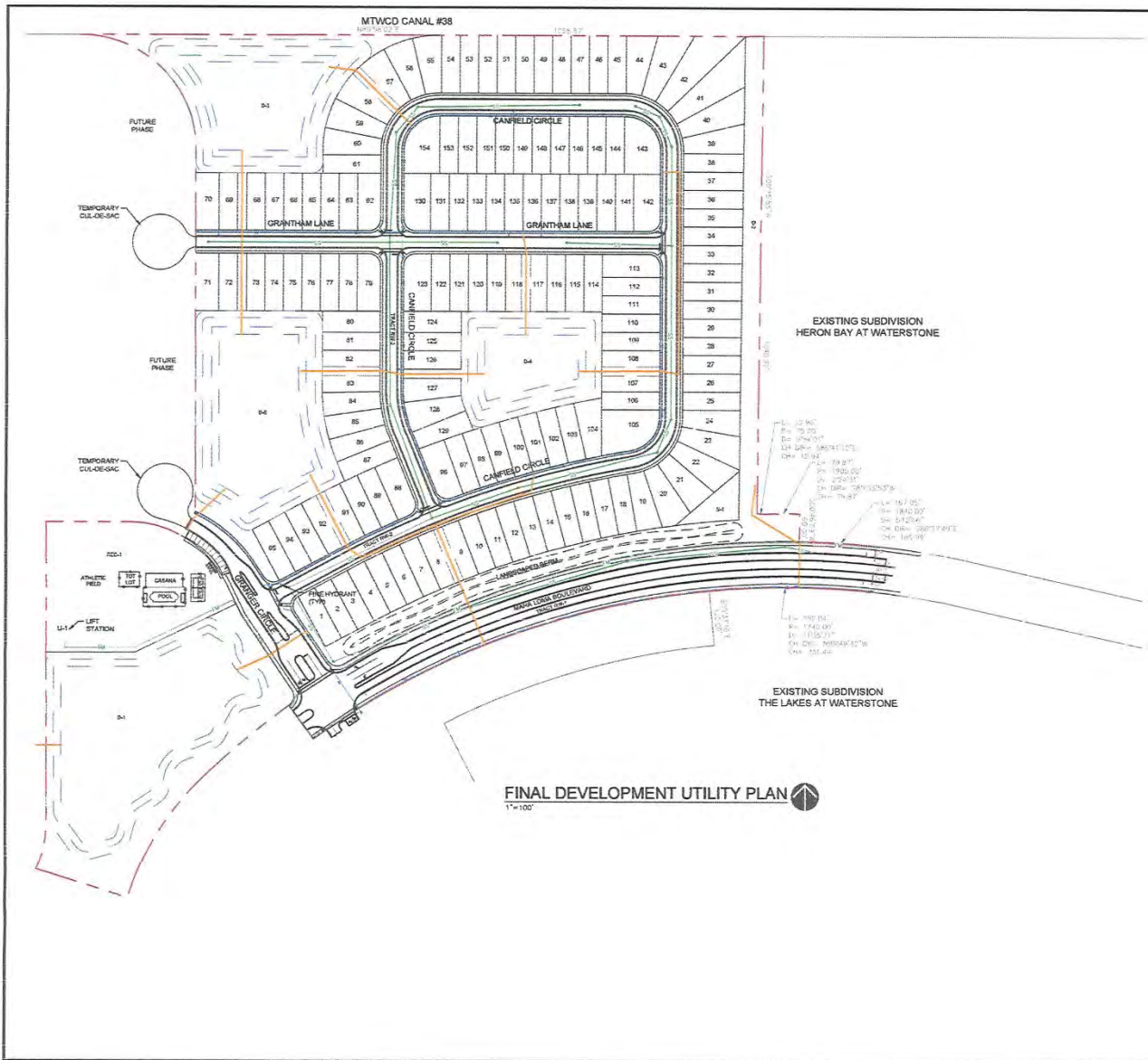
PHASE 1

WATERSTONE FARMS, LLC & FB & J GARDENS INVESTMENT, LLC

3300 LOMA BOULEVARD, PALM BEACH, FLORIDA

FINAL DEVELOPMENT SUBDIVISION PLAN

GW-2



LEGEND:

- PROJECT BOUNDARY
- POND CONTOURS
- STORM PIPE
- WATER MAIN
- SANITARY SEWER LINE
- FORCE MAIN

DATE	10/08/20
SCALE	1"=100'
PROJ. NO.	190061
DESIGNED BY	CCM
DRAWN BY	SMB
CHECKED BY	JTW
ISSUING NO.	GW-3

**GARDENS AT WATERSTONE
PHASE 1**

WATERSTONE FARMS, LLC & F&S J GARDENS INVESTMENT, LLC
10000 W. GARDEN LANE, SUITE 100, FORT MYERS, FL 33907
DRAWING TITLE: AL DEVELOPMENT UTILITY PLAN

**CONSTRUCTION
ENGINEERING
GROUP**
Consulting Engineers

SKETCH OF DESCRIPTION
"THIS IS NOT A BOUNDARY SURVEY"



A PARCELS OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 33 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN SEBASTIAN TOWNSHIP, SECTION 5, TOWNSHIP 33 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

[illegible]

LEGAL INFORMATION SERVICES, INC. 10000 RIVERCHURCH LANE, SUITE 100, FARMINGTON, CT 06030-1000

[illegible]

LEGAL DESCRIPTION: 0.150 PROPOSED HARRIS LOMA EXCAVATION

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, AND PORTION OF LOTS 1 AND 32 OF SAN URBANUS TOWN, SECTION 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AS REPRESENTED BY PLAT BOOK 1, PAGE 77 OF THE BREVARD COUNTY RECORDS.

STATE, FEDERAL AND STATE WERE PARTICULARLY INTERESTED IN FOLLOWING:

1. THE RECENT CONVICTION OF THE LATE PRESIDENT OF THE UNITED STATES OF AMERICA, ABRAHAM LINCOLN, FOR THE CRIME OF MURDER, IN 1861, BY THE STATE OF ILLINOIS, AND THE SUBSEQUENT REVERSAL OF THAT VERDICT BY THE U.S. SUPREME COURT, IN 1868, IN THE CASE OF ABRAHAM LINCOLN V. STATE OF ILLINOIS, 168 U.S. 146, 42 L. ED. 211, 15 S. CT. 223, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546

NOTES:

1. THE BEARING BASIS OF THIS SKETCH OF DESCRIPTION IS THE NORTH LINE OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, WHICH BEARS N69°58'02"E AND AS SHOWN HEREON.
2. THIS IS A SKETCH OF DESCRIPTION, NOT A BOUNDARY SURVEY.

GRAPHIC SCALE



HORIZON SURVEYORS
OF CENTRAL FLORIDA, INC. LB 6360
POINCIANA DR., MELBOURNE, FL 32935
MAIL: INFO@HORIZONSURVEYORS.COM
PHONE : (321) 254-8133

SCALE 1" = 100'	REVISION TABLE			
DATE 10-07-20	DATE	DESCRIPTION	BY	APPROVED
DRAWN BY HCB				

PREPARED FOR THE EXCLUSIVE USE OF
WATERSTONE
FARMS, LLC

I HEREBY CERTIFY THAT THE PROPERTY HEREON WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THIS MAP OF SURVEY IS ACCURATE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS IN CHAPTER 50-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

NOTE:

THIS SKETCH IS NOT
VALID UNLESS IT BEARS
A SIGNATURE AND A
SURVEYOR'S SEAL

ROBERT R. DOERRER, JR.
PROFESSIONAL LAND SURVEYOR #3982

SURVEY FOR: GARDENS OF WATERSTONE PH1
DRAWING NUMBER: 5858-20-1007
PAGE 1 OF 1

A SUBDIVISION LYING IN SECTIONS 4 & 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA,
BEING A PORTION OF SECTION 4 AND A "REPLAT" OF A PORTION OF LOTS 1 & 32, SECTION 5, "SAN-SEBASTIAN FARMS",
RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



DEDICATION

[illegible]

ST.	WATTS DATA & ANAL. LTD
STANDARD & GUY	245-2551 0014

27.	WATKINS, JAMES, LLC 235 WEST 60th NEW YORK, NY 10019 OFF: 212.696.1100 FAX: 212.696.0100
-----	---

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322 UCBAW/SJS/STP

Herzog, N. 2003. *Herzog, N.*

My Communication Expertise _____

[illegible]

74-ED- OCTOBER 18, 2020

ROBERT P. GERRIT, JR., 715 W. 462
HORIZON SURVEYORS OF CENTRAL FLORIDA, INC.

I HEREBY CERTIFY, THAT I HAVE REVIEWED THE FOREGOING PLAN AND FIND THAT IT IS IN CONFORMITY WITH CHAPTER 177, PART I, FLORIDA STATUTES.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
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ROCHE N. HALF LA 6304

BY MUNICIPAL

AUTHOR _____
TITLE OF THE CHAPTER _____
DATE _____

584 *Journal of Management Education* 32(5)

1. *we have a copy of the book in the library of the University of Toronto.*

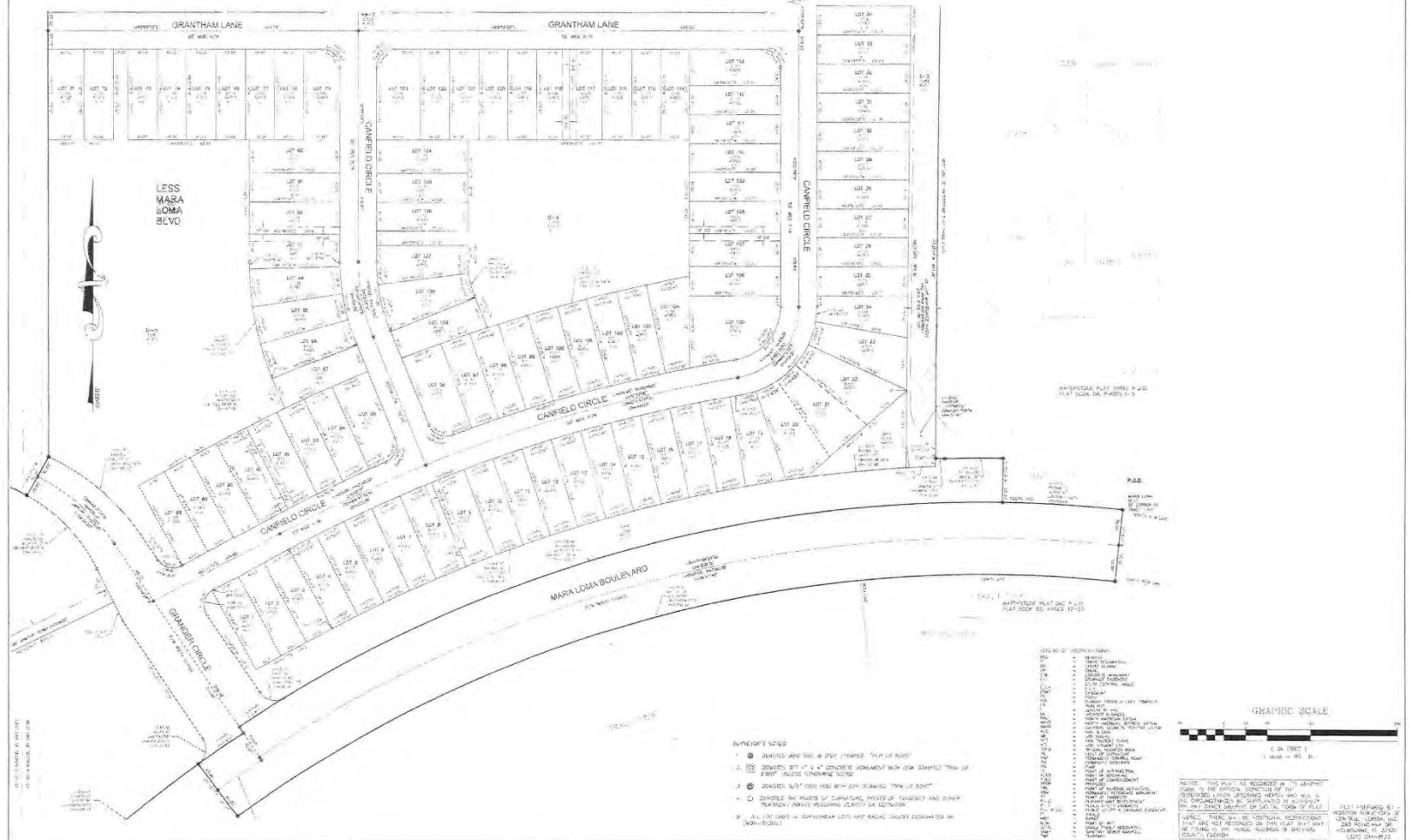
1962 that LOWERY, in turn, was at the REQUIREMENTS OF
GOSSETT 177 FLORIDA ST., US AND WAS TOLD TO RETURN IN

7018

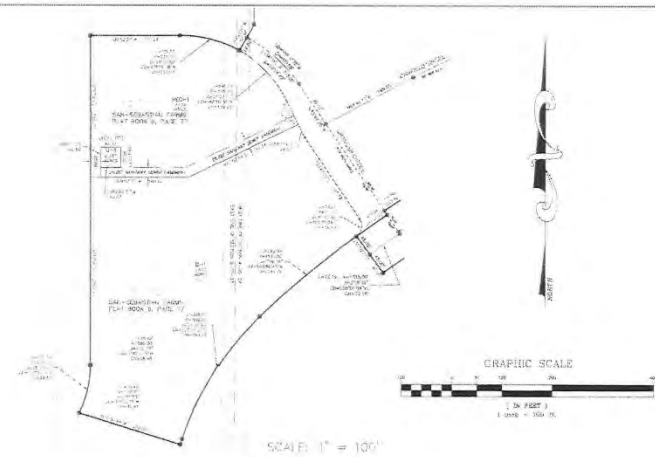
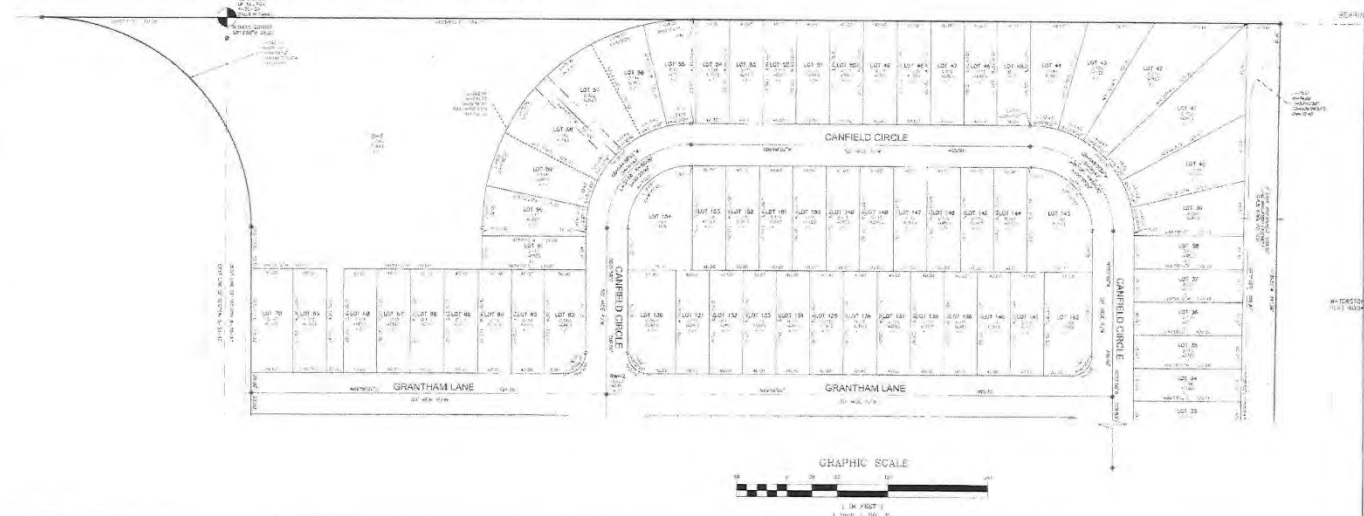
6. IN DEPT. OF CORRECTIONS
24 AND 2500 BREVARD BLVD., SUITE 100
PALM BEACH, FLORIDA 33480

PRELIMINARY PLAT OF
GARDENS AT WATERSTONE PHASE 1
 A SUBDIVISION LYING IN SECTIONS 4 & 5, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA.
 BEING A PORTION OF SECTION 4 AND A "REPLAT" OF A PORTION OF LOTS 1 & 32, SECTION 5, "SAN-SEBASTIAN FARMS",
 RECORDED IN PLAT BOOK 6, PAGE 77 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

PLAT BOOK _____ PAGE _____
 SHEET 2 OF 3
 SECTION 4 & 5, 30 SOUTH, RNG 37 EAST



PLAT BOOK PAGE
SHEET 5 OF 3
SECTIONS 4 & 5, 30 SOUTH, RING 3 EAST



- [illegible]

- 1. ☐ CONCEPT WAS MADE AS A GOOD STANDARD "TEST OF ABILITY"
- 2. ☒ CONCEPTS SET "A" & "B" CONCEPTS, ALIGNMENT WITH OUR STRONGEST TRUE ABILITY, UNDER DIFFICULTY SITUATION
- 3. ☒ DEDUCTED THAT GOOD PEOPLE CAN BE STIMULATED "TRUE ABILITY"
- 4. ☒ CONCEPT OF POINTS OF CONVERGENCE, POINTS OF DIVERGENCE AND STAYING RESISTANT POINTS OF QUANTIFYING QUALITY OF QUALITY
- 5. ☒ ALL 120 CASES OF CONVERGENCE, DIVERGENCE AND STAYING RESISTANT AND STAYING RESISTANT

NOTED. THIS THAT AS RECORDED IN THIS GRADING
FORM IS THE OFFICIAL RECORD OF THE
SURVEYED LANDS DESCRIBED HEREIN AND WILL BE
NO LONGER VALID IF SUPPLEMENTED BY ANY AUTHORITY
BEING OTHER GRADING OR DITCH FILING OF PLAT.

NOTED. THERE MAY BE ADDITIONAL RESTRICTIONS
THAT ARE NOT RECORDED IN THIS PLAT THAT MAY
BE FOUND IN THE PUBLIC RECORDS OF CHEVROLET
COUNTY, TEXAS.

- PLAT PREPARED BY
WILLIAM F. HARRIS, C.E.
DALLAS, TEXAS
BY NICK PONTANA, JR.
WILMINGTON, DE
(501) 754-8121



REVISED

STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmabayflorida.org

Prepared by

Christopher Balter, Senior Planner

CASE NUMBER

FD-36-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

Benjamin E. Jefferies- Waterstone Farms, LLC

PROPERTY LOCATION/ADDRESS

A portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of the San Sebastian Farms Subdivision

SUMMARY OF REQUEST

Final Planned Unit Development approval for a 154-unit residential subdivision to be known as Gardens at Waterstone Phase 1 PUD.

Existing Zoning

PUD, Planned Unit Development

Existing Land Use

Single-Family Residential Use

Site Improvements

Vacant Unimproved Land (Former Orange Groves)

Site Acreage

44.65 acres, more or less

SURROUNDING ZONING & USE OF LAND

North

Melbourne-Tillman Drainage Canal No. 38

East

PUD; Heron Bay at Waterstone; Single-Family Homes

South

PUD; The Lakes at Waterstone; Single-Family Homes and Undeveloped Land

West

PUD; Waterstone at Palm Bay; Undeveloped Land

COMPREHENSIVE PLAN COMPATIBILITY

The future land use designation of the subject property is Single-Family Residential Use. The development of a single-family planned unit development is compliant with the Single-Family Residential Use future land use designation. The proposed density is 3.44 units per acre, which is below the maximum density defined in the City's Comprehensive Plan for Single-Family Residential Use (up to 5 units per acre).

BACKGROUND:

The subject property is located north of and adjacent to Mara Loma Boulevard SE, and west of Babcock Street SE. Specifically a portion of Tax parcels 250 and 500, Section 4, Township 30, Range 37, and a portion of Tract 1 of San Sebastian Farms Subdivision, of Brevard County Florida. This Final PUD request includes approximately 44.65 acres of land.

In 2004 the subject property was annexed into the City via Ordinance 2004-35 totaling 1,167 acres. The original Future Land Use amendment designated all of the lands as Single-Family Residential Use via Ordinance 2004-52; which stated that 1,800 units could be placed on the lands of Waterstone or Cypress Bay Preserve. Site specific conditions were placed on the amendment via Ordinance 2004-48. Between 2005 and 2018, a series of 37 future land use map amendments were made bringing the total units entitled to 2,596. The total entitlements encumbered are as follows: 1802 units on the west side of Babcock Street, and 362 units on the east side of Babcock Street.

ANALYSIS:

The applicant is requesting Final Development Plan (FDP) approval for a Planned Unit Development (PUD), to construct a single-family residential subdivision called Gardens at Waterstone Phase 1. The planned unit development is a concept which encourages and permits variation in residential developments by allowing deviation in lot size, bulk or type of dwellings, density, lot coverage, setbacks and open space, from those elements required in any singular zoning classification found in the city's Zoning Code.

The purpose of a planned unit development is to encourage the development of planned residential neighborhoods and communities that provide a full range of residence types, as well as commercial uses designed to serve the inhabitants of the proposed community. The planned unit development process simplifies the procedure for obtaining approval of these developments through simultaneous review of the proposed land use, site consideration, public needs and requirements, and health and safety factors.

Specifically, the FDP proposes a 154-unit single-family development that will be constructed in one phase. Per the **PDP >>FDP<<**, typical lots within the residential development are 40' x 125'. The minimum size home will be **800 >>1200<<** square feet. The development will consist of a gated entrance with amenities, neighborhood park, walking trails, recreation and open space areas, stormwater management ponds, and private roadways.

Lastly, technical staff review comments are attached to this report.

CONDITIONS:

In order to receive FDP approval, the proposal must meet the requirements of Section 185.067 of the City of Palm Bay's Code of Ordinances. Upon review, the request appears conform with the applicable requirements of this section. The following items shall be addressed upon submission of the administrative construction plan approval:

- A. Fully engineered construction drawings;
- B. Specific layout and architectural drawings illustrating the amenities and walking trails;
- C. The technical comments generated by the Development Review Staff (attached) shall be observed and incorporated into the subdivision design.

STAFF RECOMMENDATION:

Case FD-36-2020 is recommended for approval, subject to the staff comments contained in this report.

TECHNICAL COMMENTS

CASE FD-36-2020 – Gardens at Waterstone Phase 1 PUD

BREVARD COUNTY (Jeffrey Ball, Planning and Zoning Manager):

1. Brevard County has no concerns at this time. The applicant has previously acknowledged that a Traffic Signal Warrant Analysis will be conducted with the completion of Cypress Bay and the Gardens developments. They have also previously advised that a traffic signal, if warranted, will be the responsibility of the developer to provide for the design, permitting, and construction of said traffic signal.

PUBLIC WORKS (Natalie Shaber, Engineer II):

1. An updated signal warrant, and traffic impact analysis will be required because of the constructed elementary school, adjacent Cypress Bay Development, and constructed St. John's Heritage Parkway.

2. Additional safety features such as a cross walk across Mara Loma Blvd. Please make sure the proposed Mara Loma Blvd improvements comply with the City of Palm Bay Public Works manual, right-of-way manual as well as the ss184.18 Roadway Design City of Palm Bay Ordinances.

3. Please evaluate the flow capacity and cross section of the ditch off site, the condition of the pipe in the Stile drainage right of way (by the Willow brook right-of-way). Replace pipe if required.

4. Please provide landscape plans for the Mara Loma Blvd Extension. Please provide reliable tree root containment to prevent damage of the roadway and sidewalks in the Mara Loma Blvd. right-of-way.

5. Make sure the proposed landscaping does not interfere with the sight distance. A two-year maintenance bond shall be required prior to the certificate of completion. The maintenance bond is 25 percent of the total value of the work in the public right-of-way.

6. Please provide a Landscape agreement for the right-of-way to be executed between the Waterstone PUD CDD (successors and assigns) and the City to perpetually maintain the proposed landscaping in the public right-of-way.

7. Please be advised that all project improvements are privately maintained until publicly accepted and approved per City of Palm Bay Ordinance Chapter 182. The stormwater management system shall meet the most stringent criteria from the St. John's River Water Management District and the City of Palm Bay's Floodplain and Stormwater Management Ordinance Chapter 174, when those criteria conflict. (SS 174.071).

8. Drainage easement shall be provided over the system where it connects to Waterstone Phase One.
9. The Courtyards at Waterstone plan and the Waterstone Phase 1 Site plans shall be revised to include this new upstream subdivision that will be routed south.
10. Grading of the rear lots 23-41 of the Gardens shall be Type A
11. ADA compliant sidewalks shall connect to the existing sidewalks on Mara Loma Blvd.

UTILITIES (Christopher Little, Utilities Director):

The Utilities Department has no objection to the proposed 154 single-family residential units.

Upon development of the site, the following shall apply for connection to the City's Water and Sewer Utilities System:

1. The applicant/owner, at their expense, will be required to design, permit, install, inspect and test water & sewer systems of adequate size to accommodate the development and to connect to the City's water & sewer system. [§ 200.11(D)(1) – On-Site Facilities]
2. The applicant/owner may be required to extend and/or loop service from the On-Site Facilities to the existing water and sewer connection points. [§ 200.11(D)(2) – Off-Site Facilities].
3. The applicant/owner will be responsible for the property's hydraulic share for the new utilities required to serve the development. Oversizing of utilities at the request of the Utilities Department will be subject to a refunding agreement or refundable advance [§ 200.11(D) & (E)]. The City of Palm Bay's 2017 Wastewater Master Plan & 2017 Water Master Plan, both of which are available by request, identify proposed mainline extensions with the City's current pipe sizing requirements.
4. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City. All Utility impact/connection charges noted in the "Utility Agreement" must be paid as outlined in the terms and conditions of the Utility Agreement. All fees are subject to change annually on October 1. The Property Owner shall submit a certified copy of the property deed as verification of ownership as part of the Utility Agreement.
5. All utility construction, materials, and testing shall be in accordance with the latest revision of the Palm Bay Utility Departments Policies, Procedures and Standards Handbook and the Standard Detail Drawings. Prior to any construction, all required FDEP Permit applications for the Water and Sanitary Sewer Construction shall be processed through and copies of the Permits filed with the Utilities Department.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Laurence Bradley, AICP, Growth Management Director

DATE: 1/7/2021

RE: Resolution 2021-02, granting a conditional use to allow a retail store occupying more than 5,000 square feet of gross floor area in NC (Neighborhood Commercial District) zoning on property located northwest of and adjacent to DeGroodt Road, in the vicinity south of Sexton Road (1.81 acres) (Case CU-29-2020, Concept Development, Inc.) (Quasi-Judicial Proceeding).

Mr. M. David Moallem (Matt Cason, Concept Development Inc., Representative) has submitted for a Conditional Use to increase a maximum building square footage from 5,000 square feet to 10,700 square feet in an NC, Neighborhood Commercial District. The property is located west of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW, and is bordered by RS-2, Single Family Residential on all sides. A Dollar General Store is proposed for the 1.81-acre parcel.

The NC District allows for retail uses as a permitted use; however, the conditional use is required to increase the maximum building square footage by the additional 5,700 square feet. City Council has the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

REQUESTING DEPARTMENT:

Growth Management

RECOMMENDATION:

Request for the City Council to determine if Case CU-29-2020 meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances. If the request should be approved, staff recommends the following conditions:

1. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City.
2. All applicable outside agency permits must be obtained (St. Johns River Water Management District, Melbourne-Tillman Water Control District, Florida Department of Environmental Protection, Brevard County, Department of Environmental Health Services, etc.).

3. A Traffic Impact Analysis shall be submitted during the site plan review process to determine what improvements might be needed to De Groodt Road SW.
4. A tree survey is required and will be utilized to determine any possible preservation of existing vegetation.
5. Prior to the issuance of any building permits, the engineered site plans must be granted administrative approval.

Planning and Zoning Board Recommendation:

Denial of the request by a vote of 3 to 2.

ATTACHMENTS:

Description

Case CU-29-2020

Board Minutes

Resolution 2021-02

Resolution 2021-02, Exhibit A

Resolution 2021-02, Exhibit B

Applicant Presentation



STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmabayflorida.org

Prepared by

Christopher Balter, Senior Planner

CASE NUMBER

CU-29-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

M. David Moallem
(Matt Cason, Concept Development Inc,
Rep.)

PROPERTY LOCATION/ADDRESS

Located west of and adjacent to De Groodt Road SW,
in the vicinity south of Sexton Road SW

SUMMARY OF REQUEST

Conditional Use Approval to increase the maximum building square footage from 5,000 square feet to 10,700 square feet in an NC, Neighborhood Commercial District.

Existing Zoning

NC, Neighborhood Commercial District

Existing Land Use

Commercial Use

Site Improvements

Vacant Unimproved Land

Site Acreage

1.81 acres, more or less

SURROUNDING ZONING & USE OF LAND

North

RS-2, Single-Family Residential; Single-Family Homes

East

RS-2, Single-Family Residential; De Groodt Road SW

South

RS-2, Single-Family Residential; Florida Power & Light Easement;
Transmission Lines

West

RS-2, Single-Family Residential; Single-Family Homes

COMPREHENSIVE PLAN

COMPATIBILITY

Yes

BACKGROUND:

The subject property is located west of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW. Specifically, the property is a portion of Tract D of the Port Malabar Unit 32; located in Section 13, Township 29, Range 36, Brevard County, Florida. The size of the property is approximately 1.81 acres.

The applicant, Matt Cason of Concept Development, Inc is requesting conditional use approval to increase the maximum building square footage from 5,000 square feet to 10,700 square feet, as required by Section 185.042(D)(7) of the Palm Bay Code of Ordinances.

ANALYSIS:

M. David Moallem owns the property and has established a contract for sale with Concept Development Inc. They are seeking approval to install a 10,700 square foot building on the property to be known as Dollar General.

CODE REQUIREMENTS:

To be granted conditional use approval, requests are evaluated upon items (A) through (I) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

Item (A): Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of emergency.

The sole vehicular access to the project will be from De Groodt Road SW, via a 2-way driveway, which meets the requirements for adequate ingress and egress, per Section 185.088(K)(7) of the Code of Ordinances.

Item (B): Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

The City's Parking Code requires a minimum of one (1) space for each two hundred (200) square feet of gross floor area for retail use. Based upon the proposed structure, a minimum of 54 parking spaces are required; of which at least three (3) shall be handicapped spaces. The submitted development plan proposes 51 regular parking spaces and 3 handicapped stalls. It shall be noted that the dumpster location will need to be approved by Republic Services during the administrative site plan approval process.

Item (C): Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The proposed building will be connected to the City's water distribution and sewer collection systems. The property has both electric and phone services.

Item (D): Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

A 6' tall opaque fence will be required along the South and West property lines, as they abut single-family residential properties.

Item (E): Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

One (1) pylon sign has been shown on the development plan and appears to meet the minimum placement criteria. The conceptual plan does not include a lighting plan. It shall be noted that any lighting and signage shall comply with Chapter 178 and Section 185.143 of the Palm Bay Code of Ordinances. A closer review will be conducted during the administrative site plan review process.

Item (F): Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The Yard and Open Space requirements of the Land Development Code have been met per Section 185.054(F)(4). However, the building will need to be shifted to accommodate the pedestrian zone landscaping required by code.

Item (G): The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.

The NC District allows for retail uses as a permitted use. Staff did not identify any impacts to the health, safety and welfare or convenience of the residents and workers in the city from this project.

Item (H): The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

The proposed "use" is a permitted use; however, the proposed size is only permitted via conditional use. The site is bordered by a road on one side and an FPL easement on the other. The minimum buffering required by the zoning code has been met along all property lines.

Item (I): Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not

limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

Additional Staff Comments:

1. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City.
2. All applicable outside agency permits must be obtained (St. Johns River Water Management District, Melbourne-Tillman Water Control District, Florida Department of Environmental Protection, Brevard County, Department of Environmental Health Services, etc.)
3. A Traffic Impact Analysis shall be submitted during the site plan review process to determine what improvements might be needed to De Groodt Road SW.
4. A tree survey is required and will be utilized to determine any possible preservation of existing vegetation to aid in this endeavor.
5. Prior to the issuance of any building permits, the engineered site plans must be granted administrative approval.

STAFF RECOMMENDATION:

The Planning and Zoning Board and City Council must determine if the request meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances.



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



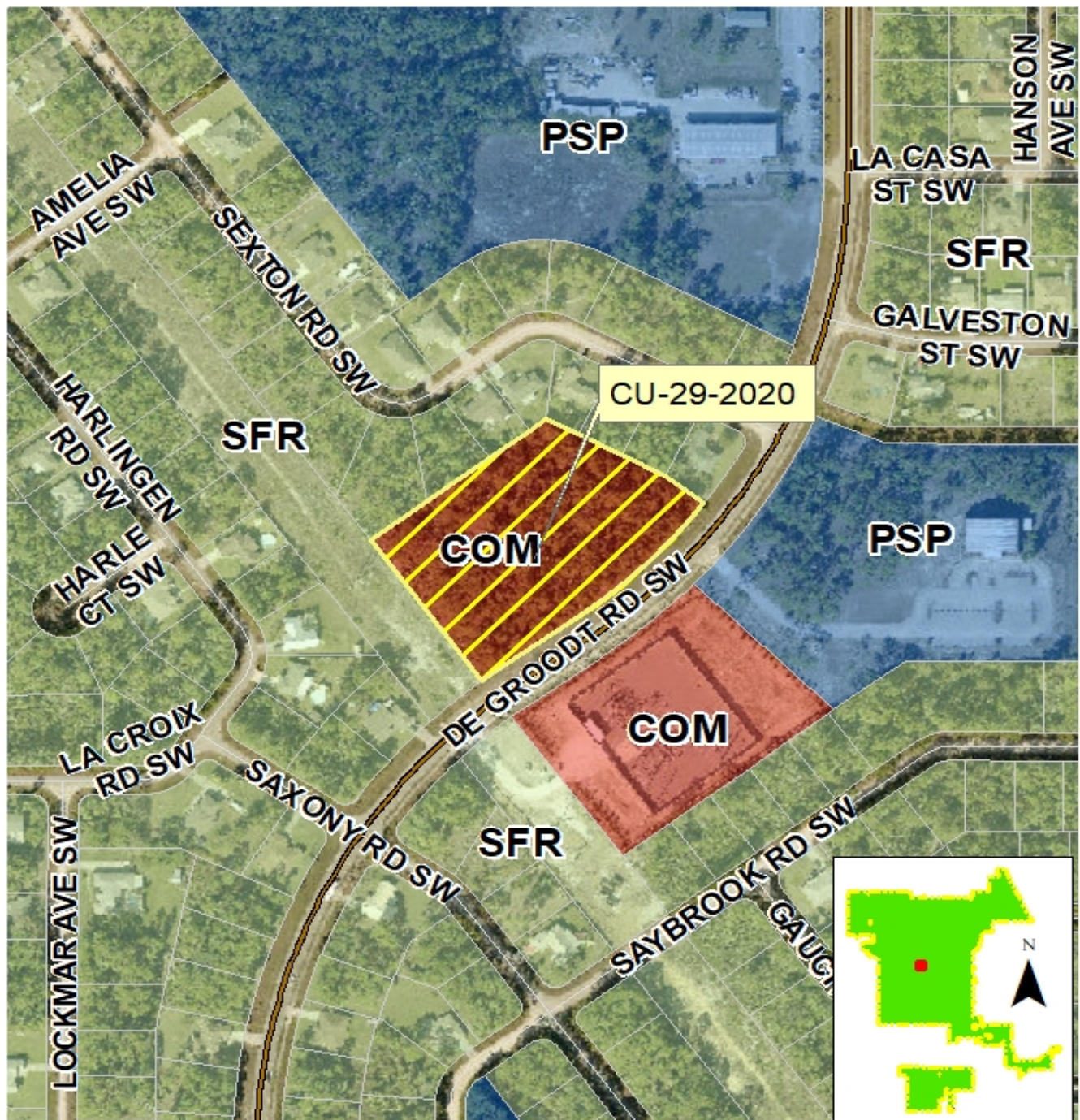
AERIAL LOCATION MAP CASE CU-29-2020

Subject Property

West of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP

CASE CU-29-2020

Subject Property

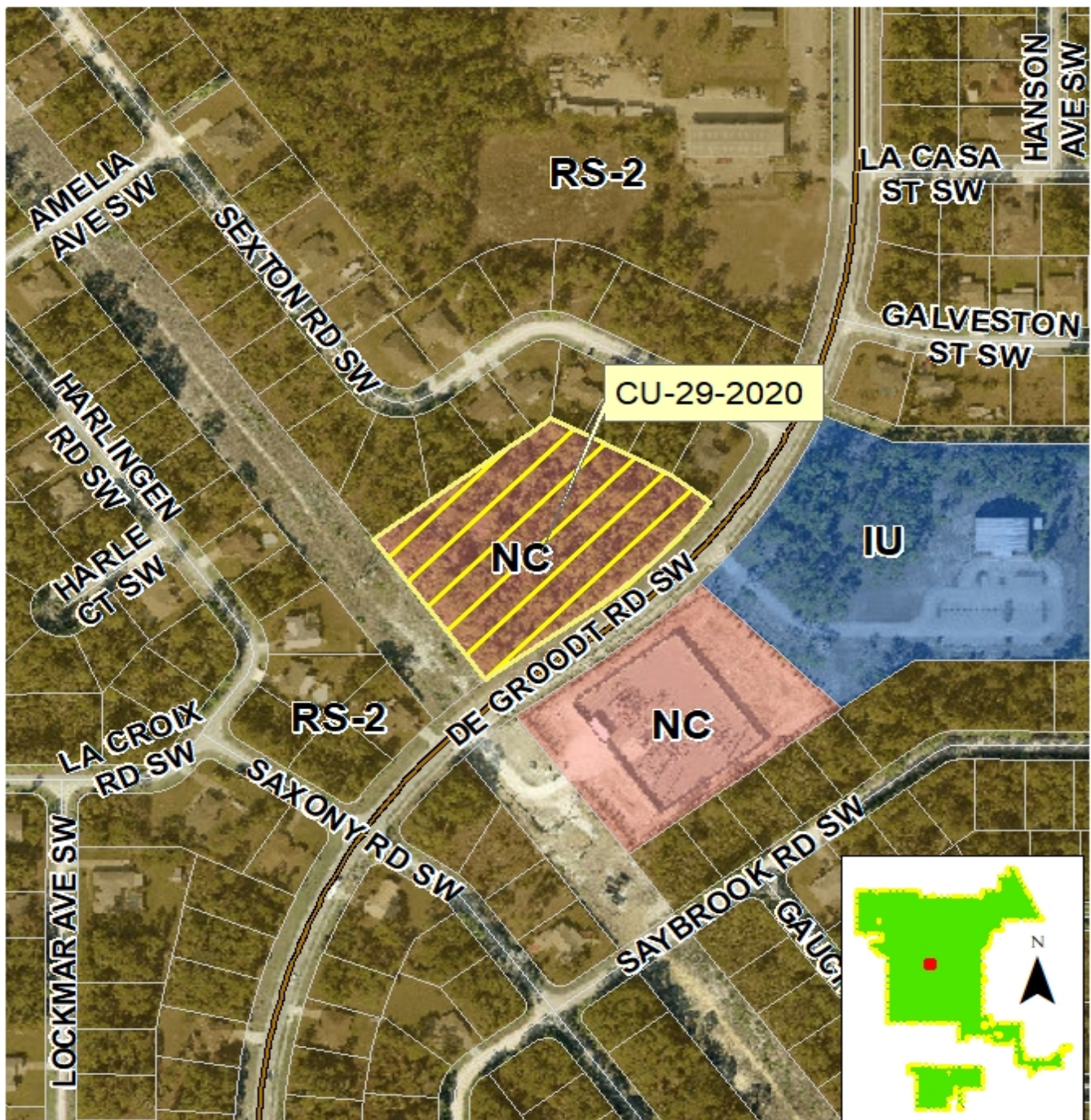
West of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW

Future Land Use Classification

COM – Commercial Use



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP

CASE CU-29-2020

Subject Property

West of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW

Current Zoning Classification

NC – Neighborhood Commercial District

PRELIMINARY SITE PLAN

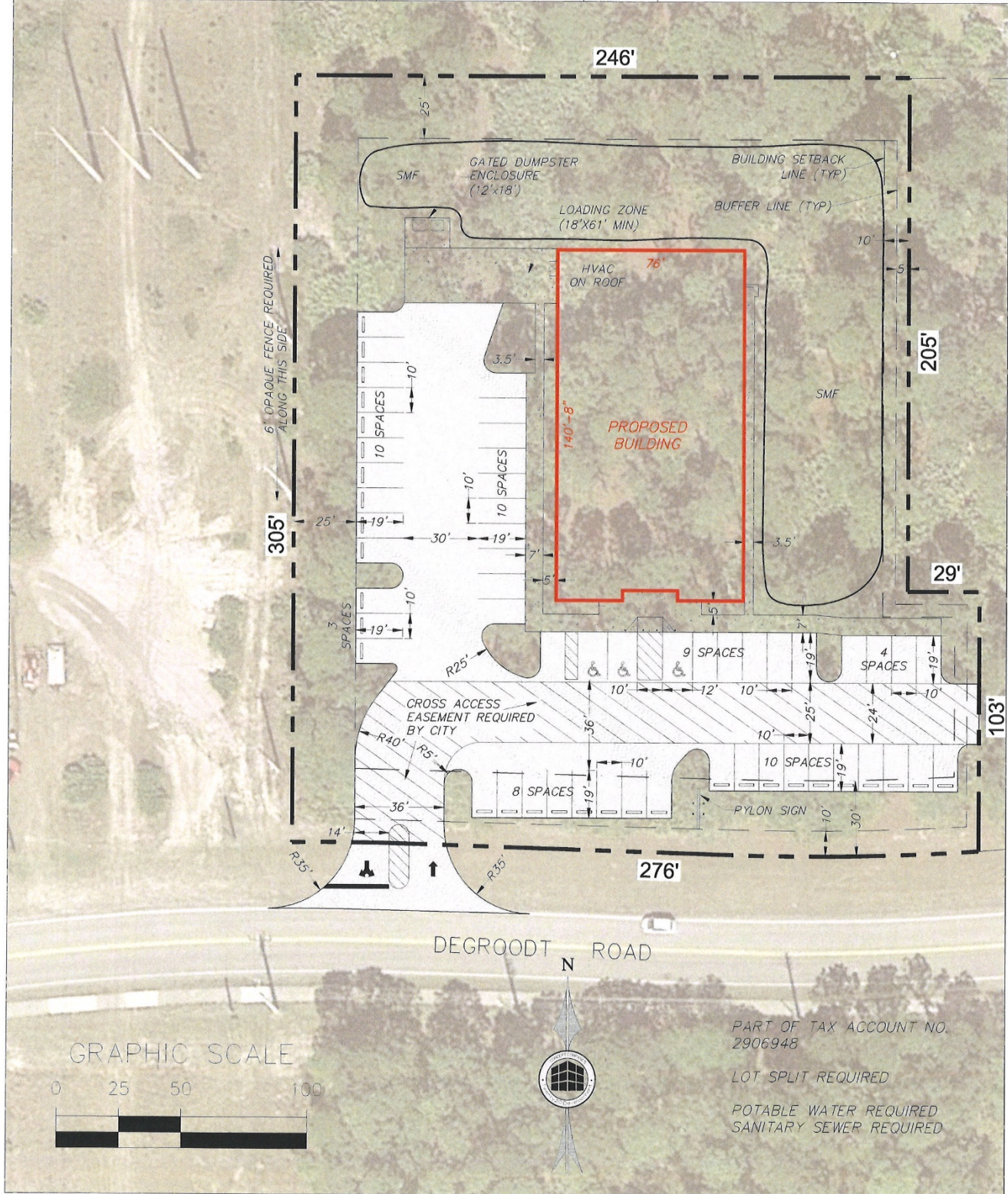
CITY, STATE
STREET: PALM BAY, FL
TBD DEGROODT ROAD



**CONCEPT
COMPANIES**

3324 West University Avenue, PMB 151, Gainesville, FL 32607
Licence# CGC1515491 / WWW.CONCEPTCOMPANIES.NET

BUILDING:	PROPOSED USE:	DEVELOPER:	DATE:
BLDG/SALES SF: 10,700	SINGLE TENANT COMMERCIAL RETAIL STORE	NAME: BRIAN CRAWFORD	11-19-20
ACREAGE: ±1.81		PHONE #: (352)333-3233 x200	
PARKING SPACES: 54		DESIGNER: AL TILLY	





LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopment@palmbayflorida.org

CONDITIONAL USE APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

PARCEL ID 29-36-13-KK-*-D

TAX ACCOUNT NUMBER 2906948

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION:

A portion of Port Malabar Unit 32 Tract D, OR Book 4798, Page 0642. See attached deed.

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage): 1.81

ZONING CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.) NC

CONDITIONAL USE SOUGHT Increase square footage to approx. 10,700 SF from the permitted 5,000 SF

CONDITIONAL USE REQUIREMENTS FOR SUBMITTAL (Section 185.087):

The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties per Section 185.085.

A SITE SKETCH TO SCALE MUST BE PROVIDED, AND ALSO PROVIDED ON MEMORY DRIVE, OF THE FOLLOWING:

- (A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

**CITY OF PALM BAY, FLORIDA
CONDITIONAL USE APPLICATION
PAGE 2 OF 3**

- (C) Adequate and properly located utilities that are available or may be reasonably provided to serve the proposed development.
- (D) Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.
- (E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.
- (H) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE SKETCH FOR THE SPECIFIC CONDITIONAL USE.

Additional criteria is listed in Section 185.088 and available from staff (check all that apply):

- ☐ **Church** (Sec. 185.088(A))
- ☐ **Club or Lodge** (Sec. 185.088(B))
- ☐ **Commercial Dog Kennel** (Sec. 185.088(C))
- ☐ **Planned Industrial Development** (industrially zoned site over 5 acres) (Sec. 185.088(D))
- ☐ **Public or Private School** (Sec. 185.088(E))
- ☐ **Self-Storage Facility** (Sec. 185.088(F))
- ☐ **Communication Tower and Facilities** (Sec. 185.088(G))
- ☐ **Dance Club** (Sec. 185.088(H))
- ☐ **Security Dwelling Unit** (Sec. 185.088(I))
- ☐ **Wedding Venue** (Sec. 185.088(J))
- ☐ **Event Hall** (Sec. 185.088(K))

**CITY OF PALM BAY, FLORIDA
CONDITIONAL USE APPLICATION
PAGE 3 OF 3**

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☒ *\$650.00 Application Fee. Make Check payable to "City of Palm Bay."
- ☒ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☒ Site Sketch (See page 1 for requirements). Site Sketch must also be provided on Memory Drive.
- ☐ Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guideline.
- ☐ Citizen Participation Plan. Refer to [Section 169.005](#) of the Land Development Code for guidelines.
- ☒ **Where the property owner is not the representative for the request, a [LETTER](#) must be attached giving the notarized consent of the property owner(s) to a representative.**

Name of Representative Concept Development, Inc

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers to the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing Conditional Use application and that the facts stated in it are true.

Owner Signature  **Date** 10/07/2020

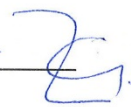
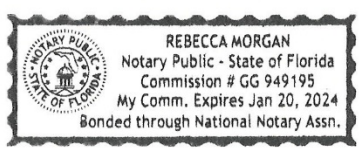
Printed Name Matt Cason

Full Address 3324 W University Ave PMB 151 Gainesville, FL 32607

Telephone (352) 333-3233 **Email** matt@conceptcompanies.net

***NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

PROPERTY OWNER AFFIDAVIT

Property Owner Name(s): M. David Moallem	Owner Mailing Address: 1663 Georgia Street NE, Ste. 200 Palm Bay, FL 32907
Owner phone: 321-626-3590 321-724-2424	
Owner email: palmbayland@gmail.com	
Property County: Brevard	
Parcel ID(s): 29-36-13-KK*-D Port Malabar Unit 32 Tract D	
Agent: Concept Development, Inc. and Concept Construction of North Florida, Inc. 3324 W University Ave, PMB 151 Gainesville, FL 32607 (352) 333-3233	
<p style="text-align: center;">Actions Authorized by Agent and Agent's consultants:</p> <p>The submission of any applications, documentation, forms, and plans as required by those regulatory agencies having jurisdiction over the Property (e.g. County, City, Water Management District, FDOT, FWC, FDEP, etc.) for permitting and entitlements, as applicable and necessary for the Agent to develop the Property as the Agent intends, as well as on-site access for inspections, testing, data collection, etc.</p>	
<p>I hereby certify that I am the owner of record. I hereby authorize the above-listed agents and their consultants to act on my behalf for the purposes stated herein.</p> <p style="text-align: center;">By: <u>M. David Moallem</u> </p> <p style="text-align: center;">M. David Moallem</p> <p>STATE OF <u>Florida</u> COUNTY OF <u>Brevard</u></p> <p>The foregoing instrument was acknowledged before me this <u>23</u> day of <u>June</u>, 2020, by M. David Moallem, who is personally known to me or has produced _____ as identification.</p> <p><u>Rebecca Morgan</u> Notary Public, State of <u>FL</u> at Large Commission No.: _____ My Commission Expires: _____</p> <div style="text-align: right;">  </div>	

CITY OF PALM BAY, FLORIDA
PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2020-14

Held on Wednesday, December 2, 2020, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Mr. Philip Weinberg called the meeting to order at approximately 7:00 p.m.

Ms. Kay Maragh led the Pledge of Allegiance to the Flag.

ROLL CALL:

CHAIRPERSON:	Philip Weinberg	Present	
VICE CHAIRPERSON:	Leeta Jordan	Present	
MEMBER:	Donald Boerema	Present	
MEMBER:	Donny Felix	Present	
MEMBER:	Richard Hill	Present	
MEMBER:	Khalilah Maragh	Present	
MEMBER:	Rainer Warner	Absent	(Excused)
NON-VOTING MEMBER:	David Karaffa	Present	
	(School Board Appointee)		

Mr. Warner's absence was excused.

CITY STAFF: Present were Mr. Laurence Bradley, Growth Management Director; Mr. Patrick Murphy, Assistant Growth Management Director; Mr. Christopher Balter, Senior Planner; Ms. Chandra Powell, Recording Secretary; Ms. Jennifer Cockcroft, Deputy City Attorney; Mr. Valentino Perez, Building Official.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2020-13; November 4, 2020. Motion by Ms. Maragh, seconded by Mr. Hill to approve the minutes as presented. The motion carried with members voting unanimously.

ANNOUNCEMENTS:

1. Mr. Weinberg addressed the audience on the meeting procedures and explained that the Planning and Zoning Board/Local Planning Agency consists of volunteers who act as an advisory board to City Council.
2. Mr. Weinberg announced that Cases CP-10-2020 and CPZ-10-2020 (SKA Properties, LLC - Dean Mead Attorneys at Law, Rep.) were administratively continued to the January 6, 2021 Planning and Zoning Board meeting. No board action was required to continue the cases.

The board concurred to consider New Business agenda items at this time.

NEW BUSINESS:

1. ****CU-29-2020 – M. DAVID MOALLEM
(MATT CASON, CONCEPT DEVELOPMENT INC., REP.)**

Mr. Balter presented the staff report for Case CU-29-2020. The applicant had requested a conditional use to increase the maximum building square footage from 5,000 square feet to a proposed 10,700 square feet in an NC, Neighborhood Commercial District. The Planning and Zoning Board must determine if the request meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances.

Mr. Jack Spira, Esquire of Spira, Beadle & McGarrell, PA (representative for Concept Development, Inc.) stated that the subject site was correctly zoned for the proposed use of the property, but the requested increase in building size required a conditional use. He indicated that Ms. Holly White (project engineer with Concept Development, Inc.) was present and had agreed to abide by the staff recommendations.

The floor was opened for public comments.

Ms. Margaret Hardison (resident at Sexton Road SW) spoke against the request. Her home abutted the subject site. She questioned the convenience of having an additional Dollar General Store when another Dollar General was approximately seven minutes away. The store would increase traffic, accidents, and the difficulty

of accessing De Groodt Road SW from Sexton Road. She was concerned about her property value and her well-being because of the traffic and different types of customers that would patronize the store.

In response to the public comments, Mr. Spira stated that a traffic study would be prepared for the site and a buffer would be provided to meet code requirements. He emphasized that the size of the store was market driven, and that the property was already zoned commercial.

The floor was closed for public comments and there was no correspondence in the file.

Ms. Maragh asked if a Citizen Participation Plan (CPP) meeting was held for the request. Mr. Spira indicated that the CPP meeting was attended by two residents.

Motion by Ms. Jordan, seconded by Ms. Maragh to submit Case CU-29-2020 to City Council for approval of a conditional use to increase the maximum building square footage from 5,000 square feet to a proposed 10,700 square feet in an NC, Neighborhood Commercial District.

Mr. Weinberg stated that he would not support the request. De Groodt Road was a heavily travelled street, and a 10,000 square-foot store at the subject location would be excessive and cause traffic and other problems for the surrounding residential neighborhood.

A vote was called on the motion by Ms. Jordan, seconded by Ms. Maragh to submit Case CU-29-2020 to City Council for approval of a conditional use to increase the maximum building square footage from 5,000 square feet to a proposed 10,700 square feet in an NC, Neighborhood Commercial District. The motion failed with members voting as follows:

Mr. Weinberg	Nay
Ms. Jordan	Aye
Mr. Boerema	Nay
Mr. Hill	Nay
Ms. Maragh	Aye

RESOLUTION 2021-02

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE TO ALLOW A RETAIL STORE OCCUPYING MORE THAN 5,000 SQUARE FEET OF GROSS FLOOR AREA IN NC (NEIGHBORHOOD COMMERCIAL DISTRICT) ZONING; WHICH PROPERTY IS LOCATED NORTHWEST OF AND ADJACENT TO DEGROODT ROAD, IN THE VICINITY SOUTH OF SEXTON ROAD, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE AND PROVIDING CONDITIONS HEREIN; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for a conditional use in NC (Neighborhood Commercial District) zoning to permit a retail store occupying more than 5,000 square feet of gross floor area on property legally described herein, has been made by Concept Development, Inc., and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on December 2, 2020, which voted to recommend to the City Council denial, and

WHEREAS, all provisions applicable to the conditional use under Chapter 185, Zoning, Conditional Uses, Sections 185.085 and 185.086, and District Regulations, Section 185.042, of the Palm Bay Code of Ordinances, have been addressed by the applicant, and

WHEREAS, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants a conditional use for a retail store occupying more than 5,000 square feet of gross floor area on property zoned NC (Neighborhood Commercial District), which property is legally described as follows:

>>Part of Tract "D" as shown on the Plat of Port Malabar Unit Thirty Two as recorded in Plat Book 17 Pages 34 through 49 of the Public Records of Brevard County, Florida described by:

Beginning at the southwest corner of the said Tract "D"; thence N.36°-40'-56"W. along the southwesterly line of the said Tract "D" a distance of 305.35 feet to the northwesterly line of the said Tract "D"; thence N.53°-19'-04"E., along the said northwesterly line, a distance of 246.58' feet; thence departing said northwesterly line S.36°-40'-56"E. a distance of 204.78 feet; thence N.53°-19'-04"E. a distance of 29.04 feet; thence S.36°-40'-56"E. a distance of 103.00 feet to the northwesterly right-of-way line of Degroodt Road; thence along the said northwesterly right-of-way line along curve concave northwesterly chord S.52°-10'-06"W. 98.77 feet, radius 960.00 feet, central angle 5°-53'52", Arc 98.82 feet; thence continuing along the said northwesterly right-of-way line S.55°-07'-02"W. a distance of 128.33 feet; thence continuing along the said northwesterly right-of-way line along a curve concave southeasterly chord S.53°-46'-41"W. 48.61 feet, radius 1040.00 feet, central angle 2°-40'-41", Arc 48.61 feet to the point of beginning; containing 78,946 square feet (1.81 acres), more or less.<<

SECTION 2. The conditional use is granted subject to the applicant complying with the following:

- 1) Constructing the retail store in accordance with the site plan which is, by reference, incorporated herein as Exhibit 'A';
- 2) The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit 'B';
- 3) A City of Palm Bay 'Utility Agreement' shall be executed between the Property Owner and the City;
- 4) All applicable outside agency permits must be obtained;

5) A Traffic Impact Analysis shall be submitted during the site review process to determine what improvements might be needed to DeGroodt Road;

6) A tree survey is required and will be utilized to determine any possible preservation of existing vegetation;

7) Prior to the issuance of any building permits, the engineered site plans must be granted administrative approval; and

8) All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

SECTION 3. The conditional use must be commenced within one (1) year from the effective date of this resolution. Commencement shall mean the issuance of the appropriate permit(s) which must remain active. Failure to commence within one (1) year of issuance of the first permit shall void the conditional use.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2021- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2021.

Robert Medina, MAYOR


ATTEST:

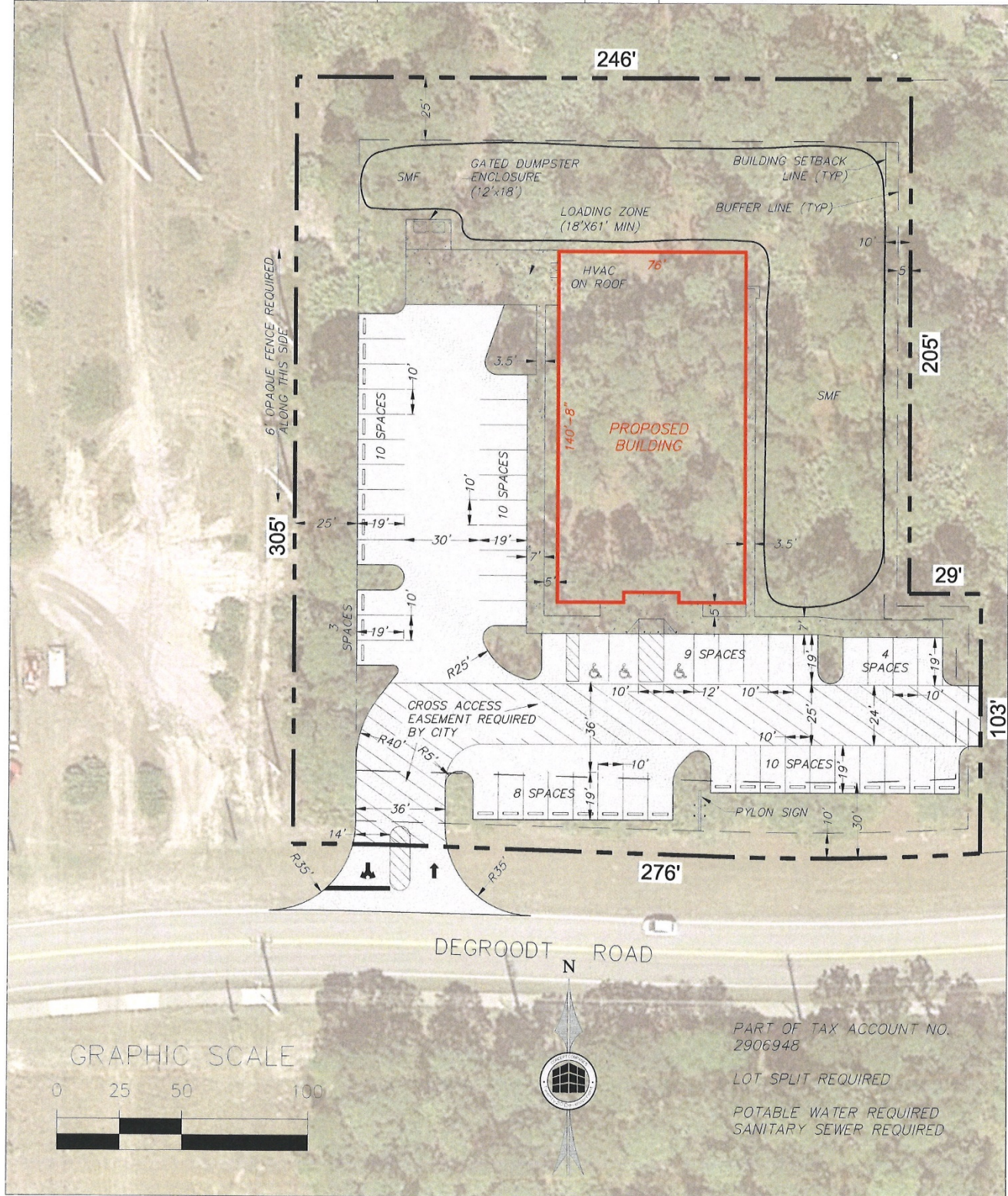
Terese M. Jones, CITY CLERK

Applicant: Concept Development, Inc.

Case: CU-29-2020

cc: (date) Brevard County Recording
Applicant
Case File

PRELIMINARY SITE PLAN		CITY, STATE STREET:	PALM BAY, FL TBD DEGROODT ROAD		 CONCEPT COMPANIES <small>3324 West University Avenue, PMB 151, Gainesville, FL 32607 Licence# CGC1515491 / WWW.CONCEPTCOMPANIES.NET</small>
BUILDING:	PROPOSED USE:	DEVELOPER:		DATE:	
BLDG/SALES SF: 10,700	SINGLE TENANT COMMERCIAL RETAIL STORE	NAME:	BRIAN CRAWFORD	11-19-20	
ACREAGE: ±1.81		PHONE #:	(352)333-3233 x200		
PARKING SPACES: 54		DESIGNER:	AL TILLY		





STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: 321-733-3042

landdevelopmentweb@palmabayflorida.org

Prepared by

Christopher Balter, Senior Planner

CASE NUMBER

CU-29-2020

PLANNING & ZONING BOARD HEARING DATE

December 2, 2020

PROPERTY OWNER & APPLICANT

M. David Moallem
(Matt Cason, Concept Development Inc,
Rep.)

PROPERTY LOCATION/ADDRESS

Located west of and adjacent to De Groodt Road SW,
in the vicinity south of Sexton Road SW

SUMMARY OF REQUEST

Conditional Use Approval to increase the maximum building square footage from 5,000 square feet to 10,700 square feet in an NC, Neighborhood Commercial District.

Existing Zoning

NC, Neighborhood Commercial District

Existing Land Use

Commercial Use

Site Improvements

Vacant Unimproved Land

Site Acreage

1.81 acres, more or less

SURROUNDING ZONING & USE OF LAND

North

RS-2, Single-Family Residential; Single-Family Homes

East

RS-2, Single-Family Residential; De Groodt Road SW

South

RS-2, Single-Family Residential; Florida Power & Light Easement;
Transmission Lines

West

RS-2, Single-Family Residential; Single-Family Homes

COMPREHENSIVE PLAN COMPATIBILITY

Yes

BACKGROUND:

The subject property is located west of and adjacent to De Groodt Road SW, in the vicinity south of Sexton Road SW. Specifically, the property is a portion of Tract D of the Port Malabar Unit 32; located in Section 13, Township 29, Range 36, Brevard County, Florida. The size of the property is approximately 1.81 acres.

The applicant, Matt Cason of Concept Development, Inc is requesting conditional use approval to increase the maximum building square footage from 5,000 square feet to 10,700 square feet, as required by Section 185.042(D)(7) of the Palm Bay Code of Ordinances.

ANALYSIS:

M. David Moallem owns the property and has established a contract for sale with Concept Development Inc. They are seeking approval to install a 10,700 square foot building on the property to be known as Dollar General.

CODE REQUIREMENTS:

To be granted conditional use approval, requests are evaluated upon items (A) through (I) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

Item (A): Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of emergency.

The sole vehicular access to the project will be from De Groodt Road SW, via a 2-way driveway, which meets the requirements for adequate ingress and egress, per Section 185.088(K)(7) of the Code of Ordinances.

Item (B): Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

The City's Parking Code requires a minimum of one (1) space for each two hundred (200) square feet of gross floor area for retail use. Based upon the proposed structure, a minimum of 54 parking spaces are required; of which at least three (3) shall be handicapped spaces. The submitted development plan proposes 51 regular parking spaces and 3 handicapped stalls. It shall be noted that the dumpster location will need to be approved by Republic Services during the administrative site plan approval process.

Item (C): Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The proposed building will be connected to the City's water distribution and sewer collection systems. The property has both electric and phone services.

Item (D): Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

A 6' tall opaque fence will be required along the South and West property lines, as they abut single-family residential properties.

Item (E): Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

One (1) pylon sign has been shown on the development plan and appears to meet the minimum placement criteria. The conceptual plan does not include a lighting plan. It shall be noted that any lighting and signage shall comply with Chapter 178 and Section 185.143 of the Palm Bay Code of Ordinances. A closer review will be conducted during the administrative site plan review process.

Item (F): Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The Yard and Open Space requirements of the Land Development Code have been met per Section 185.054(F)(4). However, the building will need to be shifted to accommodate the pedestrian zone landscaping required by code.

Item (G): The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.

The NC District allows for retail uses as a permitted use. Staff did not identify any impacts to the health, safety and welfare or convenience of the residents and workers in the city from this project.

Item (H): The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

The proposed "use" is a permitted use; however, the proposed size is only permitted via conditional use. The site is bordered by a road on one side and an FPL easement on the other. The minimum buffering required by the zoning code has been met along all property lines.

Item (I): Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not

limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

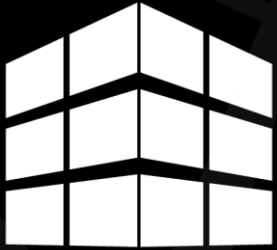
The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

Additional Staff Comments:

1. A City of Palm Bay "Utility Agreement" shall be executed between the Property Owner and the City.
2. All applicable outside agency permits must be obtained (St. Johns River Water Management District, Melbourne-Tillman Water Control District, Florida Department of Environmental Protection, Brevard County, Department of Environmental Health Services, etc.)
3. A Traffic Impact Analysis shall be submitted during the site plan review process to determine what improvements might be needed to De Groodt Road SW.
4. A tree survey is required and will be utilized to determine any possible preservation of existing vegetation to aid in this endeavor.
5. Prior to the issuance of any building permits, the engineered site plans must be granted administrative approval.

STAFF RECOMMENDATION:

The Planning and Zoning Board and City Council must determine if the request meets the criteria of Section 185.087 of the Palm Bay Code of Ordinances.



CONCEPT
COMPANIES

Commercial
Retail Store
Degroodt Rd

City Council
Hearing

January 7, 2021
7:00 PM

Conditional Use Request

City Of Palm Bay

Title XVII: Land Development Code

§ 185.042 NC — NEIGHBORHOOD COMMERCIAL DISTRICT.

(A) *Intent.* The purpose of the neighborhood commercial district shall be to provide areas within Palm Bay which are deemed to be uniquely suited for the development and maintenance of limited **commercial activities offering convenience goods and personal services to residents of the surrounding neighborhood area**. Development standards and provisions are established to ensure the proper development and location of uses and services deemed appropriate within the district; to reduce conflicts with adjacent residential uses, and to minimize the interruption of traffic along adjacent thoroughfares.

185.042 (B)(1): Retail stores, sales, and display rooms (not including automotive, lumber and building supply, and similar uses) containing less than five thousand (5,000) square feet of floor area.

Conditional Use Application requests an increase in building square footage to approximately 10,700 square feet from the permitted 5,000 square feet.

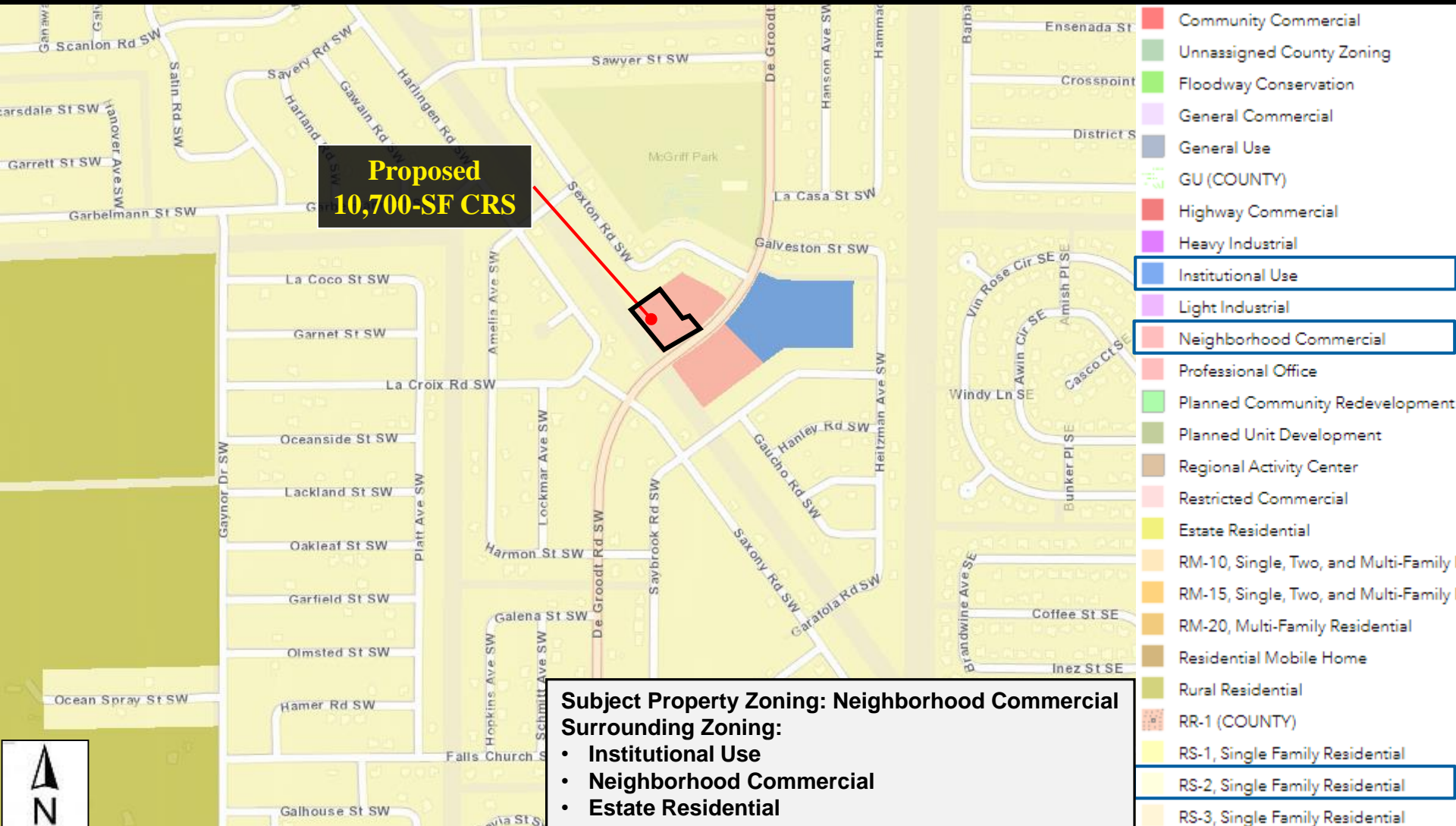
Mid-Level Aerial Overview



City of Palm Bay Future Land Use Map

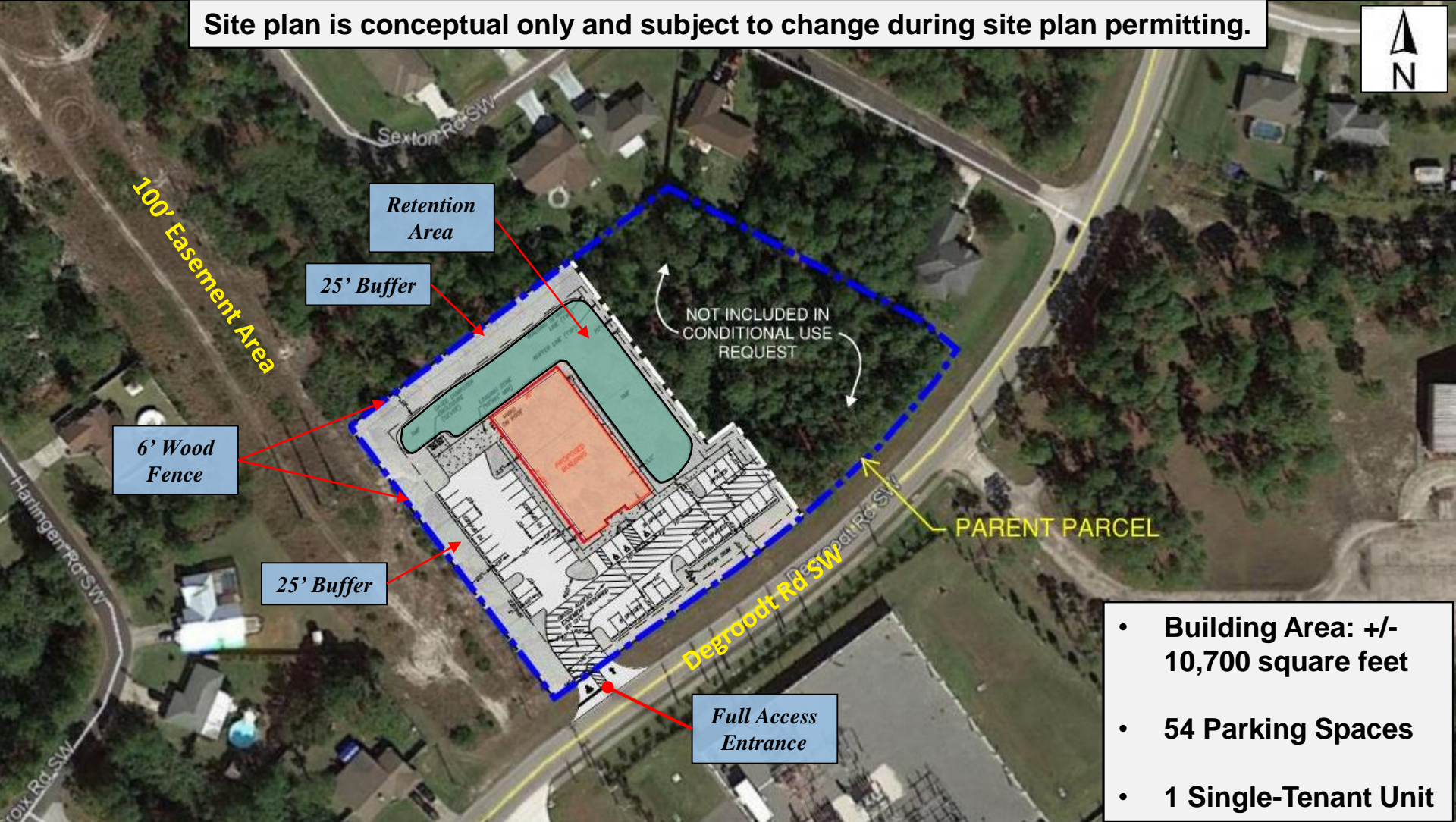


City of Palm Bay Zoning Map



Proposed Site Plan

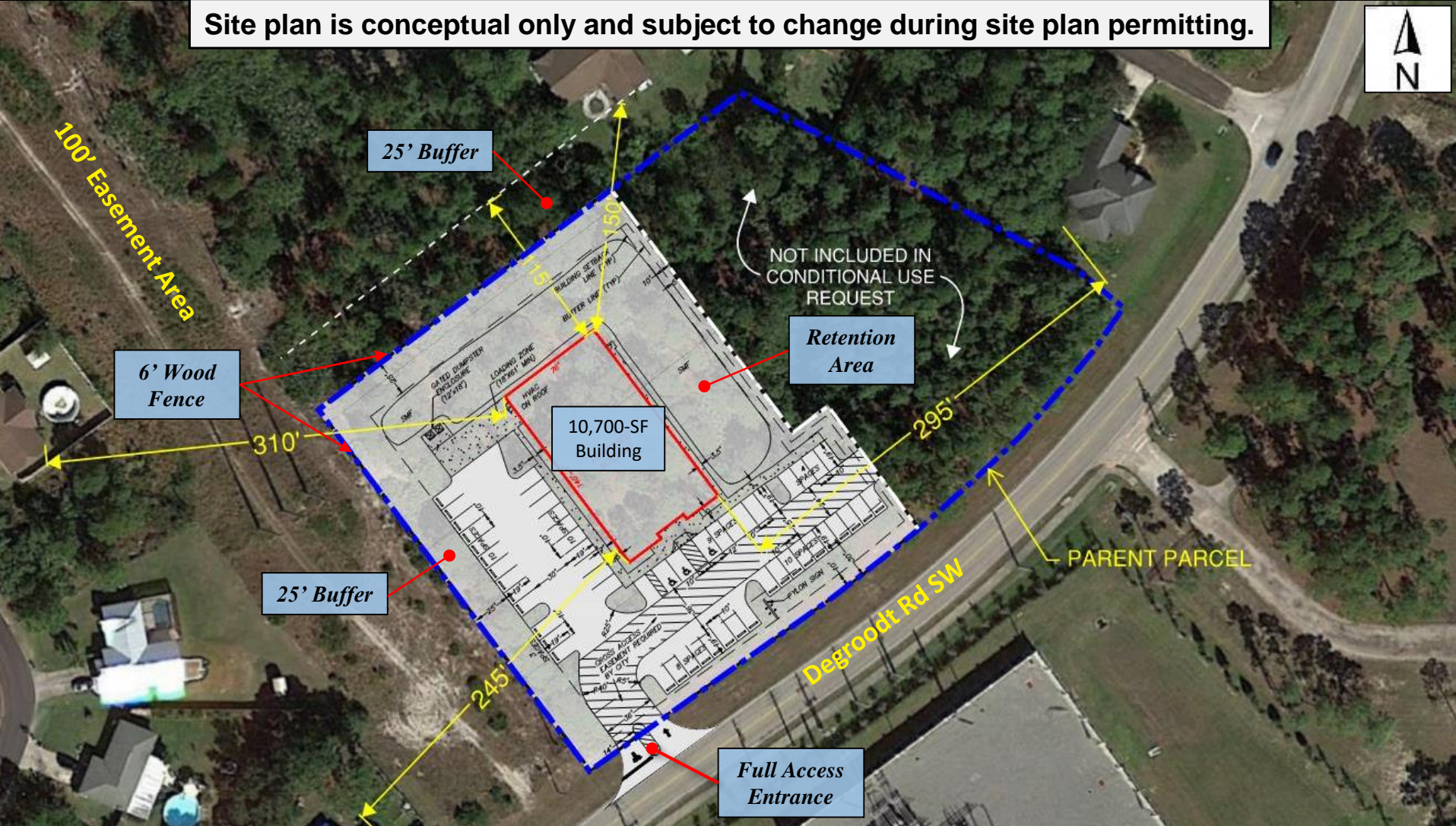
Site plan is conceptual only and subject to change during site plan permitting.



- Building Area: +/- 10,700 square feet
- 54 Parking Spaces
- 1 Single-Tenant Unit

Proposed Building – Proximity to Homes

Site plan is conceptual only and subject to change during site plan permitting.



Permitted Site Allowances

The Neighborhood Commercial District identifies specific site layout parameters to protect the neighboring residents and to meet the intent of the code. A basic list of the required site parameters are:

- 25' Buffer along residential lot lines
- 6' fence along residential lot lines
- 30% maximum building coverage
- **The proposed development meets all of these requirements**

Following the required site parameters, the subject portion of the property could potentially allow any of the following developments without a Conditional Use Permit:

- 1 - 20,000 SF laundry service, beauty/barber shop, library, walk-in bank, and/or veterinarian clinic, etc.
- 4 – 5,000 SF discount retail stores (20,000 SF total)
- 4 – 5,000 SF professional office, studios, clinics, government office, etc. (20,000 SF total)
- 4 – 5,000 SF daycare centers (20,000 SF total)
- 4 – 5,000 SF sit-down restaurants (20,000 SF total)
- **This square footage would be allowed by-right subject to site plan compliance to code**

Traffic Considerations

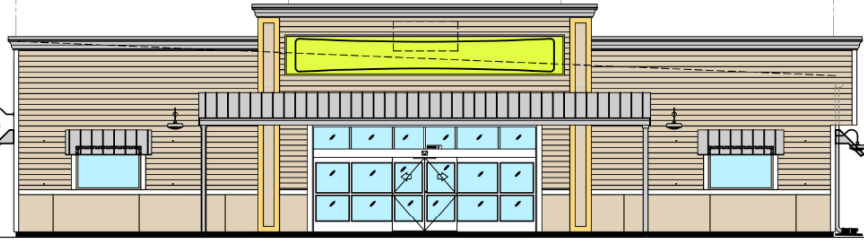
TRIP GENERATION COMPARISONS Principal uses and structures per 185.042 (B)

Use	Size	Daily Trips	PM Peak Trips	ITE Code
Convenience Market	5,000 SF (by-right)	3,814	246	851
Walk-in Bank	10,700 SF (by-right)	N/A	130	911
Fast Casual Restaurant	5,000 SF (by-right)	1,575	71	930
Library	10,700 SF (by-right)	771	87	534
Discount Retail Store	10,700 SF (CUP)	679/560*	73/61*	814
Sit-down Restaurant	5,000 SF (by-right)	561	49	932

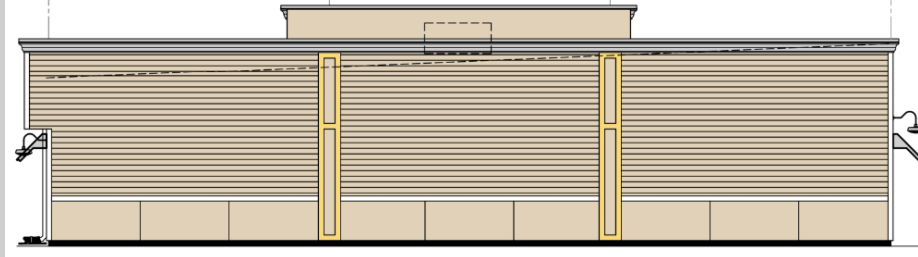
The traffic generated by the 10,700 square foot retail store is LESS than the traffic generated by other uses that are allowed by right within the NC zoning district and do not require a Conditional Use Permit.

* Proposed Net Trips based on preliminary traffic study data

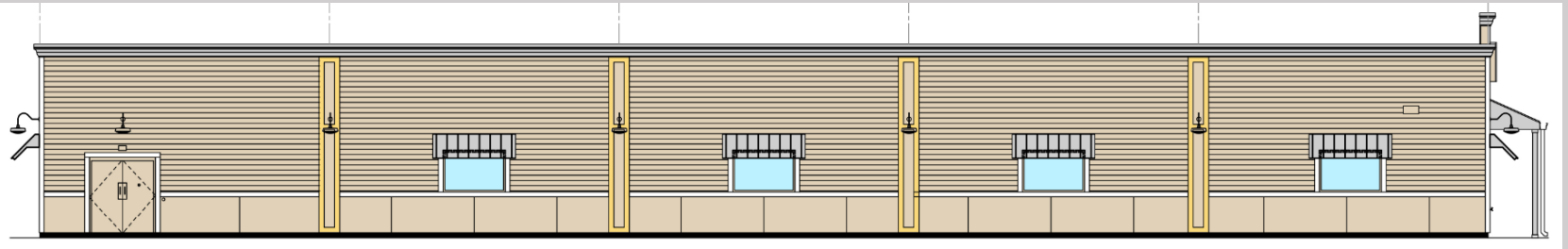
Architectural Elevations



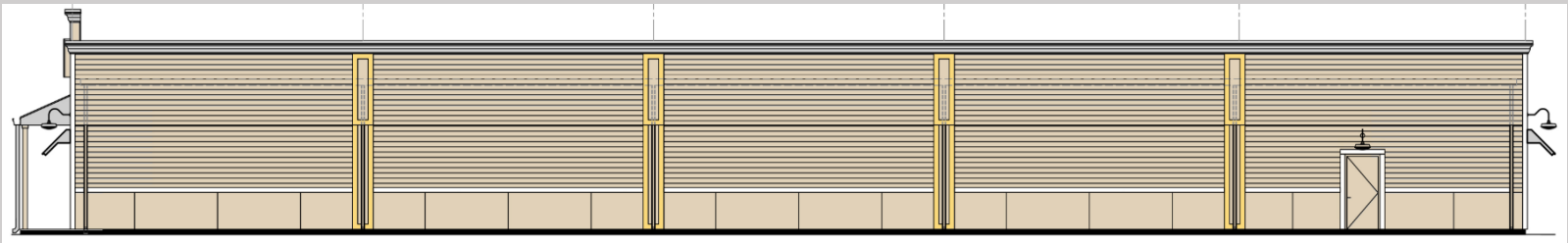
Front Elevation (Degroodt Rd)



Rear Elevation (Vacant Residential)



Left Elevation (Public Easement)



Right Elevation (Neighborhood Commercial)

Architectural Style: Florida Vernacular (Per Palm Bay Code of Ordinances Section 185.134)

Proposed design will meet one of the stylistic options outlined in the code.

Citizen Participation Meeting

Location: McGriff Skate Park Pavillion
Date & Time: October 14, 2020 @ 6:00 PM
Number of Invitations Mailed: 60
Number of Attendees: 3

Major concerns, as summarized in the Citizen Participation Report, are listed below.

- Traffic safety due to speeding and curvature of the roadway**

Driveway location illustrated on the site plan has been coordinated with public works during preliminary due diligence. A preliminary traffic study is provided and will be further coordinated during site plan permitting.

- Concern regarding light pollution**

Adjacent homes will be buffered existing vegetation, proposed vegetation, and a fence along the residential boundary. The project will meet and exceed light trespass requirements as identified in City code.

- Sidewalk connections to the proposed retail store**

Per the pre-application meeting, sidewalks along the development side of Degroodt Rd are not included in the City sidewalk master plan. However, the applicant is willing to make a sidewalk connection across Degroodt Rd, if deemed safe and approvable by public works.

- General development style including tenant, patrons, store size, and quantity of similar developments**

All City code requirements including buffers, open space, fencing, and maximum building area ratio are met by the conceptual site layout. The site is configured to reduce the impact to the adjacent neighbors as much as possible by placing the onsite improvements towards the roadway and easement to create more distance from the adjacent homes.

Conditional Use Standards

Section 185.087 General Requirements and Conditions: Standards for approval

- A. Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
- The proposed full access driveway location is situated to provide safe access and has been preliminarily reviewed by Public Works.
 - A pedestrian connection will be provided to existing sidewalks if deemed safe and appropriate by Public Works.
 - **The proposed site plan meets this requirement.**
- B. Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.
- All parking is located on-site and complies with City of Palm Bay LDC.
 - The loading zone is located in such a way to minimize impact to residential neighbors.
 - The proposed development will comply with City LDC buffer and lighting requirements which allow a 0 footcandle for lighting at the property line.
 - The proposed layout has been designed in a way that will provide additional buffer adjacent to the residential neighborhood, reducing undue noise, glare, and other effects.
 - **The proposed site plan meets this requirement.**

Conditional Use Standards

Section 185.087 General Requirements and Conditions: Standards for approval

- C. Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.
 - Public potable water and sanitary sewer are available for connection.
 - **The proposed site plan meets this requirement.**
- D. Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.
 - The proposed project complies with the City LDC buffer requirements.
 - The proposed site layout provides 25' buffers along residential property lines. Layout is conscientious to surrounding residences.
 - **The proposed site plan meets this requirement.**
- E. Signs, if any, and proposed exterior lighting will be designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.
 - The proposed development will comply with City signage and lighting regulations to provide a 0 footcandle at the property line to prevent undue glare at adjoining properties.
 - **The proposed site plan meets this requirement.**

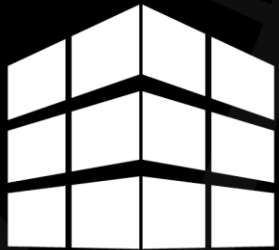
Conditional Use Standards

Section 185.087 General Requirements and Conditions: Standards for approval

- F. Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- The proposed project provides open space in excess of minimum requirements with a building coverage of 14% in comparison to the allowed 30% maximum building coverage.
 - **The proposed site plan meets this requirement.**
- G. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation or type, of physical activity. The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.
- The number of persons who will use this facility does not create a nuisance being that it is comparable, and even less intense, than other uses allowed by right.
 - **The proposed site plan meets this requirement.**
- H. Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, reasonable time limit within which the action for which special approval is requested shall be begin or be completed, or both.
- The proposed development will comply with the City of Palm Bay LDC, Public Works regulations, and any additional regulatory agencies which may be encountered during the site design and permitting process.
 - **The proposed site plan meets this requirement.**

Project Summary

- The project is located in a Neighborhood Commercial Zoning. The tract was zoned for commercial development when the Port Malabar Unit 32 was recorded in 1962, Plat Book 17, Page 34.
- Conditional Use Application requests an increase in building square footage to approximately 10,700 square feet from the permitted 5,000 square feet. At a proposed 14% building coverage, the proposed increase in square footage falls well below the allowed 30% building coverage. A Conditional Use is permitted under the guidelines of City of Palm Bay LDC Section 185.087.
- The proposed project is in substantial compliance with LDC Neighborhood Commercial Zoning regulations, including lot and structure requirements, parking areas, buffer and fencing requirements, and architectural style, as well as the Conditional Use general requirements and conditions.
- The development meets the intent of the Neighborhood Commercial District by providing commercial activities to reduce conflicts with adjacent residential uses and minimize the interruption of traffic along adjacent thoroughfares.



CONCEPT
COMPANIES

END OF
PRESENTATION



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Patricia Smith, City Attorney

DATE: 1/7/2021

RE: Appointment of one (1) member to the Police and Firefighters Pension Plan, Board of Trustees.

The Board of Trustees for the Police and Firefighters Retirement Pension Plan is a board governed by §52.160, Palm Bay Code of Ordinances and §§ 175.061 and 185.05 Florida Statutes. "Each resident member shall serve as trustee for a period of 2 years, unless sooner replaced by the legislative body at whose pleasure the member serves, and may succeed himself or herself as a trustee." § 185.05, Fla. Stat. As a result, the City Council may replace a resident member prior to the end of the member's term without having to show cause. See State ex rel. Inv. Corp. of S. Fla. v. Harrison, 247 So. 2d 713, 715–16 (Fla. 1971) (finding the Governor could remove a board member that served at the pleasure of the Governor without cause).

REQUESTING DEPARTMENT:

City Attorney's Office

FISCAL IMPACT:

N/A

RECOMMENDATION:

Motion to allow the resident trustee to continue to serve for a period of two years (requires no motion) or to replace the resident trustee.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Yvonne McDonald, Finance Director

DATE: 1/7/2021

RE: Resolution 2021-03, amending Resolution 2011-34, by updating the City of Palm Bay Fund Balance Policy.

On August 4, 2011, the City's Fund Balance Policy was established and approved by City Council under Resolution 2011-34. This action was taken to bring the City's Fund Balance Policy, initially initiated as an Administrative Policy, into compliance with the Government Accounting Standard Board (GASB) Statement No 54, Fund Balance Reporting and Governmental Fund Type Definitions. The new standard while not changing the total amount of a given fund balance, altered the categories and terminology used to describe the components of a fund balance on financial statements.

The proposed amendments to the City's current fund balance policy addresses:

1) Changing the City's current minimum unrestricted fund balance requirement of ten (10%) percent of the subsequent fiscal year's budgeted expenditures less capital outlay and transfers out to the Best Practice and Fund Balance guidelines established by the Government Finance Officers Association (GFOA). The GFOA recommends, at a minimum, that general purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months (17% percent of regular general fund operating revenues or regular general fund operating expenditures).

2) The establishment of a permanent Emergency Contingency Fund with an annual balance of \$2 million to \$3 million dollars designated fund to be maintained and used for emergencies occurring within the City limits. The target balance in the Emergency Contingency Fund to be increased or decreased by formal action of the City Council.

Finance department staff was assisted in the review and drafting of the amended policy by the City's Financial Advisors, Public Resources Advisory Group (PRAG).

Also attached is an analysis showing the impact to the City's available Unassigned Fund Balance had the Minimum Fund Balance increase been authorized in earlier years and if the Emergency Fund had been implemented for FY21.

REQUESTING DEPARTMENT:

City Manager's Office, Finance

FISCAL IMPACT:

There is no fiscal impact budget wise; however, the City's General Fund Undesignated Fund balance will be reduced by the amount established and maintained in the Emergency Contingency Fund and the General Fund Minimum Required Fund balance will be increased.

RECOMMENDATION:

Motion to approve the amendment of the current fund balance policy.

ATTACHMENTS:**Description**

Palm Bay Fund Balance Policy--CHANGES REFLECTED-(12-21-2020)

Summary of Impact on prior FYs Available Unassigned Fund Balance based on proposed changes

Resolution 2021-03

Resolution 2021-03, Exhibit A

EXHIBIT "A"

FUND BALANCE POLICY

Background

In February 2009, the Governmental Accounting Standards Board (GASB) issued *GASB #54 Fund Balance Reporting and Governmental Fund Type Definitions*. The statement ~~substantially changes how fund balances are categorized.~~ >> was implemented in June 2010. GASB #54 defines how fund balances are categorized and << it clarifies/modifies how some of the governmental funds are presented and classified.

~~This policy will provide a cross reference between the Pre-GASB #54 Fund Balance Classification and the Post-GASB #54 Fund Balance Classifications.~~

~~Fund Balance Classifications: Current and GASB #54~~

~~Pre-GASB #54 Classifications of Fund Balance~~

~~Post-GASB #54 Classifications of Fund Balance~~

Reserved Non-spendable	<i>Not available for appropriation</i> Not available for spending, either now or in the future, because of (e.g., debt retirement)	
Designated Restricted	Available for appropriation but intended for a specific use. Constraints on spending that are legally enforceable by outside parties.	
Unrestricted	Designated Committed	<i>Not available for appropriation.</i> Constraints on spending that the government imposes upon itself by highest-level formal action prior to the close of the period.
	Undesignated Assigned	<i>Available for appropriation.</i> Resources intended for spending for a purpose set by the governing body itself or by some person or body delegated to exercise such authority in accordance with policy established by the board >>City Council. <<
	Unassigned	Residual. >>Available for any legal purpose. << (general fund only)

I. PURPOSE

The Fund Balance Policy >> (the "Policy") << will ~~provide~~ >> assist the City in providing << a stable financial environment for the City's operations that allows the City to provide quality services to its residents in a fiscally responsible manner. The ~~policy~~ >> Policy << also provides a measure of financial protection against unanticipated events that ~~would~~ >> could, in the absence of the Policy, << adversely affect the financial condition of the City and jeopardize the continuation of necessary public services. No other policy or procedure supersedes the authority and provisions of ~~this policy~~ >> the Policy <<.

~~This policy~~ >> The Policy << is adopted to ensure the City maintains adequate fund balance and reserves to ~~provide the capacity to:~~ >> mitigate current and future risks and to ensure stable tax rates. Additionally, the Policy aims to: <<

1. Provide sufficient cash flow for daily financial needs,
2. Secure and maintain investment grade bond ratings,
3. Offset significant economic downturns or revenue shortfalls >>; and <<
4. Provide funds for unforeseen expenditures >>, such as those << related to emergencies.

II. PROCEDURES & RESPONSIBILITIES

>> The Finance Director or designee shall be responsible for executing the Policy. In doing so, the Finance Director or designee shall establish and amend, when necessary, operational procedures for the implementation of the Policy. <<

III. ~~II.~~ DEFINITIONS

Fund Balance – This is the cumulative difference of all revenues and expenditures. It can also be considered to be the difference between assets and liabilities reported in a governmental fund.

Non-spendable Fund Balance - Amounts that are not in spendable form or legally or contractually required to be maintained intact. "Not in spendable form" includes items that are not expected to be converted to cash (such as inventories and prepaid amounts) and items such as the long-term amount of loans and notes receivable, as well as property acquired for resale (unless the proceeds are restricted, committed or assigned). ~~The principal of a permanent fund is an example of an amount that is legally or contractually required to be maintained intact.~~

Restricted Fund Balance - Amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors (by debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed Fund Balance - Amounts constrained for a specific purpose by formal action of a government using its highest level of decision-making authority. Commitment of fund balance may be made for such purposes including, but not limited to, a) major maintenance and repair projects; b) meeting future obligations resulting from a natural disaster; c) accumulating resources pursuant to stabilization arrangements; d) establishing reserves for disasters; and/or e) for setting aside amounts for specific projects. Commitments may be changed or lifted only by the City Council taking the same formal action that imposed the original constraint. Action to constrain resources must occur prior to year-end; however, the amount can be determined in the subsequent period.

Assigned Fund Balance - In the General Fund, these are spendable amounts constrained by the City's ~~intent~~

>>intent<< ~~to~~ >> that they be<< use >>used<< for a specific purpose but are neither restricted nor committed; the intent shall be expressed by the city management based on City Council direction. For all governmental funds other than the General Fund, assigned fund balance is any residual positive amounts not classified as non-spendable, restricted, or committed.

Unassigned Fund Balance – Unassigned Fund Balance is the residual classification for the General Fund. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

Unrestricted Fund Balance - The total of committed fund balance, assigned fund balance, and unassigned fund balance; it is also referred to as Spendable Fund Balance.

IV. ~~III~~ POLICY

~~This policy~~ >>The Policy<< establishes the procedures for reporting, within the annual financial statements, unrestricted fund balance (comprised of Committed, Assigned, and Unassigned categories) within the City's governmental funds: General Fund, Special Revenue Funds, Debt Service Fund, and Capital Projects Funds >>and within the City's major enterprise funds: Utilities Fund and Stormwater Fund. <<

General Fund – The General Fund is used to account and report all financial resources that are not required to be reported in another fund. The fund shall establish an Unrestricted Fund Balance equivalent to a minimum of ~~ten (10%) percent of the subsequent fiscal year's budgeted expenditures less capital outlay and transfers out as originally adopted by Ordinance in September~~ >>two months of regular budgetary General Fund operating expenditures. <<

>>The Unrestricted Fund Balance is needed to ensure timely payment of debt obligations and/or legal judgments; to ensure fund stabilization in the events of unanticipated loss of revenues, unanticipated expenses, and/or losses not covered by insurance, or to cover costs until receipt of insurance or FEMA proceeds; to ensure that bond covenants or other legal obligations are met; and for such other uses as dictated by legal requirements or City Council action. <<

Special Revenue Fund – Special Revenue Funds are used to account for and report proceeds of specific revenue sources that are restricted or committed to expenditures for specific purposes other than debt service or capital projects. The term "proceeds for specific revenue sources" establishes that one or more restricted or committed revenues should be the foundation for a specific revenue fund. No specific reservation of Fund Balance is created by virtue or enactment of this policy. The amount of any reservation of Fund Balance shall be governed by the legal authority underlying the creation of the individual funds.

Debt Service Fund – Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest. This policy does not create any specific reservation of Fund Balance within any Debt Service Fund as it is established as part of the ordinance or resolution which authorizes the issuance of the bonds.

Capital Projects Fund – The Capital Projects Funds are used to account for and report financial resource that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets. These projects may extend beyond a fiscal year. No specific reserve requirement is established for the Capital Projects Funds. However, at a minimum, the fiscal year end Fund Balance and estimated revenues for the ensuing fiscal year must be sufficient to meet all outstanding fund encumbrances.

>>Enterprise Funds – The City will strive to maintain unrestricted net assets equal to 90 days of actual operating expenses of the prior fiscal year in the Utilities Fund and Stormwater Fund. This reserve is needed to cover short-term cash flow variations, economic downturns, and emergencies. Unrestricted net assets under the 90-

day goal should be used only for unanticipated expenditures. <<_

V. ~~IV.~~ STABILIZATION ARRANGEMENTS AND FUNDS

~~Stabilization Arrangements and Funds ("Stabilization Funds") can be established for items such as revenue shortfalls, emergencies, or for covering unplanned budgetary imbalances. The Stabilization Funds are subject to controls that dictate the circumstances under which they can be spent.~~

>>Stabilization funds allow governments to set aside revenues for use in the event of unexpected revenue shortfall or budget deficit. Provided that the Unrestricted Fund Balance requirements established by the Policy have been met, the City may use excess amounts to establish stabilization funds ("Stabilization Funds") to offset the costs of natural disasters and other emergencies (including direct costs thereof and revenue shortfalls resulting therefrom), to cover unplanned budgetary imbalances, and to ensure the maintenance of services to the public during unforeseen situations. <<

>>The Stabilization Funds are subject to controls that dictate the circumstances under which they can be spent. << The formal action that allows spending of Stabilization Funds should identify and describe the specific circumstances under which a need for stabilization arises. Those circumstances should be such that they would not be expected to occur routinely.

>>Stabilization Funds shall be reported in the Comprehensive Annual Financial Report (CAFR) as committed fund balances in the appropriate fund and the level of funding will be reviewed annually by City Council. Additions to or reductions from a Stabilization Fund will be approved by City Council as part of the budget process or the supplemental appropriation process. Establishing the proper balances in the Stabilization Funds will take into account risk exposure related to self-insurance and property insurance deductibles in the event of major storm damage to city assets. Transfers from Stabilization Funds will not be allowed if they would cause the fund to be in a deficit position. <<

~~The City Council may set aside 5-7% of operating revenues as contingency reserves to be used to ensure the maintenance of services to the public during unforeseen situations. The contingency reserve should be contained as a separate sub-fund within the General Fund and included as part of the annual budget process. The contingency reserve shall be classified as unassigned fund balance and it may be used to eliminate temporary cash deficits in the general fund or may be used for any lawful purpose with approval by City Council.~~

>>The City will maintain a permanent Emergency Contingency Fund with an annual balance ranging from \$2 million to \$3 million. Funds held in the Emergency Contingency Fund may be used to cover costs associated with emergencies occurring within City limits. The City Manager, in his or her sole discretion, will determine qualified uses of the funds held in the Emergency Contingency Fund, on a case-by-case basis. The Finance Director will promptly notify City Council any time Emergency Contingency Fund monies are to be used. <<

>>The Emergency Contingency Fund will be funded pursuant to Section VIII of the Policy and will be maintained pursuant to Section IX of the Policy. City Council may increase or decrease the target balance of the Emergency Contingency Fund by formal action. <<

VI. ~~V.~~ SPENDING ORDER OF FUND BALANCES

The City ~~establishes the policy to~~ >>will<< spend restricted amounts first when both restricted and unrestricted fund balance are available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the City ~~would~~ >> will<< first use committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the spendable fund balance classifications ~~could~~ >> can<< be used.

VII. ~~VI.~~ AUTHORIZATION OF ENDING FUND BALANCE

GASB 54 allows the City Council authority to "assign" ending fund balances or bestow this authority to a city officer or designee. To provide the City with the most flexibility in financial reporting, the Finance Director is authorized to assign resources and ending fund balances if applicable.

VIII. ~~VII.~~ MINIMUM RESERVE REQUIREMENT

In the event funds are not available to ~~maintain the established~~ >>establish the<<~~required~~ balances >> required under the Policy, << the Unrestricted Fund Balance target shall be achieved by adding a designated amount to the budget to cover the deficiency over a period not to exceed ~~five (5)~~ >>three (3)<< years.

IX. ~~VIII.~~ REPLENISHMENT OF MINIMUM RESERVE DEFICITS

If it is anticipated at the completion of any fiscal year that the projected or estimated amount of Unrestricted Fund Balance, will be less than the minimum requirement, then the City Manager shall prepare and submit in conjunction with the proposed budget a plan for the expenditure reductions and/or revenue increases necessary to restore the minimum requirements in the subsequent budget year or other appropriate period as stipulated in the minimum reserve requirement section.

~~IX.~~ EFFECTIVE DATE

~~This policy shall take effect immediately upon adoption and will be applied beginning with the preparation of the City's September 30, 2011 Comprehensive Annual Financial Report and adoption of the City's Fiscal Year 2011-2012 Budget.~~

X. >>BUDGETING<<

>>The actual amount of unrestricted fund balance (total of committed fund balance, assigned fund balance, and unassigned fund balance) is not known until the completion of the annual audit, which takes place after the end of the fiscal year being audited. However, an estimate of unrestricted fund balance (also called estimated beginning fund balance) must be made during the annual budget adoption process (July through September) which is prior to September 30th, the end of the fiscal year. <<

XI. ~~X.~~ ANNUAL REVIEW

Compliance with the provisions of ~~this policy~~ >>the Policy<< shall be reviewed as part of the annual budget adoption process, and the amount of restricted, committed, assigned, and non-spendable and the minimum level of spendable fund balance shall be determined during this process.

>>Funds which exceed their established fund balance target by 10% or more for two consecutive years will be reviewed by administration. If appropriate and permitted by law, the amount over the target will be transferred to the General Fund, or other fund of the City, with the approval of City Council. <<

>>Funds which fall below their established fund balance target by 10% or more for two consecutive years will be reviewed by administration. If it is determined that the fund balance target level is still appropriate, a corrective action plan to restore the fund to the appropriate level will be submitted to City Council for approval. <<

XII. ~~XI.~~ ADDITIONAL INFORMATION, REQUIREMENTS, RESPONSIBILITIES

It will be the responsibility of the Finance Department to >>execute the Policy and to<< keep ~~this policy~~. >>
the Policy<< current.

XIII. >>EFFECTIVE DATE<<

>>The Policy shall take effect immediately upon its adoption and will be applied beginning with the preparation of the City's September 30, 2022 Comprehensive Annual Financial Report and adoption of the City's Fiscal Year 2022 Budget. <<

GENERAL FUND MINIMUM FUND BALANCE - 9/30/XXXX

REGULAR OPERATING EXPENDITURES (ROE)					
Approved Budget for Fiscal Year:	2017	2018	2019	2020	2021
Expenditures	64,227,340	68,315,437	72,567,846	75,662,828	75,291,296
Transfers	(8,099,375)	(6,519,250)	(7,353,190)	(7,740,645)	(7,709,664)
Capital Outlay	(186,211)	(725,061)	(432,000)	(82,112)	0
Reserves	0	0	0	0	0
Adjusted Expenditures (Regular Operating Expds)	55,941,754	61,071,126	64,782,656	67,840,071	67,581,632

PROPOSED MINIMUM REQUIRED FUND BALANCE BASED ON GFOA BEST PRACTICES AND FUND BALANCE GUIDELINES					
Approved Budget for Fiscal Year:	2017	2018	2019	2020	2021
Proposed Req'd Minimum Fund Balance @ 17% of ROE	9,510,098	10,382,091	11,013,052	11,532,812	11,488,877
Current Req'd Minimum Fund Balance @ 10% OF ROE	5,594,175	6,107,113	6,478,266	6,784,007	6,758,163
Increase in Min Fund Balance Requirement	3,915,923	4,274,979	4,534,786	4,748,805	4,730,714

GASB #54 CLASSIFICATION OF FUND UNDER POLICY					
Annual Financial Report Fiscal Year:	2016	2017	2018	2019	2020
Nonspendable Fund Balance	39,002	21,112	32,134	92,969	82,182
Restricted Fund Balance	0	0	0	800,000	800,000
Total Nonspendable and Restricted Fund Balance	39,002	21,112	32,134	892,969	882,182
Committed Fund Balance	184,628	193,358	3,032,788	255,356	2,793,774
Assigned Fund Balance	50,883	149,855	154,098	302,040	342,874
Unassigned Fund Balance	8,900,069	8,267,662	11,753,606	17,648,421	17,252,479
Total Unrestricted Fund Balanace	9,135,580	8,610,875	14,940,492	18,205,817	20,389,127
Total Fund Balance @ 9/30	9,174,582	8,631,987	14,972,626	19,098,786	21,271,309

**

AVAILABLE UNASSIGNED FUND BALANCE BASED ON PROPOSED CHANGES					
Annual Financial Report Fiscal Year:	2016	2017	2018	2019	2020
Unassigned Fund Balance	8,900,069	8,267,662	11,753,606	17,648,421	17,252,479
Less Proposed Req'd Minimum Fund Balance (17%)	9,510,098	10,382,091	11,013,052	11,532,812	11,488,877
Less Proposed Emergency Fund moved to Committed FB	0	0	0	0	3,000,000
Unassigned Fund Surplus (Deficit) Available @ 9/30	(610,029)	(2,114,429)	740,554	6,115,609	2,763,602
**Preliminary, subject to finalization of 2020 CAFR					

RESOLUTION 2021-03

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 2011-34, BY UPDATING THE CITY OF PALM BAY FUND BALANCE POLICY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Governmental Accounting Standards implemented Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* in June 2010, to clarify the meaning of fund balance on financial statements, and

WHEREAS, the City's Fund Balance Policy was established and approved by City Council on August 4, 2011 pursuant to Resolution 2011-34, and

WHEREAS, the City desires to update its Fund Balance Policy, remaining consistent with Governmental Accounting Standards Board Statement No. 54 and following Best Practices and Fund Balance Guidelines for the General Fund established by the Government Finance Officers Association, and

WHEREAS, such updated policy has been prepared, attached hereto as Exhibit "A", and will replace the City's previously adopted Fund Balance Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.

SECTION 2. The City Council of the City of Palm Bay hereby adopts the updated "City of Palm Bay Fund Balance Policy" and directs the City Manager to implement said policy.

SECTION 3. This Resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2021- , of the City Council of the
City of Palm Bay, Brevard County, Florida, held on , 2021.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

EXHIBIT "A"

FUND BALANCE POLICY

Background

In February 2009, the Governmental Accounting Standards Board (GASB) issued GASB No. 54 Fund Balance Reporting and Governmental Fund Type Definitions. The statement was implemented in June 2010. GASB No.54 defines how fund balances are categorized and clarifies how some of the governmental funds are presented and classified.

GASB No.54 Classifications of Fund Balance

Non-spendable	<i>Not available for appropriation</i> Not available for spending, either now or in the future	
Restricted	Available for appropriation but intended for a specific use. Constraints on spending that are legally enforceable by outside parties.	
Unrestricted	Committed	<i>Not available for appropriation.</i> Constraints on spending that the government imposes upon itself by highest-level formal action prior to the close of the
	Assigned	<i>Available for appropriation.</i> Resources intended for spending for a purpose set by the governing body itself or by some person or body delegated to exercise such authority in accordance with policy established by the City Council.
	Unassigned	Residual. Available for any legal purpose. (general fund only)

I. PURPOSE

The Fund Balance Policy (the "Policy") will assist the City in providing a stable financial environment for the City's operations that allows the City to provide quality services to its residents in a fiscally responsible manner. The Policy also provides a measure of financial protection against unanticipated events that could, in the absence of the Policy, adversely affect the financial condition of the City and jeopardize the continuation of necessary public services. No other policy or procedure supersedes the authority and provisions of the Policy.

The Policy is adopted to ensure the City maintains adequate fund balance and reserves to mitigate current and future risks and to ensure stable tax rates. Additionally, the Policy aims to:

1. Provide sufficient cash flow for daily financial needs;
2. Secure and maintain investment grade bond ratings;
3. Offset significant economic downturns or revenue shortfalls; and
4. Provide funds for unforeseen expenditures, such as those related to emergencies.

II. PROCEDURES AND RESPONSIBILITIES

The Finance Director or designee shall be responsible for executing the Policy. In doing so, the Finance Director or designee shall establish and amend, when necessary, operational procedures for the implementation of the Policy.

III. DEFINITIONS

Fund Balance – This is the cumulative difference of all revenues and expenditures. It can also be considered to be the difference between assets and liabilities reported in a governmental fund.

Nonspendable Fund Balance – Amounts that are not in spendable form or legally or contractually required to be maintained intact. "Not in spendable form" includes items that are not expected to be converted to cash (such as inventories and prepaid amounts) and items such as the long-term amount of loans and notes receivable, as well as property acquired for resale (unless the proceeds are restricted, committed or assigned).

Restricted Fund Balance – Amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors (by debt covenants),

grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed Fund Balance – Amounts constrained for a specific purpose by formal action of a government using its highest level of decision-making authority. Commitment of fund balance may be made for such purposes including, but not limited to, a) major maintenance and repair projects; b) meeting future obligations resulting from a natural disaster; c) accumulating resources pursuant to stabilization arrangements; d) establishing reserves for disasters; and/or e) for setting aside amounts for specific projects.

Commitments may be changed or lifted only by the City Council taking the same formal action that imposed the original constraint. Action to constrain resources must occur prior to year-end; however, the amount can be determined in the subsequent period.

Assigned Fund Balance – In the General Fund, these are spendable amounts constrained by the City's intent that they be used for a specific purpose, but are neither restricted nor committed; the *intent* shall be expressed by the city management based on City Council direction. For all governmental funds other than the General Fund, assigned fund balance is any residual positive amounts not classified as non-spendable, restricted, or committed.

Unassigned Fund Balance – Unassigned Fund Balance is the residual classification for the General Fund. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

Unrestricted Fund Balance – The total of committed fund balance, assigned fund balance, and unassigned fund balance; also referred to as Spendable Fund Balance.

IV. POLICY

The Policy establishes the procedures for reporting, within the annual financial statements, unrestricted fund balance (comprised of Committed, Assigned, and Unassigned categories) within the City's governmental funds: General Fund, Special Revenue Funds, Debt Service Fund, and Capital Projects Funds and within the City's major enterprise funds: Utilities Fund and Stormwater Fund.

General Fund – The General Fund is used to account and report all financial resources that are not required to be reported in another fund. The fund shall establish an Unrestricted Fund Balance equivalent to a minimum of two months of regular budgetary General Fund operating expenditures.

The Unrestricted Fund Balance is needed to ensure timely payment of debt obligations and/or legal judgments; to ensure fund stabilization in the events of unanticipated loss of revenues, unanticipated expenses, and/or losses not covered by insurance, or to cover costs until receipt of insurance or FEMA proceeds; to ensure that bond covenants or other legal obligations are met; and for such other uses as dictated by legal requirements or City Council action.

Special Revenue Fund – Special Revenue Funds are used to account for and report proceeds of specific revenue sources that are restricted or committed to expenditures for specific purposes other than debt service or capital projects. The term "proceeds for specific revenue sources" establishes that one or more restricted or committed revenues should be the foundation for a specific revenue fund. No specific reservation of Fund Balance is created by virtue or enactment of this policy. The amount of any reservation of Fund Balance shall be governed by the legal authority underlying the creation of the individual funds.

Debt Service Fund – Debt Service Funds are used to account for and report financial resources that are restricted, committed, or assigned to expenditure for principal and interest. This policy does not create any specific reservation of Fund Balance within any Debt Service Fund as it is established as part of the ordinance or resolution which authorizes the issuance of the bonds.

Capital Projects Fund – The Capital Projects Funds are used to account for and report financial resource that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities and other capital assets. These projects may extend beyond a fiscal year. No specific reserve requirement is established for the Capital Projects Funds. However, at a minimum, the fiscal year end Fund Balance and estimated revenues for the ensuing fiscal year must be sufficient to meet all outstanding fund encumbrances.

Enterprise Funds – The City will strive to maintain unrestricted net assets equal to 90 days of actual operating expenses of the prior fiscal year in the Utilities Fund and Stormwater Fund. This reserve is needed to cover short-term cash flow variations, economic downturns, and emergencies. Unrestricted net assets under the 90-day goal should be used only for unanticipated expenditures.

V. STABILIZATION FUNDS

Stabilization funds allow governments to set aside revenues for use in the event of unexpected revenue shortfall or budget deficit. Provided that the Unrestricted Fund Balance requirements established by the Policy have been met, the City may use excess amounts to establish stabilization funds ("Stabilization Funds") to offset the costs of natural disasters and other emergencies (including direct costs thereof and revenue shortfalls resulting therefrom), to cover unplanned budgetary imbalances, and to ensure the maintenance of services to the public during unforeseen situations.

Stabilization Funds are subject to controls that dictate the circumstances under which they can be spent. The formal action that allows spending of Stabilization Funds should identify and describe the specific circumstances under which a need for stabilization arises. Those circumstances should be such that they would not be expected to occur routinely.

Stabilization Funds shall be reported in the Comprehensive Annual Financial Report (CAFR) as committed fund balances in the appropriate fund and the level of funding will be reviewed annually by City Council. Additions to or reductions from a Stabilization Fund will be approved by City Council as part of the budget process or the supplemental appropriation process. Establishing the proper balances in the Stabilization Funds will take into account risk exposure related to self-insurance and property insurance deductibles in the event of major storm damage to city assets. Transfers from Stabilization Funds will not be allowed if they would cause the fund to be in a deficit position.

The City will maintain a permanent Emergency Contingency Fund with an annual balance ranging from \$2 million to \$3 million. Funds held in the Emergency Contingency Fund may be used to cover costs associated with emergencies occurring within City limits. The City Manager, in his or her sole discretion, will determine qualified uses of the funds held in the Emergency Contingency Fund, on a case by case basis. The Finance Director will promptly notify City Council any time Emergency Contingency Fund monies are to be used.

The Emergency Contingency Fund will be funded pursuant to Section VIII of the Policy and will be maintained pursuant to Section IX of the Policy. City Council may increase or decrease the target balance of the Emergency Contingency Fund by formal action.

VI. SPENDING ORDER OF FUND BALANCES

The City will spend restricted amounts first when both restricted and unrestricted fund balance are available unless there are legal documents/contracts that prohibit doing

this, such as in grant agreements requiring dollar for dollar spending. Additionally, the City will first use committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the spendable fund balance classifications can be used.

VII. AUTHORIZATION OF ENDING FUND BALANCE

GASB 54 allows the City Council authority to "assign" ending fund balances or bestow this authority to a city officer or designee. To provide the City with the most flexibility in financial reporting, the Finance Director is authorized to assign resources and ending fund balances if applicable.

VIII. MINIMUM RESERVE REQUIREMENT

In the event funds are not available to establish the balances required under the Policy, the Unrestricted Fund Balance target shall be achieved by adding a designated amount to the budget to cover the deficiency over a period not to exceed three (3) years .

IX. REPLENISHMENT OF MINIMUM RESERVE DEFICITS

If it is anticipated at the completion of any fiscal year that the projected or estimated amount of Unrestricted Fund Balance, will be less than the minimum requirement, then the City Manager shall prepare and submit in conjunction with the proposed budget a plan for the expenditure reductions and/or revenue increases necessary to restore the minimum requirements in the subsequent budget year or other appropriate period as stipulated in the minimum reserve requirement section.

X. BUDGETING

The actual amount of unrestricted fund balance (total of committed fund balance, assigned fund balance, and unassigned fund balance) is not known until the completion of the annual audit, which takes place after the end of the fiscal year being audited. However, an estimate of unrestricted fund balance (also called estimated beginning fund balance) must be made during the annual budget adoption process (July through September) which is prior to September 30th, the end of the fiscal year.

XI. ANNUAL REVIEW

Compliance with the provisions of the Policy shall be reviewed as part of the annual budget adoption process, and the amount of restricted, committed, assigned, and non-spendable and the minimum level of spendable fund balance shall be determined during this process.

Funds which exceed their established fund balance target by 10% or more for two consecutive years will be reviewed by administration. If appropriate and permitted by law, the amount over the target will be transferred to the General Fund, or other fund of the City, with the approval of City Council.

Funds which fall below their established fund balance target by 10% or more for two consecutive years will be reviewed by administration. If it is determined that the fund balance target level is still appropriate, a corrective action plan to restore the fund to the appropriate level will be submitted to City Council for approval.

XII. ADDITIONAL INFORMATION, REQUIREMENTS, RESPONSIBILITIES

It will be the responsibility of the Finance Department to execute the Policy and to keep the Policy current.

XIII. EFFECTIVE DATE

The Policy shall take effect immediately upon its adoption and will be applied beginning with the preparation of the City's September 30, 2022 Comprehensive Annual Financial Report and adoption of the City's Fiscal Year 2022 Budget.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Yvonne McDonald, Finance Director

DATE: 1/7/2021

RE: Resolution 2021-04, supplementing Resolution 2018-63, by authorizing the issuance of not exceeding \$50,000,000 in aggregate principal amount of City of Palm Bay General Obligation Bonds, Series 2021, in order to finance roadway improvements.

On November 6, 2018, voters approved a referendum allowing for the issuance of up to \$150 million in general obligation bonds by the City to finance roadway improvements. On December 6, 2018, City Council approved Resolution 2018-63 which authorized the issuance of general obligation bonds (pledging the City's full faith and credit and taxing power) in an aggregate amount not to exceed \$150,000,000 to finance the cost of roadway improvements. The resolution provided for the issuance of the bonds in one or more series, maturing not later than 20-years from the date of issuance of such amounts, and with further details of the bonds to be approved by supplemental resolution.

Resolution 2018-63 further authorized the commencement of validation proceedings for the validation of these general obligation bonds. The general obligation bonds were validated by judgement on March 26, 2019. The first series of General Obligation Bonds, Series 2019 were issued in July 2019 at a par value of \$50,000.000.

A resolution supplementing Resolution Number 2018-63, is being presented to the City Council to authorize the issuance of the second series of general obligation bonds. This supplemental resolution provides for the issuance of General Obligation Bonds, Series 2021 in a principal amount not exceeding \$50,000,000. The primary purpose of the Series 2021 Bonds will be financing the second group of road projects identified and approved by City Council.

The Series 2021 Bonds are being authorized to be sold at public sale by competitive bid. A Summary Notice of Sale is being authorized to be published at least ten (10) days prior to the date of sale. An Official Notice of Sale and a Preliminary Official Statement are being authorized to be used in connection with the sale of the Series 2021 Bonds. A Continuing Disclosure Certificate is also being authorized in connection with the Series 2021 Bonds issuance.

In approving this Supplemental Resolution, the City Manager is delegated the authority to award the Series 2021 Bonds to the responsive bidder offering to purchase the Bonds at the lowest true interest cost to the City, which in no event shall exceed five percent (5%) true interest cost, with a final maturity date of no later than July 1, 2040.

REQUESTING DEPARTMENT:

City Manager's Office, Finance, City Attorney's Office

FISCAL IMPACT:

Principal and interest payable to be based upon the award of bid and sale of the Series 2021 Bonds. Principal and interest to be paid from direct annual tax levied on all taxable property within the City beginning with the November 2021 tax bills.

RECOMMENDATION:

Motion to approve a supplemental Resolution authorizing the issuance of the General Obligation Bonds, Series 2021.

ATTACHMENTS:**Description**

Supplemental Resolution.RevEX

Summary NOS.2

Official NOS.3

POS - Palm Bay GO 2021

Continuing Disclosure Certificate

GO Bond Project Status FY 19 and FY 20

Resolution 2021-04

Resolution 2021-04, Exhibit A

Resolution 2021-04, Exhibit B

Resolution 2021-04, Exhibit C

Resolution 2021-04, Exhibit D

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BAY, FLORIDA, SUPPLEMENTING RESOLUTION NO. 2018-63 OF THE CITY; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$50,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF PALM BAY, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2021, IN ORDER TO FINANCE ROADWAY IMPROVEMENTS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING CERTAIN TERMS AND DETAILS OF SUCH BONDS; AUTHORIZING THE CITY MANAGER OR THE FINANCE DIRECTOR OF THE CITY TO PUBLISH A SUMMARY NOTICE OF SALE AND TO RECEIVE BIDS PURSUANT TO A COMPETITIVE SALE OF SAID BONDS AND AWARD THE SALE OF SAID BONDS TO THE RESPONSIVE BIDDER OR BIDDERS OFFERING THE LOWEST TRUE INTEREST COST TO THE CITY, WHICH SHALL NOT EXCEED FIVE PERCENT (5%); AUTHORIZING THE EXECUTION AND DELIVERY OF SAID BONDS; APPOINTING THE PAYING AGENT AND REGISTRAR WITH RESPECT TO SAID BONDS; APPROVING THE PREPARATION AND USE OF A SUMMARY NOTICE OF SALE, AN OFFICIAL NOTICE OF SALE, A PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT; AUTHORIZING THE ELECTRONIC DISSEMINATION OF THE PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, FLORIDA, as follows:

SECTION 1. FINDINGS. It is hereby found and determined that:

(A) On December 16, 2018, the City Council of the City of Palm Bay, Florida (the "City" or "Issuer") duly adopted Resolution No. 2018-63 (the "Original Resolution"). All capitalized terms not otherwise defined herein shall have the meanings set forth in the Original Resolution.

(B) The Original Resolution, as previously supplemented and as supplemented hereby, is referred to herein as the "Bond Resolution."

(C) The Original Resolution provides for the issuance of bonds thereunder, upon meeting the requirements set forth in the Original Resolution.

(D) The City deems it to be in the best interests of its citizens and taxpayers to issue its General Obligation Bonds, Series 2021 (the "Bonds") for the purpose of financing certain roadway improvements within the City, as identified by resolution of the City (the "Project," as described in the Original Resolution).

(E) The principal of and interest on the Bonds and all required sinking fund, reserve and other payments shall be general obligations of the City, secured by the full faith and credit of the City and the Ad Valorem Taxes, as provided in the Bond Resolution.

(F) The City deems it necessary: (i) to fix the date, denominations, amount and maturities of the Bonds, (ii) to authorize the publication of a Summary Notice of Sale in The Bond Buyer or such other publication as directed by the City Manager, (iii) to approve the form and authorize the use of an Official Notice of Sale, Preliminary Official Statement and a final Official Statement, (iv) to authorize the City Manager or the Finance Director of the City to award the Bonds to the best bidder or bidders upon the terms and conditions and subject to the limitations set forth herein and the Official Notice of Sale, (v) to appoint a Bond Registrar and Paying Agent, and (vi) to approve the form of a continuing disclosure undertaking.

(G) The Original Resolution provides that the Bonds shall mature on such dates and in such amounts, shall bear such rates of interest, shall be payable in such places and shall be subject to such redemption provisions as shall be determined by Supplemental Resolution adopted by the City; and it is now appropriate that the City determine parameters for such terms and details.

SECTION 2. AUTHORITY FOR THIS SUPPLEMENTAL RESOLUTION. This Supplemental Resolution is adopted pursuant to Articles II and V of the Original Resolution, the provisions of the Act (as defined in the Original Resolution) and other applicable provisions of law.

SECTION 3. AUTHORIZATION AND DESCRIPTION OF THE BONDS. The City hereby determines to issue a series of Bonds in an aggregate principal amount not exceeding \$50,000,000, the exact principal amount to be as authorized by the Official Notice of Sale, to be known as its "General Obligation Bonds, Series 2021," for the principal purpose of financing the Cost of the Project.

The Bonds shall be dated as of their date of delivery, shall be issued as fully registered Bonds, numbered consecutively from one upward in order of maturity with the prefix "R"; shall bear interest from their date of delivery, payable semi-annually, on (except as otherwise established by the City Manager based on advice of Public Resources Advisory Group, Inc. (the "Financial Advisor")) January 1 and July 1 of each year, commencing on January 1, 2022, at such rates and maturing in such amounts on July 1 of such years (except as otherwise established by the City

Manager based on advice of the City's Financial Advisor) as to be set forth in the Official Notice of Sale. The Bonds shall be issued in denominations of \$5,000 and any integral multiple thereof.

The Bonds shall be subject to redemption prior to maturity as set forth below:

The Bonds maturing on July 1, 2031, and thereafter are redeemable at the option of the City from any legally available source, in whole or in part and if in part, in any order of maturity selected by the City, at its discretion, and by lot within a maturity if less than an entire maturity is to be redeemed, on January 1, 2031, or at any time thereafter, at a redemption price equal to the principal amount of the Bonds to be redeemed, together with accrued interest to the date fixed for redemption.

Notwithstanding the foregoing, if the City's Financial Advisor, upon consultation with the Finance Director of the City, determines that market conditions require different or no optional redemption provisions for the Bonds or for certain maturities of the Bonds, such different optional redemption provisions or the exclusion of certain or all maturities of the Bonds from such optional redemption provisions will be deemed approved by the City so long as the maximum redemption premium does not exceed 1% and the first optional redemption period, if any, is not more than eleven (11) years from the date of issuance of the Bonds if the Bonds are to be subject to optional redemption.

Any bonds which are designated as Term Bonds in accordance with the Official Notice of Sale shall also be subject to mandatory redemption prior to maturity by lot, in such manner as the Registrar may deem appropriate, on July 1, in such years, at a price of par plus accrued interest to the date of redemption, in the annual amounts established by the winning bidder in consultation with the City's Finance Director and Financial Advisor.

The Bonds shall be subject to a book-entry system of registration described in the Official Statement referenced below.

SECTION 4. AUTHORIZATION OF THE PROJECT. The acquisition and construction of the Project (including the reimbursement to the Issuer of certain costs incurred with respect thereto), is hereby authorized by the Issuer.

SECTION 5. SALE OF THE BONDS. The City Manager and/or Finance Director is hereby authorized and directed to sell the Bonds at public sale by competitive bid and to publish the Summary Notice of Sale in the form attached hereto as Exhibit A in The Bond Buyer or such other publication as directed by the City Manager at least ten (10) days prior to the date of sale, which date of sale shall be determined by the Finance Director, in consultation with the City's Financial Advisor, in an effort to achieve the lowest interest cost for the City.

The Official Notice of Sale attached hereto as Exhibit B and the Preliminary Official Statement attached hereto as Exhibit C are each hereby approved and authorized to be used in connection with the sale of the Bonds. The Preliminary Official Statement, upon advice of the City Manager, is hereby deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"). The Preliminary Official Statement and Official Statement (as defined

below) are authorized to be made available by electronic means. The Preliminary Official Statement, as amended on the date of sale of the Bonds to delete the preliminary language and as further amended to reflect the actual interest rates and reoffering terms and any changes of maturities or amounts and with such additional correcting and conforming changes as shall be approved by the City Manager, is hereinafter referred to as the "Official Statement," and as promptly as possible following the sale and within seven (7) business days of the date of sale of the Bonds, the City agrees to make available to the Underwriters of the Bonds a sufficient number of copies of the Official Statement as necessary to enable such purchasers to comply with the Rule. The City Manager is authorized to execute the Official Statement on behalf of the City with such changes, completions and amendments as they shall determine are necessary or desirable.

The City Manager is hereby delegated the authority to award the Bonds to the responsive bidder offering to purchase the Bonds at the lowest true interest cost to the City, which in no event shall exceed five percent (5.0%) true interest cost, calculated as provided in the Official Notice of Sale, and with a final maturity date of no later than July 1, 2040.

SECTION 6. CONTINUING DISCLOSURE CERTIFICATE. In order to enable the Underwriters to comply with the provisions of the Rule relating to secondary market disclosure, the City Manager is hereby authorized and directed to execute and deliver the Continuing Disclosure Certificate in the name and on behalf of the City substantially in the form attached hereto as Exhibit D, with such changes, amendments, omissions and additions as shall be approved by the Mayor, his execution and delivery thereof being conclusive evidence of such approval.

SECTION 7. APPOINTMENT OF REGISTRAR AND PAYING AGENT. Zions Bancorporation, National Association, Denver, Colorado, is hereby designated Registrar and Paying Agent for the Bonds. The Mayor and the City Clerk are hereby authorized to enter into any agreement which may be necessary to effect the transactions contemplated by this Section 7.

SECTION 8. GENERAL AUTHORITY. The members of the City Council of the City and the officers, attorneys and other agents or employees of the City are hereby authorized to do all acts and things required of them by this Supplemental Resolution or the Original Resolution, or desirable or consistent with the requirements hereof or of the Original Resolution, including the execution of such documents necessary to establish a book-entry system of registration with respect to the Bonds, for the full punctual and complete performance hereof or thereof. Each member, employee, attorney and officer of the City is hereby authorized and directed to execute and deliver any and all papers and instruments and to be and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated hereunder. The City Manager and/or the City Clerk are hereby authorized to execute such tax forms or agreements as shall be necessary to effect the transactions contemplated hereby, including designating Bond Counsel to assist or act as agent with respect thereto.

SECTION 9. ORIGINAL RESOLUTION TO CONTINUE IN FORCE. Except as herein expressly provided, the Original Resolution and all the terms and provisions thereof, including the covenants contained therein, are and shall remain in full force and effect.

SECTION 10. SEVERABILITY AND INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, even though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other covenants, agreements or provisions hereof or the Bonds issued hereunder.

SECTION 11. EFFECTIVE DATE. This Supplemental Resolution shall become effective immediately upon its adoption.

DULY ADOPTED, this 7th day of January, 2021.

CITY OF PALM BAY, FLORIDA

(SEAL)

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

FORM OF SUMMARY NOTICE OF SALE

EXHIBIT B

FORM OF OFFICIAL NOTICE OF SALE

EXHIBIT C

FORM OF OFFICIAL STATEMENT

EXHIBIT D

FORM OF CONTINUING DISCLOSURE CERTIFICATE

SUMMARY NOTICE OF SALE
\$50,000,000*
City of Palm Bay, Florida
General Obligation Bonds, Series 2021

Bids for the above captioned bonds will be received by the City of Palm Bay, Florida (the "City") via Parity until 11:00 A.M. (the "Submittal Deadline"), Eastern time, January [7], 2021 or such other date as may be established by the City Manager or Finance Director of the City or their respective designee no less than ten (10) days after the date of publication of this notice and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are received (the "Bid Date").

Such bids are to be opened in public as soon as practical after the Submittal Deadline on said day for the purchase of the City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "2021 Bonds"). The 2021 Bonds will mature as specified in the Official Notice of Sale. Proceeds of the 2021 Bonds shall be used for the purpose of (i) financing certain roadway improvements within the City and (ii) paying the costs of issuing the 2021 Bonds.

The approving opinion of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel, will be furnished to the successful bidder at the expense of the City.

Electronic copies of the Preliminary Official Statement and the Official Notice of Sale relating to the 2021 Bonds may be obtained at the website address www.munios.com. Printed, bound copies of the Preliminary Official Statement will be available on a limited basis from the City's Financial Advisor, Public Resources Advisory Group, Inc., 150 Second Avenue North, Suite 400, St. Petersburg, FL 33701, telephone 727/822-3339. For more information about the Parity electronic platform, potential bidders may call Parity at 212/849-5021.

City of Palm Bay, Florida
Suzanne Sherman
Interim City Manager

Dated: December 23, 2020

*Preliminary, subject to change.

OFFICIAL NOTICE OF SALE

\$50,000,000*

**CITY OF PALM BAY, FLORIDA
GENERAL OBLIGATION BONDS, SERIES 2021**

The City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "2021 Bonds") are being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of Palm Bay, Florida (the "Issuer" or the "City") for the purchase of the 2021 Bonds via the Parity Bid Submission System ("Parity") in the manner described below until 11:00 A.M., Eastern time, on January [7], 2021, or on such other date and/or time as will be established by the City Manager or Finance Director of the City or their respective designee and communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time the bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder's risk and expense, and the Issuer shall have no liability with respect thereto.

BOND DETAILS

The description of the 2021 Bonds, the purpose thereof and the security therefor, as set forth in this Official Notice of Sale, is subject in its entirety to the disclosures made in the Preliminary Official Statement. See "DISCLOSURE INFORMATION" herein.

The 2021 Bonds will be issued as fully registered bonds, and when executed and delivered, will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the 2021 Bonds. Individual purchases of the 2021 Bonds may be made only in book-entry form in denominations of \$5,000 or integral multiples thereof. Purchasers of the 2021 Bonds (the "Beneficial Owners") will not receive physical delivery of bond certificates. As long as Cede & Co. is the registered owner of the 2021 Bonds as nominee for DTC, payments of principal and interest with respect to the 2021 Bonds will be made directly to such registered owner who will in turn remit such principal and interest payments to DTC participants for subsequent disbursement to the Beneficial Owners. The Issuer will not be responsible for payments to Beneficial Owners.

The 2021 Bonds will be dated their date of delivery (expected to be January [21], 2021) or such other date as may be communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time bids are to be received, and shall bear interest from such date and shall be payable semiannually commencing on January 1, 2022, and on each January 1 and July

* Preliminary, subject to change.

1 thereafter until maturity at the rate or rates specified in such proposals as may be accepted. The proposed schedule of maturities and amounts are as follows:

INITIAL MATURITY SCHEDULE FOR THE 2021 BONDS

Maturity (<u>July 1</u>)	Principal <u>Amount</u>*
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* Preliminary; subject to change.

** Term Bond option as described herein.

NOTE: The Issuer reserves the right to modify the maturity schedule shown above. Any such modification will be communicated through the Thomson Municipal Market Monitor (See, "ADJUSTMENT OF PRINCIPAL AMOUNTS" below.)

PAYING AGENT AND REGISTRAR

The Paying Agent and Registrar for the 2021 Bonds will be Zions Bancorporation, National Association, Denver, Colorado.

ADJUSTMENT OF PRINCIPAL AMOUNTS

The schedule of maturities set forth above (the "Initial Maturity Schedule") represents an estimate of the principal amount and maturities of the 2021 Bonds that will be sold. The Issuer

reserves the right to change the Initial Maturity Schedule by announcing any such change not later than 3:00 p.m., Eastern time, on the day immediately preceding the date set for receipt of bids, through Thomson Municipal Market Monitor. If no such change is announced, the Initial Maturity Schedule will be deemed the schedule of maturities for submission of the bid.

Furthermore, if after final computation of the bids, the Issuer determines in its sole discretion that the funds necessary to accomplish the purpose of the 2021 Bonds is more or less than the proceeds of the sale of all of the 2021 Bonds, the Issuer reserves the right to increase or decrease the principal amount, by no more than 15% of the principal amount of the 2021 Bonds (to be rounded to the nearest \$5,000) or by such other amount as approved by the winning bidder; provided, that the aggregate principal amount of the 2021 Bonds may not exceed \$50,000,000.

In the event of any such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted; and the 2021 Bonds of each maturity, as adjusted, will bear interest at the same rate and must have the same initial reoffering yield as specified immediately after award of the 2021 Bonds of that maturity, the Underwriter's Discount on the 2021 Bonds as submitted by the successful bidder shall be held constant. The "Underwriter's Discount" shall be defined as the difference between the purchase price of the 2021 Bonds submitted by the bidder and the price at which the 2021 Bonds will be issued to the public, calculated from information provided by the bidder, divided by the par amount of the 2021 Bonds bid. However, the award will be made to the bidder whose bid produces the lowest True Interest Cost rate ("TIC"), calculated as specified herein, solely on the basis of the 2021 Bonds offered, without taking into account any adjustment in the amount of 2021 Bonds pursuant to this paragraph.

REDEMPTION PROVISIONS

The 2021 Bonds maturing on or after July 1, 2031 will be subject to optional redemption prior to maturity on and after January 1, 2031 at a redemption price of par plus accrued interest to the redemption date. The 2021 Bonds maturing prior to July 1, 2031 will not be subject to optional redemption prior to maturity.

TERM BONDS OPTIONS

Any bidder may, at its option, specify that the maturities of the 2021 Bonds maturing after July 1, 2031 will consist of term bonds which are subject to mandatory sinking fund redemption in consecutive years immediately preceding the maturity thereof (each a "Term Bond") as designated in the bid of such bidder. In the event that the bid of the successful bidder specifies that a permitted maturity of the 2021 Bonds will be a Term Bond, such Term Bond will be subject to mandatory sinking fund redemption on July 1, in each applicable year, in the principal amount for such year as set forth hereinbefore under the heading "INITIAL MATURITY SCHEDULE FOR THE 2021 Bonds," at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium.

AUTHORITY AND PURPOSE

The 2021 Bonds are being issued under the authority of the Florida Constitution, Chapter 166.021, Florida Statutes, and other applicable provisions of law (collectively, the "Act"), and Resolution No. 2018-63, adopted by the City of Palm Bay City Council on December 6, 2018, as supplemented (the "Resolution").

The 2021 Bonds are being issued for the purpose of constructing roadway improvements in and for the Issuer.

SECURITY

The 2021 Bonds are secured by the full faith and credit of the City, which has covenanted to levy an ad valorem tax without limitation as to rate or amount to pay principal and interest on the 2021 Bonds.

MUNICIPAL BOND INSURANCE

The purchase of municipal bond insurance, if available, will be at the option and expense of the bidder. The successful bidder will be responsible for the payment of all costs associated with any such insurance, including the premium charged by the insurer. The bidder understands, by submission of its bid, that the bidder is solely responsible for the selection of any insurer and for all negotiations with the insurer as to the premium to be paid. If all or a portion of the Series 2021 Bonds are awarded on an insured basis, reference to the insurance policy will appear on the Series 2021 Bonds and in the Official Statement; however, the provisions of the financing documents will not be altered nor will the City consent to make additional representations, undertakings or warranties.

In addition, if the successful bidder is arranging for bond insurance for all or a portion of the Series 2021 Bonds, it also shall provide the amount of the premium to be paid and certification that the present value of the premium is less than the present value of the interest reasonably expected to be saved as a result of the insurance and that the premium does not exceed a reasonable arms-length charge for the transfer of credit risk accomplished through the bond insurance. Insured ratings with the use of bond insurance, if required, are to be applied for by the successful bidder, and costs incurred for such ratings must be paid at the successful bidder's expense.

UNDERLYING RATINGS

S&P Global Ratings and Fitch Ratings, Inc. have assigned underlying municipal bond ratings of "____" (____ outlook) and "____" (____ outlook)," respectively, to the 2021 Bonds.

TERMS OF BID AND BASIS OF AWARD

Proposals must be unconditional and for the purchase of all of the 2021 Bonds. The aggregate purchase price, inclusive of original issue discount ("OID"), original issue premium ("OIP") and underwriter's discount may not be less than 98% of the principal amount of the 2021 Bonds.

The 2021 Bonds shall bear interest expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one (1) per centum. The use of split or supplemental interest coupons will not be considered and a zero rate or blank rate will not be permitted. All 2021 Bonds maturing on the same date shall bear the same rate of interest.

The 2021 Bonds will be awarded to the bidder offering to purchase the 2021 Bonds at the lowest annual interest cost computed on a TIC basis. The annual TIC will be determined by doubling the semi-annual interest rate necessary to discount the semi-annual debt service payments on the 2021 Bonds back to the Net Bond Proceeds (defined as the par amount of the 2021 Bonds, plus any OIP, less any OID and underwriters' discount on the 2021 Bonds, calculated on a 360 day year to the Closing Date, as defined below). The TIC must be calculated to four (4) decimal places. If more than one bid offers the same lowest TIC, the successful bid will be selected by lot from among all such bids. **NO BID SHALL BE ACCEPTED WITH A TIC GREATER THAN 5.0%.**

THE ISSUER RESERVES THE RIGHT TO REJECT ALL BIDS OR ANY BID NOT CONFORMING TO THIS OFFICIAL NOTICE OF SALE. THE ISSUER ALSO RESERVES THE RIGHT TO WAIVE, IF PERMITTED BY LAW, ANY IRREGULARITY OR INFORMALITY IN ANY PROPOSAL. THE ISSUER SHALL NOT REJECT ANY CONFORMING BID, UNLESS ALL CONFORMING BIDS ARE REJECTED.

GOOD FAITH DEPOSIT

If the City selects a winning bid, then the successful bidder must submit a "Good Faith Deposit" (the "Deposit") to the City in the form of a wire transfer in the amount of \$500,000 not later than 5:00 p.m., Eastern time on the business day of the award. The Deposit of the successful bidder will be collected and the proceeds thereof retained by the Issuer to be applied as partial payment for the 2021 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of the bid, the proceeds thereof will be retained as and for full liquidated damages.

STANDARD FILINGS, CHARGES AND CLOSING DOCUMENTS

The winning bidder will be required to make the standard filings and maintain the appropriate records routinely required pursuant to MSRB Rules G-8, G-11 and G-36. The winning bidder will be required to pay the standard MSRB charge for the 2021 Bonds purchased. In addition, those who are members of SIFMA will be required to pay SIFMA's standard charge per bond. The winning bidder will also be required to execute certain closing documents required by Florida law or required by Bond Counsel (as defined below) in connection with the

delivery of its tax opinion. See "DISCLOSURE; AMENDMENTS TO NOTICE OF SALE; NOTIFICATION OBLIGATIONS OF PURCHASER" herein.

CUSIP NUMBERS

The Issuer will assume no obligation for the assignment of CUSIP numbers to the 2021 Bonds or for the correctness of any such numbers printed thereon, but the Issuer will permit such printing to be done at the expense of the purchaser, provided that such printing does not result in any delay of the date of delivery of the 2021 Bonds. Public Resources Advisory Group, Inc., (the "Financial Advisor"), will request the assignment of CUSIP numbers prior to the sale of the 2021 Bonds.

DELIVERY OF THE 2021 BONDS

The Issuer will pay the cost of preparing the 2021 Bonds. The successful bidder is responsible for DTC eligibility and related DTC costs. Delivery of and payment for the 2021 Bonds will be via DTC Fast on or about January [21], 2021 (the "Closing Date") in New York, New York, or such other time and place mutually acceptable to the successful bidder and the Issuer. Payment of the full purchase price, less the Deposit, shall be made to the Issuer not later than 12:00 P.M., Eastern time on the Closing Date, in Federal Reserve Funds of the United States of America, without cost to the Issuer.

The legal opinion of Nabors, Giblin & Nickerson, P.A. ("Bond Counsel") will be furnished without charge to the successful bidder at the time of delivery of the 2021 Bonds. For a further discussion of the content of that opinion and the proposed form of the approving opinion, see the Preliminary Official Statement for the 2021 Bonds.

There will also be furnished at the time of delivery of the 2021 Bonds, a certificate or certificates of the Issuer (which may be included in a consolidated closing certificate) relating to the accuracy and completeness of the Official Statement; and stating, among other things, that there is no litigation or administrative action or proceeding pending or, to the knowledge of the Issuer, threatened, at the time of delivery of the 2021 Bonds, (a) to restrain or enjoin or seeking to restrain or enjoin the issuance and delivery of the 2021 Bonds or (b) affecting the validity of the 2021 Bonds, and that the Preliminary Official Statement has been deemed by the Issuer to be a "final official statement" for purposes of SEC Rule 15c2-12(b)(3) and (4).

The successful bidder will be responsible for the clearance or exemption with respect to the status of the 2021 Bonds for sale under the securities or "Blue Sky" laws of the several states and the preparation of any surveys or memoranda in connection with such sale.

ESTABLISHMENT OF ISSUE PRICE

The winning bidder shall assist the Issuer in establishing the issue price of the 2021 Bonds and shall execute and deliver to the Issuer on or prior to the closing date for the 2021 Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering prices to the public or the actual sales price or prices of the 2021 Bonds, together with the

supporting pricing wires or equivalent communications, substantially in the applicable form attached hereto as Exhibit A-2, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the Issuer and Bond Counsel.

The Issuer intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the 2021 Bonds) will apply to the initial sale of the 2021 Bonds ("competitive sale requirements") because:

- (1) the Issuer has disseminated this Official Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (2) all bidders shall have an equal opportunity to bid;
- (3) the Issuer may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the Issuer anticipates awarding the sale of the 2021 Bonds to the bidder who submits a firm offer to purchase the 2021 Bonds at the lowest true interest cost, as set forth in this Official Notice of Sale.

Any bid submitted pursuant to this Official Notice of Sale shall be considered a firm offer for the purchase of the 2021 Bonds, as specified in the bid. BY SUBMITTING A BID FOR THE 2021 BONDS, A BIDDER REPRESENTS AND WARRANTS TO THE ISSUER THAT THE BIDDER HAS AN ESTABLISHED INDUSTRY REPUTATION FOR UNDERWRITING NEW ISSUANCES OF MUNICIPAL BONDS SUCH AS THE 2021 BONDS AND SUCH BIDDER'S BID IS SUBMITTED FOR AND ON BEHALF OF SUCH BIDDER BY AN OFFICER OR AGENT WHO IS DULY AUTHORIZED TO BIND THE BIDDER TO A LEGAL, VALID AND ENFORCEABLE CONTRACT FOR THE PURCHASE OF THE 2021 BONDS. Once the bids are communicated electronically via the Parity System to the Issuer, each bid will constitute an irrevocable offer to purchase the 2021 Bonds on the terms herein and therein provided.

In the event that the competitive sale requirements are not satisfied, the Issuer shall so advise the winning bidder. In such case, the Issuer shall treat the first price at which 10% of a maturity of the 2021 Bonds is sold to the public (the "10% test") as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the Issuer if any maturity of the 2021 Bonds satisfies the 10% test as of the date and time of the award of the 2021 Bonds. The Issuer will not require bidders to comply with the "hold-the-offering-price rule" set forth in Treasury Regulation Section 1.148-1(f)(2)(ii) and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the 2021 Bonds as the issue price of that maturity. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the 2021 Bonds will be subject to the 10% test in order to establish the issue price of the 2021 Bonds.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the 2021 Bonds, the winning bidder agrees to promptly report to the Issuer the prices at which the unsold 2021 Bonds of each maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date for the 2021 Bonds has occurred, until the 10% test has been satisfied for each maturity or until all 2021 Bonds of that maturity have been sold.

By submitting a bid and if the competitive sale requirements are not met, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the 2021 Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold 2021 Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the 2021 Bonds of that maturity or all 2021 Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the 2021 Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the 2021 Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold 2021 Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the 2021 Bonds of that maturity or all 2021 Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any 2021 Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Official Notice of Sale. Further, for purposes of this Official Notice of Sale:

- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract (i.e. this Official Notice of Sale) with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the 2021 Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the 2021 Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the 2021 Bonds to the public),
- (iii) a purchaser of any of the 2021 Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities

are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) "sale date" means the date that the 2021 Bonds are awarded by the Issuer to the winning bidder.

DISCLOSURE; AMENDMENTS TO NOTICE OF SALE; NOTIFICATION OBLIGATIONS OF PURCHASER

This Official Notice of Sale is not intended as a disclosure document and bidders are required to obtain and carefully review the Preliminary Official Statement before submitting a bid.

This Official Notice of Sale may be amended from time to time after its initial publication by publication of amendments thereto not less than 20 hours prior to the bid date and time by Thomson Municipal Market Monitor. Each bidder will be charged with the responsibility of obtaining any such amendments and complying with the terms thereof.

Prior to delivery of the 2021 Bonds to the successful bidder, the successful bidder shall file with the Issuer a statement as described in Section 218.38(1)(c)2, Florida Statutes, containing the underwriting spread (including management fee, if any), and the amount of any fee, bonus or gratuity paid in connection with the 2021 Bonds to any person not regularly employed by the successful bidder. This statement shall be filed with the Issuer even if no such management fee or underwriting spread has been charged by the successful bidder or no such fee, bonus or gratuity has been paid by the successful bidder, and such filing shall be a condition precedent to the delivery of the 2021 Bonds by the Issuer to the successful bidder.

The successful bidder, by submitting its bid, agrees to furnish to the Issuer and Bond Counsel a certificate verifying information as to the bona fide initial offering prices or yields of the 2021 Bonds to the public and sales of the 2021 Bonds appropriate for determination of the issue price of, and the yield on, the 2021 Bonds under the Internal Revenue Code of 1986, as amended, in the form attached hereto as Exhibit A-2, and such other documentation as and at the time requested by Bond Counsel.

The successful bidder shall also verify its winning bid in writing to the Issuer by executing a printed copy of its winning bid as reported on Parity.

The winning bidder is required to provide a Truth in Bonding Statement pursuant to Section 218.385, Florida Statutes, and to disclose the payment of any "finder's fee" pursuant to Section 218.386, Florida Statutes, prior to the award of the 2021 Bonds, as set forth in Exhibit A-1 to this Official Notice of Sale.

OFFICIAL STATEMENT

The Issuer shall furnish at its expense within seven (7) business days after the 2021 Bonds have been awarded to the successful bidder, or at least five (5) business days before the Closing Date, whichever is earlier, a reasonable number of copies of the final Official Statement, which, in the judgment of the Financial Advisor to the City will permit the successful bidder to comply with applicable SEC and MSRB rules. The successful bidder may arrange for additional copies of the final Official Statement at its expense.

CONTINUING DISCLOSURE

In order to assist bidders in complying with SEC Rule 15c2-12, the Issuer will undertake to provide, or cause to be provided, certain financial information and operating data and to provide notices of certain events, if material. Such information will be filed with the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access System (EMMA). Notices of material events will be filed with the Municipal Securities Rulemaking Board through EMMA. A summary of such undertaking is contained in the Preliminary Official Statement.

DISCLOSURE INFORMATION

Copies of the Preliminary Official Statement "deemed final" (except for permitted omissions) by the Issuer in accordance with SEC Rule 15c2-12 must be obtained from the Financial Advisor, Public Resources Advisory Group, Inc., 150 Second Avenue North, Suite 400, St. Petersburg, Florida 33701, (727) 822-3339 before a bid is submitted. The Issuer's Preliminary Official Statement and Official Notice of Sale are also available for viewing in electronic format at <http://www.munios.com>.

CHOICE OF LAW

Any litigation or claim arising out of any bid submitted (regardless of the means of submission) pursuant to this Official Notice of Bond Sale shall be governed by and construed in accordance with the laws of the State of Florida. The venue situs for any such action shall be the state courts of the Eighteenth Judicial Circuit in and for Brevard County, Florida.

NOTICE OF BIDDERS REGARDING PUBLIC ENTITY CRIMES

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

CITY OF PALM BAY, FLORIDA

By: /s/ Suzanne Sherman
Interim City Manager

EXHIBIT A-1

TRUTH-IN-BONDING STATEMENT AND DISCLOSURE

In compliance with Section 218.385, Florida Statutes, as amended, the undersigned bidder submits the following Truth-In-Bonding Statement with respect to the City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "Bonds") (NOTE: For information purposes only and not a part of the bid):

The City of Palm Bay, Florida (the "Issuer") is proposing to issue \$50,000,000* of the Bonds for the purpose of financing certain improvements to roadways within the City. The Bonds are expected to be repaid over a period of approximately ____ years. At a forecasted interest rate of ____%, total interest paid over the life of the Bonds will be \$____.

The source of repayment or security for the Bonds is a pledge of the full faith and credit of the Issuer, as more fully described in the Preliminary Official Statement and Official Notice of Sale.

In compliance with Section 218.386, Florida Statutes, the undersigned, on behalf of itself and all other members of the underwriting group, if any, hereby certifies that neither it nor any member of the underwriting group have paid any "finder's fees" as defined in Section 218.386, Florida Statutes, or any bonus, fee or gratuity in connection with the sale of the Bonds, except as provided below:

Bidder's Name: _____
By: _____
Title: _____
Date: _____

* Preliminary, subject to change.

EXHIBIT A-2

CERTIFICATE WITH RESPECT TO "ISSUE PRICE"

The undersigned, on behalf of _____ ("_____"), hereby represents and warrants that it has an established industry reputation for underwriting new issuances of municipal bonds and certifies as set forth below with respect to the sale of the above-captioned obligations (the "Bonds").

[Alternate 1 - Competitive Safe Harbor Met]

[1. Reasonably Expected Initial Offering Price. (a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by _____ are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by _____ in formulating its bid to purchase the Bonds. Attached as Schedule B are true and correct copies of the bid provided by _____ to purchase the Bonds and the pricing wire or equivalent communication for the Bonds.

(b) _____ was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by _____ constituted a firm offer to purchase the Bonds.]

[Alternate 2 - Competitive Sale Requirements Not Met – General Rule to Apply]

[1. Sale of the Bonds. As of the date of this certificate, for each Maturity of the Bonds, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A. Each maturity of the Bonds of which at least 10% of such maturity has not yet been sold to the public (the "Unsold Bonds") is also identified in Schedule A. Attached as Schedule B are true and correct copies of the bid provided by _____ to purchase the Bonds, and the pricing wire or equivalent communication for the Bonds. _____ has and will comply with the requirements set forth under the heading "Establishment of Issue Price Certificate" in the Official Notice of Sale for the Bonds, including reporting on the sale prices of the Unsold Bonds after the date hereof as provided therein.]

2. Defined Terms. (a) *Issuer* means the City of Palm Bay, Florida.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is January __, 2021.

(e) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents _____'s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Certificate as to Arbitrage and Certain Other Tax Matters relating to the Bonds and with respect to compliance with the federal income tax rules affecting the Bonds, and by Nabors, Giblin & Nickerson, P.A. in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

By: _____
[Name]

Dated: _____, 2021

SCHEDULE 1

EXPECTED OFFERING PRICES
OR
PRICES OF SOLD AND UNSOLD BONDS

SCHEDULE 2

COPY OF UNDERWRITER'S BID AND PRICING WIRE

PRELIMINARY OFFICIAL STATEMENT DATED DECEMBER [23], 2020

NEW ISSUE - FULL BOOK-ENTRY

See "RATINGS" herein

In the opinion of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel, under existing statutes, regulations, rulings and court decisions, interest on the Bonds is (a) excluded from gross income for federal income tax purposes (except as described under the caption "TAX EXEMPTION" herein) and (b) not an item of tax preference for purposes of the federal alternative minimum tax. See "TAX EXEMPTION" herein.

\$50,000,000*

**CITY OF PALM BAY, FLORIDA
General Obligation Bonds, Series 2021**

Dated: Date of Delivery

Due: July 1, as shown on inside cover page

The City of Palm Bay, Florida (the "City") is issuing its General Obligation Bonds, Series 2021, in the principal amount of \$50,000,000* (the "Bonds") as fully registered bonds in denominations of \$5,000 and integral multiples thereof. Interest on the Bonds is due semiannually on each January 1 and July 1, commencing January 1, 2022, and such, subject to the provisions of the following paragraph, interest will be paid by check or draft of Zion Bancorporation, National Association, Denver, Colorado, as Paying Agent to the registered holders. In lieu of payment by check or draft, at the request and expense of a registered holder of \$1,000,000 or more in aggregate principal amount of Bonds, payment may be made by bank wire transfer. Principal of the Bonds is payable to the registered holders upon presentation, when due, at the designated corporate trust office of the Paying Agent.

Upon initial issuance, the Bonds will be registered in the name of and held by Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), an automated depository for securities and clearinghouse for securities transactions. So long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of, premium, if any, and interest on the Bonds will be mailed directly to DTC or its nominee, Cede & Co., which is to remit such payments to the DTC Participants (as defined herein), which in turn are to remit such payments to the Beneficial Owners (as defined herein) of the Bonds. See "DESCRIPTION OF THE BONDS - Book-Entry Only System" herein.

Certain of the Bonds are subject to redemption prior to their stated maturity as set forth herein.

The Bonds are being issued pursuant to Resolution No. 2018-63, adopted by the City on December 6, 2018, as supplemented by Resolution No. 2020-__ adopted on December 17, 2020 (collectively, the "Resolution") for the purpose of (i) financing the acquisition and construction of roadway improvements within the City, and (ii) paying certain costs and expenses relating to the issuance of the Bonds.

The Bonds are general obligations of the City, which means that the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments. Provision will be included and made in the City's annual budget and tax levy for the levy of such taxes. Such ad valorem taxes will be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected.

The Bonds have been validated by a Final Judgment of the Circuit Court of the 18th Judicial Circuit in and for Brevard County, Florida. See "VALIDATION" herein.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The Bonds are offered when, as and if issued and received by the Underwriter, subject to the unqualified opinion on certain legal matters as to their issuance by Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel. Certain legal matters will be passed on for the City by Patricia Smith, Esquire, City Attorney, and Bryant Miller Olive P.A., Orlando, Florida, Disclosure Counsel. Public Resources Advisory Group, Inc., St. Petersburg, Florida, is serving as financial advisor to the City. It is expected that the Bonds in definitive form will be available for delivery through the facilities of DTC in New York, New York on or about January 21, 2021.*

Electronic bids for the Bonds will be received through the Parity Electronic Bid Submission System as described in the Official Notice of Sale.

Dated: January __, 2021

*Preliminary, subject to change.

RED HERRING LANGUAGE:

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or a solicitation of an offer to buy, nor shall there be any sale of, the Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration, qualification or exemption under the securities laws of such jurisdiction. The City has deemed this Preliminary Official Statement "final," except for certain permitted omissions, within the contemplation of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

\$50,000,000*
CITY OF PALM BAY, FLORIDA
General Obligation Bonds,
Series 2021

MATURITIES, AMOUNTS, INTEREST RATES, PRICES, YIELDS
AND INITIAL CUSIP NUMBERS

\$ _____ * Serial Bonds

Maturity (July 1)*	<u>Amount*</u>	Interest <u>Rate</u>	<u>Price</u>	<u>Yield</u>	Initial CUSIP <u>Number***</u>
2022					
2023					
2024					
2025					
2026					
2027					
2028					
2029					
2030**					
2031**					
2032**					
2033**					
2034**					
2035**					
2036**					
2037**					
2038**					
2039**					
2040**					

\$ _____ Term Bonds

\$ _____ % Term Bonds due July 1, 20__; Yield – ____%; Price – _____; Initial CUSIP No.: _____ ***
 \$ _____ % Term Bonds due July 1, 20__; Yield – ____%; Price – _____; Initial CUSIP No.: _____ ***

* Preliminary, subject to change.

** Subject to term bond option as described in the Official Notice of Sale.

*** The City is not responsible for the use of CUSIP numbers, nor is a representation made as to their correctness.
 The CUSIP numbers are included solely for the convenience of the readers of this Official Statement.

CITY OF PALM BAY, FLORIDA

120 Malabar Road Southeast
Palm Bay, Florida 32907

City Council

Rob Medina, Mayor
Kenny Johnson, Deputy Mayor
Jeff Bailey
Donny Jean Felix
Randy Foster

Interim City Manager

Suzanne Sherman

Finance Director

Yvonne A. McDonald, CGFO

City Clerk

Terese Jones

City Attorney

Patricia Smith, Esq.

Bond Counsel

Nabors, Giblin & Nickerson, P.A.
Tampa, Florida

Disclosure Counsel

Bryant Miller Olive P.A.
Orlando, Florida

Financial Advisor

Public Resources Advisory Group, Inc.
St. Petersburg, Florida

No dealer, broker, salesman or other person has been authorized by the City to give any information or to make any representations in connection with the Bonds other than as contained in this Official Statement, and, if given or made, such information or representations must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained from the City, DTC and other sources which are believed to be reliable. The information and expressions of opinion stated herein are subject to change, and neither the delivery of this Official Statement nor any sale made hereunder shall create, under any circumstances, any implication that there has been no change in the matters described herein since the date hereof.

All summaries herein of documents and agreements are qualified in their entirety by reference to such documents and agreements, and all summaries herein of the Bonds are qualified in their entirety by reference to the form thereof included in the aforesaid documents and agreements.

References to website addresses presented in this Official Statement are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement.

NO REGISTRATION STATEMENT RELATING TO THE BONDS HAS BEEN FILED WITH THE SECURITIES AND EXCHANGE COMMISSION (THE "SEC") OR WITH ANY STATE SECURITIES COMMISSION. IN MAKING ANY INVESTMENT DECISION, INVESTORS MUST RELY ON THEIR OWN EXAMINATIONS OF THE CITY AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THE BONDS HAVE NOT BEEN APPROVED OR DISAPPROVED BY THE SEC OR ANY STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. THE FOREGOING AUTHORITIES HAVE NOT PASSED UPON THE ACCURACY OR ADEQUACY OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

CERTAIN STATEMENTS INCLUDED OR INCORPORATED BY REFERENCE IN THIS OFFICIAL STATEMENT CONSTITUTE "FORWARD LOOKING STATEMENTS." SUCH STATEMENTS GENERALLY ARE IDENTIFIABLE BY THE TERMINOLOGY USED, SUCH AS "PLAN," "EXPECT," "ESTIMATE," "BUDGET" OR OTHER SIMILAR WORDS. THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS THAT MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD LOOKING STATEMENTS. THE CITY DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THOSE FORWARD LOOKING STATEMENTS IF OR WHEN ITS EXPECTATIONS OR EVENTS, CONDITIONS OR CIRCUMSTANCES ON WHICH SUCH STATEMENTS ARE BASED OCCUR, SUBJECT TO ANY CONTRACTUAL OR LEGAL RESPONSIBILITIES TO THE CONTRARY.

THIS OFFICIAL STATEMENT DOES NOT CONSTITUTE A CONTRACT BETWEEN THE CITY AND ANY ONE OR MORE OF THE OWNERS OF THE BONDS.

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APPENDIX A - General Information Regarding the City of Palm Bay, Florida

APPENDIX B - Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019

APPENDIX C - Resolution

APPENDIX D - Form of Bond Counsel Opinion

APPENDIX E - Form of Continuing Disclosure Certificate

OFFICIAL STATEMENT
relating to
\$50,000,000*
CITY OF PALM BAY, FLORIDA
General Obligation Bonds,
Series 2021

INTRODUCTION

The purpose of this Official Statement, which includes the cover page and appendices attached hereto, is to furnish information with respect to the issuance and sale by the City of Palm Bay, Florida (the "City") of \$50,000,000* aggregate principal amount of its General Obligation Bonds, Series 2021 (the "Bonds").

The Bonds are being issued under the authority of, and in full compliance with Chapter 166, Part II, Florida Statutes, Section 12, Article VII, of the Florida Constitution and other applicable provisions of law (collectively referred to as the "Act"), and pursuant to the terms and conditions of Resolution No. 2018-63, adopted by the City on December 6, 2018, as supplemented by Resolution No. 2020-__ adopted on December 17, 2020 (collectively, the "Resolution") for the purpose of (i) financing the acquisition and construction of roadway improvements within the City (the "Project"), and (ii) paying certain costs and expenses relating to the issuance of the Bonds.

An election was called pursuant to Resolution No. 2018-33, adopted on August 14, 2018 (the "Bond Referendum Resolution") and an election was held on November 6, 2018, whereby electors of the City approved the issuance of not exceeding \$150,000,000 of general obligation bonds of the City for the purpose of financing the cost of the Project, such bonds being payable from ad valorem taxes on all of the taxable property (excluding homestead exemptions and other exemptions as heretofore or hereafter provided by applicable law) within the City (the "Bond Referendum"). The Bond Referendum was duly held and conducted in all respects according to law, and a majority of electors casting a ballot voted in favor of the issuance of such bonds for such purpose.

The Bonds are general obligations of the City, which means that the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments. Provision will be included and made in the City's annual budget and tax levy for the levy of such taxes (the "Ad Valorem Taxes," as more particularly described herein). Such Ad Valorem Taxes will be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected. See "SECURITY FOR THE BONDS" herein.

The City has covenanted in the Resolution to provide certain continuing disclosure information pursuant to Rule 15c2-12 of the Securities and Exchange Commission relating to the Bonds. See "CONTINUING DISCLOSURE" herein.

*Preliminary, subject to change.

Capitalized terms used but not defined herein have the same meaning as when used in the Resolution unless the context clearly indicates otherwise. The Resolution is included as "APPENDIX C – Resolution" attached hereto. The descriptions of the Bonds, the documents authorizing the same and securing the same, and the information from various reports and statements contained herein are not comprehensive or definitive. All references herein to such documents, reports and statements are qualified by the entire, actual content of such documents, reports and statements. Copies of such documents, reports and statements referred to herein that are not included in their entirety in this Official Statement may be obtained from the City at 120 Malabar Road Southeast, Palm Bay, Florida 32907, Attention: City Clerk. The attached Appendices are integral parts of the Official Statement and must be read together with all the statements contained herein.

THE CITY

The City of Palm Bay, Florida is incorporated as a city within the State of Florida and is located in southeastern Florida in Brevard County (the "County"). It encompasses an area of approximately 100 square miles with a population of approximately 115,000.

For additional information concerning the City, see "APPENDIX A – General Information Regarding the City of Palm Bay, Florida" attached hereto.

THE PROJECT

The "Project," will consist of financing the cost of acquisition and construction of roadway improvements within the City, as provided in the Bond Referendum Resolution and the Bond Referendum.

DESCRIPTION OF THE BONDS

Terms and Form

The Bonds will be dated their date of delivery, issuable in fully registered form in denominations of \$5,000 and integral multiples thereof, and will bear interest at the rates per annum, and mature on the dates and in the principal amounts, as set forth on the cover page of this Official Statement. Interest on the Bonds is payable semiannually on each January 1 and July 1 until maturity or redemption prior to maturity, commencing January 1, 2022, by check or draft mailed to the persons in whose names such Bonds shall be registered on the registration books maintained by Zion Bancorporation, National Association, Denver, Colorado, the Paying Agent and Registrar, or any successor thereto, at the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding the month in which such interest payment is due. When due, the principal of the Bonds is payable upon presentation and surrender of the Bonds at the office of the Registrar. Notwithstanding the foregoing, payment of principal and interest on the Bonds will be governed under a book-entry system of registration with The Depository Trust Company. See " – Book-Entry Only System" herein.

Book-Entry Only System

THE FOLLOWING INFORMATION CONCERNING DTC AND DTC'S BOOK-ENTRY ONLY SYSTEM HAS BEEN OBTAINED FROM SOURCES THAT THE CITY BELIEVES TO BE RELIABLE, BUT THE CITY TAKES NO RESPONSIBILITY FOR THE ACCURACY THEREOF.

SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE BONDS, AS NOMINEE OF DTC, CERTAIN REFERENCES IN THIS OFFICIAL STATEMENT TO THE BONDHOLDERS OR REGISTERED OWNERS OF THE BONDS SHALL MEAN CEDE & CO. AND SHALL NOT MEAN THE BENEFICIAL OWNERS OF THE BONDS. THE DESCRIPTION WHICH FOLLOWS OF THE PROCEDURES AND RECORD KEEPING WITH RESPECT TO BENEFICIAL OWNERSHIP INTERESTS IN THE BONDS, PAYMENT OF INTEREST AND PRINCIPAL ON THE BONDS TO DIRECT PARTICIPANTS (AS HEREINAFTER DEFINED) OR BENEFICIAL OWNERS OF THE BONDS, CONFIRMATION AND TRANSFER OF BENEFICIAL OWNERSHIP INTERESTS IN THE BONDS, AND OTHER RELATED TRANSACTIONS BY AND BETWEEN DTC, THE DIRECT PARTICIPANTS AND BENEFICIAL OWNERS OF THE BONDS IS BASED SOLELY ON INFORMATION FURNISHED BY DTC. ACCORDINGLY, THE CITY DOES NOT MAKE ANY REPRESENTATIONS CONCERNING THESE MATTERS.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Bonds as set forth in the inside cover of this Official Statement, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others, such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). The Direct Participants and the Indirect Participants are collectively referred to herein as the "DTC Participants." DTC has an S&P Global Inc. ("S&P") rating of AA+. The DTC Rules applicable to its DTC Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on

behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Bonds within a series or maturity of a series are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such series or maturity to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and dividend payments, as applicable, on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or the Registrar and Paying Agent on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the City, or the Registrar and Paying Agent, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City and/or the Registrar and Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the City or Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The City may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

No Assurance Regarding DTC Practices

The foregoing information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City, the Underwriter and the Registrar take no responsibility for the accuracy thereof.

So long as Cede & Co. is the registered owner of the Bonds as nominee of DTC, references herein to the holders or registered owners of the Bonds will mean Cede & Co. and will not mean the Beneficial Owners of the Bonds.

Neither the City, the Registrar nor the Underwriter will have any responsibility or obligation to the Participants, DTC or the persons for whom they act with respect to (i) the accuracy of any records maintained by DTC or by any Direct or Indirect Participant of DTC, (ii) payments or the providing of notice to the Direct Participants, the Indirect Participants or the Beneficial Owners, (iii) the selection by DTC or by any Direct or Indirect Participant of any Beneficial Owner to receive payment in the event of a partial redemption of the Bonds or (iv) any other action taken by DTC or its partnership nominee as owner of the Bonds.

Registration, Transfer and Exchange

Subject to the provisions described above under "–Book Entry-Only System" while the Bonds are held under a book entry system of registration, the Bonds will be and have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code – Investment Securities Laws of the State of Florida, subject to the DTC Book Entry-Only System and to the provisions for registration, exchange and transfer contained in the Resolution and in the Bonds. The Bonds will be transferable only upon the registration books maintained for such purpose at the corporate trust office of the Registrar. So long as any of the Bonds remain outstanding, the Registrar must maintain and keep books for the registration of the Bonds.

All Bonds presented for transfer, exchange, or payment (if so required by the City or the Registrar) must be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the City or the Registrar, duly executed by the Registered Owner or by his or her duly authorized attorney.

The Registrar or the City may require payment from the Registered Owner or transferee of a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in connection with any exchange or transfer of the Bonds. Such charges and expenses shall be paid before any new Bonds shall be delivered.

The Registrar is not required to issue, transfer or exchange any Bonds between the Record Date and the related Interest Payment Date on such Bonds or, in the case of any proposed redemption of Bonds, after any such Bonds or any portion thereof has been selected for redemption.

New Bonds delivered upon any transfer or exchange will be valid obligations of the City, evidencing the same debt as the Bonds surrendered, will be secured by the Resolution, and will be entitled to all of the security and benefits of the Resolution to the same extent as the Bonds surrendered.

The City and the Registrar may treat the Registered Owner of any Bond as the absolute owner thereof for all purposes, whether or not such Bond is overdue, and will not be bound by any notice to the contrary.

Redemption Provisions

The Bonds are subject to redemption prior to their stated dates of maturity as follows:

Optional Redemption.

The Bonds are subject to redemption at the option of the City prior to their stated dates of maturity, on or after July 1, 2031, in whole or in part at any time, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the Redemption Date.

Mandatory Redemption.

The Term Bonds maturing on July 1, 20__ are to be retired from amounts credited monthly to the Debt Service Fund as mandatory Amortization Installments, which amounts are required to be sufficient to retire by July 1 of each year the principal amount of such Bonds set forth in the table below:

20__ Term Bonds

Year

Principal Amount

*Final Maturity

Provisions for Redemption.

Notice of redemption will be mailed first class, postage prepaid, by the Registrar on behalf of the City, not less than thirty (30) nor more than sixty (60) days prior to the redemption date to the registered Holder of each Bond to be redeemed at the address shown on the registration books as of the fifth (5th) business day prior to such mailing. Failure to give any such notice by mailing as aforesaid or any defect therein, will not affect the validity of any proceedings for the redemption of Bonds as to Holders for which no such failure or defect has occurred.

Any such notice of redemption and the redemption of Bonds pursuant thereto may be conditioned upon the deposit with the Paying Agent on or prior to the date set for such redemption of funds sufficient to effect such redemption on the designated date.

For purposes of any redemption of less than all of the Outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed will be selected not more than sixty (60) days

prior to the redemption date by the Registrar, from the Outstanding Bonds of the maturity or maturities designated by the City by such method as the Registrar will deem fair and appropriate and which may provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of \$5,000 and integral multiples thereof. If less than all of the Outstanding Bonds of a single maturity are to be redeemed, the Registrar will promptly notify the City and Paying Agent in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Notice of redemption having been given substantially as aforesaid, the Bonds or portions of Bonds so to be redeemed will, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the City will default in the payment thereof) such Bonds or portions of Bonds will cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds will be paid by the Paying Agent at the Redemption Price, plus accrued interest, if any. Each check or other transfer of funds issued by the Paying Agent for the purpose of the payment of the Bonds being redeemed will bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer. Installments of interest due on or prior to the redemption date will be payable as provided in the Resolution for payment of interest. All Bonds which have been redeemed will be transferred to the Registrar, who will cancel and destroy such Bonds and who will furnish a certificate of such destruction to the City.

Any Bond which is to be redeemed only in part will be surrendered at any place of payment specified in the notice of redemption (with due endorsement by, or written instrument of transfer in form satisfactory to the Registrar duly executed by the Holder thereof or his attorney duly authorized in writing) and the City will execute and cause to be authenticated, if necessary, and delivered to the Holder of such Bond without service charge, a new Bond or Bonds, of any authorized denomination as requested by such Holder in an aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bonds so surrendered.

SECURITY FOR THE BONDS

Pledge of Ad Valorem Taxes

On November 6, 2018, a majority of the electors voting at a referendum within the City approved the issuance of general obligation bonds in a principal amount of not exceeding \$150,000,000 for purposes of improving local roadways. This is the second issue of bonds pursuant to such authorization. On July 25, 2019, the City issued its \$50,000,000 General Obligation Bonds, Series 2019 (the "Series 2019 Bonds"), \$48,345,000 of which are currently outstanding.

Pursuant to the Resolution, the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments (the "Ad Valorem Taxes"). See "AD VALOREM TAXATION" herein.

Provision will be included and made in the City's annual budget and tax levy for the levy of the Ad Valorem Taxes. Whenever the City shall, in any year, have irrevocably deposited in the Debt Service Fund for the Bonds any moneys derived from sources other than the aforementioned property tax, said property tax may be correspondingly diminished; but any such diminution must leave available an amount of such taxes, after allowance for anticipated delinquencies in collection, fully sufficient, with

such moneys so deposited from other sources, to assure the prompt payment of the principal of, redemption premium, if any, and interest on the Bonds falling due prior to the time that the proceeds of the next annual property tax levy will be available. Such Ad Valorem Taxes shall be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected. Pursuant to the Resolution, the City has irrevocably pledged such Ad Valorem Taxes to the payment of the Bonds. See "APPENDIX A – GENERAL INFORMATION REGARDING THE CITY OF PALM BAY, FLORIDA", for additional information, including property tax levies and collections and the assessed value of taxable property within the City.

Debt Service Fund. The City has covenanted and agreed to establish a special fund to be designated the "Debt Service Fund." All Ad Valorem Taxes levied and collected as provided in the Resolution will be deposited into the Debt Service Fund. Moneys in the Debt Service Fund will be disbursed for (i) the payment of the interest on the Bonds as such interest falls due, (ii) the payment of the principal of the Serial Bonds at their respective maturities, (iii) the payment of the Amortization Installments of the Term Bonds as the same shall become due, and (iv) the payment of the necessary charges for paying Bonds and interest thereon and for all other services relating to the investment of funds established under the Resolution or relating to the Rebate Fund. The City, in its discretion, may use moneys in the Debt Service Fund to purchase or redeem Bonds coming due on the next principal payment date, provided such purchase or redemption does not adversely affect the City's ability to pay the principal or interest coming due on such principal payment date on the Bonds not so purchased or redeemed.

Project Fund. The City has covenanted and agreed in the Resolution to establish a special fund to be designated "Project Fund". The City is required to deposit certain of the funds from the proceeds of the sale of the Bonds into the Project Fund which shall be used only for payment of the Costs of the Project. Moneys in the Project Fund, until applied in payment of any item of the Costs of the Project in the manner provided in the Resolution, will be held in trust by the City and are subject to a lien and charge in favor of the Holders of the Bonds and for the further security of such Holders. Promptly after the date of the completion of the Project, and after paying or making provisions for the payment of all unpaid items of the Cost of the Project, the City will deposit any balance of moneys remaining in the Project Fund into the Debt Service Fund and redeem or purchase Bonds at the earliest possible date, or, provided the City has first received an opinion of Bond Counsel to the effect that such use shall not cause interest on the Bonds to be included in gross income for purposes of federal income taxation or be in violation of the Act, such moneys may be used in such other manner as shall be determined by the City.

Investments. The Project Fund and the Debt Service Fund shall be trust funds for the purposes provided in the Resolution and are subject to a lien and charge in favor of the Holders of the Bonds and for the further security for such Holders. Such Funds will be continuously secured in the manner by which the deposit of public funds are authorized to be secured by the laws of the State of Florida. Moneys on deposit in the Project Fund and the Debt Service Fund may be invested and reinvested, to the extent lawful, in Authorized Investments maturing not later than the date on which the moneys therein will be needed. Any and all income received by the City from the investment of moneys in the Project Fund and in the Debt Service Fund will be retained in such respective fund.

Separate Accounts. The moneys required to be accounted for in each of the foregoing funds established in the Resolution may be deposited in a single bank account, and funds allocated to the various funds established in the Resolution may be invested in a common investment pool, provided that adequate accounting records are maintained to reflect and control the restricted allocation of the moneys

on deposit therein and such investments for the various purposes of such funds as provided in the Resolution.

No Reserve Funding

The City has not established a reserve fund or account under the Resolution to secure the Bonds.

AD VALOREM TAXATION

Procedure for Property Assessment

General. Ad valorem taxes may be levied only by counties, school districts, municipalities and certain special districts (railroad properties are centrally assessed at the State level). No State ad valorem taxes are levied upon real estate or tangible personal property. State law requires that all ad valorem taxation be assessed at a uniform rate within each taxing unit and, with certain exceptions, that real and personal property subject to ad valorem taxation be assessed at 100% of its just value. See "*Limitation on Increase in Assessed Value of Property*" below. The following property is generally subject to taxation in the manner provided by law: (1) all real and personal property in the State and all personal property belonging to persons residing in the State; and (2) all leasehold interests in property of the United States, of the State, or any political subdivision, municipality, agency, authority, or other public body corporate of the State. Pursuant to the State Constitution and State law, certain of such property may be exempt from ad valorem taxation. See "*Exemptions from Ad Valorem Taxation*" below.

The City is located in southeastern Florida in the County. Taxpayers pay ad valorem taxes to the County. Ad valorem taxes are collected by the County and then distributed to the City. See "*Tax Collection and Distribution by County Tax Collector*" below.

Determination of Property Valuation. The Property Appraiser of the County (the "Property Appraiser") determines property valuation on real and tangible personal property subject to ad valorem taxation as of January 1 of each year. By July 1 of each year, the Property Appraiser notifies the County, each municipality, and each other legally constituted special taxing district as to its just valuation, the legal adjustments and exemptions, and the taxable valuation. The taxable valuation is then used by each taxing body to calculate its ad valorem millage for the budget year. See "*Millage Set by Local Governing Body*" and "*Limitation on Increase in Assessed Value of Property*" below for limitations on increases in assessed value of property.

Limitation on Increase in Assessed Value of Property. The State Constitution limits the increases in assessed just value of homestead property to the lower of (1) three percent of the assessment for the prior year or (2) the percentage change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics. The accumulated difference between the assessed value and the just value is known as the "Save Our Homes Benefit." Further, any change of ownership of homestead property or upon termination of homestead status such property shall be reassessed at just value as of January 1 of the year following the year of sale or change of status; new homestead property shall be assessed at just value as of January 1 of the year following the establishment of the homestead; and changes, additions, reductions or improvements to the homestead shall initially be assessed as provided for by general law.

Owners of homestead property may transfer up to \$500,000 of their Save Our Homes Benefit to a new homestead property purchased within two years of the sale of their previous homestead property to which such benefit applied if the just value of the new homestead is greater than or is equal to the just value of the prior homestead. If the just value of the new homestead is less than the just value of the prior homestead, then owners of homestead property may transfer a proportional amount of their Save Our Homes Benefit, such proportional amount equaling the just value of the new homestead divided by the just value of the prior homestead multiplied by the assessed value of the prior homestead.

For all levies other than school district levies, assessment increases for specified nonhomestead real property may not exceed ten percent (10%) of the assessment for the prior year. See "Legislation Relating to Ad Valorem Taxation - *Recent Amendments Relating to Ad Valorem Taxation*" below.

Preparation of Tax Roll. The Property Appraiser applies the final certified millage of each taxing body to the assessed valuation on each item of real and tangible personal property, and prepares the final tax roll which is certified to the County Tax Collector (the "Tax Collector") by October 1. This permits the printing of tax bills for delivery on November 1 of each year. The tax bills contain all of the overlapping and underlying millages set by the various taxing bodies. All ad valorem taxes are collected by the Tax Collector and distributed to the various taxing bodies. See "- Tax Collection and Distribution by County Tax Collector" below.

Appealing Property Valuation. Concurrently with notification to the various taxing bodies, the Property Appraiser notifies each property owner of the proposed valuation and the proposed millage on his or her property. If the individual property owner believes that his or her property has not been appraised at just value, the owner may (1) request an informal conference with the Property Appraiser to resolve the issue, or (2) file a petition with the clerk of the County value adjustment board (the "Adjustment Board"), or (3) appeal to the Circuit Court within 60 days of the certification for collection of the tax roll or within 60 days of the issuance of a final decision by the Adjustment Board. A petition to the Adjustment Board must be signed by the taxpayer or be accompanied at the time of filing by the taxpayer's written authorization for representation by a qualified person. A taxpayer receives notice of the hearing and is required to provide the Property Appraiser with a list of evidence, copies of documentation, and summaries of testimony prior to the hearing before the Adjustment Board. The Adjustment Board holds public hearings on such petitions and may make adjustments to the valuations made by the Property Appraiser if such valuations are found not to be fair and at market value. The Adjustment Board must complete all required hearings and certify its decision with regard to all petitions and certify to the Property Appraiser the valuation to be used by June 1 following the tax year in which the assessments were made. The June 1 requirement shall be extended until December 1 in each year in which the number of petitions filed with the Adjustment Board increased by more than 10 percent over the previous year. These changes are then made to the final tax roll.

Property owners appealing the assessed value or assigned classification of their property must make a required partial payment of taxes (generally equal to 75% of the ad valorem taxes due, less the applicable statutory discount, if any) with respect to the properties that will have a petition pending on or after the delinquency date (normally April 1). A property owner's failure to make the required partial payment before the delinquency date will result in the denial of the property owner's petition.

Millage Set by Local Governing Body

General. The State Constitution provides that ad valorem taxes, exclusive of taxes levied for the payment of voter-approved general obligation bonds (such as the Bonds), shall not be levied in excess of

the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; for water management purposes for the northwest portion of the state lying west of the line between ranges two and three east, 0.05 mill; for water management purposes for the remaining portions of the state, 1.0 mill; and for all other special districts a millage authorized by law approved by voters. There is no limit under the Florida Constitution or statutory law on the amount of ad valorem taxes a local government may levy for the payment of debt service on voter-approved general obligation bonds (such as the Bonds).

As described above, the Property Appraiser is required to certify to each taxing authority the aggregate taxable value of all non-exempt property within the jurisdiction of the taxing authority, as well as the prior year's tax revenues, for use in connection with the determination of the forthcoming budget and millage levy. The form on which such certification is made by the Property Appraiser is required to include instructions to each taxing authority describing the proper method of computing a millage rate, which, exclusive of new construction, additions to structures, deletions and property added due to geographic boundary changes, will provide the same ad valorem tax revenues for each taxing authority as was levied during the prior fiscal year. See "*Millage Rollback Legislation*" below.

Each respective millage rate, except as limited by law, is set on the basis of estimates of revenue needs and the total taxable property valuation within the taxing authority's respective jurisdiction. Ad valorem taxes are not levied in excess of actual budget requirements. By law, budget expenditures cannot exceed 95% of estimated revenues except for cash carry forward amounts. In adopting an annual budget, the taxing authority must first adopt tentative millage rates within 35 days of receipt from the Property Appraiser of the preliminary certificate of taxable value. A notice of the impact of the tentative millage rates adopted by each taxing authority on the proposed tax statement for each taxpayer is then mailed to each individual taxpayer. Next, the taxing authority must hold a public hearing to adopt a tentative budget with the tentative millage rate. A second public hearing is held to adopt a final budget and millage rate.

Millage Rollback Legislation. In 2007, the State Legislature adopted a property tax plan which significantly impacted ad valorem tax collections for State local governments (the "Millage Rollback Legislation"). One component of the Millage Rollback Legislation required counties, cities and special districts to roll back their millage rates for the 2007-2008 fiscal year to a level that, with certain adjustments and exceptions, would generate the same level of ad valorem tax revenue as in fiscal year 2006-2007; provided, however, depending upon the relative growth of each local government's own ad valorem tax revenues from 2001 to 2006, such rolled back millage rates were determined after first reducing 2006-2007 ad valorem tax revenues by zero to nine percent (0% to 9%). In addition, the Rollback Legislation also limited how much the aggregate amount of ad valorem tax revenues may increase in future fiscal years. A local government may override certain portions of these requirements by a supermajority, and for certain requirements, a unanimous vote of its governing body.

Truth in Millage. The governing bodies of taxing authorities are required to fix the millage rate and assess all property at one hundred percent (100%) of its just value. Section 200.071, Florida Statutes, and Section 200.091, Florida Statutes, prohibit the millage for taxing authorities from being set by referendum, except as provided in the State Constitution.

City Charter Limitation on Increase in Millage. In 2016, the electors of the City approved an amendment to the City Charter preventing the City Council from imposing an ad valorem tax for City purposes at a millage rate which causes the budgeted revenue therefrom to increase over the budgeted ad

valorem revenue for the previous fiscal year by more than 3%. However, the City Council may impose an ad valorem tax rate for City purposes at a rate which exceeds such limitation if a supermajority of the City Council concurs in a finding that such an excess is necessary because of emergency or critical need.

In calculating the allowable increase in ad valorem revenues over the ad valorem revenues for the previous year, the City Council shall exclude all revenue changes from the following kinds of property not appearing on the previous year's roll: (a) new construction; (b) additions to or demolitions in whole or in part of existing construction; and (c) changes in the value of improvements that have undergone renovation to the extent of not less than 100% increase in assessed value (as measured from the last year of assessment prior to commencement of renovation).

This limitation does not apply to any millage necessary to the payment of general obligation bonds in accordance with all bond covenants or to any other millage approved by referendum of the electors, whether before or after the effective date of such amendment, including the Bonds, the Series 2019 Bonds and the Ad Valorem Taxes.

Tax Collection and Distribution by County Tax Collector

General. All real and tangible personal property taxes are based on assessed values as certified and delivered to the Tax Collector by the Property Appraiser as described above. The Tax Collector mails to each property owner on the tax roll a tax bill for the taxes levied by the various taxing authorities in the County. Taxes may be paid upon receipt of such notice with discounts at the rate of four percent (4%) if paid in the month of November, three percent (3%) if paid in the month of December, two percent (2%) if paid in the month of January and one percent (1%) if paid in the month of February. Taxes paid during the month of March are without discount. Because several taxpayers pay taxes in the months where a discount is applicable, taxes collected will likely never be 100% of the tax levy.

The Tax Collector is required to distribute the taxes collected to each governmental unit levying the tax. Such distribution is to be made four times during the first two months after the tax roll comes into its possession, and once per month thereafter.

Delinquent Taxes. Delinquent real property taxes bear interest at the rate of 18% per year from April 1 until a tax certificate is sold at auction, from which time the interest rate shall be as bid by the buyer of the tax certificate. Delinquent tangible personal property taxes also bear interest at the rate of 18% per year from April 1 until paid. Delinquent personal property taxes must be advertised within 45 days after delinquency, and after May 1, the property is subject to warrant, levy, seizure and sale.

Tax Certificates and Tax Deeds. On or before June 1 or the sixtieth day after the date of delinquency, whichever is later, the Tax Collector must advertise once each week for three weeks and must sell tax certificates on all real property that is the subject of delinquent taxes. The tax certificates are sold to those bidding the lowest interest rate. Such certificates include the amount of delinquent taxes, the penalty interest accrued thereon and the cost of advertising. Delinquent tax certificates not sold at auction become the property of the County. State law provides that real property tax liens and certain other governmental charges and assessments liens are superior to all other liens, except prior Internal Revenue Service liens.

To redeem a tax certificate, the owner of the property must pay all delinquent taxes, the interest that accrued prior to the date of the sale of the tax certificate, charges incurred in connection with the sale of the tax certificate, omitted taxes, if any, and interest at the rate shown on the tax certificate (or interest at the rate of 5%, whichever is higher) from the date of the sale of the tax certificate to the date of

redemption. If such tax certificates or liens are not redeemed by the property owner within two years, the holder of the tax certificates can cause the property to be sold to pay off the outstanding certificates and the interest thereon.

At any time after two years have elapsed since April 1 of the year of the issuance of a tax certificate and before the expiration of seven years, the holder of the tax certificate may apply for a tax deed with respect to any tax certificate it holds. Two years after such April 1, the County may make application for a tax deed with respect to any tax certificate it holds. Upon receipt of such applications, a public sale is advertised and held (unless the property is redeemed), and the highest bidder at such sale receives a tax deed for the property. Provisions are also made for the collection of delinquent tangible personal property taxes, but in a different manner which includes the possible seizure of the tangible personal property.

Redemption of Land by Owners. To redeem a tax certificate, the owner of the property must pay all delinquent taxes, the interest that accrued prior to the date of the sale of the tax certificate, charges incurred in connection with the sale of the tax certificate, omitted taxes, if any, and interest at the rate shown on the tax certificate (or interest at the rate of 5%, whichever is higher) from the date of the sale of the tax certificate to the date of redemption. If such tax certificates or liens are not redeemed by the property owner within two years, the holder of the tax certificates can cause the property to be sold to pay off the outstanding certificates and the interest thereon. Provisions are also made for the collection of delinquent tangible personal property taxes, but in a different manner which includes the possible seizure of the tangible personal property.

Disposition of Tax Collections. Upon receipt, the monies representing debt service are to be credited to the Debt Service Fund, a special accounting fund created and maintained pursuant to the Resolution. Debt service millage over and above millage limitations fixed by the State Constitution is authorized only for the payment of general obligation bonds (such as the Bonds), and any diversion of such tax collections to a purpose other than payment of the voted general obligation bonds would violate the State Constitution. Consistent with the above, the Resolution provides that the proceeds of all such taxes levied for the payment of the principal of and interest on the Bonds shall be deposited by the City in the Debt Service Fund and used solely for the payment of principal and interest on the Bonds.

Exemptions from Ad Valorem Taxation

General. State law provides for numerous exemptions and limitations on ad valorem taxation of real property and tangible personal property. Real property used for the following purposes is generally exempt from ad valorem taxation: religious, educational, literary, charitable, scientific, and governmental uses. Certain additional exemptions and limitations are described below. This description does not purport to describe all exemptions available to property owners in the State, and reference is made to the State Constitution and Chapter 196, Florida Statutes, for a full description of such exemptions. In addition, State law allows for, but does not mandate, the imposition of some exemptions by local governments by ordinance. Where applicable, it is noted where the City has imposed such optional exemptions or limitations. Certain recent amendments to existing provisions relating to ad valorem tax exemptions are described under "Legislation Regarding Ad Valorem Taxes - Recent Amendments Relating to Ad Valorem Taxation" below.

Constitutional Exemptions.

Exempt Entities/Exempt Purposes. The State Constitution provides that all property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes (exempt purposes) may be exempted by general law from taxation. State law provides that all property owned by an exempt entity, including educational institutions, and used exclusively for exempt purposes shall be totally exempt from ad valorem taxation and all property owned by an exempt entity, including educational institutions, and used predominantly for exempt purposes (at least 50%) shall be exempted from ad valorem taxation to the extent of the ratio that such predominant use bears to the nonexempt use.

Household Goods and Personal Effects. The State Constitution provides that there shall be exempt from taxation, cumulatively, to every head of a family residing in the State, household goods and personal effects to the value fixed by general law, not less than one thousand dollars and to every widow or widower or person who is blind or totally and permanently disabled, property not less than five hundred dollars. State law exempts from taxation to every person residing and making his or her permanent home in the State, all household goods and personal effects and exempt property up to the value of \$500 of every widow, widower, blind person, or totally and permanently disabled person who is a resident of the State.

Economic Development. The State Constitution provides that any county or municipality may, for the purpose of its respective tax levy and subject to the State Constitution and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinance. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law (up to 100% in certain circumstances) and the period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. State law provides that the authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law and that exemptions may be granted for up to 10 or 20 years depending on the use of the applicable facility. This exemption does not apply to the levy of taxes for the payment of bonds (such as the Bonds). The City has not enacted an ordinance granting the exemption described in this paragraph.

Historic Preservation. The State Constitution provides that any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of the State Constitution and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. State law provides that such exemption may be for an amount up to 50% of the assessed value of the property. The period of time for which this exemption may be granted may continue until the ordinance is repealed or the property no longer qualifies for the exemption. This exemption does not apply to the

levy of taxes for the payment of bonds (such as the Bonds). The City has not enacted an ordinance granting the exemption described in this paragraph.

Tangible Personal Property and Solar Devices. The State Constitution provides that by general law and subject to conditions specified therein, \$25,000 of the assessed value of property subject to tangible personal property tax shall be exempt from ad valorem taxation. Effective January 1, 2018 through December 31, 2037, the assessed value of solar devices or renewable energy source devices subject to tangible personal property tax may be exempt from ad valorem taxation, subject to limitations provided by general law.

Property Dedicated In Perpetuity for Conservation. The State Constitution provides that there shall be granted an ad valorem tax exemption for certain real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

Homestead Exemption. In addition to the exemptions described above, the State Constitution also provides for a homestead exemption. Every person who has the legal title or beneficial title in equity to real property in the State and who resides thereon and in good faith makes the same his or her permanent residence or the permanent residence of others legally or naturally dependent upon such person is eligible to receive a homestead exemption of up to \$50,000. The first \$25,000 applies to all property taxes, including school district taxes. The additional exemption, up to \$25,000, applicable to the assessed value of the property between \$50,000 and \$75,000, applies to all levies other than school district levies. A person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit in another state where permanent residency, or residency of another legally or naturally dependent upon the owner, is required as a basis for the granting of that ad valorem tax exemption or tax credit is not entitled to the homestead exemption. In addition to the general homestead exemption described in this paragraph, the following additional homestead exemptions are authorized by State law.

Certain Persons 65 or Older. A board of county commissioners or the governing authority of any municipality may adopt an ordinance to allow an additional homestead exemption equal to (i) of up to \$50,000 for persons age 65 or older with household income that does not exceed the statutory income limitation of \$20,000 (as increased by the percentage increase in the average cost of living index each year since 2001) or (ii) the assessed value of the property with a just value less than \$250,000, as determined the first tax year that the owner applies and is approved, for any person 65 or older who has maintained the residence as his or her permanent residence for not less than 25 years and whose household income does not exceed the statutory income. The City enacted ordinance No. 2018-7 on November 7, 2018, granting the exemption described in this paragraph. In addition, veterans 65 or older who are partially or totally permanently disabled may receive a discount from tax on homestead property if the disability was combat related and the veteran was honorably discharged upon separation from military service. The discount is a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veteran's Affairs.

Deployed Military Personnel. The State Constitution provides that by general law and subject to certain conditions specified therein, each person who receives a homestead exemption; who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard; and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the

preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year. During the 2018 legislative session, the statutory list of military operations eligible for the exemption was updated to remove certain operations.

Certain Active Duty Military and Veterans. A military veteran who was honorably discharged, is a resident of the State, and who is disabled to a degree of 10% or more because of misfortune or while serving during wartime may be entitled to a \$5,000 reduction in the assessed value of his or her property. This exemption is not limited to homestead property. A military veteran who was honorably discharged with a service-related total and permanent disability may be eligible for a total exemption from taxes on homestead property. A similar exemption is available to disabled veterans confined to wheelchairs. Under certain circumstances, the veteran's surviving spouse may be entitled to carry over these exemptions. During the 2018 legislative session, the five-year limitation on the veteran's surviving spouse's eligibility to receive the tax exemption was removed.

Certain Totally and Permanently Disabled Persons. Real estate used and owned as a homestead by a quadriplegic, less any portion used for commercial purposes, is exempt from all ad valorem taxation. Real estate used and owned as a homestead by a paraplegic, hemiplegic, or other totally and permanently disabled person, who must use a wheelchair for mobility or who is legally blind, is exempt from taxation if the gross household income is below statutory limits.

Survivors of First Responders. Any real estate that is owned and used as a homestead by the surviving spouse of a first responder (law enforcement officer, correctional officer, firefighter, emergency medical technician or paramedic), who died in the line of duty may be granted a total exemption on homestead property if the first responder and his or her surviving spouse were permanent residents of the State on January 1 of the year in which the first responder died.

Other Exemptions. Other exemptions include, but are not limited to, nonprofit homes for the aged (subject to income limits for residents), proprietary continuing care facilities, not for profit sewer water/wastewater systems, certain hospital facilities and nursing homes for special services, charter schools, certain historic property used for commercial purposes and certain tangible personal property.

Legislation Relating to Ad Valorem Taxation

Recent Amendments Relating to Ad Valorem Taxation. In the 2016 legislative session, several amendments were passed affecting ad valorem taxation, including classification of agricultural lands during periods of eradication or quarantine, deleting requirements that conservation easements be renewed annually, providing that just value of real property shall be determined in the first tax year for income restricted persons age 65 or older who have maintained such property as their permanent residence for at least 25 years, authorizing a first responder who is totally and permanently disabled as a result of injuries sustained in the line of duty to receive relief from ad valorem taxes assessed on homestead property, revising procedures with respect to assessments, hearings and notifications by the value adjustment board, and revising the interest rate on unpaid ad valorem taxes.

Future Amendments Relating to Ad Valorem Taxation. Historically, various legislative proposals and constitutional amendments relating to ad valorem taxation have been introduced in each session of the State legislature. Many of these proposals have provided for new or increased exemptions to ad valorem taxation and limited increases in assessed valuation of certain types of property or otherwise restricted the ability of local governments in the State to levy ad valorem taxes at current levels. There can be no

assurance that similar or additional legislative or other proposals will not be introduced or enacted in the future that would have a material adverse effect upon the collection of ad valorem taxes by the City, the City's finances in general or the City's ad valorem taxing power.

Assessed Value and Property Tax Levies and Collection

The following three tables show the historical Assessed Value and Estimated Actual Value of Taxable Property, Property Tax Levies and Collections, and the Property Tax Rates - Direct and Overlapping Governments of the City.

Assessed Value and Estimated Actual Value of Taxable Property

Fiscal Year Ended	Centrally Assessed	Real Property	Personal Property	Total Estimated Actual Value	Less: Tax Exempt Property	Total Taxable Assessed Value	Total Direct Tax Rate
Sept. 30							
2020	\$4,432,723	\$8,101,501,430	\$319,025,182	\$8,424,959,335	\$4,039,232,345	\$4,385,716,990	8.9675
2019	4,439,296	7,351,414,300	307,274,133	7,663,127,729	3,675,352,667	3,987,775,062	8.4500
2018	4,286,855	6,557,914,630	292,093,163	6,854,294,648	3,257,123,697	3,597,170,951	8.4500
2017	4,043,730	5,826,201,100	302,075,674	6,132,320,504	2,864,512,704	3,267,807,800	8.4500
2016	3,680,327	5,004,843,870	285,414,593	5,293,938,790	2,325,206,127	2,968,732,663	8.5000
2015	2,770,508	4,482,050,210	305,316,609	4,790,137,327	1,994,187,604	2,794,652,213	8.6326
2014	2,339,055	3,974,742,930	302,825,423	4,279,907,408	1,640,796,077	2,639,111,331	8.6326
2013	2,845,608	3,742,718,710	299,963,912	4,045,528,230	1,531,359,937	2,514,168,293	9.0000
2012	3,045,632	3,881,723,920	267,824,965	4,152,594,517	1,565,788,444	2,586,806,073	9.0000
2011	2,922,219	4,807,504,670	312,268,802	5,122,695,691	1,787,027,471	3,335,668,220	7.5000
2010	3,242,757	5,803,424,830	350,996,460	6,157,664,047	2,099,481,373	4,058,182,674	6.8165

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019; City of Palm Bay for 2020.

Property Tax Levies and Collections

Fiscal Year Ended	Total Tax Levy for	Collected within the	Collections in	Subsequent	Total Collections to Date
Sept. 30	Fiscal Year	Fiscal Year of the Levy		Years	
		Amount	% of Levy		Amount % of levy
2019	\$33,696,699	\$32,987,945	97.9%	\$ 93,814	\$33,081,759 98.2%
2018	30,396,095	29,713,617	97.8	179,673	29,893,290 98.3
2017	27,612,976	26,938,819	97.6	111,738	27,050,557 98.0
2016	25,234,228	24,629,466	97.6	99,651	24,729,117 98.0
2015	24,125,115	23,528,650	97.5	128,673	23,657,323 98.1
2014	22,782,392	22,130,096	97.1	127,699	22,257,795 97.7
2013	22,627,515	21,817,153	96.4	430,539	22,247,692 98.3
2012	23,281,255	22,608,173	97.1	151,563	22,759,737 97.8
2011	25,017,512	24,376,725	97.4	299,953	24,606,678 98.4
2010	27,662,602	26,742,020	96.7	657,031	27,399,051 99.0

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019.

Property Tax Rates – Direct and Overlapping Property Tax Rates

Fiscal Year	City of Palm Bay Direct Rates			Overlapping Rates Brevard County			Total Direct and Overlapping Rates
	Operating Millage	Debt Service Millage	Total Direct Rates	County Millage	School District	Special Districts	
2020	8.1379	0.8296	8.9675	5.1891	6.0860	0.3565	20.5991
2019	8.4500	-	8.4500	5.3540	6.2990	0.3759	20.4789
2018	8.4500	-	8.4500	5.6025	6.5680	0.3981	21.0186
2017	8.4500	-	8.4500	5.8548	6.9160	0.4212	21.6420
2016	8.5000	-	8.5000	6.0692	7.2750	0.4412	22.2854
2015	8.6326	-	8.6326	6.2310	7.3390	0.4633	22.6659
2014	8.6326	-	8.6326	6.3979	7.6060	0.4752	23.1117
2013	9.0000	-	9.0000	6.5199	8.0960	0.4782	24.0941
2012	9.0000	-	9.0000	6.5199	8.1120	0.4782	24.1101
2011	7.5000	-	7.5000	5.8249	7.6530	0.5627	21.5406
2010	6.8165	-	6.8165	5.1077	7.6870	0.5627	20.1739

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019; City of Palm Bay for 2020.

Principal Taxpayers

The following table shows the principal property taxpayers located within the City for fiscal year ended September 30, 2019.

Taxpayers	2019	
	<u>Taxes Assessed</u>	<u>Percentage of Total Taxes Levied</u>
L3Harris Corporation	\$399,290	1.2%
WE Lighthouse Pointe Owner LLC	152,100	0.5
The Pavilions at Monterey LLC	142,593	0.4
Renesas Electronics America Inc.	142,068	0.4
CAPE, LLC	140,883	0.4
WRH Madalyn Landing LLLP	136,890	0.4
WSL Glenbrooke Investors V LLC	122,525	0.4
AMFP IV Vinings LLC	114,075	0.3
Palm Bay Shopping Plaza LLC	106,046	0.3
Wal-Mart Stores East LP	93,772	0.3

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019.

CERTAIN FINANCIAL MATTERS

Certain matters relating to the City's Investment Policy, Risk Management, Other Post Employment Benefit Plan, and participation on the Florida Retirement System pension plan can be found in "APPENDIX A – General Information Regarding the City of Palm Bay, Florida" and in "APPENDIX B – Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019" attached hereto.

CLIMATE CHANGE AND NATURAL DISASTERS

The State is naturally susceptible to the effects of extreme weather events and natural disasters including floods, droughts, and hurricanes, which could result in negative economic impacts on communities including the City. Such effects can be exacerbated by a longer term shift in the climate over several decades (commonly referred to as climate change), including increasing global temperatures and rising sea levels. The occurrence of such extreme weather events could damage local infrastructure that provides essential services to the City. The economic impacts resulting from such extreme weather events could include a loss of property values, a decline in revenue base, and escalated recovery costs. No assurance can be given as to whether future extreme weather events will occur that could materially impair the financial condition of the City. [However, the budget policy of the City requires a working capital reserve equal to _____ () days of the operating budget less depreciation, annual debt service and capital requirements. Pursuant to the City's budget policy, the City sets a working capital reserve at _____ () days, to mitigate against such potential impacts.]

CYBERSECURITY

The City, like many other governmental entities, relies on a technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurance that any security and operational control measures implemented by the City will be completely successful to guard against and prevent cyber threats and attacks. The result of any such attack could impact operations and/or digital networks and the costs of remedying any such damage could be significant.

The City takes a proactive approach to cyber security by following industry standards that focus on patch management, reviewing logs, actively monitoring threats, and educating users. The City uses a combination of software and hardware to monitor and prevent malware, viruses, phishing campaigns, and other cyber-attacks. The City's external facing network is penetration tested on a [weekly] basis to ensure there are no vulnerabilities. The City participates in information sharing with agencies such as Cybersecurity & Infrastructure Security Agency (CISA), Central Florida Information Exchange (CFIX), Department of Homeland Security (DHS) and others to be aware of any known threats. [CONFIRM/UPDATE THIS SECTION]

COVID-19 PANDEMIC

The City's financial results could be harmed by a national or localized outbreak of a highly contagious, epidemic or pandemic disease. Specifically, there can be no assurances that the spread of the coronavirus called COVID-19, or other highly contagious or epidemic or pandemic diseases, will not adversely impact any of the City's finances and/or its financial position, including pension funding and property tax valuations. COVID-19 is expected to have a negative financial impact on local, state and

national economies, the severity of which is unknown at this time, in a manner that could adversely affect the amount of revenues received by the City as well as the amount of property taxes received by the City.

The outbreak of COVID-19, a respiratory virus is considered a Public Health Emergency of International Concern by the World Health Organization. The United States State Department and the Center for Disease Control, as well as other governmental authorities, nations and airlines have issued travel restrictions and warnings for a number of countries in Africa, Asia, Europe, South America and others. The spread of COVID-19 has led to quarantine and other “social distancing” measures throughout the United States. These measures have included recommendations and warnings to limit non-essential travel and promote telecommuting. As a result of the spread of COVID-19, the Governor of Florida declared a state of emergency on March 9, 2020. On March 27, 2020, the Governor issued an executive order suspending vacation rentals operations and such vacation rentals were prohibited from making new reservations or accepting new guests for check-in for the duration of the order. On April 1, 2020 the Governor issued a mandatory “safer at home” order for the entire State effective April 3, 2020 through April 30, 2020. On April 29, 2020, the Governor announced the first phase of reopening businesses which began on May 4, 2020 and allowed for certain businesses to open at 25% capacity, which included, but was not limited to restaurants, retail stores, museums and libraries. On May 15, 2020, the Governor announced an expanded phase 1 opening which allowed for gyms, fitness centers and studios to open and allowed restaurants and retail businesses to increase seating/occupancy capacity from 25% to 50% (which also applies to museums and libraries so long as approved by local governments). During that phase, the only businesses not allowed to reopen in the State that were included in the White House phase one reopening guidelines were movie theaters. On May 22, 2020, the Governor announced that youth activities, including summer camps and organized sports, were allowed to reopen. On June 3, 2020, the Governor announced most of the State would enter phase 2 of reopening effective June 5, 2020 which allowed bars and pubs to operate at a seated capacity of 50% inside and full seated capacity outside, movie theaters, bowling alleys and concert halls to open at 50% capacity, pari-mutual facilities to open with strict health and safety guidelines, and restaurants, retail and gyms continued to operate at 50% capacity; provided, however, that restaurants were able to serve at bars with chairs properly socially distanced. On June 26, 2020, as a result of spikes in COVID-19 cases, the Department of Business and Professional Regulation ordered all businesses that derive more than 50% of their revenue from alcohol sales to stop selling alcohol to customers on their premises, although bars could still sell alcohol in to-go containers and restaurants that do not rely on alcohol sales for a majority of their revenue could continue to serve alcohol to seated customers on site. On September 14, 2020, the Department of Business and Professional Regulation rescinded its order and bars were allowed to reopen at 50% capacity. On September 25, 2020, the Governor announced the State would enter phase 3 of reopening effective immediately which effectively lifts all COVID-19 restrictions on restaurants and other businesses.

While the effects of COVID-19 may be temporary, it has altered the behavior of businesses and people in a manner resulting in negative impacts on global and local economies. The continued spread of COVID-19, and measures taken to prevent or reduce it, are anticipated to adversely impact state, national and global economic activities and, accordingly, adversely impact the financial condition and performance of the State and the City, and the extent of that impact could be material. Recently, stock markets in the U.S. and globally have seen significant disruption that have been attributed, at least in part, to the COVID-19 concerns. Due to the unprecedented nature of the spread of COVID-19, the duration and extent of the impact of COVID-19 on the City’s revenues, expenses and cash flow or ratings are uncertain and cannot be quantified at this time.

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ESTIMATED SOURCES AND USES OF FUNDS

The proceeds to be received from the sale of the Bonds are expected to be applied as follows:

SOURCES:

Par Amount of the Bonds	\$
[Plus][Less] Net Original Issue [Premium][Discount]	
TOTAL SOURCES	\$

USES:

Deposit to Project Fund	\$
Costs of Issuance ⁽¹⁾	
TOTAL USES	\$

⁽¹⁾ Includes legal and financial advisory fees and expenses, Purchaser's discount and other costs associated with the issuance of the Bonds.

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DEBT SERVICE SCHEDULE

The following table sets forth the annual debt service schedule for the Bonds:

Bond Year Ending July 1	Principal	Interest	Total Debt Service
<u> </u>	<u> </u>	<u> </u>	<u> </u>
	\$	\$	\$

	<u> </u>	<u> </u>	<u> </u>
TOTAL	\$	\$	\$

LEGAL MATTERS

Certain legal matters in connection with the issuance of the Bonds are subject to the approval of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, whose approving opinion will be available at the time of delivery of the Bonds. Certain legal matters will be passed upon for the City by Patricia Smith, Esquire, City Attorney, and by Bryant Miller Olive P.A., Orlando, Florida, Disclosure Counsel.

The proposed form of the opinion of Bond Counsel is set forth as "APPENDIX D – Form of Bond Counsel Opinion" attached hereto and reference is made to such form of opinion for the complete text thereof. The actual legal opinion to be delivered may vary from that text if necessary to reflect facts and law on the date of delivery. The opinion will speak only as of its date, and subsequent distribution of it by recirculation of the Official Statement or otherwise shall create no implication that Bond Counsel has reviewed or expresses any opinion concerning any of the matters referenced in such opinion subsequent to its date.

TAX EXEMPTION

Opinion of Bond Counsel

In the opinion of the Bond Counsel (see APPENDIX D), the interest on the Bonds is (a) excluded from gross income for federal income tax purposes and (b) is not an item of tax preference for purposes of the federal alternative minimum tax. Failure by the City to comply subsequent to the issuance of the Bonds with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code") regarding the use, expenditure and investment of bond proceeds and the timely payment of certain investment earnings to the Treasury of the United States may cause interest on the Bonds to become includable in gross income for federal income tax purposes retroactive to their date of issue. The City has covenanted in the Resolution to comply with all provisions of the Code necessary to, among other things, maintain the exclusion from gross income of interest on the Bonds for purposes of federal income taxation. In rendering its opinion, Bond Counsel has assumed continuing compliance with such covenants.

Internal Revenue Code of 1986

The Code contains a number of provisions that apply to the Bonds, including, among other things, restrictions relating to the use of investment of the proceeds of the Bonds and the payment of certain arbitrage earnings in excess of the "yield" on the Bonds to the Treasury of the United States. Noncompliance with such provisions may result in interest on the Bonds being included in gross income for federal income tax purposes retroactive to their date of issue.

Collateral Tax Consequences

Except as described above, Bond Counsel will express no opinion regarding the federal income tax consequences resulting from the ownership of, receipt or accrual of interest on, or disposition of, the Bonds. Prospective purchasers of the Bonds should be aware that the ownership of the Bonds may result in other collateral federal tax consequences. For example, ownership of the Bonds may result in collateral tax consequences to various types of corporations relating to (1) denial of interest deduction to purchase or carry such Bonds, (2) the branch profits tax, and (3) the inclusion of interest on the Bonds in passive income for certain Subchapter S corporations. In addition, the interest on the Bonds may be included in gross income by recipients of certain Social Security and Railroad Retirement benefits.

PURCHASE, OWNERSHIP, SALE OR DISPOSITION OF THE BONDS AND THE RECEIPT OR ACCRUAL OF THE INTEREST THEREON MAY HAVE ADVERSE FEDERAL TAX CONSEQUENCES FOR CERTAIN INDIVIDUAL OR CORPORATE BONDHOLDERS, INCLUDING, BUT NOT LIMITED TO, THE CONSEQUENCES DESCRIBED ABOVE. PROSPECTIVE BONDHOLDERS SHOULD CONSULT WITH THEIR TAX SPECIALISTS FOR INFORMATION IN THAT REGARD.

Other Tax Matters

INTEREST ON THE BONDS MAY BE SUBJECT TO STATE OR LOCAL INCOME TAXATION UNDER APPLICABLE STATE OR LOCAL LAWS IN OTHER JURISDICTIONS. PURCHASERS OF THE BONDS SHOULD CONSULT THEIR TAX ADVISORS AS TO THE

INCOME TAX STATUS OF INTEREST ON THE BONDS IN THEIR PARTICULAR STATE OR LOCAL JURISDICTIONS.

During recent years legislative proposals have been introduced in Congress, and in some cases enacted, that altered certain federal tax consequences resulting from the ownership of obligations that are similar to the Bonds. In some cases these proposals have contained provisions that altered these consequences on a retroactive basis. Such alteration of federal tax consequences may have affected the market value of obligations similar to the Bonds. From time to time, legislative proposals are pending which could have an effect on both the federal tax consequences resulting from ownership of the Bonds and their market value. No assurance can be given that additional legislative proposals will not be introduced or enacted that would or might apply to, or have an adverse effect upon, the Bonds. For example, proposals have been discussed in connection with deficit spending reduction, job creation and other tax reform efforts that could significantly reduce the benefit of, or otherwise affect the exclusion from gross income of, interest on obligations such as the Bonds. The further introduction or enactment of one or more of such proposals could affect the market price or marketability of the Bonds.

Discount Bonds

Under the Code, the difference between the principal amount of the Bonds maturing in the years ____ through and including ____ (the "Discount Bonds"), and the initial offering price to the public, excluding bond houses and brokers, at which price a substantial amount of the Discount Bonds of the same maturity was sold, constitutes "original issue discount". Original issue discount on the Discount Bonds represents interest which is not includable in gross income. A portion of such interest that accrues to the owner of such Bonds in a year, as described below, is, however, included in the calculation of a corporate taxpayer's alternative minimum tax and environmental tax and may result in other collateral federal tax consequences although the owner may not have received cash in such year. Original issue discount on such Discount Bonds will accrue actuarially over the term of a Discount Bond at a constant interest rate. A purchaser who acquires Discount Bonds at an issue price equal to the initial offering price thereof as set forth on the inside cover page of this Official Statement will be treated as receiving an amount of interest excluded from gross income for federal income tax purposes equal to the original issue discount accruing during the period such purchaser holds such Discount Bonds and will increase its adjusted basis in such Discount Bonds by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or the disposition of such Discount Bonds. The federal income tax consequences of the purchase, ownership and redemption, sale or price may be determined according to rules which differ from those described above. Holders of Discount Bonds should consult their own tax advisors with respect to the consequences of owning Discount Bonds, including the effect of such ownership under applicable state and local laws.

Bond Premium

The difference between the principal amount of the Bonds maturing in the years ____ through and including ____ (the "Premium Bonds") and the initial offering price to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at which price a substantial amount of such Premium Bonds of the same maturity was sold constitutes to an initial purchaser amortizable bond premium which is not deductible from gross income for federal income tax purposes. The amount of amortizable bond premium for a taxable year is determined actuarially on a constant interest rate basis over the term of each Premium Bond which ends on the earlier of the maturity or call date for each of the Premium Bonds which minimizes the yield on such Premium

Bonds to the purchaser. For purposes of determining gain or loss on the sale or other disposition of a Premium Bond, an initial purchaser who acquires such obligation in the initial offering to the public at the initial offering price is required to decrease such purchaser's adjusted basis in such Premium Bond annually by the amount of amortizable bond premium for the taxable year. The amortization of bond premium may be taken into account as a reduction in the amount of tax-exempt income for purposes of determining various other tax consequences of owning such Bonds. Owners of the Premium Bonds are advised that they should consult with their own advisors with respect to the state and local tax consequences of owning such Premium Bonds.

FINANCIAL ADVISOR

Public Resources Advisory Group, Inc., St. Petersburg, Florida is serving as Financial Advisor to the City with respect to the sale of the Bonds. The Financial Advisor assisted in the preparation of this Official Statement and in other matters relating to the planning, structuring and issuance of the Bonds and provided other advice. The Financial Advisor is not obligated to undertake and has not undertaken to make an independent verification of or to assume responsibility for the accuracy, completeness or fairness of the information in this Official Statement.

LITIGATION

There is no pending or, to the knowledge of the City, any threatened litigation against the City which in any way questions or affects the validity of the Bonds, or any proceedings or transactions relating to their issuance, sale or delivery, or the enactment of the Resolution, or which may materially adversely affect the imposition, collection and pledge of ad valorem taxes of the City. Neither the creation, organization or existence, nor the title of the present members of the City Commission, or other officers of the City is being contested.

The City experiences routine litigation and claims incidental to the conduct of its affairs. In the opinion of the City Attorney, except as described above, there are no actions presently pending or to the knowledge of the City threatened, the adverse outcome of which would have a material adverse effect on the financial condition of the City. From time to time, the City is party to other various legal proceedings which individually are not expected to have a material impact thereon. However, in the opinion of the City Attorney, the City and/or its insurance carrier will either successfully defend such actions or otherwise resolve such matters without experiencing a material adverse effect on the financial condition of the City.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the Bondholders to provide certain financial information and operating data relating to the City and the Bonds in each year, and to provide notices of the occurrence of certain enumerated material events. The City has agreed to file annual financial information and operating data and the audited financial statements with each entity authorized and approved by the SEC to act as a repository (each a "Repository") for purposes of complying with Rule 15c2-12 adopted by the SEC under the Securities Exchange Act of 1934 (the "Rule") either itself or through its dissemination agent. Effective July 1, 2009, the sole Repository is the Municipal Securities Rulemaking Board. The City has agreed to file notices of certain enumerated events, when and if they occur, with the Repository either itself or through its dissemination agent.

The specific nature of the financial information, operating data, and of the type of events which trigger a disclosure obligation, and other details of the undertaking are described in "APPENDIX E - Form of Continuing Disclosure Certificate" attached hereto. The Continuing Disclosure Certificate shall be executed by the City upon the issuance of the Bonds. These covenants have been made in order to assist the Underwriter in complying with the continuing disclosure requirements of the Rule.

[describe continuing disclosure diligence]

With respect to the Bonds, no party other than the City is obligated to provide, nor is expected to provide, any continuing disclosure information with respect to the Rule.

DISCLOSURE REQUIRED BY FLORIDA BLUE SKY REGULATIONS

Section 517.051, Florida Statutes, and the regulations promulgated thereunder, require that the City make full and fair disclosure of any bonds or other debt obligations of such entities that have been in default as to payment of principal or interest at any time after December 31, 1975. The City is not and has not, since December 31, 1975, been in default as to payment of principal and interest on its bonds or other debt obligations.

The City has not undertaken an independent review or investigation to determine whether any defaults have occurred with respect to bonds or other debt obligations as to which it has served only as a conduit issuer. The City does not believe that any information about any default would be considered material by a reasonable investor in the Bonds because the City was not liable to pay the principal of or interest on any such bonds except from payments made to it by the private companies on whose behalf such bonds were issued and no funds of the City were pledged to pay such bonds or the interest thereon.

CONTINGENT FEES

The City has retained Bond Counsel, Disclosure Counsel and the Financial Advisor with respect to the authorization, sale, execution and delivery of the Bonds. Payment of the fees of such professionals and an underwriting discount to the Underwriter are contingent upon the issuance of the Bonds.

RATINGS

S&P Global Ratings ("S&P") and Fitch Ratings, Inc. ("Fitch"), have assigned ratings of "___" (stable outlook), and "___" (stable outlook), respectively, to the Bonds. Such ratings reflect only the views of such organizations and any desired explanation of the significance of such ratings should be obtained from the rating agency furnishing the same, at the following addresses: S&P Global Ratings, 25 Broadway, New York, New York 10004; or Fitch Ratings, One State Street Plaza, New York, New York 10004. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance such ratings will continue for any given period of time or that such ratings will not be revised downward or withdrawn entirely by the rating agencies, if in the judgment of such rating agencies, circumstances so warrant. Any such downward revision or withdrawal of such ratings may have an adverse effect on the market price of the Bonds.

VALIDATION

The Bonds were validated by judgment of the Circuit Court of the 18th Judicial Circuit of the State of Florida, Case No. 2018-CA-058984, in and for Brevard County, Florida rendered on March 26, 2019. The period for filing an appeal to such judgment has expired and no appeal has been filed.

COMPETITIVE SALE

The Bonds are being purchased at competitive sale by _____ (the "Underwriter") at a purchase price equal to \$_____ (taking into account net original issue premium/discount on the Bonds of \$_____ and an Underwriter's discount of \$_____). The Underwriter's obligations are subject to certain conditions precedent described in the Official Notice of Sale, and it will be obligated to purchase all of the Bonds if any Bonds are purchased. The yields shown on the inside cover page of this Official Statement were furnished by the Underwriter. All other information concerning the nature and terms of any re-offering should be obtained from the Underwriter and not the City.

FINANCIAL STATEMENTS

The financial statements included in the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019, included in this Official Statement as APPENDIX B, have been audited by Moore Stephens Lovelace, P.A., Orlando, Florida, independent certified public accountants, auditors for the City (the "Auditor"). Such statements speak only as of September 30, 2019. The audited financial statements of the City have been included herein as a publicly available document. Consent of the Auditor was not requested, and the Auditor was not requested nor did it perform any procedures with respect to the preparation of this Official Statement or the information presented herein.

ENFORCEABILITY OF REMEDIES

The remedies available to the owners of the Bonds upon an Event of Default under the Resolution are in many respects dependent upon judicial actions, which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title 11 of the United States Code, the remedies specified by the Federal Bankruptcy Code, the Resolution and the Bonds may not be readily available or may be limited. The various legal opinions to be delivered concurrently with the delivery of the Bonds (including Bond Counsel's approving opinion) will be qualified, as to the enforceability of the various legal instruments, by limitations imposed by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors enacted before or after such delivery.

ACCURACY AND COMPLETENESS OF OFFICIAL STATEMENT

The references, excerpts, and summaries of all documents, statutes, and information concerning the City and certain reports and statistical data referred to herein do not purport to be complete, comprehensive and definitive and each such summary and reference is qualified in its entirety by reference to each such document for full and complete statements of all matters of fact relating to the Bonds, the security for the payment of the Bonds and the rights and obligations of the owners thereof and to each such statute, report or instrument.

Any statements made in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement that may have been made verbally or in writing is to be construed as a contract with the owners of the Bonds.

The appendices attached hereto are integral parts of this Official Statement and must be read in their entirety together with all foregoing statements.

AUTHORIZATION OF OFFICIAL STATEMENT

The execution and delivery of this Official Statement has been duly authorized and approved by the City. At the time of delivery of the Bonds, the City will furnish a certificate to the effect that nothing has come to its attention which would lead it to believe that the Official Statement (other than information herein related to DTC, the book-entry only system of registration and the information contained under the caption "TAX EXEMPTION" as to which no such certification shall be made), as of its date and as of the date of delivery of the Bonds, contains an untrue statement of a material fact or omits to state a material fact which should be included therein for the purposes for which the Official Statement is intended to be used, or which is necessary to make the statements contained therein, in the light of the circumstances under which they were made, not misleading.

CITY OF PALM BAY, FLORIDA

By: _____
Mayor

By: _____
Interim City Manager

APPENDIX A

General Information Regarding the City of Palm Bay, Florida

APPENDIX B

Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019

APPENDIX C

Resolution

[Exhibits Intentionally Omitted]

APPENDIX D

Form of Bond Counsel Opinion

APPENDIX E

Form of Continuing Disclosure Certificate

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the City of Palm Bay, Florida (the "City") in connection with the issuance of its \$_____ General Obligation Bonds, Series 2021 (the "Bonds"). The Bonds are being issued pursuant to Resolution No. 2018-63 adopted by the City Council of the City (the "Council") on December 6, 2018, as supplemented by Resolution No. 2020-__, adopted on December __, 2020 (collectively, the "Resolution").

SECTION 1. PURPOSE OF THE DISCLOSURE CERTIFICATE. This Disclosure Certificate is being executed and delivered by the City for the benefit of the holders and Beneficial Owners (defined below) of the Bonds and in order to assist the Participating Underwriter in complying with the continuing disclosure requirements of the Rule (defined below).

SECTION 2. DEFINITIONS. In addition to the definitions set forth in the Resolution which apply to any capitalized term used in this Disclosure Certificate, unless otherwise defined herein, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the City pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Dissemination Agent" shall mean the HTS Continuing Disclosure Services, a Division of Hilltop Securities Inc., or any successor Dissemination Agent designated in writing by the City and which has filed with the City a written acceptance of such designation.

"EMMA" shall mean the Electronic Municipal Market Access web portal of the MSRB, located at <http://www.emma.msrb.org>.

"Event of Bankruptcy" shall be considered to have occurred when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governing authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"Obligated Person" shall mean any person, including the City, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support

payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity or credit facilities).

"Participating Underwriter" shall mean the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Repository" shall mean each entity authorized and approved by the Securities and Exchange Council from time to time to act as a repository for purposes of complying with the Rule. As of the date hereof, the Repository recognized by the Securities and Exchange Council for such purpose is the MSRB, which currently accepts continuing disclosure submissions through EMMA.

"Rule" shall mean the continuing disclosure requirements of Rule 15c2-12 adopted by the Securities and Exchange Council under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of Florida.

SECTION 3. PROVISION OF ANNUAL REPORTS.

(a) The City shall, or shall cause the Dissemination Agent to, by not later than June 30th following the end of the prior fiscal year, beginning with the fiscal year ending September 30, 2020 with respect to the report for the fiscal year ending September 30, 2020, provide to any Repository, in electronic format as prescribed by such Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the City may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date provided, further, in such event unaudited financial statements are required to be delivered as part of the Annual Report in accordance with Section 4(a) below and the audited financial statements shall be filed in the same manner as the Annual Report when they become available. If the City's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5.

(b) If on the fifteenth (15th) day prior to the annual filing date, the Dissemination Agent has not received a copy of the Annual Report, the Dissemination Agent shall contact the City by telephone and in writing (which may be by e-mail) to remind the City of its undertaking to provide the Annual Report pursuant to Section 3(a). Upon such reminder, the City shall either (i) provide the Dissemination Agent with an electronic copy of the Annual Report no later than two (2) business days prior to the annual filing date, or (ii) instruct the Dissemination Agent in writing that the City will not be able to file the Annual Report within the time required under this Agreement, state the date by which the Annual Report for such year will be provided and instruct the Dissemination Agent that a failure to file has occurred and to immediately send a notice to the Repository in substantially the form attached as Exhibit A, accompanied by a cover sheet completed by the Dissemination Agent in the form set forth in Exhibit B.

(c) The Dissemination Agent shall:

(i) determine each year prior to the date for providing the Annual Report the name and address of any Repository;

(ii) if the Dissemination Agent is other than the City, file a report with the City certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided and listing any Repository to which it was provided; and

(iii) if the Dissemination Agent has not received an Annual Report by 6:00 p.m. Eastern time on the annual filing date (or, if such annual filing date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a failure to file shall have occurred and the City irrevocably directs the Dissemination Agent to immediately send a notice to the Repository in substantially the form attached as Exhibit A without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Dissemination Agent in the form set forth in Exhibit B.

SECTION 4. CONTENT OF ANNUAL REPORTS. The City's Annual Report shall contain or include by reference the following:

(a) the audited financial statements of the City for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the City's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement dated January __, 2021 (the "Official Statement"), and the audited financial statements shall be filed in the same manner as the Annual Report when they become available; and

(b) updates of the historical financial and operating data set forth in the Official Statement in tables under the captions:

- (i) Assessed Value and Estimated Actual Value of Taxable Property;
- (ii) Property Tax Levies and Collections;
- (iii) Property Tax Rates - Direct and Overlapping Governments; and
- (iv) Principal Property Taxpayers.

The information provided under Section 4(b) may be included by specific reference to documents, including official statements of debt issues of the City or related public entities, which are available to the public on the Repository's website or filed with the Securities and Exchange Commission.

The City reserves the right to modify from time to time the specific types of information provided in its Annual Report or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City; provided that the City agrees that any such modification will be done in a manner consistent with the Rule.

SECTION 5. REPORTING OF SIGNIFICANT EVENTS.

(a) Pursuant to the provisions of this Section 5, the City shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds. Such notice shall be given

in a timely manner not in excess of ten (10) business days after the occurrence of the event, with the exception of the event described in number 17 below, which notice shall be given in a timely manner:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;
6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701 TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. modifications to rights of the holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the Bonds, if material;
11. rating changes;
12. an Event of Bankruptcy or similar event of an Obligated Person;
13. the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. appointment of a successor or additional trustee or the change of name of a trustee, if material;
15. incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material;
16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties; and

17. notice of any failure on the part of the City to meet the requirements of Section 3 hereof.
- (b) (i) The term “financial obligation” as used in subsections 5(a)(15) and (16) herein means a:
- (A) debt obligation;
 - (B) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or
 - (C) guarantee of paragraph (5)(b)(i)(A) or (B).
- (ii) The term financial obligation shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with this rule.
- (c) The notice required to be given in paragraph 5(a) above shall be filed with any Repository, in electronic format as prescribed by such Repository.

SECTION 6. IDENTIFYING INFORMATION. In accordance with the Rule, all disclosure filings submitted pursuant to this Disclosure Certificate to any Repository must be accompanied by identifying information as prescribed by the Repository. Such information may include, but not be limited to:

- (a) the category of information being provided;
- (b) the period covered by any annual financial information, financial statement or other financial information or operation data;
- (c) the issues or specific securities to which such documents are related (including CUSIPs, City name, state, issue description/securities name, dated date, maturity date, and/or coupon rate);
- (d) the name of any Obligated Person other than the City;
- (e) the name and date of the document being submitted; and
- (f) contact information for the submitter.

SECTION 7. TERMINATION OF REPORTING OBLIGATION. The City's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds, so long as there is no remaining liability of the City, or if the Rule is repealed or no longer in effect. If such termination occurs prior to the final maturity of the Bonds, the City shall give notice of such termination in the same manner as for a Listed Event under Section 5.

SECTION 8. DISSEMINATION AGENT. The City may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report

prepared by the City pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the HTS Continuing Disclosure Services, a Division of Hilltop Securities Inc.

SECTION 9. AMENDMENT; WAIVER. Notwithstanding any other provision of this Disclosure Certificate, the City may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the City, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver either (i) is approved by the holders or Beneficial Owners of the Bonds in the same manner as provided in the Resolution for amendments to the Resolution with the consent of holders or Beneficial Owners, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the holders or Beneficial Owners of the Bonds.

Notwithstanding the foregoing, the City shall have the right to adopt amendments to this Disclosure Certificate necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the City shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the City. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5, and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 10. ADDITIONAL INFORMATION. Nothing in this Disclosure Certificate shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the City chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the City shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 11. DEFAULT. The continuing disclosure obligations of the City set forth herein constitute a contract with the holders of the Bonds. In the event of a failure of the City to comply with any provision of this Disclosure Certificate, any holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this Disclosure Certificate; provided, however, the sole remedy under this Disclosure Certificate in the event of any failure of the City to comply with the provisions of this Disclosure Certificate shall be an action to compel performance. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Resolution.

SECTION 12. DUTIES, IMMUNITIES AND LIABILITIES OF DISSEMINATION AGENT. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the City agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the City under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 13. BENEFICIARIES. This Disclosure Certificate shall inure solely to the benefit of the City, the Dissemination Agent, the Participating Underwriter and holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated as of January __, 2021.

CITY OF PALM BAY, FLORIDA

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Obligated Person: City of Palm Bay, Florida
Name of Bond Issue: City of Palm Bay, Florida General Obligation Bonds, Series 2021
Date of Issuance: January __, 2021
Date of Disclosure Agreement: January __, 2021

CUSIP Number:

NOTICE IS HEREBY GIVEN that the City has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate of the City. [The City has notified the Dissemination Agent that it anticipates that the Annual Report will be filed by_____].

Dated:_____

CITY OF PALM BAY, FLORIDA

cc:

EXHIBIT B
EVENT NOTICE COVER SHEET

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

City's and/or Other Obligated Person's Name:

City's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

Number of pages attached: _____

____ Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies;"
2. _____ "Non-payment related defaults, if material;"
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. _____ "Substitution of credit or liquidity providers, or their failure to perform;"
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. _____ "Modifications to rights of holders of bonds, if material;"
8. _____ "Bond calls, if material;"
9. _____ "Defeasances;"
10. _____ "Release, substitution, or sale of property securing repayment of the securities, if material;"
11. _____ "Rating changes;"
12. _____ "Bankruptcy, insolvency, receivership or similar event of the obligated person;"
13. _____ "Merger, consolidation, or acquisition of the obligated person, if material;"
14. _____ "Appointment of a successor or additional trustee, or the change of name of a trustee, if material;"
15. _____ "Incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material;"
16. _____ "Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties;" and
17. _____ "Notice of any failure on the part of the City to meet the requirements of Section 3 hereof."

____ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the City or its agent to distribute this information publicly:

Signature:

Name: _____ Title: _____

Date:

FY 2019 AND FY 2020

Projects Completed or Awarded

Prj No.	Construction Project	Cash Expended to Date	Project Cost*	Cash Balance	Contract Completion*	Estimated Spend Date*	Spend Down of GO Series 2019 Bond Proceeds & Interest Income Posted thru 9/30/20
							31,832,164.48
19GO01	Issuance Cost	\$837,376.25	837,376.25	\$0.00			
19GO02	Eldron Blvd Repaving	\$1,918,890.56	1,918,890.56	\$0.00			
19GO03	Unit 41 Repaving	\$1,154,120.87	1,154,120.87	\$0.00			
19GO06	Other Current Charges	\$2,317.30	2,317.30	\$0.00			
20GO01	Unit 31	\$5,295,155.39	5,187,842.38	-\$107,313.01	July 2020	November 2020	
20GO02	Unit 32	\$4,966,058.38	5,077,910.92	\$111,852.54	July 2020	November 2020	31,827,624.95
20GO03	Unit 42	\$6,305,069.38	6,990,740.40	\$685,671.02	November 2020	January 2021	
20GO04	Garvey	\$626,176.42	777,406.18	\$151,229.76	November 2020	January 2021	30,990,724.17
20GO05	Unit 11	\$182.28	2,098,305.46	\$2,098,123.18	March 2021	May 2021	
20GO06	Unit 15	\$182.27	1,441,918.79	\$1,441,736.52	March 2021	May 2021	
20GO07	Unit 18	\$1,560,137.46	2,422,307.92	\$862,170.46	March 2021	May 2021	
20GO08	Unit 23	\$1,165,479.33	3,089,404.01	\$1,923,924.68	March 2021	May 2021	
20GO09	Unit 56	\$122.61	974,902.28	\$974,779.67	March 2021	May 2021	23,689,989.66
20GO10	Port Malabar	\$2,733.58	1,112,943.09	\$1,110,209.51	June 2021	August 2021	21,444,157.29
20GO11	Emerson Dr NE Ph1	\$250.00	1,135,872.86	\$1,135,622.86	April 2021	June 2021	22,554,366.80
20GO12	Unit 5	\$0.00	1,454,009.00	\$1,454,009.00	TBD	September 2021	
20GO13	Unit 46	\$250.00	2,105,508.14	\$2,105,258.14	TBD	September 2021	
20GO14	Unit 24	\$3,460.00	3,483,637.38	\$3,480,177.38	TBD	September 2021	
20GO15	Unit 25	\$3,938.00	4,579,879.70	\$4,575,941.70	TBD	September 2021	9,828,771.07
Total Completed/Awarded		\$23,841,900.08	\$45,845,293.49	\$22,003,393.41			

\$23,841,900.08

Out for Bid Projects

20GO16	Port Malabar Blvd East	0	1,207,129.56	\$1,207,129.56	TBD	September 2021	
20GO17	Unit 17	0	2,002,931.00	\$2,002,931.00	TBD	September 2021	
21GO01	Unit 1, 2, &3	0	1,214,766.34	\$1,214,766.34	TBD	September 2021	
21GO02	Unit 4	0	2,497,411.09	\$2,497,411.09	TBD	September 2021	
21GO03	Unit 27	0	44,927.46	\$44,927.46	TBD	September 2021	
21GO04	Unit 35	0	370,671.38	\$370,671.38	TBD	September 2021	
21GO05	Unit 43	0	156,719.96	\$156,719.96	TBD	September 2021	
21GO06	Unit 47	0	120,679.07	\$120,679.07	TBD	September 2021	2,169,095.21
Total Out for Bid			7,615,235.86	\$7,615,235.86			
Total Complete, Awarded, Out f		\$23,841,900.08	\$53,460,529.35	\$29,618,629.27			

*Source: Public Works Department

RESOLUTION 2021-04

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, SUPPLEMENTING RESOLUTION 2018-63; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$50,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF PALM BAY, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2021, IN ORDER TO FINANCE ROADWAY IMPROVEMENTS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; PROVIDING CERTAIN TERMS AND DETAILS OF SUCH BONDS; AUTHORIZING THE CITY MANAGER OR THE FINANCE DIRECTOR OF THE CITY TO PUBLISH A SUMMARY NOTICE OF SALE AND TO RECEIVE BIDS PURSUANT TO A COMPETITIVE SALE OF SAID BONDS AND AWARD THE SALE OF SAID BONDS TO THE RESPONSIVE BIDDER OR BIDDERS OFFERING THE LOWEST TRUE INTEREST COST TO THE CITY, WHICH SHALL NOT EXCEED FIVE PERCENT (5%); AUTHORIZING THE EXECUTION AND DELIVERY OF SAID BONDS; APPOINTING THE PAYING AGENT AND REGISTRAR WITH RESPECT TO SAID BONDS; APPROVING THE PREPARATION AND USE OF A SUMMARY NOTICE OF SALE, AN OFFICIAL NOTICE OF SALE, A PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT; AUTHORIZING THE ELECTRONIC DISSEMINATION OF THE PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, FLORIDA, as follows:

SECTION 1. FINDINGS. It is hereby found and determined that:

(A) On December 16, 2018, the City Council of the City of Palm Bay, Florida (the "City" or "Issuer") duly adopted Resolution 2018-63 (the "Original Resolution"). All capitalized terms not otherwise defined herein shall have the meanings set forth in the Original Resolution.

(B) The Original Resolution, as previously supplemented and as supplemented hereby, is referred to herein as the "Bond Resolution."

(C) The Original Resolution provides for the issuance of bonds thereunder, upon meeting the requirements set forth in the Original Resolution.

(D) The City deems it to be in the best interests of its citizens and taxpayers to issue its General Obligation Bonds, Series 2021 (the "Bonds") for the purpose of financing certain roadway improvements within the City, as identified by resolution of the City (the "Project," as described in the Original Resolution).

(E) The principal of and interest on the Bonds and all required sinking fund, reserve and other payments shall be general obligations of the City, secured by the full faith and credit of the City and the Ad Valorem Taxes, as provided in the Bond Resolution.

(F) The City deems it necessary: (i) to fix the date, denominations, amount and maturities of the Bonds, (ii) to authorize the publication of a Summary Notice of Sale in *The Bond Buyer* or such other publication as directed by the City Manager, (iii) to approve the form and authorize the use of an Official Notice of Sale, Preliminary Official Statement and a final Official Statement, (iv) to authorize the City Manager or the Finance Director of the City to award the Bonds to the best bidder or bidders upon the terms and conditions and subject to the limitations set forth herein and the Official Notice of Sale, (v) to appoint a Bond Registrar and Paying Agent, and (vi) to approve the form of a continuing disclosure undertaking.

(G) The Original Resolution provides that the Bonds shall mature on such dates and in such amounts, shall bear such rates of interest, shall be payable in such places and shall be subject to such redemption provisions as shall be determined by Supplemental Resolution adopted by the City; and it is now appropriate that the City determine parameters for such terms and details.

SECTION 2. AUTHORITY FOR THIS SUPPLEMENTAL RESOLUTION. This Supplemental Resolution is adopted pursuant to Articles II and V of the Original Resolution, the provisions of the Act (as defined in the Original Resolution) and other applicable provisions of law.

SECTION 3. AUTHORIZATION AND DESCRIPTION OF THE BONDS. The City hereby determines to issue a series of Bonds in an aggregate principal amount not exceeding \$50,000,000, the exact principal amount to be as authorized by the Official Notice of Sale, to be known as its "General Obligation Bonds, Series 2021," for the principal purpose of financing the Cost of the Project.

The Bonds shall be dated as of their date of delivery, shall be issued as fully registered Bonds, numbered consecutively from one upward in order of maturity with the

prefix "R"; shall bear interest from their date of delivery, payable semi-annually, on (except as otherwise established by the City Manager based on advice of Public Resources Advisory Group, Inc. (the "Financial Advisor")) January 1 and July 1 of each year, commencing on January 1, 2022, at such rates and maturing in such amounts on July 1 of such years (except as otherwise established by the City Manager based on advice of the City's Financial Advisor) as to be set forth in the Official Notice of Sale. The Bonds shall be issued in denominations of \$5,000 and any integral multiple thereof.

The Bonds shall be subject to redemption prior to maturity as set forth below:

The Bonds maturing on July 1, 2031, and thereafter are redeemable at the option of the City from any legally available source, in whole or in part and if in part, in any order of maturity selected by the City, at its discretion, and by lot within a maturity if less than an entire maturity is to be redeemed, on January 1, 2031, or at any time thereafter, at a redemption price equal to the principal amount of the Bonds to be redeemed, together with accrued interest to the date fixed for redemption.

Notwithstanding the foregoing, if the City's Financial Advisor, upon consultation with the Finance Director of the City, determines that market conditions require different or no optional redemption provisions for the Bonds or for certain maturities of the Bonds, such different optional redemption provisions or the exclusion of certain or all maturities of the Bonds from such optional redemption provisions will be deemed approved by the City so long as the maximum redemption premium does not exceed 1% and the first optional redemption period, if any, is not more than eleven (11) years from the date of issuance of the Bonds if the Bonds are to be subject to optional redemption.

Any bonds which are designated as Term Bonds in accordance with the Official Notice of Sale shall also be subject to mandatory redemption prior to maturity by lot, in such manner as the Registrar may deem appropriate, on July 1, in such years, at a price of par plus accrued interest to the date of redemption, in the annual amounts established by the winning bidder in consultation with the City's Finance Director and Financial Advisor.

The Bonds shall be subject to a book-entry system of registration described in the Official Statement referenced below.

SECTION 4. AUTHORIZATION OF THE PROJECT. The acquisition and construction of the Project (including the reimbursement to the Issuer of certain costs incurred with respect thereto), is hereby authorized by the Issuer.

SECTION 5. SALE OF THE BONDS. The City Manager and/or Finance Director is hereby authorized and directed to sell the Bonds at public sale by competitive bid and to publish the Summary Notice of Sale in the form attached hereto as Exhibit A in *The Bond Buyer* or such other publication as directed by the City Manager at least ten (10) days prior to the date of sale, which date of sale shall be determined by the Finance Director, in consultation with the City's Financial Advisor, in an effort to achieve the lowest interest cost for the City.

The Official Notice of Sale attached hereto as Exhibit B and the Preliminary Official Statement attached hereto as Exhibit C are each hereby approved and authorized to be used in connection with the sale of the Bonds. The Preliminary Official Statement, upon advice of the City Manager, is hereby deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"). The Preliminary Official Statement and Official Statement (as defined below) are authorized to be made available by electronic means. The Preliminary Official Statement, as amended on the date of sale of the Bonds to delete the preliminary language and as further amended to reflect the actual interest rates and reoffering terms and any changes of maturities or amounts and with such additional correcting and conforming changes as shall be approved by the City Manager, is hereinafter referred to as the "Official Statement," and as promptly as possible following the sale and within seven (7) business days of the date of sale of the Bonds, the City agrees to make available to the Underwriters of the Bonds a sufficient number of copies of the Official Statement as necessary to enable such purchasers to comply with the Rule. The City Manager is authorized to execute the Official Statement on behalf of the City with such changes, completions and amendments as they shall determine are necessary or desirable.

The City Manager is hereby delegated the authority to award the Bonds to the responsive bidder offering to purchase the Bonds at the lowest true interest cost to the City, which in no event shall exceed five percent (5.0%) true interest cost, calculated as provided in the Official Notice of Sale, and with a final maturity date of no later than July 1, 2040.

SECTION 6. CONTINUING DISCLOSURE CERTIFICATE. In order to enable the Underwriters to comply with the provisions of the Rule relating to secondary market disclosure, the City Manager is hereby authorized and directed to execute and deliver the Continuing Disclosure Certificate in the name and on behalf of the City substantially in the form attached hereto as Exhibit D, with such changes, amendments, omissions and additions as shall be approved by the Mayor, his execution and delivery thereof being conclusive evidence of such approval.

SECTION 7. APPOINTMENT OF REGISTRAR AND PAYING AGENT. Zions Bancorporation, National Association, Denver, Colorado, is hereby designated Registrar and Paying Agent for the Bonds. The Mayor and the City Clerk are hereby authorized to enter into any agreement which may be necessary to effect the transactions contemplated by this Section 7.

SECTION 8. GENERAL AUTHORITY. The members of the City Council of the City and the officers, attorneys and other agents or employees of the City are hereby authorized to do all acts and things required of them by this Supplemental Resolution or the Original Resolution, or desirable or consistent with the requirements hereof or of the Original Resolution, including the execution of such documents necessary to establish a book-entry system of registration with respect to the Bonds, for the full punctual and complete performance hereof or thereof. Each member, employee, attorney and officer of the City is hereby authorized and directed to execute and deliver any and all papers and instruments and to be and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated hereunder. The City Manager and/or the City Clerk are hereby authorized to execute such tax forms or agreements as shall be necessary to effect the transactions contemplated hereby, including designating Bond Counsel to assist or act as agent with respect thereto.

SECTION 9. ORIGINAL RESOLUTION TO CONTINUE IN FORCE. Except as herein expressly provided, the Original Resolution and all the terms and provisions thereof, including the covenants contained therein, are and shall remain in full force and effect.

SECTION 10. SEVERABILITY AND INVALID PROVISIONS. If any one or more of the covenants, agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, even though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions and shall in no way affect the validity of any of the other covenants, agreements or provisions hereof or the Bonds issued hereunder.

SECTION 11. EFFECTIVE DATE. This Resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2021- , of the City Council of the
City of Palm Bay, Brevard County, Florida, held on , 2021.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

City of Palm Bay, Florida
Resolution 2021-04

EXHIBIT A

FORM OF SUMMARY NOTICE OF SALE

City of Palm Bay, Florida
Resolution 2021-04

EXHIBIT B

FORM OF OFFICIAL NOTICE OF SALE

City of Palm Bay, Florida
Resolution 2021-04

EXHIBIT C

FORM OF OFFICIAL STATEMENT

City of Palm Bay, Florida
Resolution 2021-04

EXHIBIT D

FORM OF CONTINUING DISCLOSURE CERTIFICATE

SUMMARY NOTICE OF SALE
\$50,000,000*
City of Palm Bay, Florida
General Obligation Bonds, Series 2021

Bids for the above captioned bonds will be received by the City of Palm Bay, Florida (the "City") via Parity until 11:00 A.M. (the "Submittal Deadline"), Eastern time, January [7], 2021 or such other date as may be established by the City Manager or Finance Director of the City or their respective designee no less than ten (10) days after the date of publication of this notice and communicated by Thomson Municipal Market Monitor not less than twenty (20) hours prior to the time bids are received (the "Bid Date").

Such bids are to be opened in public as soon as practical after the Submittal Deadline on said day for the purchase of the City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "2021 Bonds"). The 2021 Bonds will mature as specified in the Official Notice of Sale. Proceeds of the 2021 Bonds shall be used for the purpose of (i) financing certain roadway improvements within the City and (ii) paying the costs of issuing the 2021 Bonds.

The approving opinion of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel, will be furnished to the successful bidder at the expense of the City.

Electronic copies of the Preliminary Official Statement and the Official Notice of Sale relating to the 2021 Bonds may be obtained at the website address www.munios.com. Printed, bound copies of the Preliminary Official Statement will be available on a limited basis from the City's Financial Advisor, Public Resources Advisory Group, Inc., 150 Second Avenue North, Suite 400, St. Petersburg, FL 33701, telephone 727/822-3339. For more information about the Parity electronic platform, potential bidders may call Parity at 212/849-5021.

City of Palm Bay, Florida
Suzanne Sherman
Acting City Manager

Dated: December 23, 2020

*Preliminary, subject to change.

OFFICIAL NOTICE OF SALE
\$50,000,000*
CITY OF PALM BAY, FLORIDA
GENERAL OBLIGATION BONDS, SERIES 2021

The City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "2021 Bonds") are being offered for sale in accordance with this Official Notice of Sale. Notice is hereby given that bids will be received by the City of Palm Bay, Florida (the "Issuer" or the "City") for the purchase of the 2021 Bonds via the Parity Bid Submission System ("Parity") in the manner described below until 11:00 A.M., Eastern time, on January [7], 2021, or on such other date and/or time as will be established by the City Manager or Finance Director of the City or their respective designee and communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time the bids are to be received. To the extent any instructions or directions set forth on Parity conflict with this Official Notice of Sale, the terms of this Official Notice of Sale shall control. For further information about Parity, and to subscribe in advance of the bid, potential bidders may contact Parity at (212) 849-5021. The use of Parity shall be at the bidder's risk and expense, and the Issuer shall have no liability with respect thereto.

BOND DETAILS

The description of the 2021 Bonds, the purpose thereof and the security therefor, as set forth in this Official Notice of Sale, is subject in its entirety to the disclosures made in the Preliminary Official Statement. See "DISCLOSURE INFORMATION" herein.

The 2021 Bonds will be issued as fully registered bonds, and when executed and delivered, will be registered in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"), New York, New York, which will act as securities depository for the 2021 Bonds. Individual purchases of the 2021 Bonds may be made only in book-entry form in denominations of \$5,000 or integral multiples thereof. Purchasers of the 2021 Bonds (the "Beneficial Owners") will not receive physical delivery of bond certificates. As long as Cede & Co. is the registered owner of the 2021 Bonds as nominee for DTC, payments of principal and interest with respect to the 2021 Bonds will be made directly to such registered owner who will in turn remit such principal and interest payments to DTC participants for subsequent disbursement to the Beneficial Owners. The Issuer will not be responsible for payments to Beneficial Owners.

* Preliminary, subject to change.

The 2021 Bonds will be dated their date of delivery (expected to be January [21], 2021) or such other date as may be communicated by Thomson Municipal Market Monitor not less than 20 hours prior to the time bids are to be received, and shall bear interest from such date and shall be payable semiannually commencing on January 1, 2022, and on each January 1 and July 1 thereafter until maturity at the rate or rates specified in such proposals as may be accepted. The proposed schedule of maturities and amounts are as follows:

INITIAL MATURITY SCHEDULE FOR THE 2021 BONDS

Maturity (<u>July 1</u>)	Principal <u>Amount</u>*
-------------------------------------	-------------------------------------

* Preliminary; subject to change.

** Term Bond option as described herein.

NOTE: The Issuer reserves the right to modify the maturity schedule shown above. Any such modification will be communicated through the Thomson Municipal Market Monitor (See, "ADJUSTMENT OF PRINCIPAL AMOUNTS" below.)

PAYING AGENT AND REGISTRAR

The Paying Agent and Registrar for the 2021 Bonds will be Zions Bancorporation, National Association, Denver, Colorado.

ADJUSTMENT OF PRINCIPAL AMOUNTS

The schedule of maturities set forth above (the "Initial Maturity Schedule") represents an estimate of the principal amount and maturities of the 2021 Bonds that will be sold. The Issuer reserves the right to change the Initial Maturity Schedule by announcing any such change not later than 3:00 p.m., Eastern time, on the day immediately preceding the date set for receipt of bids, through Thomson Municipal Market Monitor. If no such change is announced, the Initial Maturity Schedule will be deemed the schedule of maturities for submission of the bid.

Furthermore, if after final computation of the bids, the Issuer determines in its sole discretion that the funds necessary to accomplish the purpose of the 2021 Bonds is more or less than the proceeds of the sale of all of the 2021 Bonds, the Issuer reserves the right to increase or decrease the principal amount, by no more than 15% of the principal amount of the 2021 Bonds (to be rounded to the nearest \$5,000) or by such other amount as approved by the winning bidder; provided, that the aggregate principal amount of the 2021 Bonds may not exceed \$50,000,000.

In the event of any such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted; and the 2021 Bonds of each maturity, as adjusted, will bear interest at the same rate and must have the same initial reoffering yield as specified immediately after award of the 2021 Bonds of that maturity, the Underwriter's Discount on the 2021 Bonds as submitted by the successful bidder shall be held constant. The "Underwriter's Discount" shall be defined as the difference between the purchase price of the 2021 Bonds submitted by the bidder and the price at which the 2021 Bonds will be issued to the public, calculated from information provided by the bidder, divided by the par amount of the 2021 Bonds bid. However, the award will be made to the bidder whose bid produces the lowest True Interest Cost rate ("TIC"), calculated as specified herein, solely on the basis of the 2021 Bonds offered, without taking into account any adjustment in the amount of 2021 Bonds pursuant to this paragraph.

REDEMPTION PROVISIONS

The 2021 Bonds maturing on or after July 1, 2031 will be subject to optional redemption prior to maturity on and after January 1, 2031 at a redemption price of par plus accrued interest to the redemption date. The 2021 Bonds maturing prior to July 1, 2031 will not be subject to optional redemption prior to maturity.

TERM BONDS OPTIONS

Any bidder may, at its option, specify that the maturities of the 2021 Bonds maturing after July 1, 2031 will consist of term bonds which are subject to mandatory sinking fund redemption in consecutive years immediately preceding the maturity thereof (each a "Term Bond") as designated in the bid of such bidder. In the event that the bid of the successful bidder specifies that a permitted maturity of the 2021 Bonds will be a Term Bond, such Term Bond will be subject to mandatory sinking fund redemption on July 1, in each applicable year, in the principal amount for such year as set forth hereinbefore under the heading "INITIAL MATURITY SCHEDULE FOR THE 2021 Bonds," at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium.

AUTHORITY AND PURPOSE

The 2021 Bonds are being issued under the authority of the Florida Constitution, Chapter 166.021, Florida Statutes, and other applicable provisions of law (collectively, the "Act"), and Resolution No. 2018-63, adopted by the City of Palm Bay City Council on December 6, 2018, as supplemented (the "Resolution").

The 2021 Bonds are being issued for the purpose of constructing roadway improvements in and for the Issuer.

SECURITY

The 2021 Bonds are secured by the full faith and credit of the City, which has covenanted to levy an ad valorem tax without limitation as to rate or amount to pay principal and interest on the 2021 Bonds.

MUNICIPAL BOND INSURANCE

The purchase of municipal bond insurance, if available, will be at the option and expense of the bidder. The successful bidder will be responsible for the payment of all costs associated with any such insurance, including the premium charged by the insurer. The bidder understands, by submission of its bid, that the bidder is solely responsible for the selection of any insurer and for all negotiations with the insurer as to the premium to be paid. If all or a portion of the Series 2021 Bonds are awarded on an insured basis, reference to the insurance policy will appear on the Series 2021 Bonds and in the Official Statement; however, the provisions of the financing documents will not be altered nor will the City consent to make additional representations, undertakings or warranties.

In addition, if the successful bidder is arranging for bond insurance for all or a portion of the Series 2021 Bonds, it also shall provide the amount of the premium to be

paid and certification that the present value of the premium is less than the present value of the interest reasonably expected to be saved as a result of the insurance and that the premium does not exceed a reasonable arms-length charge for the transfer of credit risk accomplished through the bond insurance. Insured ratings with the use of bond insurance, if required, are to be applied for by the successful bidder, and costs incurred for such ratings must be paid at the successful bidder's expense.

UNDERLYING RATINGS

S&P Global Ratings and Fitch Ratings, Inc. have assigned underlying municipal bond ratings of "____" (____ outlook) and "____" (____ outlook)," respectively, to the 2021 Bonds.

TERMS OF BID AND BASIS OF AWARD

Proposals must be unconditional and for the purchase of all of the 2021 Bonds. The aggregate purchase price, inclusive of original issue discount ("OID"), original issue premium ("OIP") and underwriter's discount may not be less than 98% of the principal amount of the 2021 Bonds.

The 2021 Bonds shall bear interest expressed in multiples of one-eighth (1/8) or one-twentieth (1/20) of one (1) per centum. The use of split or supplemental interest coupons will not be considered and a zero rate or blank rate will not be permitted. All 2021 Bonds maturing on the same date shall bear the same rate of interest.

The 2021 Bonds will be awarded to the bidder offering to purchase the 2021 Bonds at the lowest annual interest cost computed on a TIC basis. The annual TIC will be determined by doubling the semi-annual interest rate necessary to discount the semi-annual debt service payments on the 2021 Bonds back to the Net Bond Proceeds (defined as the par amount of the 2021 Bonds, plus any OIP, less any OID and underwriters' discount on the 2021 Bonds, calculated on a 360 day year to the Closing Date, as defined below). The TIC must be calculated to four (4) decimal places. If more than one bid offers the same lowest TIC, the successful bid will be selected by lot from among all such bids.
NO BID SHALL BE ACCEPTED WITH A TIC GREATER THAN 5.0%.

THE ISSUER RESERVES THE RIGHT TO REJECT ALL BIDS OR ANY BID NOT CONFORMING TO THIS OFFICIAL NOTICE OF SALE. THE ISSUER ALSO RESERVES THE RIGHT TO WAIVE, IF PERMITTED BY LAW, ANY IRREGULARITY OR INFORMALITY IN ANY PROPOSAL. THE ISSUER SHALL NOT REJECT ANY CONFORMING BID, UNLESS ALL CONFORMING BIDS ARE REJECTED.

GOOD FAITH DEPOSIT

If the City selects a winning bid, then the successful bidder must submit a "Good Faith Deposit" (the "Deposit") to the City in the form of a wire transfer in the amount of \$500,000 not later than 5:00 p.m., Eastern time on the business day of the award. The Deposit of the successful bidder will be collected and the proceeds thereof retained by the Issuer to be applied as partial payment for the 2021 Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the successful bidder shall fail to comply with the terms of the bid, the proceeds thereof will be retained as and for full liquidated damages.

STANDARD FILINGS, CHARGES AND CLOSING DOCUMENTS

The winning bidder will be required to make the standard filings and maintain the appropriate records routinely required pursuant to MSRB Rules G-8, G-11 and G-36. The winning bidder will be required to pay the standard MSRB charge for the 2021 Bonds purchased. In addition, those who are members of SIFMA will be required to pay SIFMA's standard charge per bond. The winning bidder will also be required to execute certain closing documents required by Florida law or required by Bond Counsel (as defined below) in connection with the delivery of its tax opinion. See "DISCLOSURE; AMENDMENTS TO NOTICE OF SALE; NOTIFICATION OBLIGATIONS OF PURCHASER" herein.

CUSIP NUMBERS

The Issuer will assume no obligation for the assignment of CUSIP numbers to the 2021 Bonds or for the correctness of any such numbers printed thereon, but the Issuer will permit such printing to be done at the expense of the purchaser, provided that such printing does not result in any delay of the date of delivery of the 2021 Bonds. Public Resources Advisory Group, Inc., (the "Financial Advisor"), will request the assignment of CUSIP numbers prior to the sale of the 2021 Bonds.

DELIVERY OF THE 2021 BONDS

The Issuer will pay the cost of preparing the 2021 Bonds. The successful bidder is responsible for DTC eligibility and related DTC costs. Delivery of and payment for the 2021 Bonds will be via DTC Fast on or about January [21], 2021 (the "Closing Date") in New York, New York, or such other time and place mutually acceptable to the successful bidder and the Issuer. Payment of the full purchase price, less the Deposit, shall be made to the Issuer not later than 12:00 P.M., Eastern time on the Closing Date, in Federal Reserve Funds of the United States of America, without cost to the Issuer.

The legal opinion of Nabors, Giblin & Nickerson, P.A. ("Bond Counsel") will be furnished without charge to the successful bidder at the time of delivery of the 2021 Bonds. For a further discussion of the content of that opinion and the proposed form of the approving opinion, see the Preliminary Official Statement for the 2021 Bonds.

There will also be furnished at the time of delivery of the 2021 Bonds, a certificate or certificates of the Issuer (which may be included in a consolidated closing certificate) relating to the accuracy and completeness of the Official Statement; and stating, among other things, that there is no litigation or administrative action or proceeding pending or, to the knowledge of the Issuer, threatened, at the time of delivery of the 2021 Bonds, (a) to restrain or enjoin or seeking to restrain or enjoin the issuance and delivery of the 2021 Bonds or (b) affecting the validity of the 2021 Bonds, and that the Preliminary Official Statement has been deemed by the Issuer to be a "final official statement" for purposes of SEC Rule 15c2-12(b)(3) and (4).

The successful bidder will be responsible for the clearance or exemption with respect to the status of the 2021 Bonds for sale under the securities or "Blue Sky" laws of the several states and the preparation of any surveys or memoranda in connection with such sale.

ESTABLISHMENT OF ISSUE PRICE

The winning bidder shall assist the Issuer in establishing the issue price of the 2021 Bonds and shall execute and deliver to the Issuer on or prior to the closing date for the 2021 Bonds an "issue price" or similar certificate setting forth the reasonably expected initial offering prices to the public or the actual sales price or prices of the 2021 Bonds, together with the supporting pricing wires or equivalent communications, substantially in the applicable form attached hereto as Exhibit A-2, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the Issuer and Bond Counsel.

The Issuer intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the 2021 Bonds) will apply to the initial sale of the 2021 Bonds ("competitive sale requirements") because:

- (1) the Issuer has disseminated this Official Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (2) all bidders shall have an equal opportunity to bid;

(3) the Issuer may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the Issuer anticipates awarding the sale of the 2021 Bonds to the bidder who submits a firm offer to purchase the 2021 Bonds at the lowest true interest cost, as set forth in this Official Notice of Sale.

Any bid submitted pursuant to this Official Notice of Sale shall be considered a firm offer for the purchase of the 2021 Bonds, as specified in the bid. BY SUBMITTING A BID FOR THE 2021 BONDS, A BIDDER REPRESENTS AND WARRANTS TO THE ISSUER THAT THE BIDDER HAS AN ESTABLISHED INDUSTRY REPUTATION FOR UNDERWRITING NEW ISSUANCES OF MUNICIPAL BONDS SUCH AS THE 2021 BONDS AND SUCH BIDDER'S BID IS SUBMITTED FOR AND ON BEHALF OF SUCH BIDDER BY AN OFFICER OR AGENT WHO IS DULY AUTHORIZED TO BIND THE BIDDER TO A LEGAL, VALID AND ENFORCEABLE CONTRACT FOR THE PURCHASE OF THE 2021 BONDS. Once the bids are communicated electronically via the Parity System to the Issuer, each bid will constitute an irrevocable offer to purchase the 2021 Bonds on the terms herein and therein provided.

In the event that the competitive sale requirements are not satisfied, the Issuer shall so advise the winning bidder. In such case, the Issuer shall treat the first price at which 10% of a maturity of the 2021 Bonds is sold to the public (the "10% test") as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the Issuer if any maturity of the 2021 Bonds satisfies the 10% test as of the date and time of the award of the 2021 Bonds. The Issuer will not require bidders to comply with the "hold-the-offering-price rule" set forth in Treasury Regulation Section 1.148-1(f)(2)(ii) and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the 2021 Bonds as the issue price of that maturity. Bids will **not** be subject to cancellation in the event that the competitive sale requirements are not satisfied. *Bidders should prepare their bids on the assumption that all of the maturities of the 2021 Bonds will be subject to the 10% test in order to establish the issue price of the 2021 Bonds.*

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the 2021 Bonds, the winning bidder agrees to promptly report to the Issuer the prices at which the unsold 2021 Bonds of each maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date for the 2021 Bonds has occurred, until the 10% test has been satisfied for each maturity or until all 2021 Bonds of that maturity have been sold.

By submitting a bid and if the competitive sale requirements are not met, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the 2021 Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to report the prices at which it sells to the public the unsold 2021 Bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% test has been satisfied as to the 2021 Bonds of that maturity or all 2021 Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the 2021 Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the 2021 Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to report the prices at which it sells to the public the unsold 2021 Bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% test has been satisfied as to the 2021 Bonds of that maturity or all 2021 Bonds of that maturity have been sold to the public, if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

Sales of any 2021 Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Official Notice of Sale. Further, for purposes of this Official Notice of Sale:

(i) "public" means any person other than an underwriter or a related party,

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract (i.e. this Official Notice of Sale) with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the 2021 Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the 2021 Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the 2021 Bonds to the public),

(iii) a purchaser of any of the 2021 Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one

corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) "sale date" means the date that the 2021 Bonds are awarded by the Issuer to the winning bidder.

DISCLOSURE; AMENDMENTS TO NOTICE OF SALE; NOTIFICATION OBLIGATIONS OF PURCHASER

This Official Notice of Sale is not intended as a disclosure document and bidders are required to obtain and carefully review the Preliminary Official Statement before submitting a bid.

This Official Notice of Sale may be amended from time to time after its initial publication by publication of amendments thereto not less than 20 hours prior to the bid date and time by Thomson Municipal Market Monitor. Each bidder will be charged with the responsibility of obtaining any such amendments and complying with the terms thereof.

Prior to delivery of the 2021 Bonds to the successful bidder, the successful bidder shall file with the Issuer a statement as described in Section 218.38(1)(c)2, Florida Statutes, containing the underwriting spread (including management fee, if any), and the amount of any fee, bonus or gratuity paid in connection with the 2021 Bonds to any person not regularly employed by the successful bidder. This statement shall be filed with the Issuer even if no such management fee or underwriting spread has been charged by the successful bidder or no such fee, bonus or gratuity has been paid by the successful bidder, and such filing shall be a condition precedent to the delivery of the 2021 Bonds by the Issuer to the successful bidder.

The successful bidder, by submitting its bid, agrees to furnish to the Issuer and Bond Counsel a certificate verifying information as to the bona fide initial offering prices or yields of the 2021 Bonds to the public and sales of the 2021 Bonds appropriate for determination of the issue price of, and the yield on, the 2021 Bonds under the Internal Revenue Code of 1986, as amended, in the form attached hereto as Exhibit A-2, and such other documentation as and at the time requested by Bond Counsel.

The successful bidder shall also verify its winning bid in writing to the Issuer by executing a printed copy of its winning bid as reported on Parity.

The winning bidder is required to provide a Truth in Bonding Statement pursuant to Section 218.385, Florida Statutes, and to disclose the payment of any "finder's fee" pursuant to Section 218.386, Florida Statutes, prior to the award of the 2021 Bonds, as set forth in Exhibit A-1 to this Official Notice of Sale.

OFFICIAL STATEMENT

The Issuer shall furnish at its expense within seven (7) business days after the 2021 Bonds have been awarded to the successful bidder, or at least five (5) business days before the Closing Date, whichever is earlier, a reasonable number of copies of the final Official Statement, which, in the judgment of the Financial Advisor to the City will permit the successful bidder to comply with applicable SEC and MSRB rules. The successful bidder may arrange for additional copies of the final Official Statement at its expense.

CONTINUING DISCLOSURE

In order to assist bidders in complying with SEC Rule 15c2-12, the Issuer will undertake to provide, or cause to be provided, certain financial information and operating data and to provide notices of certain events, if material. Such information will be filed with the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access System (EMMA). Notices of material events will be filed with the Municipal Securities Rulemaking Board through EMMA. A summary of such undertaking is contained in the Preliminary Official Statement.

DISCLOSURE INFORMATION

Copies of the Preliminary Official Statement "deemed final" (except for permitted omissions) by the Issuer in accordance with SEC Rule 15c2-12 must be obtained from the Financial Advisor, Public Resources Advisory Group, Inc., 150 Second Avenue North, Suite 400, St. Petersburg, Florida 33701, (727) 822-3339 before a bid is submitted. The Issuer's Preliminary Official Statement and Official Notice of Sale are also available for viewing in electronic format at <http://www.munios.com>.

CHOICE OF LAW

Any litigation or claim arising out of any bid submitted (regardless of the means of submission) pursuant to this Official Notice of Bond Sale shall be governed by and construed in accordance with the laws of the State of Florida. The venue situs for any

such action shall be the state courts of the Eighteenth Judicial Circuit in and for Brevard County, Florida.

**NOTICE OF BIDDERS REGARDING
PUBLIC ENTITY CRIMES**

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

CITY OF PALM BAY, FLORIDA

By: /s/ Suzanne Sherman

Acting City Manager

EXHIBIT A-1

TRUTH-IN-BONDING STATEMENT AND DISCLOSURE

In compliance with Section 218.385, Florida Statutes, as amended, the undersigned bidder submits the following Truth-In-Bonding Statement with respect to the City of Palm Bay, Florida General Obligation Bonds, Series 2021 (the "Bonds") (NOTE: For information purposes only and not a part of the bid):

The City of Palm Bay, Florida (the "Issuer") is proposing to issue \$50,000,000* of the Bonds for the purpose of financing certain improvements to roadways within the City. The Bonds are expected to be repaid over a period of approximately ____ years. At a forecasted interest rate of ____%, total interest paid over the life of the Bonds will be \$____.

The source of repayment or security for the Bonds is a pledge of the full faith and credit of the Issuer, as more fully described in the Preliminary Official Statement and Official Notice of Sale.

In compliance with Section 218.386, Florida Statutes, the undersigned, on behalf of itself and all other members of the underwriting group, if any, hereby certifies that neither it nor any member of the underwriting group have paid any "finder's fees" as defined in Section 218.386, Florida Statutes, or any bonus, fee or gratuity in connection with the sale of the Bonds, except as provided below:

Bidder's Name: _____

By: _____

Title: _____

Date: _____

* Preliminary, subject to change.

EXHIBIT A-2

CERTIFICATE WITH RESPECT TO "ISSUE PRICE"

The undersigned, on behalf of _____ ("_____"), hereby represents and warrants that it has an established industry reputation for underwriting new issuances of municipal bonds and certifies as set forth below with respect to the sale of the above-captioned obligations (the "Bonds").

[Alternate 1 - Competitive Safe Harbor Met]

[1. Reasonably Expected Initial Offering Price. (a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by _____ are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by _____ in formulating its bid to purchase the Bonds. Attached as Schedule B are true and correct copies of the bid provided by _____ to purchase the Bonds and the pricing wire or equivalent communication for the Bonds.

(b) _____ was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by _____ constituted a firm offer to purchase the Bonds.]

[Alternate 2 - Competitive Sale Requirements Not Met – General Rule to Apply]

[1. Sale of the Bonds. As of the date of this certificate, for each Maturity of the Bonds, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A. Each maturity of the Bonds of which at least 10% of such maturity has not yet been sold to the public (the "Unsold Bonds") is also identified in Schedule A. Attached as Schedule B are true and correct copies of the bid provided by _____ to purchase the Bonds, and the pricing wire or equivalent communication for the Bonds. _____ has and will comply with the requirements set forth under the heading "Establishment of Issue Price Certificate" in the Official Notice of Sale for the Bonds, including reporting on the sale prices of the Unsold Bonds after the date hereof as provided therein.]

2. Defined Terms. (a) *Issuer* means the City of Palm Bay, Florida.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is January __, 2021.

(e) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents _____'s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Certificate as to Arbitrage and Certain Other Tax Matters relating to the Bonds and with respect to compliance with the federal income tax rules affecting the Bonds, and by Nabors, Giblin & Nickerson, P.A. in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

By: _____
[Name]

Dated: _____, 2021

SCHEDULE 1
EXPECTED OFFERING PRICES
OR
PRICES OF SOLD AND UNSOLD BONDS

SCHEDULE 2

COPY OF UNDERWRITER'S BID AND PRICING WIRE

PRELIMINARY OFFICIAL STATEMENT DATED DECEMBER [23], 2020

NEW ISSUE - FULL BOOK-ENTRY

See "RATINGS" herein

In the opinion of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel, under existing statutes, regulations, rulings and court decisions, interest on the Bonds is (a) excluded from gross income for federal income tax purposes (except as described under the caption "TAX EXEMPTION" herein) and (b) not an item of tax preference for purposes of the federal alternative minimum tax. See "TAX EXEMPTION" herein.

\$50,000,000*

**CITY OF PALM BAY, FLORIDA
General Obligation Bonds, Series 2021**

Dated: Date of Delivery

Due: July 1, as shown on inside cover page

The City of Palm Bay, Florida (the "City") is issuing its General Obligation Bonds, Series 2021, in the principal amount of \$50,000,000* (the "Bonds") as fully registered bonds in denominations of \$5,000 and integral multiples thereof. Interest on the Bonds is due semiannually on each January 1 and July 1, commencing January 1, 2022, and such, subject to the provisions of the following paragraph, interest will be paid by check or draft of Zion Bancorporation, National Association, Denver, Colorado, as Paying Agent to the registered holders. In lieu of payment by check or draft, at the request and expense of a registered holder of \$1,000,000 or more in aggregate principal amount of Bonds, payment may be made by bank wire transfer. Principal of the Bonds is payable to the registered holders upon presentation, when due, at the designated corporate trust office of the Paying Agent.

Upon initial issuance, the Bonds will be registered in the name of and held by Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), an automated depository for securities and clearinghouse for securities transactions. So long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of, premium, if any, and interest on the Bonds will be mailed directly to DTC or its nominee, Cede & Co., which is to remit such payments to the DTC Participants (as defined herein), which in turn are to remit such payments to the Beneficial Owners (as defined herein) of the Bonds. See "DESCRIPTION OF THE BONDS - Book-Entry Only System" herein.

Certain of the Bonds are subject to redemption prior to their stated maturity as set forth herein.

The Bonds are being issued pursuant to Resolution No. 2018-63, adopted by the City on December 6, 2018, as supplemented by Resolution No. 2020-___ adopted on

December 17, 2020 (collectively, the "Resolution") for the purpose of (i) financing the acquisition and construction of roadway improvements within the City, and (ii) paying certain costs and expenses relating to the issuance of the Bonds.

The Bonds are general obligations of the City, which means that the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments. Provision will be included and made in the City's annual budget and tax levy for the levy of such taxes. Such ad valorem taxes will be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected.

The Bonds have been validated by a Final Judgment of the Circuit Court of the 18th Judicial Circuit in and for Brevard County, Florida. See "VALIDATION" herein.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The Bonds are offered when, as and if issued and received by the Underwriter, subject to the unqualified opinion on certain legal matters as to their issuance by Nabors, Giblin & Nickerson, P.A., Tampa, Florida, Bond Counsel. Certain legal matters will be passed on for the City by Patricia Smith, Esquire, City Attorney, and Bryant Miller Olive P.A., Orlando, Florida, Disclosure Counsel. Public Resources Advisory Group, Inc., St. Petersburg, Florida, is serving as financial advisor to the City. It is expected that the Bonds in definitive form will be available for delivery through the facilities of DTC in New York, New York on or about January 21, 2021.*

Electronic bids for the Bonds will be received through the Parity Electronic Bid Submission System as described in the Official Notice of Sale.

Dated: January __, 2021

*Preliminary, subject to change.

RED HERRING LANGUAGE:

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary

Official Statement constitute an offer to sell or a solicitation of an offer to buy, nor shall there be any sale of, the Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration, qualification or exemption under the securities laws of such jurisdiction. The City has deemed this Preliminary Official Statement "final," except for certain permitted omissions, within the contemplation of Rule 15c2-12 promulgated by the Securities and Exchange Commission.

\$50,000,000*
CITY OF PALM BAY, FLORIDA
General Obligation Bonds,
Series 2021

**MATURITIES, AMOUNTS, INTEREST RATES, PRICES, YIELDS
AND INITIAL CUSIP NUMBERS**

\$_____ * Serial Bonds

Maturity (July 1)*	Amount*	Interest Rate	Price	Yield	Initial CUSIP Number***
2022					
2023					
2024					
2025					
2026					
2027					
2028					
2029					
2030**					
2031**					
2032**					
2033**					
2034**					
2035**					
2036**					
2037**					
2038**					
2039**					
2040**					

\$_____ Term Bonds

\$_____ % Term Bonds due July 1, 20___; Yield – _____%; Price – _____;
Initial CUSIP No.: _____***

\$_____ % Term Bonds due July 1, 20___; Yield – _____%; Price – _____;
Initial CUSIP No.: _____***

* Preliminary, subject to change.

** Subject to term bond option as described in the Official Notice of Sale.

*** The City is not responsible for the use of CUSIP numbers, nor is a representation made as to their correctness. The CUSIP numbers are included solely for the convenience of the readers of this Official Statement.

CITY OF PALM BAY, FLORIDA

120 Malabar Road Southeast
Palm Bay, Florida 32907

City Council

Robert Medina, Mayor
Kenny Johnson, Deputy Mayor
Jeff Bailey
Randy Foster
Donny Felix

Acting City Manager

Suzanne Sherman

Finance Director

Yvonne A. McDonald, CGFO

City Clerk

Terese Jones

City Attorney

Patricia Smith, Esq.

Bond Counsel

Nabors, Giblin & Nickerson, P.A.
Tampa, Florida

Disclosure Counsel

Bryant Miller Olive P.A.
Orlando, Florida

Financial Advisor

Public Resources Advisory Group, Inc.
St. Petersburg, Florida

No dealer, broker, salesman or other person has been authorized by the City to give any information or to make any representations in connection with the Bonds other than as contained in this Official Statement, and, if given or made, such information or representations must not be relied upon as having been authorized by the City. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of the Bonds by any person in any jurisdiction in which it is unlawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained from the City, DTC and other sources which are believed to be reliable. The information and expressions of opinion stated herein are subject to change, and neither the delivery of this Official Statement nor any sale made hereunder shall create, under any circumstances, any implication that there has been no change in the matters described herein since the date hereof.

All summaries herein of documents and agreements are qualified in their entirety by reference to such documents and agreements, and all summaries herein of the Bonds are qualified in their entirety by reference to the form thereof included in the aforesaid documents and agreements.

References to website addresses presented in this Official Statement are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such websites and the information or links contained therein are not incorporated into, and are not part of, this Official Statement.

NO REGISTRATION STATEMENT RELATING TO THE BONDS HAS BEEN FILED WITH THE SECURITIES AND EXCHANGE COMMISSION (THE "SEC") OR WITH ANY STATE SECURITIES COMMISSION. IN MAKING ANY INVESTMENT DECISION, INVESTORS MUST RELY ON THEIR OWN EXAMINATIONS OF THE CITY AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THE BONDS HAVE NOT BEEN APPROVED OR DISAPPROVED BY THE SEC OR ANY STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. THE FOREGOING AUTHORITIES HAVE NOT PASSED UPON THE ACCURACY OR ADEQUACY OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY MAY BE A CRIMINAL OFFENSE.

CERTAIN STATEMENTS INCLUDED OR INCORPORATED BY REFERENCE IN THIS OFFICIAL STATEMENT CONSTITUTE "FORWARD LOOKING STATEMENTS." SUCH STATEMENTS GENERALLY ARE IDENTIFIABLE BY THE TERMINOLOGY USED, SUCH AS "PLAN," "EXPECT," "ESTIMATE," "BUDGET" OR OTHER SIMILAR WORDS. THE ACHIEVEMENT OF CERTAIN RESULTS OR OTHER EXPECTATIONS CONTAINED IN SUCH FORWARD LOOKING STATEMENTS INVOLVE KNOWN AND UNKNOWN RISKS, UNCERTAINTIES AND OTHER FACTORS THAT MAY CAUSE ACTUAL RESULTS, PERFORMANCE OR ACHIEVEMENTS DESCRIBED TO BE

MATERIALLY DIFFERENT FROM ANY FUTURE RESULTS, PERFORMANCE OR ACHIEVEMENTS EXPRESSED OR IMPLIED BY SUCH FORWARD LOOKING STATEMENTS. THE CITY DOES NOT PLAN TO ISSUE ANY UPDATES OR REVISIONS TO THOSE FORWARD LOOKING STATEMENTS IF OR WHEN ITS EXPECTATIONS OR EVENTS, CONDITIONS OR CIRCUMSTANCES ON WHICH SUCH STATEMENTS ARE BASED OCCUR, SUBJECT TO ANY CONTRACTUAL OR LEGAL RESPONSIBILITIES TO THE CONTRARY.

THIS OFFICIAL STATEMENT DOES NOT CONSTITUTE A CONTRACT BETWEEN THE CITY AND ANY ONE OR MORE OF THE OWNERS OF THE BONDS.

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OFFICIAL STATEMENT
relating to
\$50,000,000*
CITY OF PALM BAY, FLORIDA
General Obligation Bonds,
Series 2021

INTRODUCTION

The purpose of this Official Statement, which includes the cover page and appendices attached hereto, is to furnish information with respect to the issuance and sale by the City of Palm Bay, Florida (the "City") of \$50,000,000* aggregate principal amount of its General Obligation Bonds, Series 2021 (the "Bonds").

The Bonds are being issued under the authority of, and in full compliance with Chapter 166, Part II, Florida Statutes, Section 12, Article VII, of the Florida Constitution and other applicable provisions of law (collectively referred to as the "Act"), and pursuant to the terms and conditions of Resolution No. 2018-63, adopted by the City on December 6, 2018, as supplemented by Resolution No. 2020-__ adopted on December 17, 2020 (collectively, the "Resolution") for the purpose of (i) financing the acquisition and construction of roadway improvements within the City (the "Project"), and (ii) paying certain costs and expenses relating to the issuance of the Bonds.

An election was called pursuant to Resolution No. 2018-33, adopted on August 14, 2018 (the "Bond Referendum Resolution") and an election was held on November 6, 2018, whereby electors of the City approved the issuance of not exceeding \$150,000,000 of general obligation bonds of the City for the purpose of financing the cost of the Project, such bonds being payable from ad valorem taxes on all of the taxable property (excluding homestead exemptions and other exemptions as heretofore or hereafter provided by applicable law) within the City (the "Bond Referendum"). The Bond Referendum was duly held and conducted in all respects according to law, and a majority of electors casting a ballot voted in favor of the issuance of such bonds for such purpose.

The Bonds are general obligations of the City, which means that the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments. Provision will be included and made in the City's annual budget and tax levy for the levy of such taxes (the "Ad Valorem Taxes," as more particularly

*Preliminary, subject to change.

described herein). Such Ad Valorem Taxes will be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected. See "SECURITY FOR THE BONDS" herein.

The City has covenanted in the Resolution to provide certain continuing disclosure information pursuant to Rule 15c2-12 of the Securities and Exchange Commission relating to the Bonds. See "CONTINUING DISCLOSURE" herein.

Capitalized terms used but not defined herein have the same meaning as when used in the Resolution unless the context clearly indicates otherwise. The Resolution is included as "APPENDIX C –Resolution" attached hereto. The descriptions of the Bonds, the documents authorizing the same and securing the same, and the information from various reports and statements contained herein are not comprehensive or definitive. All references herein to such documents, reports and statements are qualified by the entire, actual content of such documents, reports and statements. Copies of such documents, reports and statements referred to herein that are not included in their entirety in this Official Statement may be obtained from the City at 120 Malabar Road Southeast, Palm Bay, Florida 32907, Attention: City Clerk. The attached Appendices are integral parts of the Official Statement and must be read together with all the statements contained herein.

THE CITY

The City of Palm Bay, Florida is incorporated as a city within the State of Florida and is located in southeastern Florida in Brevard County (the "County"). It encompasses an area of approximately 100 square miles with a population of approximately 115,000.

For additional information concerning the City, see "APPENDIX A – General Information Regarding the City of Palm Bay, Florida" attached hereto.

THE PROJECT

The "Project," will consist of financing the cost of acquisition and construction of roadway improvements within the City, as provided in the Bond Referendum Resolution and the Bond Referendum.

DESCRIPTION OF THE BONDS

Terms and Form

The Bonds will be dated their date of delivery, issuable in fully registered form in denominations of \$5,000 and integral multiples thereof, and will bear interest at the rates per annum, and mature on the dates and in the principal amounts, as set forth on the cover page of this Official Statement. Interest on the Bonds is payable semiannually on each January 1 and July 1 until maturity or redemption prior to maturity, commencing

January 1, 2022, by check or draft mailed to the persons in whose names such Bonds shall be registered on the registration books maintained by Zion Bancorporation, National Association, Denver, Colorado, the Paying Agent and Registrar, or any successor thereto, at the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding the month in which such interest payment is due. When due, the principal of the Bonds is payable upon presentation and surrender of the Bonds at the office of the Registrar. Notwithstanding the foregoing, payment of principal and interest on the Bonds will be governed under a book-entry system of registration with The Depository Trust Company. See " – Book-Entry Only System" herein.

Book-Entry Only System

THE FOLLOWING INFORMATION CONCERNING DTC AND DTC'S BOOK-ENTRY ONLY SYSTEM HAS BEEN OBTAINED FROM SOURCES THAT THE CITY BELIEVES TO BE RELIABLE, BUT THE CITY TAKES NO RESPONSIBILITY FOR THE ACCURACY THEREOF.

SO LONG AS CEDE & CO. IS THE REGISTERED OWNER OF THE BONDS, AS NOMINEE OF DTC, CERTAIN REFERENCES IN THIS OFFICIAL STATEMENT TO THE BONDHOLDERS OR REGISTERED OWNERS OF THE BONDS SHALL MEAN CEDE & CO. AND SHALL NOT MEAN THE BENEFICIAL OWNERS OF THE BONDS. THE DESCRIPTION WHICH FOLLOWS OF THE PROCEDURES AND RECORD KEEPING WITH RESPECT TO BENEFICIAL OWNERSHIP INTERESTS IN THE BONDS, PAYMENT OF INTEREST AND PRINCIPAL ON THE BONDS TO DIRECT PARTICIPANTS (AS HEREINAFTER DEFINED) OR BENEFICIAL OWNERS OF THE BONDS, CONFIRMATION AND TRANSFER OF BENEFICIAL OWNERSHIP INTERESTS IN THE BONDS, AND OTHER RELATED TRANSACTIONS BY AND BETWEEN DTC, THE DIRECT PARTICIPANTS AND BENEFICIAL OWNERS OF THE BONDS IS BASED SOLELY ON INFORMATION FURNISHED BY DTC. ACCORDINGLY, THE CITY DOES NOT MAKE ANY REPRESENTATIONS CONCERNING THESE MATTERS.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each maturity of the Bonds as set forth in the inside cover of this Official Statement, each in the aggregate principal amount of such maturity, and will be deposited with DTC.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a

"clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others, such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). The Direct Participants and the Indirect Participants are collectively referred to herein as the "DTC Participants." DTC has an S&P Global Inc. ("S&P") rating of AA+. The DTC Rules applicable to its DTC Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in the Bonds, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of the Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the

Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Bonds within a series or maturity of a series are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such series or maturity to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's MMI procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the City as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and dividend payments, as applicable, on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the City or the Registrar and Paying Agent on the payment date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC nor its nominee, the City, or the Registrar and Paying Agent, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions and dividend payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the City and/or the Registrar and Paying Agent, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the City or Paying Agent. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The City may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

No Assurance Regarding DTC Practices

The foregoing information in this section concerning DTC and DTC's book-entry system has been obtained from sources that the City believes to be reliable, but the City, the Underwriter and the Registrar take no responsibility for the accuracy thereof.

So long as Cede & Co. is the registered owner of the Bonds as nominee of DTC, references herein to the holders or registered owners of the Bonds will mean Cede & Co. and will not mean the Beneficial Owners of the Bonds.

Neither the City, the Registrar nor the Underwriter will have any responsibility or obligation to the Participants, DTC or the persons for whom they act with respect to (i) the accuracy of any records maintained by DTC or by any Direct or Indirect Participant of DTC, (ii) payments or the providing of notice to the Direct Participants, the Indirect Participants or the Beneficial Owners, (iii) the selection by DTC or by any Direct or Indirect Participant of any Beneficial Owner to receive payment in the event of a partial redemption of the Bonds or (iv) any other action taken by DTC or its partnership nominee as owner of the Bonds.

Registration, Transfer and Exchange

Subject to the provisions described above under "–Book Entry-Only System" while the Bonds are held under a book entry system of registration, the Bonds will be and have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code – Investment Securities Laws of the State of Florida, subject to the DTC Book Entry-Only System and to the provisions for registration, exchange and transfer contained in the Resolution and in the Bonds. The Bonds will be transferable only upon the registration books maintained for such purpose at the corporate trust office of the Registrar. So long as any of the Bonds remain outstanding, the Registrar must maintain and keep books for the registration of the Bonds.

All Bonds presented for transfer, exchange, or payment (if so required by the City or the Registrar) must be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and with guaranty of signature satisfactory to the City or the Registrar, duly executed by the Registered Owner or by his or her duly authorized attorney.

The Registrar or the City may require payment from the Registered Owner or transferee of a sum sufficient to cover any tax, fee or other governmental charge that may

be imposed in connection with any exchange or transfer of the Bonds. Such charges and expenses shall be paid before any new Bonds shall be delivered.

The Registrar is not required to issue, transfer or exchange any Bonds between the Record Date and the related Interest Payment Date on such Bonds or, in the case of any proposed redemption of Bonds, after any such Bonds or any portion thereof has been selected for redemption.

New Bonds delivered upon any transfer or exchange will be valid obligations of the City, evidencing the same debt as the Bonds surrendered, will be secured by the Resolution, and will be entitled to all of the security and benefits of the Resolution to the same extent as the Bonds surrendered.

The City and the Registrar may treat the Registered Owner of any Bond as the absolute owner thereof for all purposes, whether or not such Bond is overdue, and will not be bound by any notice to the contrary.

Redemption Provisions

The Bonds are subject to redemption prior to their stated dates of maturity as follows:

Optional Redemption.

The Bonds are subject to redemption at the option of the City prior to their stated dates of maturity, on or after July 1, 2031, in whole or in part at any time, at a redemption price equal to the principal amount to be redeemed plus accrued interest to the Redemption Date.

Mandatory Redemption.

The Term Bonds maturing on July 1, 20__ are to be retired from amounts credited monthly to the Debt Service Fund as mandatory Amortization Installments, which amounts are required to be sufficient to retire by July 1 of each year the principal amount of such Bonds set forth in the table below:

20__ Term Bonds

Year

Principal Amount

*Final Maturity

Provisions for Redemption.

Notice of redemption will be mailed first class, postage prepaid, by the Registrar on behalf of the City, not less than thirty (30) nor more than sixty (60) days prior to the redemption date to the registered Holder of each Bond to be redeemed at the address shown on the registration books as of the fifth (5th) business day prior to such mailing. Failure to give any such notice by mailing as aforesaid or any defect therein, will not affect the validity of any proceedings for the redemption of Bonds as to Holders for which no such failure or defect has occurred.

Any such notice of redemption and the redemption of Bonds pursuant thereto may be conditioned upon the deposit with the Paying Agent on or prior to the date set for such redemption of funds sufficient to effect such redemption on the designated date.

For purposes of any redemption of less than all of the Outstanding Bonds of a single maturity, the particular Bonds or portions of Bonds to be redeemed will be selected not more than sixty (60) days prior to the redemption date by the Registrar, from the Outstanding Bonds of the maturity or maturities designated by the City by such method as the Registrar will deem fair and appropriate and which may provide for the selection for redemption of Bonds or portions of Bonds in principal amounts of \$5,000 and integral multiples thereof. If less than all of the Outstanding Bonds of a single maturity are to be redeemed, the Registrar will promptly notify the City and Paying Agent in writing of the Bonds or portions of Bonds selected for redemption and, in the case of any Bond selected for partial redemption, the principal amount thereof to be redeemed.

Notice of redemption having been given substantially as aforesaid, the Bonds or portions of Bonds so to be redeemed will, on the redemption date, become due and payable at the Redemption Price therein specified, and from and after such date (unless the City will default in the payment thereof) such Bonds or portions of Bonds will cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds will be paid by the Paying Agent at the Redemption Price, plus accrued interest, if any. Each check or other transfer of funds issued by the Paying Agent for the purpose of the payment of the Bonds being redeemed will bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer. Installments of interest due on or prior to the redemption date will be payable as provided in the Resolution for payment of interest. All Bonds which have been redeemed will be transferred to the Registrar, who will cancel and destroy such Bonds and who will furnish a certificate of such destruction to the City.

Any Bond which is to be redeemed only in part will be surrendered at any place of payment specified in the notice of redemption (with due endorsement by, or written

instrument of transfer in form satisfactory to the Registrar duly executed by the Holder thereof or his attorney duly authorized in writing) and the City will execute and cause to be authenticated, if necessary, and delivered to the Holder of such Bond without service charge, a new Bond or Bonds, of any authorized denomination as requested by such Holder in an aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bonds so surrendered.

SECURITY FOR THE BONDS

Pledge of Ad Valorem Taxes

On November 6, 2018, a majority of the electors voting at a referendum within the City approved the issuance of general obligation bonds in a principal amount of not exceeding \$150,000,000 for purposes of improving local roadways. This is the second issue of bonds pursuant to such authorization. On July 25, 2019, the City issued its \$50,000,000 General Obligation Bonds, Series 2019 (the "Series 2019 Bonds"), \$48,345,000 of which are currently outstanding.

Pursuant to the Resolution, the ad valorem taxing power of the City is pledged for the full and prompt payment of the principal of, redemption premium, if any, and interest on the Bonds. A direct annual tax, without limitation as to rate or amount, will be levied upon all taxable property within the City to make such payments (the "Ad Valorem Taxes"). See "AD VALOREM TAXATION" herein.

Provision will be included and made in the City's annual budget and tax levy for the levy of the Ad Valorem Taxes. Whenever the City shall, in any year, have irrevocably deposited in the Debt Service Fund for the Bonds any moneys derived from sources other than the aforementioned property tax, said property tax may be correspondingly diminished; but any such diminution must leave available an amount of such taxes, after allowance for anticipated delinquencies in collection, fully sufficient, with such moneys so deposited from other sources, to assure the prompt payment of the principal of, redemption premium, if any, and interest on the Bonds falling due prior to the time that the proceeds of the next annual property tax levy will be available. Such Ad Valorem Taxes shall be levied and collected at the same time, and in the same manner, as other ad valorem taxes of the City are assessed, levied and collected. Pursuant to the Resolution, the City has irrevocably pledged such Ad Valorem Taxes to the payment of the Bonds. See "APPENDIX A – GENERAL INFORMATION REGARDING THE CITY OF PALM BAY, FLORIDA", for additional information, including property tax levies and collections and the assessed value of taxable property within the City.

Debt Service Fund. The City has covenanted and agreed to establish a special fund to be designated the "Debt Service Fund." All Ad Valorem Taxes levied and collected as provided in the Resolution will be deposited into the Debt Service Fund.

Moneys in the Debt Service Fund will be disbursed for (i) the payment of the interest on the Bonds as such interest falls due, (ii) the payment of the principal of the Serial Bonds at their respective maturities, (iii) the payment of the Amortization Installments of the Term Bonds as the same shall become due, and (iv) the payment of the necessary charges for paying Bonds and interest thereon and for all other services relating to the investment of funds established under the Resolution or relating to the Rebate Fund. The City, in its discretion, may use moneys in the Debt Service Fund to purchase or redeem Bonds coming due on the next principal payment date, provided such purchase or redemption does not adversely affect the City's ability to pay the principal or interest coming due on such principal payment date on the Bonds not so purchased or redeemed.

Project Fund. The City has covenanted and agreed in the Resolution to establish a special fund to be designated "Project Fund". The City is required to deposit certain of the funds from the proceeds of the sale of the Bonds into the Project Fund which shall be used only for payment of the Costs of the Project. Moneys in the Project Fund, until applied in payment of any item of the Costs of the Project in the manner provided in the Resolution, will be held in trust by the City and are subject to a lien and charge in favor of the Holders of the Bonds and for the further security of such Holders. Promptly after the date of the completion of the Project, and after paying or making provisions for the payment of all unpaid items of the Cost of the Project, the City will deposit any balance of moneys remaining in the Project Fund into the Debt Service Fund and redeem or purchase Bonds at the earliest possible date, or, provided the City has first received an opinion of Bond Counsel to the effect that such use shall not cause interest on the Bonds to be included in gross income for purposes of federal income taxation or be in violation of the Act, such moneys may be used in such other manner as shall be determined by the City.

Investments. The Project Fund and the Debt Service Fund shall be trust funds for the purposes provided in the Resolution and are subject to a lien and charge in favor of the Holders of the Bonds and for the further security for such Holders. Such Funds will be continuously secured in the manner by which the deposit of public funds are authorized to be secured by the laws of the State of Florida. Moneys on deposit in the Project Fund and the Debt Service Fund may be invested and reinvested, to the extent lawful, in Authorized Investments maturing not later than the date on which the moneys therein will be needed. Any and all income received by the City from the investment of moneys in the Project Fund and in the Debt Service Fund will be retained in such respective fund.

Separate Accounts. The moneys required to be accounted for in each of the foregoing funds established in the Resolution may be deposited in a single bank account, and funds allocated to the various funds established in the Resolution may be invested in a common investment pool, provided that adequate accounting records are maintained

to reflect and control the restricted allocation of the moneys on deposit therein and such investments for the various purposes of such funds as provided in the Resolution.

No Reserve Funding

The City has not established a reserve fund or account under the Resolution to secure the Bonds.

AD VALOREM TAXATION

Procedure for Property Assessment

General. Ad valorem taxes may be levied only by counties, school districts, municipalities and certain special districts (railroad properties are centrally assessed at the State level). No State ad valorem taxes are levied upon real estate or tangible personal property. State law requires that all ad valorem taxation be assessed at a uniform rate within each taxing unit and, with certain exceptions, that real and personal property subject to ad valorem taxation be assessed at 100% of its just value. See "*Limitation on Increase in Assessed Value of Property*" below. The following property is generally subject to taxation in the manner provided by law: (1) all real and personal property in the State and all personal property belonging to persons residing in the State; and (2) all leasehold interests in property of the United States, of the State, or any political subdivision, municipality, agency, authority, or other public body corporate of the State. Pursuant to the State Constitution and State law, certain of such property may be exempt from ad valorem taxation. See "- Exemptions from Ad Valorem Taxation" below.

The City is located in southeastern Florida in the County. Taxpayers pay ad valorem taxes to the County. Ad valorem taxes are collected by the County and then distributed to the City. See "- Tax Collection and Distribution by County Tax Collector" below.

Determination of Property Valuation. The Property Appraiser of the County (the "Property Appraiser") determines property valuation on real and tangible personal property subject to ad valorem taxation as of January 1 of each year. By July 1 of each year, the Property Appraiser notifies the County, each municipality, and each other legally constituted special taxing district as to its just valuation, the legal adjustments and exemptions, and the taxable valuation. The taxable valuation is then used by each taxing body to calculate its ad valorem millage for the budget year. See "- Millage Set by Local Governing Body" and "*Limitation on Increase in Assessed Value of Property*" below for limitations on increases in assessed value of property.

Limitation on Increase in Assessed Value of Property. The State Constitution limits the increases in assessed just value of homestead property to the lower of (1) three

percent of the assessment for the prior year or (2) the percentage change in the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967=100, or successor reports for the preceding calendar year as initially reported by the United States Department of Labor, Bureau of Labor Statistics. The accumulated difference between the assessed value and the just value is known as the "Save Our Homes Benefit." Further, any change of ownership of homestead property or upon termination of homestead status such property shall be reassessed at just value as of January 1 of the year following the year of sale or change of status; new homestead property shall be assessed at just value as of January 1 of the year following the establishment of the homestead; and changes, additions, reductions or improvements to the homestead shall initially be assessed as provided for by general law.

Owners of homestead property may transfer up to \$500,000 of their Save Our Homes Benefit to a new homestead property purchased within two years of the sale of their previous homestead property to which such benefit applied if the just value of the new homestead is greater than or is equal to the just value of the prior homestead. If the just value of the new homestead is less than the just value of the prior homestead, then owners of homestead property may transfer a proportional amount of their Save Our Homes Benefit, such proportional amount equaling the just value of the new homestead divided by the just value of the prior homestead multiplied by the assessed value of the prior homestead.

For all levies other than school district levies, assessment increases for specified nonhomestead real property may not exceed ten percent (10%) of the assessment for the prior year. See "Legislation Relating to Ad Valorem Taxation - *Recent Amendments Relating to Ad Valorem Taxation*" below.

Preparation of Tax Roll. The Property Appraiser applies the final certified millage of each taxing body to the assessed valuation on each item of real and tangible personal property, and prepares the final tax roll which is certified to the County Tax Collector (the "Tax Collector") by October 1. This permits the printing of tax bills for delivery on November 1 of each year. The tax bills contain all of the overlapping and underlying millages set by the various taxing bodies. All ad valorem taxes are collected by the Tax Collector and distributed to the various taxing bodies. See "- Tax Collection and Distribution by County Tax Collector" below.

Appealing Property Valuation. Concurrently with notification to the various taxing bodies, the Property Appraiser notifies each property owner of the proposed valuation and the proposed millage on his or her property. If the individual property owner believes that his or her property has not been appraised at just value, the owner may (1) request an informal conference with the Property Appraiser to resolve the issue, or (2) file a petition with the clerk of the County value adjustment board (the "Adjustment Board"), or

(3) appeal to the Circuit Court within 60 days of the certification for collection of the tax roll or within 60 days of the issuance of a final decision by the Adjustment Board. A petition to the Adjustment Board must be signed by the taxpayer or be accompanied at the time of filing by the taxpayer's written authorization for representation by a qualified person. A taxpayer receives notice of the hearing and is required to provide the Property Appraiser with a list of evidence, copies of documentation, and summaries of testimony prior to the hearing before the Adjustment Board. The Adjustment Board holds public hearings on such petitions and may make adjustments to the valuations made by the Property Appraiser if such valuations are found not to be fair and at market value. The Adjustment Board must complete all required hearings and certify its decision with regard to all petitions and certify to the Property Appraiser the valuation to be used by June 1 following the tax year in which the assessments were made. The June 1 requirement shall be extended until December 1 in each year in which the number of petitions filed with the Adjustment Board increased by more than 10 percent over the previous year. These changes are then made to the final tax roll.

Property owners appealing the assessed value or assigned classification of their property must make a required partial payment of taxes (generally equal to 75% of the ad valorem taxes due, less the applicable statutory discount, if any) with respect to the properties that will have a petition pending on or after the delinquency date (normally April 1). A property owner's failure to make the required partial payment before the delinquency date will result in the denial of the property owner's petition.

Millage Set by Local Governing Body

General. The State Constitution provides that ad valorem taxes, exclusive of taxes levied for the payment of voter-approved general obligation bonds (such as the Bonds), shall not be levied in excess of the following millages upon the assessed value of real estate and tangible personal property: for all county purposes, ten mills; for all municipal purposes, ten mills; for all school purposes, ten mills; for water management purposes for the northwest portion of the state lying west of the line between ranges two and three east, 0.05 mill; for water management purposes for the remaining portions of the state, 1.0 mill; and for all other special districts a millage authorized by law approved by voters. There is no limit under the Florida Constitution or statutory law on the amount of ad valorem taxes a local government may levy for the payment of debt service on voter-approved general obligation bonds (such as the Bonds).

As described above, the Property Appraiser is required to certify to each taxing authority the aggregate taxable value of all non-exempt property within the jurisdiction of the taxing authority, as well as the prior year's tax revenues, for use in connection with the determination of the forthcoming budget and millage levy. The form on which such certification is made by the Property Appraiser is required to include instructions to each

taxing authority describing the proper method of computing a millage rate, which, exclusive of new construction, additions to structures, deletions and property added due to geographic boundary changes, will provide the same ad valorem tax revenues for each taxing authority as was levied during the prior fiscal year. See "- *Millage Rollback Legislation*" below.

Each respective millage rate, except as limited by law, is set on the basis of estimates of revenue needs and the total taxable property valuation within the taxing authority's respective jurisdiction. Ad valorem taxes are not levied in excess of actual budget requirements. By law, budget expenditures cannot exceed 95% of estimated revenues except for cash carry forward amounts. In adopting an annual budget, the taxing authority must first adopt tentative millage rates within 35 days of receipt from the Property Appraiser of the preliminary certificate of taxable value. A notice of the impact of the tentative millage rates adopted by each taxing authority on the proposed tax statement for each taxpayer is then mailed to each individual taxpayer. Next, the taxing authority must hold a public hearing to adopt a tentative budget with the tentative millage rate. A second public hearing is held to adopt a final budget and millage rate.

Millage Rollback Legislation. In 2007, the State Legislature adopted a property tax plan which significantly impacted ad valorem tax collections for State local governments (the "Millage Rollback Legislation"). One component of the Millage Rollback Legislation required counties, cities and special districts to roll back their millage rates for the 2007-2008 fiscal year to a level that, with certain adjustments and exceptions, would generate the same level of ad valorem tax revenue as in fiscal year 2006-2007; provided, however, depending upon the relative growth of each local government's own ad valorem tax revenues from 2001 to 2006, such rolled back millage rates were determined after first reducing 2006-2007 ad valorem tax revenues by zero to nine percent (0% to 9%). In addition, the Rollback Legislation also limited how much the aggregate amount of ad valorem tax revenues may increase in future fiscal years. A local government may override certain portions of these requirements by a supermajority, and for certain requirements, a unanimous vote of its governing body.

Truth in Millage. The governing bodies of taxing authorities are required to fix the millage rate and assess all property at one hundred percent (100%) of its just value. Section 200.071, Florida Statutes, and Section 200.091, Florida Statutes, prohibit the millage for taxing authorities from being set by referendum, except as provided in the State Constitution.

City Charter Limitation on Increase in Millage. In 2016, the electors of the City approved an amendment to the City Charter preventing the City Council from imposing an ad valorem tax for City purposes at a millage rate which causes the budgeted revenue therefrom to increase over the budgeted ad valorem revenue for the previous fiscal year

by more than 3%. However, the City Council may impose an ad valorem tax rate for City purposes at a rate which exceeds such limitation if a supermajority of the City Council concurs in a finding that such an excess is necessary because of emergency or critical need.

In calculating the allowable increase in ad valorem revenues over the ad valorem revenues for the previous year, the City Council shall exclude all revenue changes from the following kinds of property not appearing on the previous year's roll: (a) new construction; (b) additions to or demolitions in whole or in part of existing construction; and (c) changes in the value of improvements that have undergone renovation to the extent of not less than 100% increase in assessed value (as measured from the last year of assessment prior to commencement of renovation).

This limitation does not apply to any millage necessary to the payment of general obligation bonds in accordance with all bond covenants or to any other millage approved by referendum of the electors, whether before or after the effective of date of such amendment, including the Bonds, the Series 2019 Bonds and the Ad Valorem Taxes.

Tax Collection and Distribution by County Tax Collector

General. All real and tangible personal property taxes are based on assessed values as certified and delivered to the Tax Collector by the Property Appraiser as described above. The Tax Collector mails to each property owner on the tax roll a tax bill for the taxes levied by the various taxing authorities in the County. Taxes may be paid upon receipt of such notice with discounts at the rate of four percent (4%) if paid in the month of November, three percent (3%) if paid in the month of December, two percent (2%) if paid in the month of January and one percent (1%) if paid in the month of February. Taxes paid during the month of March are without discount. Because several taxpayers pay taxes in the months where a discount is applicable, taxes collected will likely never be 100% of the tax levy.

The Tax Collector is required to distribute the taxes collected to each governmental unit levying the tax. Such distribution is to be made four times during the first two months after the tax roll comes into its possession, and once per month thereafter.

Delinquent Taxes. Delinquent real property taxes bear interest at the rate of 18% per year from April 1 until a tax certificate is sold at auction, from which time the interest rate shall be as bid by the buyer of the tax certificate. Delinquent tangible personal property taxes also bear interest at the rate of 18% per year from April 1 until paid. Delinquent personal property taxes must be advertised within 45 days after delinquency, and after May 1, the property is subject to warrant, levy, seizure and sale.

Tax Certificates and Tax Deeds. On or before June 1 or the sixtieth day after the date of delinquency, whichever is later, the Tax Collector must advertise once each week for three weeks and must sell tax certificates on all real property that is the subject of delinquent taxes. The tax certificates are sold to those bidding the lowest interest rate. Such certificates include the amount of delinquent taxes, the penalty interest accrued thereon and the cost of advertising. Delinquent tax certificates not sold at auction become the property of the County. State law provides that real property tax liens and certain other governmental charges and assessments liens are superior to all other liens, except prior Internal Revenue Service liens.

To redeem a tax certificate, the owner of the property must pay all delinquent taxes, the interest that accrued prior to the date of the sale of the tax certificate, charges incurred in connection with the sale of the tax certificate, omitted taxes, if any, and interest at the rate shown on the tax certificate (or interest at the rate of 5%, whichever is higher) from the date of the sale of the tax certificate to the date of redemption. If such tax certificates or liens are not redeemed by the property owner within two years, the holder of the tax certificates can cause the property to be sold to pay off the outstanding certificates and the interest thereon.

At any time after two years have elapsed since April 1 of the year of the issuance of a tax certificate and before the expiration of seven years, the holder of the tax certificate may apply for a tax deed with respect to any tax certificate it holds. Two years after such April 1, the County may make application for a tax deed with respect to any tax certificate it holds. Upon receipt of such applications, a public sale is advertised and held (unless the property is redeemed), and the highest bidder at such sale receives a tax deed for the property. Provisions are also made for the collection of delinquent tangible personal property taxes, but in a different manner which includes the possible seizure of the tangible personal property.

Redemption of Land by Owners. To redeem a tax certificate, the owner of the property must pay all delinquent taxes, the interest that accrued prior to the date of the sale of the tax certificate, charges incurred in connection with the sale of the tax certificate, omitted taxes, if any, and interest at the rate shown on the tax certificate (or interest at the rate of 5%, whichever is higher) from the date of the sale of the tax certificate to the date of redemption. If such tax certificates or liens are not redeemed by the property owner within two years, the holder of the tax certificates can cause the property to be sold to pay off the outstanding certificates and the interest thereon. Provisions are also made for the collection of delinquent tangible personal property taxes, but in a different manner which includes the possible seizure of the tangible personal property.

Disposition of Tax Collections. Upon receipt, the monies representing debt service are to be credited to the Debt Service Fund, a special accounting fund created and

maintained pursuant to the Resolution. Debt service millage over and above millage limitations fixed by the State Constitution is authorized only for the payment of general obligation bonds (such as the Bonds), and any diversion of such tax collections to a purpose other than payment of the voted general obligation bonds would violate the State Constitution. Consistent with the above, the Resolution provides that the proceeds of all such taxes levied for the payment of the principal of and interest on the Bonds shall be deposited by the City in the Debt Service Fund and used solely for the payment of principal and interest on the Bonds.

Exemptions from Ad Valorem Taxation

General. State law provides for numerous exemptions and limitations on ad valorem taxation of real property and tangible personal property. Real property used for the following purposes is generally exempt from ad valorem taxation: religious, educational, literary, charitable, scientific, and governmental uses. Certain additional exemptions and limitations are described below. This description does not purport to describe all exemptions available to property owners in the State, and reference is made to the State Constitution and Chapter 196, Florida Statutes, for a full description of such exemptions. In addition, State law allows for, but does not mandate, the imposition of some exemptions by local governments by ordinance. Where applicable, it is noted where the City has imposed such optional exemptions or limitations. Certain recent amendments to existing provisions relating to ad valorem tax exemptions are described under "Legislation Regarding Ad Valorem Taxes - *Recent Amendments Relating to Ad Valorem Taxation*" below.

Constitutional Exemptions.

Exempt Entities/Exempt Purposes. The State Constitution provides that all property owned by a municipality and used exclusively by it for municipal or public purposes shall be exempt from taxation. A municipality, owning property outside the municipality, may be required by general law to make payment to the taxing unit in which the property is located. Such portions of property as are used predominantly for educational, literary, scientific, religious or charitable purposes (exempt purposes) may be exempted by general law from taxation. State law provides that all property owned by an exempt entity, including educational institutions, and used *exclusively* for exempt purposes shall be totally exempt from ad valorem taxation and all property owned by an exempt entity, including educational institutions, and used *predominantly* for exempt purposes (at least 50%) shall be exempted from ad valorem taxation to the extent of the ratio that such predominant use bears to the nonexempt use.

Household Goods and Personal Effects. The State Constitution provides that there shall be exempt from taxation, cumulatively, to every head of a family residing in the State, household goods and personal effects to the value fixed by general law, not

less than one thousand dollars and to every widow or widower or person who is blind or totally and permanently disabled, property not less than five hundred dollars. State law exempts from taxation to every person residing and making his or her permanent home in the State, all household goods and personal effects and exempt property up to the value of \$500 of every widow, widower, blind person, or totally and permanently disabled person who is a resident of the State.

Economic Development. The State Constitution provides that any county or municipality may, for the purpose of its respective tax levy and subject to the State Constitution and general law, grant community and economic development ad valorem tax exemptions to new businesses and expansions of existing businesses, as defined by general law. Such an exemption may be granted only by ordinance of the county or municipality, and only after the electors of the county or municipality voting on such question in a referendum authorize the county or municipality to adopt such ordinance. An exemption so granted shall apply to improvements to real property made by or for the use of a new business and improvements to real property related to the expansion of an existing business and shall also apply to tangible personal property of such new business and tangible personal property related to the expansion of an existing business. The amount or limits of the amount of such exemption shall be specified by general law (up to 100% in certain circumstances) and the period of time for which such exemption may be granted to a new business or expansion of an existing business shall be determined by general law. State law provides that the authority to grant such exemption shall expire ten years from the date of approval by the electors of the county or municipality, and may be renewable by referendum as provided by general law and that exemptions may be granted for up to 10 or 20 years depending on the use of the applicable facility. This exemption does not apply to the levy of taxes for the payment of bonds (such as the Bonds). The City has not enacted an ordinance granting the exemption described in this paragraph.

Historic Preservation. The State Constitution provides that any county or municipality may, for the purpose of its respective tax levy and subject to the provisions of the State Constitution and general law, grant historic preservation ad valorem tax exemptions to owners of historic properties. This exemption may be granted only by ordinance of the county or municipality. The amount or limits of the amount of this exemption and the requirements for eligible properties must be specified by general law. State law provides that such exemption may be for an amount up to 50% of the assessed value of the property. The period of time for which this exemption may be granted may continue until the ordinance is repealed or the property no longer qualifies for the exemption. This exemption does not apply to the levy of taxes for the payment of bonds (such as the Bonds). The City has not enacted an ordinance granting the exemption described in this paragraph.

Tangible Personal Property and Solar Devices. The State Constitution provides that by general law and subject to conditions specified therein, \$25,000 of the assessed value of property subject to tangible personal property tax shall be exempt from ad valorem taxation. Effective January 1, 2018 through December 31, 2037, the assessed value of solar devices or renewable energy source devices subject to tangible personal property tax may be exempt from ad valorem taxation, subject to limitations provided by general law.

Property Dedicated In Perpetuity for Conservation. The State Constitution provides that there shall be granted an ad valorem tax exemption for certain real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

Homestead Exemption. In addition to the exemptions described above, the State Constitution also provides for a homestead exemption. Every person who has the legal title or beneficial title in equity to real property in the State and who resides thereon and in good faith makes the same his or her permanent residence or the permanent residence of others legally or naturally dependent upon such person is eligible to receive a homestead exemption of up to \$50,000. The first \$25,000 applies to all property taxes, including school district taxes. The additional exemption, up to \$25,000, applicable to the assessed value of the property between \$50,000 and \$75,000, applies to all levies other than school district levies. A person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit in another state where permanent residency, or residency of another legally or naturally dependent upon the owner, is required as a basis for the granting of that ad valorem tax exemption or tax credit is not entitled to the homestead exemption. In addition to the general homestead exemption described in this paragraph, the following additional homestead exemptions are authorized by State law.

Certain Persons 65 or Older. A board of county commissioners or the governing authority of any municipality may adopt an ordinance to allow an additional homestead exemption equal to (i) of up to \$50,000 for persons age 65 or older with household income that does not exceed the statutory income limitation of \$20,000 (as increased by the percentage increase in the average cost of living index each year since 2001) or (ii) the assessed value of the property with a just value less than \$250,000, as determined the first tax year that the owner applies and is approved, for any person 65 or older who has maintained the residence as his or her permanent residence for not less than 25 years and whose household income does not exceed the statutory income. The City enacted ordinance No. 2018-7 on November 7, 2018, granting the exemption described in this paragraph. In addition, veterans 65 or older who are partially or totally permanently disabled may receive a discount from tax on homestead property if the disability was combat related and the veteran was honorably discharged upon separation from military

service. The discount is a percentage equal to the percentage of the veteran's permanent, service-connected disability as determined by the United States Department of Veteran's Affairs.

Deployed Military Personnel. The State Constitution provides that by general law and subject to certain conditions specified therein, each person who receives a homestead exemption; who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard; and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year. During the 2018 legislative session, the statutory list of military operations eligible for the exemption was updated to remove certain operations.

Certain Active Duty Military and Veterans. A military veteran who was honorably discharged, is a resident of the State, and who is disabled to a degree of 10% or more because of misfortune or while serving during wartime may be entitled to a \$5,000 reduction in the assessed value of his or her property. This exemption is not limited to homestead property. A military veteran who was honorably discharged with a service-related total and permanent disability may be eligible for a total exemption from taxes on homestead property. A similar exemption is available to disabled veterans confined to wheelchairs. Under certain circumstances, the veteran's surviving spouse may be entitled to carry over these exemptions. During the 2018 legislative session, the five-year limitation on the veteran's surviving spouse's eligibility to receive the tax exemption was removed.

Certain Totally and Permanently Disabled Persons. Real estate used and owned as a homestead by a quadriplegic, less any portion used for commercial purposes, is exempt from all ad valorem taxation. Real estate used and owned as a homestead by a paraplegic, hemiplegic, or other totally and permanently disabled person, who must use a wheelchair for mobility or who is legally blind, is exempt from taxation if the gross household income is below statutory limits.

Survivors of First Responders. Any real estate that is owned and used as a homestead by the surviving spouse of a first responder (law enforcement officer, correctional officer, firefighter, emergency medical technician or paramedic), who died in the line of duty may be granted a total exemption on homestead property if the first

responder and his or her surviving spouse were permanent residents of the State on January 1 of the year in which the first responder died.

Other Exemptions. Other exemptions include, but are not limited to, nonprofit homes for the aged (subject to income limits for residents), proprietary continuing care facilities, not for profit sewer water/wastewater systems, certain hospital facilities and nursing homes for special services, charter schools, certain historic property used for commercial purposes and certain tangible personal property.

Legislation Relating to Ad Valorem Taxation

Recent Amendments Relating to Ad Valorem Taxation. In the 2016 legislative session, several amendments were passed affecting ad valorem taxation, including classification of agricultural lands during periods of eradication or quarantine, deleting requirements that conservation easements be renewed annually, providing that just value of real property shall be determined in the first tax year for income restricted persons age 65 or older who have maintained such property as their permanent residence for at least 25 years, authorizing a first responder who is totally and permanently disabled as a result of injuries sustained in the line of duty to receive relief from ad valorem taxes assessed on homestead property, revising procedures with respect to assessments, hearings and notifications by the value adjustment board, and revising the interest rate on unpaid ad valorem taxes.

Future Amendments Relating to Ad Valorem Taxation. Historically, various legislative proposals and constitutional amendments relating to ad valorem taxation have been introduced in each session of the State legislature. Many of these proposals have provided for new or increased exemptions to ad valorem taxation and limited increases in assessed valuation of certain types of property or otherwise restricted the ability of local governments in the State to levy ad valorem taxes at current levels. There can be no assurance that similar or additional legislative or other proposals will not be introduced or enacted in the future that would have a material adverse effect upon the collection of ad valorem taxes by the City, the City's finances in general or the City's ad valorem taxing power.

Assessed Value and Property Tax Levies and Collection

The following three tables show the historical Assessed Value and Estimated Actual Value of Taxable Property, Property Tax Levies and Collections, and the Property Tax Rates - Direct and Overlapping Governments of the City.

Assessed Value and Estimated Actual Value of Taxable Property

Fiscal Year Ended Sept. 30	Centrally Assessed	Real Property	Personal Property	Total Estimated Actual Value	Less: Tax Exempt Property	Total Taxable Assessed Value	Total Direct Tax Rate
2020	\$4,432,723	\$8,101,501,430	\$319,025,182	\$8,424,959,335	\$4,039,232,345	\$4,385,716,990	8.9675
2019	4,439,296	7,351,414,300	307,274,133	7,663,127,729	3,675,352,667	3,987,775,062	8.4500
2018	4,286,855	6,557,914,630	292,093,163	6,854,294,648	3,257,123,697	3,597,170,951	8.4500
2017	4,043,730	5,826,201,100	302,075,674	6,132,320,504	2,864,512,704	3,267,807,800	8.4500
2016	3,680,327	5,004,843,870	285,414,593	5,293,938,790	2,325,206,127	2,968,732,663	8.5000
2015	2,770,508	4,482,050,210	305,316,609	4,790,137,327	1,994,187,604	2,794,652,213	8.6326
2014	2,339,055	3,974,742,930	302,825,423	4,279,907,408	1,640,796,077	2,639,111,331	8.6326
2013	2,845,608	3,742,718,710	299,963,912	4,045,528,230	1,531,359,937	2,514,168,293	9.0000
2012	3,045,632	3,881,723,920	267,824,965	4,152,594,517	1,565,788,444	2,586,806,073	9.0000
2011	2,922,219	4,807,504,670	312,268,802	5,122,695,691	1,787,027,471	3,335,668,220	7.5000
2010	3,242,757	5,803,424,830	350,996,460	6,157,664,047	2,099,481,373	4,058,182,674	6.8165

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019; City of Palm Bay for 2020.

Property Tax Levies and Collections

Fiscal Year Ended Sept. 30	Total Tax Levy for Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
		Amount	% of Levy		Amount	% of levy
2019	\$33,696,699	\$32,987,945	97.9%	\$ 93,814	\$33,081,759	98.2%
2018	30,396,095	29,713,617	97.8	179,673	29,893,290	98.3
2017	27,612,976	26,938,819	97.6	111,738	27,050,557	98.0
2016	25,234,228	24,629,466	97.6	99,651	24,729,117	98.0
2015	24,125,115	23,528,650	97.5	128,673	23,657,323	98.1
2014	22,782,392	22,130,096	97.1	127,699	22,257,795	97.7
2013	22,627,515	21,817,153	96.4	430,539	22,247,692	98.3
2012	23,281,255	22,608,173	97.1	151,563	22,759,737	97.8
2011	25,017,512	24,376,725	97.4	299,953	24,606,678	98.4
2010	27,662,602	26,742,020	96.7	657,031	27,399,051	99.0

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019.

Property Tax Rates – Direct and Overlapping Property Tax Rates

Fiscal Year	City of Palm Bay Direct Rates			Overlapping Rates Brevard County			Total Direct and Overlapping Rates
	Operating Millage	Debt Service Millage	Total Direct Rates	County Millage	School District	Special Districts	
2020	8.1379	0.8296	8.9675	5.1891	6.0860	0.3565	20.5991
2019	8.4500	-	8.4500	5.3540	6.2990	0.3759	20.4789
2018	8.4500	-	8.4500	5.6025	6.5680	0.3981	21.0186
2017	8.4500	-	8.4500	5.8548	6.9160	0.4212	21.6420
2016	8.5000	-	8.5000	6.0692	7.2750	0.4412	22.2854
2015	8.6326	-	8.6326	6.2310	7.3390	0.4633	22.6659
2014	8.6326	-	8.6326	6.3979	7.6060	0.4752	23.1117
2013	9.0000	-	9.0000	6.5199	8.0960	0.4782	24.0941
2012	9.0000	-	9.0000	6.5199	8.1120	0.4782	24.1101
2011	7.5000	-	7.5000	5.8249	7.6530	0.5627	21.5406
2010	6.8165	-	6.8165	5.1077	7.6870	0.5627	20.1739

Source: Comprehensive Annual Financial Report of the City of Palm Bay, Florida for the Fiscal Year Ended September 30, 2019; City of Palm Bay for 2020.

Principal Taxpayers

The following table shows the principal property taxpayers located within the City for fiscal year ended September 30, 2019.

Taxpayers	Taxes Assessed	Percentage of Total Taxes Levied
L3Harris Corporation	\$399,290	1.2%
WE Lighthouse Pointe Owner LLC	152,100	0.5
The Pavilions at Monterey LLC	142,593	0.4
Renesas Electronics America Inc.	142,068	0.4
CAPE, LLC	140,883	0.4
WRH Madalyn Landing LLLP	136,890	0.4
WSL Glenbrooke Investors V LLC	122,525	0.4
AMFP IV Vinings LLC	114,075	0.3
Palm Bay Shopping Plaza LLC	106,046	0.3
Wal-Mart Stores East LP	93,772	0.3

Source: Comprehensive Annual Financial Report of the City of Palm Bay,
Florida for the Fiscal Year Ended September 30, 2019.

CERTAIN FINANCIAL MATTERS

Certain matters relating to the City's Investment Policy, Risk Management, Other Post Employment Benefit Plan, and participation on the Florida Retirement System pension plan can be found in "APPENDIX A – General Information Regarding the City of Palm Bay, Florida" and in "APPENDIX B – Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019" attached hereto.

CLIMATE CHANGE AND NATURAL DISASTERS

The State is naturally susceptible to the effects of extreme weather events and natural disasters including floods, droughts, and hurricanes, which could result in negative economic impacts on communities including the City. Such effects can be exacerbated by a longer term shift in the climate over several decades (commonly referred to as climate change), including increasing global temperatures and rising sea levels. The occurrence of such extreme weather events could damage local infrastructure that provides essential services to the City. The economic impacts resulting from such extreme weather events could include a loss of property values, a decline in revenue base, and escalated recovery costs. No assurance can be given as to whether future extreme weather events will occur that could materially impair the financial condition of the City. [However, the budget policy of the City requires a working capital reserve equal to _____ (__) days of the operating budget less depreciation, annual debt service and capital requirements. Pursuant to the City's budget policy, the City sets a working capital reserve at _____ (__) days, to mitigate against such potential impacts.]

CYBERSECURITY

The City, like many other governmental entities, relies on a technology environment to conduct its operations. As such, it may face multiple cybersecurity threats including but not limited to, hacking, viruses, malware and other attacks on computer or other sensitive digital systems and networks. There can be no assurance that any security and operational control measures implemented by the City will be completely successful to guard against and prevent cyber threats and attacks. The result of any such attack could impact operations and/or digital networks and the costs of remedying any such damage could be significant.

The City takes a proactive approach to cyber security by following industry standards that focus on patch management, reviewing logs, actively monitoring threats, and educating users. The City uses a combination of software and hardware to monitor and prevent malware, viruses, phishing campaigns, and other cyber-attacks. The City's external facing network is penetration tested on a [weekly] basis to ensure there are no vulnerabilities. The City participates in information sharing with agencies such as Cybersecurity & Infrastructure Security Agency (CISA), Central Florida Information

Exchange (CFIX), Department of Homeland Security (DHS) and others to be aware of any known threats. [CONFIRM/UPDATE THIS SECTION]

COVID-19 PANDEMIC

The City's financial results could be harmed by a national or localized outbreak of a highly contagious, epidemic or pandemic disease. Specifically, there can be no assurances that the spread of the coronavirus called COVID-19, or other highly contagious or epidemic or pandemic diseases, will not adversely impact any of the City's finances and/or its financial position, including pension funding and property tax valuations. COVID-19 is expected to have a negative financial impact on local, state and national economies, the severity of which is unknown at this time, in a manner that could adversely affect the amount of revenues received by the City as well as the amount of property taxes received by the City.

The outbreak of COVID-19, a respiratory virus is considered a Public Health Emergency of International Concern by the World Health Organization. The United States State Department and the Center for Disease Control, as well as other governmental authorities, nations and airlines have issued travel restrictions and warnings for a number of countries in Africa, Asia, Europe, South America and others. The spread of COVID-19 has led to quarantine and other "social distancing" measures throughout the United States. These measures have included recommendations and warnings to limit non-essential travel and promote telecommuting. As a result of the spread of COVID-19, the Governor of Florida declared a state of emergency on March 9, 2020. On March 27, 2020, the Governor issued an executive order suspending vacation rentals operations and such vacation rentals were prohibited from making new reservations or accepting new guests for check-in for the duration of the order. On April 1, 2020 the Governor issued a mandatory "safer at home" order for the entire State effective April 3, 2020 through April 30, 2020. On April 29, 2020, the Governor announced the first phase of reopening businesses which began on May 4, 2020 and allowed for certain businesses to open at 25% capacity, which included, but was not limited to restaurants, retail stores, museums and libraries. On May 15, 2020, the Governor announced an expanded phase 1 opening which allowed for gyms, fitness centers and studios to open and allowed restaurants and retail businesses to increase seating/occupancy capacity from 25% to 50% (which also applies to museums and libraries so long as approved by local governments). During that phase, the only businesses not allowed to reopen in the State that were included in the White House phase one reopening guidelines were movie theaters. On May 22, 2020, the Governor announced that youth activities, including summer camps and organized sports, were allowed to reopen. On June 3, 2020, the Governor announced most of the State would enter phase 2 of reopening effective June 5, 2020 which allowed bars and pubs to operate at a seated capacity of 50% inside and full seated capacity outside, movie theaters,

bowling alleys and concert halls to open at 50% capacity, pari-mutual facilities to open with strict health and safety guidelines, and restaurants, retail and gyms continued to operate at 50% capacity; provided, however, that restaurants were able to serve at bars with chairs properly socially distanced. On June 26, 2020, as a result of spikes in COVID-19 cases, the Department of Business and Professional Regulation ordered all businesses that derive more than 50% of their revenue from alcohol sales to stop selling alcohol to customers on their premises, although bars could still sell alcohol in to-go containers and restaurants that do not rely on alcohol sales for a majority of their revenue could continue to serve alcohol to seated customers on site. On September 14, 2020, the Department of Business and Professional Regulation rescinded its order and bars were allowed to reopen at 50% capacity. On September 25, 2020, the Governor announced the State would enter phase 3 of reopening effective immediately which effectively lifts all COVID-19 restrictions on restaurants and other businesses.

While the effects of COVID-19 may be temporary, it has altered the behavior of businesses and people in a manner resulting in negative impacts on global and local economies. The continued spread of COVID-19, and measures taken to prevent or reduce it, are anticipated to adversely impact state, national and global economic activities and, accordingly, adversely impact the financial condition and performance of the State and the City, and the extent of that impact could be material. Recently, stock markets in the U.S. and globally have seen significant disruption that have been attributed, at least in part, to the COVID-19 concerns. Due to the unprecedented nature of the spread of COVID-19, the duration and extent of the impact of COVID-19 on the City's revenues, expenses and cash flow or ratings are uncertain and cannot be quantified at this time.

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ESTIMATED SOURCES AND USES OF FUNDS

The proceeds to be received from the sale of the Bonds are expected to be applied as follows:

SOURCES:

Par Amount of the Bonds	\$
[Plus][Less] Net Original Issue [Premium][Discount]	
TOTAL SOURCES	<u>\$</u>

USES:

Deposit to Project Fund	\$
Costs of Issuance ⁽¹⁾	
TOTAL USES	<u>\$</u>

⁽¹⁾ Includes legal and financial advisory fees and expenses, Purchaser's discount and other costs associated with the issuance of the Bonds.

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DEBT SERVICE SCHEDULE

The following table sets forth the annual debt service schedule for the Bonds:

Bond Year Ending July 1	Principal	Interest	Total Debt Service
	\$	\$	\$

TOTAL	\$	\$	\$
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LEGAL MATTERS

Certain legal matters in connection with the issuance of the Bonds are subject to the approval of Nabors, Giblin & Nickerson, P.A., Tampa, Florida, whose approving opinion will be available at the time of delivery of the Bonds. Certain legal matters will be passed upon for the City by Patricia Smith, Esquire, City Attorney, and by Bryant Miller Olive P.A., Orlando, Florida, Disclosure Counsel.

The proposed form of the opinion of Bond Counsel is set forth as "APPENDIX D – Form of Bond Counsel Opinion" attached hereto and reference is made to such form of opinion for the complete text thereof. The actual legal opinion to be delivered may vary from that text if necessary to reflect facts and law on the date of delivery. The opinion will

speak only as of its date, and subsequent distribution of it by recirculation of the Official Statement or otherwise shall create no implication that Bond Counsel has reviewed or expresses any opinion concerning any of the matters referenced in such opinion subsequent to its date.

TAX EXEMPTION

Opinion of Bond Counsel

In the opinion of the Bond Counsel (see APPENDIX D), the interest on the Bonds is (a) excluded from gross income for federal income tax purposes and (b) is not an item of tax preference for purposes of the federal alternative minimum tax. Failure by the City to comply subsequent to the issuance of the Bonds with certain requirements of the Internal Revenue Code of 1986, as amended (the "Code") regarding the use, expenditure and investment of bond proceeds and the timely payment of certain investment earnings to the Treasury of the United States may cause interest on the Bonds to become includable in gross income for federal income tax purposes retroactive to their date of issue. The City has covenanted in the Resolution to comply with all provisions of the Code necessary to, among other things, maintain the exclusion from gross income of interest on the Bonds for purposes of federal income taxation. In rendering its opinion, Bond Counsel has assumed continuing compliance with such covenants.

Internal Revenue Code of 1986

The Code contains a number of provisions that apply to the Bonds, including, among other things, restrictions relating to the use of investment of the proceeds of the Bonds and the payment of certain arbitrage earnings in excess of the "yield" on the Bonds to the Treasury of the United States. Noncompliance with such provisions may result in interest on the Bonds being included in gross income for federal income tax purposes retroactive to their date of issue.

Collateral Tax Consequences

Except as described above, Bond Counsel will express no opinion regarding the federal income tax consequences resulting from the ownership of, receipt or accrual of interest on, or disposition of, the Bonds. Prospective purchasers of the Bonds should be aware that the ownership of the Bonds may result in other collateral federal tax consequences. For example, ownership of the Bonds may result in collateral tax consequences to various types of corporations relating to (1) denial of interest deduction to purchase or carry such Bonds, (2) the branch profits tax, and (3) the inclusion of interest on the Bonds in passive income for certain Subchapter S corporations. In addition, the

interest on the Bonds may be included in gross income by recipients of certain Social Security and Railroad Retirement benefits.

PURCHASE, OWNERSHIP, SALE OR DISPOSITION OF THE BONDS AND THE RECEIPT OR ACCRUAL OF THE INTEREST THEREON MAY HAVE ADVERSE FEDERAL TAX CONSEQUENCES FOR CERTAIN INDIVIDUAL OR CORPORATE BONDHOLDERS, INCLUDING, BUT NOT LIMITED TO, THE CONSEQUENCES DESCRIBED ABOVE. PROSPECTIVE BONDHOLDERS SHOULD CONSULT WITH THEIR TAX SPECIALISTS FOR INFORMATION IN THAT REGARD.

Other Tax Matters

INTEREST ON THE BONDS MAY BE SUBJECT TO STATE OR LOCAL INCOME TAXATION UNDER APPLICABLE STATE OR LOCAL LAWS IN OTHER JURISDICTIONS. PURCHASERS OF THE BONDS SHOULD CONSULT THEIR TAX ADVISORS AS TO THE INCOME TAX STATUS OF INTEREST ON THE BONDS IN THEIR PARTICULAR STATE OR LOCAL JURISDICTIONS.

During recent years legislative proposals have been introduced in Congress, and in some cases enacted, that altered certain federal tax consequences resulting from the ownership of obligations that are similar to the Bonds. In some cases these proposals have contained provisions that altered these consequences on a retroactive basis. Such alteration of federal tax consequences may have affected the market value of obligations similar to the Bonds. From time to time, legislative proposals are pending which could have an effect on both the federal tax consequences resulting from ownership of the Bonds and their market value. No assurance can be given that additional legislative proposals will not be introduced or enacted that would or might apply to, or have an adverse effect upon, the Bonds. For example, proposals have been discussed in connection with deficit spending reduction, job creation and other tax reform efforts that could significantly reduce the benefit of, or otherwise affect the exclusion from gross income of, interest on obligations such as the Bonds. The further introduction or enactment of one or more of such proposals could affect the market price or marketability of the Bonds.

Discount Bonds

Under the Code, the difference between the principal amount of the Bonds maturing in the years ____ through and including _____ (the "Discount Bonds"), and the initial offering price to the public, excluding bond houses and brokers, at which price a substantial amount of the Discount Bonds of the same maturity was sold, constitutes "original issue discount". Original issue discount on the Discount Bonds represents interest which is not includable in gross income. A portion of such interest that accrues

to the owner of such Bonds in a year, as described below, is, however, included in the calculation of a corporate taxpayer's alternative minimum tax and environmental tax and may result in other collateral federal tax consequences although the owner may not have received cash in such year. Original issue discount on such Discount Bonds will accrue actuarially over the term of a Discount Bond at a constant interest rate. A purchaser who acquires Discount Bonds at an issue price equal to the initial offering price thereof as set forth on the inside cover page of this Official Statement will be treated as receiving an amount of interest excluded from gross income for federal income tax purposes equal to the original issue discount accruing during the period such purchaser holds such Discount Bonds and will increase its adjusted basis in such Discount Bonds by the amount of such accruing discount for purposes of determining taxable gain or loss on the sale or the disposition of such Discount Bonds. The federal income tax consequences of the purchase, ownership and redemption, sale or price may be determined according to rules which differ from those described above. Holders of Discount Bonds should consult their own tax advisors with respect to the consequences of owning Discount Bonds, including the effect of such ownership under applicable state and local laws.

Bond Premium

The difference between the principal amount of the Bonds maturing in the years _____ through and including _____ (the "Premium Bonds") and the initial offering price to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at which price a substantial amount of such Premium Bonds of the same maturity was sold constitutes to an initial purchaser amortizable bond premium which is not deductible from gross income for federal income tax purposes. The amount of amortizable bond premium for a taxable year is determined actuarially on a constant interest rate basis over the term of each Premium Bond which ends on the earlier of the maturity or call date for each of the Premium Bonds which minimizes the yield on such Premium Bonds to the purchaser. For purposes of determining gain or loss on the sale or other disposition of a Premium Bond, an initial purchaser who acquires such obligation in the initial offering to the public at the initial offering price is required to decrease such purchaser's adjusted basis in such Premium Bond annually by the amount of amortizable bond premium for the taxable year. The amortization of bond premium may be taken into account as a reduction in the amount of tax-exempt income for purposes of determining various other tax consequences of owning such Bonds. Owners of the Premium Bonds are advised that they should consult with their own advisors with respect to the state and local tax consequences of owning such Premium Bonds.

FINANCIAL ADVISOR

Public Resources Advisory Group, Inc., St. Petersburg, Florida is serving as Financial Advisor to the City with respect to the sale of the Bonds. The Financial Advisor assisted in the preparation of this Official Statement and in other matters relating to the planning, structuring and issuance of the Bonds and provided other advice. The Financial Advisor is not obligated to undertake and has not undertaken to make an independent verification of or to assume responsibility for the accuracy, completeness or fairness of the information in this Official Statement.

LITIGATION

There is no pending or, to the knowledge of the City, any threatened litigation against the City which in any way questions or affects the validity of the Bonds, or any proceedings or transactions relating to their issuance, sale or delivery, or the enactment of the Resolution, or which may materially adversely affect the imposition, collection and pledge of ad valorem taxes of the City. Neither the creation, organization or existence, nor the title of the present members of the City Commission, or other officers of the City is being contested.

The City experiences routine litigation and claims incidental to the conduct of its affairs. In the opinion of the City Attorney, except as described above, there are no actions presently pending or to the knowledge of the City threatened, the adverse outcome of which would have a material adverse effect on the financial condition of the City. From time to time, the City is party to other various legal proceedings which individually are not expected to have a material impact thereon. However, in the opinion of the City Attorney, the City and/or its insurance carrier will either successfully defend such actions or otherwise resolve such matters without experiencing a material adverse effect on the financial condition of the City.

CONTINUING DISCLOSURE

The City has covenanted for the benefit of the Bondholders to provide certain financial information and operating data relating to the City and the Bonds in each year, and to provide notices of the occurrence of certain enumerated material events. The City has agreed to file annual financial information and operating data and the audited financial statements with each entity authorized and approved by the SEC to act as a repository (each a "Repository") for purposes of complying with Rule 15c2-12 adopted by the SEC under the Securities Exchange Act of 1934 (the "Rule") either itself or through its dissemination agent. Effective July 1, 2009, the sole Repository is the Municipal Securities Rulemaking Board. The City has agreed to file notices of certain enumerated

events, when and if they occur, with the Repository either itself or through its dissemination agent.

The specific nature of the financial information, operating data, and of the type of events which trigger a disclosure obligation, and other details of the undertaking are described in "APPENDIX E - Form of Continuing Disclosure Certificate" attached hereto. The Continuing Disclosure Certificate shall be executed by the City upon the issuance of the Bonds. These covenants have been made in order to assist the Underwriter in complying with the continuing disclosure requirements of the Rule.

[describe continuing disclosure diligence]

With respect to the Bonds, no party other than the City is obligated to provide, nor is expected to provide, any continuing disclosure information with respect to the Rule.

DISCLOSURE REQUIRED BY FLORIDA BLUE SKY REGULATIONS

Section 517.051, Florida Statutes, and the regulations promulgated thereunder, require that the City make full and fair disclosure of any bonds or other debt obligations of such entities that have been in default as to payment of principal or interest at any time after December 31, 1975. The City is not and has not, since December 31, 1975, been in default as to payment of principal and interest on its bonds or other debt obligations.

The City has not undertaken an independent review or investigation to determine whether any defaults have occurred with respect to bonds or other debt obligations as to which it has served only as a conduit issuer. The City does not believe that any information about any default would be considered material by a reasonable investor in the Bonds because the City was not liable to pay the principal of or interest on any such bonds except from payments made to it by the private companies on whose behalf such bonds were issued and no funds of the City were pledged to pay such bonds or the interest thereon.

CONTINGENT FEES

The City has retained Bond Counsel, Disclosure Counsel and the Financial Advisor with respect to the authorization, sale, execution and delivery of the Bonds. Payment of the fees of such professionals and an underwriting discount to the Underwriter are contingent upon the issuance of the Bonds.

RATINGS

S&P Global Ratings ("S&P") and Fitch Ratings, Inc. ("Fitch"), have assigned ratings of "___" (stable outlook), and "___" (stable outlook), respectively, to the Bonds. Such

ratings reflect only the views of such organizations and any desired explanation of the significance of such ratings should be obtained from the rating agency furnishing the same, at the following addresses: S&P Global Ratings, 25 Broadway, New York, New York 10004; or Fitch Ratings, One State Street Plaza, New York, New York 10004. Generally, a rating agency bases its rating on the information and materials furnished to it and on investigations, studies and assumptions of its own. There is no assurance such ratings will continue for any given period of time or that such ratings will not be revised downward or withdrawn entirely by the rating agencies, if in the judgment of such rating agencies, circumstances so warrant. Any such downward revision or withdrawal of such ratings may have an adverse effect on the market price of the Bonds.

VALIDATION

The Bonds were validated by judgment of the Circuit Court of the 18th Judicial Circuit of the State of Florida, Case No. 2018-CA-058984, in and for Brevard County, Florida rendered on March 26, 2019. The period for filing an appeal to such judgment has expired and no appeal has been filed.

COMPETITIVE SALE

The Bonds are being purchased at competitive sale by _____ (the "Underwriter") at a purchase price equal to \$_____ (taking into account net original issue premium/discount on the Bonds of \$_____ and an Underwriter's discount of \$_____). The Underwriter's obligations are subject to certain conditions precedent described in the Official Notice of Sale, and it will be obligated to purchase all of the Bonds if any Bonds are purchased. The yields shown on the inside cover page of this Official Statement were furnished by the Underwriter. All other information concerning the nature and terms of any re-offering should be obtained from the Underwriter and not the City.

FINANCIAL STATEMENTS

The financial statements included in the Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019, included in this Official Statement as APPENDIX B, have been audited by Moore Stephens Lovelace, P.A., Orlando, Florida, independent certified public accountants, auditors for the City (the "Auditor"). Such statements speak only as of September 30, 2019. The audited financial statements of the City have been included herein as a publicly available document. Consent of the Auditor was not requested, and the Auditor was not requested nor did it perform any procedures with respect to the preparation of this Official Statement or the information presented herein.

ENFORCEABILITY OF REMEDIES

The remedies available to the owners of the Bonds upon an Event of Default under the Resolution are in many respects dependent upon judicial actions, which are often subject to discretion and delay. Under existing constitutional and statutory law and judicial decisions, including specifically Title 11 of the United States Code, the remedies specified by the Federal Bankruptcy Code, the Resolution and the Bonds may not be readily available or may be limited. The various legal opinions to be delivered concurrently with the delivery of the Bonds (including Bond Counsel's approving opinion) will be qualified, as to the enforceability of the various legal instruments, by limitations imposed by bankruptcy, reorganization, insolvency or other similar laws affecting the rights of creditors enacted before or after such delivery.

ACCURACY AND COMPLETENESS OF OFFICIAL STATEMENT

The references, excerpts, and summaries of all documents, statutes, and information concerning the City and certain reports and statistical data referred to herein do not purport to be complete, comprehensive and definitive and each such summary and reference is qualified in its entirety by reference to each such document for full and complete statements of all matters of fact relating to the Bonds, the security for the payment of the Bonds and the rights and obligations of the owners thereof and to each such statute, report or instrument.

Any statements made in this Official Statement involving matters of opinion or of estimates, whether or not so expressly stated are set forth as such and not as representations of fact, and no representation is made that any of the estimates will be realized. Neither this Official Statement nor any statement that may have been made verbally or in writing is to be construed as a contract with the owners of the Bonds.

The appendices attached hereto are integral parts of this Official Statement and must be read in their entirety together with all foregoing statements.

AUTHORIZATION OF OFFICIAL STATEMENT

The execution and delivery of this Official Statement has been duly authorized and approved by the City. At the time of delivery of the Bonds, the City will furnish a certificate to the effect that nothing has come to its attention which would lead it to believe that the Official Statement (other than information herein related to DTC, the book-entry only system of registration and the information contained under the caption "TAX EXEMPTION" as to which no such certification shall be made), as of its date and as of the date of delivery of the Bonds, contains an untrue statement of a material fact or omits to state a material fact which should be included therein for the purposes for which the

Official Statement is intended to be used, or which is necessary to make the statements contained therein, in the light of the circumstances under which they were made, not misleading.

CITY OF PALM BAY, FLORIDA

By:_____

Mayor

By:_____

Acting City Manager

APPENDIX A

General Information Regarding the City of Palm Bay, Florida

APPENDIX B

Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2019

APPENDIX C

Resolution

[Exhibits Intentionally Omitted]

APPENDIX D

Form of Bond Counsel Opinion

APPENDIX E

Form of Continuing Disclosure Certificate

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the City of Palm Bay, Florida (the "City") in connection with the issuance of its \$_____ General Obligation Bonds, Series 2021 (the "Bonds"). The Bonds are being issued pursuant to Resolution No. 2018-63 adopted by the City Council of the City (the "Council") on December 6, 2018, as supplemented by Resolution No. 2020-____, adopted on December __, 2020 (collectively, the "Resolution").

SECTION 1. PURPOSE OF THE DISCLOSURE CERTIFICATE. This Disclosure Certificate is being executed and delivered by the City for the benefit of the holders and Beneficial Owners (defined below) of the Bonds and in order to assist the Participating Underwriter in complying with the continuing disclosure requirements of the Rule (defined below).

SECTION 2. DEFINITIONS. In addition to the definitions set forth in the Resolution which apply to any capitalized term used in this Disclosure Certificate, unless otherwise defined herein, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the City pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Dissemination Agent" shall mean the HTS Continuing Disclosure Services, a Division of Hilltop Securities Inc., or any successor Dissemination Agent designated in writing by the City and which has filed with the City a written acceptance of such designation.

"EMMA" shall mean the Electronic Municipal Market Access web portal of the MSRB, located at <http://www.emma.msrb.org>.

"Event of Bankruptcy" shall be considered to have occurred when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governing authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if

such jurisdiction has been assumed by leaving the existing governmental body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"Obligated Person" shall mean any person, including the City, who is either generally or through an enterprise, fund, or account of such person committed by contract or other arrangement to support payment of all, or part of the obligations on the Bonds (other than providers of municipal bond insurance, letters of credit, or other liquidity or credit facilities).

"Participating Underwriter" shall mean the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Repository" shall mean each entity authorized and approved by the Securities and Exchange Council from time to time to act as a repository for purposes of complying with the Rule. As of the date hereof, the Repository recognized by the Securities and Exchange Council for such purpose is the MSRB, which currently accepts continuing disclosure submissions through EMMA.

"Rule" shall mean the continuing disclosure requirements of Rule 15c2-12 adopted by the Securities and Exchange Council under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of Florida.

SECTION 3. PROVISION OF ANNUAL REPORTS.

(a) The City shall, or shall cause the Dissemination Agent to, by not later than June 30th following the end of the prior fiscal year, beginning with the fiscal year ending September 30, 2020 with respect to the report for the fiscal year ending September 30, 2020, provide to any Repository, in electronic format as prescribed by such Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the City may be submitted separately from the balance of

the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date provided, further, in such event unaudited financial statements are required to be delivered as part of the Annual Report in accordance with Section 4(a) below and the audited financial statements shall be filed in the same manner as the Annual Report when they become available. If the City's fiscal year changes, it shall give notice of such change in the same manner as for a Listed Event under Section 5.

(b) If on the fifteenth (15th) day prior to the annual filing date, the Dissemination Agent has not received a copy of the Annual Report, the Dissemination Agent shall contact the City by telephone and in writing (which may be by e-mail) to remind the City of its undertaking to provide the Annual Report pursuant to Section 3(a). Upon such reminder, the City shall either (i) provide the Dissemination Agent with an electronic copy of the Annual Report no later than two (2) business days prior to the annual filing date, or (ii) instruct the Dissemination Agent in writing that the City will not be able to file the Annual Report within the time required under this Agreement, state the date by which the Annual Report for such year will be provided and instruct the Dissemination Agent that a failure to file has occurred and to immediately send a notice to the Repository in substantially the form attached as Exhibit A, accompanied by a cover sheet completed by the Dissemination Agent in the form set forth in Exhibit B.

(c) The Dissemination Agent shall:

(i) determine each year prior to the date for providing the Annual Report the name and address of any Repository;

(ii) if the Dissemination Agent is other than the City, file a report with the City certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided and listing any Repository to which it was provided; and

(iii) if the Dissemination Agent has not received an Annual Report by 6:00 p.m. Eastern time on the annual filing date (or, if such annual filing date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a failure to file shall have occurred and the City irrevocably directs the Dissemination Agent to immediately send a notice to the Repository in substantially the form attached as Exhibit A without reference to the anticipated filing date for the Annual Report, accompanied by a cover sheet completed by the Dissemination Agent in the form set forth in Exhibit B.

SECTION 4. CONTENT OF ANNUAL REPORTS. The City's Annual Report shall contain or include by reference the following:

(a) the audited financial statements of the City for the prior fiscal year, prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the City's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement dated January __, 2021 (the "Official Statement"), and the audited financial statements shall be filed in the same manner as the Annual Report when they become available; and

(b) updates of the historical financial and operating data set forth in the Official Statement in tables under the captions:

- (i) Assessed Value and Estimated Actual Value of Taxable Property;
- (ii) Property Tax Levies and Collections;
- (iii) Property Tax Rates - Direct and Overlapping Governments; and
- (iv) Principal Property Taxpayers.

The information provided under Section 4(b) may be included by specific reference to documents, including official statements of debt issues of the City or related public entities, which are available to the public on the Repository's website or filed with the Securities and Exchange Commission.

The City reserves the right to modify from time to time the specific types of information provided in its Annual Report or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the City; provided that the City agrees that any such modification will be done in a manner consistent with the Rule.

SECTION 5. REPORTING OF SIGNIFICANT EVENTS.

(a) Pursuant to the provisions of this Section 5, the City shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds. Such notice shall be given in a timely manner not in excess of ten (10)

business days after the occurrence of the event, with the exception of the event described in number 17 below, which notice shall be given in a timely manner:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;
6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701 TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. modifications to rights of the holders of the Bonds, if material;
8. Bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the Bonds, if material;
11. rating changes;
12. an Event of Bankruptcy or similar event of an Obligated Person;
13. the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. appointment of a successor or additional trustee or the change of name of a trustee, if material;

15. incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material;
 16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties; and
 17. notice of any failure on the part of the City to meet the requirements of Section 3 hereof.
- (b) (i) The term “financial obligation” as used in subsections 5(a)(15) and (16) herein means a:
- (A) debt obligation;
 - (B) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or
 - (C) guarantee of paragraph (5)(b)(i)(A) or (B).
- (ii) The term financial obligation shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with this rule.
- (c) The notice required to be given in paragraph 5(a) above shall be filed with any Repository, in electronic format as prescribed by such Repository.

SECTION 6. IDENTIFYING INFORMATION. In accordance with the Rule, all disclosure filings submitted pursuant to this Disclosure Certificate to any Repository must be accompanied by identifying information as prescribed by the Repository. Such information may include, but not be limited to:

- (a) the category of information being provided;
- (b) the period covered by any annual financial information, financial statement or other financial information or operation data;

- (c) the issues or specific securities to which such documents are related (including CUSIPs, City name, state, issue description/securities name, dated date, maturity date, and/or coupon rate);
- (d) the name of any Obligated Person other than the City;
- (e) the name and date of the document being submitted; and
- (f) contact information for the submitter.

SECTION 7. TERMINATION OF REPORTING OBLIGATION. The City's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds, so long as there is no remaining liability of the City, or if the Rule is repealed or no longer in effect. If such termination occurs prior to the final maturity of the Bonds, the City shall give notice of such termination in the same manner as for a Listed Event under Section 5.

SECTION 8. DISSEMINATION AGENT. The City may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the City pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the HTS Continuing Disclosure Services, a Division of Hilltop Securities Inc.

SECTION 9. AMENDMENT; WAIVER. Notwithstanding any other provision of this Disclosure Certificate, the City may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

- (a) If the amendment or waiver relates to the provisions of Sections 3(a), 4, or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of the City, or the type of business conducted;
- (b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
- (c) The amendment or waiver either (i) is approved by the holders or Beneficial Owners of the Bonds in the same manner as provided in the Resolution

for amendments to the Resolution with the consent of holders or Beneficial Owners, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the holders or Beneficial Owners of the Bonds.

Notwithstanding the foregoing, the City shall have the right to adopt amendments to this Disclosure Certificate necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the City shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the City. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5, and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

SECTION 10. ADDITIONAL INFORMATION. Nothing in this Disclosure Certificate shall be deemed to prevent the City from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the City chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the City shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 11. DEFAULT. The continuing disclosure obligations of the City set forth herein constitute a contract with the holders of the Bonds. In the event of a failure of the City to comply with any provision of this Disclosure Certificate, any holder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the City to comply with its obligations under this Disclosure Certificate; provided, however, the sole remedy under this Disclosure Certificate in the event of any failure of the City to comply with the provisions of this Disclosure Certificate shall be an action to

compel performance. A default under this Disclosure Certificate shall not be deemed an Event of Default under the Resolution.

SECTION 12. DUTIES, IMMUNITIES AND LIABILITIES OF DISSEMINATION AGENT. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the City agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's negligence or willful misconduct. The obligations of the City under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 13. BENEFICIARIES. This Disclosure Certificate shall inure solely to the benefit of the City, the Dissemination Agent, the Participating Underwriter and holders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated as of January __, 2021.

CITY OF PALM BAY, FLORIDA

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT A

NOTICE TO REPOSITORY OF FAILURE TO FILE ANNUAL REPORT

Obligated Person: City of Palm Bay, Florida
Name of Bond Issue: City of Palm Bay, Florida General Obligation Bonds,
Series 2021
Date of Issuance: January __, 2021
Date of Disclosure Agreement: January __, 2021

CUSIP Number:

NOTICE IS HEREBY GIVEN that the City has not provided an Annual Report with respect to the above-named Bonds as required by the Continuing Disclosure Certificate of the City. [The City has notified the Dissemination Agent that it anticipates that the Annual Report will be filed by_____].

Dated:_____

CITY OF PALM BAY, FLORIDA

cc:

EXHIBIT B

EVENT NOTICE COVER SHEET

This cover sheet and accompanying "event notice" will be sent to the MSRB, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

City's and/or Other Obligated Person's Name:

City's Six-Digit CUSIP Number:

or Nine-Digit CUSIP Number(s) of the bonds to which this event notice relates:

Number of pages attached: _____

_____ Description of Notice Events (Check One):

1. _____ "Principal and interest payment delinquencies;"
2. _____ "Non-payment related defaults, if material;"
3. _____ "Unscheduled draws on debt service reserves reflecting financial difficulties;"
4. _____ "Unscheduled draws on credit enhancements reflecting financial difficulties;"
5. _____ "Substitution of credit or liquidity providers, or their failure to perform;"
6. _____ "Adverse tax opinions, IRS notices or events affecting the tax status of the security;"
7. _____ "Modifications to rights of holders of bonds, if material;"
8. _____ "Bond calls, if material;"
9. _____ "Defeasances;"

10.____"Release, substitution, or sale of property securing repayment of the securities, if material;"

11.____"Rating changes;"

12.____"Bankruptcy, insolvency, receivership or similar event of the obligated person;"

13.____"Merger, consolidation, or acquisition of the obligated person, if material;"

14.____"Appointment of a successor or additional trustee, or the change of name of a trustee, if material;"

15. ____ "Incurrence of a financial obligation of the issuer or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the issuer or obligated person, any of which affect security holders, if material;"

16. ____"Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the issuer or obligated person, any of which reflect financial difficulties;" and

17.____"Notice of any failure on the part of the City to meet the requirements of Section 3 hereof."

____ Failure to provide annual financial information as required.

I hereby represent that I am authorized by the City or its agent to distribute this information publicly:

Signature:

Name:_____ Title: _____

Date:



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Yvonne McDonald, Finance Director

DATE: 1/7/2021

RE: Ordinance 2021-03, amending the Fiscal Year 2020-2021 budget by appropriating and allocating certain monies (first budget amendment), first reading.

Summary of the proposed budget amendment:

General Fund (001)

Revenues – Total \$1,472,760

- Recognize additional FY 2021 State-Shared revenues published by the Florida Department of Revenue's Office of Tax Research – **\$1,472,760**.
- Transfer to Building Fund per 10/1 Ordinance to remove salary splits and distribute accordingly; approved by Council 10/01/2020 – **\$34,423**.
- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$301,817**.

Expenditures – Total \$3,478,093

- Appropriate the following departmental needs that are offset by additional FY 2021 State-Shared revenues received; approved by Council 11/05/2020 – ***\$518,856**
 - Parks: Appropriate funds of \$130,000 to remove and replace the old slide infrastructure at the Palm Bay Aquatic Center.
 - Facilities: Allocate funds for the Tradesworker position that was unfunded during the budget process for \$62,537, fund a new Construction Project Manager position for \$112,319 (Transfer \$23,371 to Fleet Services Fund), increase Overtime budget to cover normal on-call costs for the year for \$10,000, and increase Building Repairs budget to address maintenance project needs at various locations at the City for \$65,000 – a total of \$249,856. **Salary figures for Tradesworker and Construction Project Manager changed, but total amount is \$6,817 less than originally listed in memo.*
 - Community & Economic Development: Appropriate funds of \$5,000 to promote the Administrative Assistant to Economic Development Assistant.
 - Information Technology: Appropriate funds to PC Replacement budget that was removed due to originally projected budget shortfalls for \$40,000 and replace the Storage Area Network (SAN) hardware as the current SANs have reached the equipment at end of life cycle for \$94,000 – a total

of \$134,000.

- Appropriate the following Capital needs for FY 2021 from the return of excess prior years allocation from Risk Management Fund assessed through FY 19 (FY 2020 Budget Amendment #4); approved by Council 09/03/2020 – **\$1,873,577**:
 - Police: Replacement of (11) police vehicles – \$329,734 (Transfer to Fleet Services Fund).
 - Fire: Purchase of a squad truck, a District Chief Silverado crew cab and a brush truck retrofit – \$134,000 (Transfer to Fleet Services Fund).
 - Parks: Replacement of (4) pickup trucks – \$109,000 (Transfer to Fleet Services Fund).
 - Parks: Playground replacements at Liberty Park, Riviera Park, Veterans Park, Oakwood Park, Knecht Park and Lynbrook Park– \$590,000.
 - Public Works: Fleet equipment replacement/upgrades, signal wire respan for Emerson/Malabar and Eldron/Malabar intersections and a large format printer – \$710,843 (transfer \$586,000 to Fleet Services Fund).
- Re-appropriate funds per City Manager approval for Public Works Survey Party Chief position that was previously unfunded during the budget process. This position is essential for PW to operate survey crews to keep up with the pipe replacements for Road Bond Paving – **\$40,560**.
- Pay Adjustment for sworn and communications center personnel within the Police Department to address salary disparities within Brevard County; approved by Council 12/03/2020 – **\$478,350**.
- Appropriate additional funds for the award of bid difference of \$59,007 and the 10% contingency of \$41,873 Fred Poppe Regional Park septic to sewer conversion, project 19PR06; approved by Council 11/05/2020 – **\$100,880**.
- Transfer to Community Investment Fund for Phase I of the Fred Poppe Regional Park Campground project 16PK08; approved by Council 09/17/2020 – **\$558,492**.
- Appropriate funds for credit card processing fees until City switches to Cardknox and fees are passed onto customer; approved by Council 11/19/2020 – **\$70,000**.
- Per Ordinance passed on 10/1, remove salary splits between Growth Management and Building and distribute according to individual Departments; approved by Council 10/01/2020 – **\$34,423**.
- FY 21 Budget correction to adjust the total audit cost allocation per contractual agreements – **(\$976)**.
- Return funds to utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **(\$103,806)**.
- Reduce transfer to Fleet Services Fund and utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **(\$179,658)**.
- Transfer to Fleet Services Fund for the increased cost associated with the purchase of eleven (11) police vehicle replacements; approved by Council 12/03/2020 – **\$21,646**.
- Appropriate funds for a new Fire Inspector position to help improve the level of service, turnaround time and advance safety, costs will be offset by additional revenues received from inspections; approved by Council 11/19/2020 – **\$63,383**.
- Transfer budgeted funding from the Human Resources Department and vending machine contributions to utilize towards 2020 departmental holiday events – **(\$4,406)**.

- Appropriate funding from the Human Resources Department and vending machine contributions to city-wide General Fund departments to utilize towards 2020 departmental holiday events based on active FTE count – **\$5,456.**
- Transfer to Utilities Operating Fund for budgeted funding from the Human Resources Department and vending machine contributions to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE count – **\$1,129.**
- Transfer to the Building Fund for budgeted funding to from the Human Resources Department and vending machine contributions to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE – **\$187.**

Law Enforcement Trust Fund (101)

Expenditures – Total \$16,510

- LETF 20-01 – Appropriate funds for Legal fees of \$5,000 to support Asset Forfeiture Program, Registration fees of \$5,560 for eight Police Department employees to attend FBI-LEEDA Executive Leadership Course, and \$5,950 to host Cops and Friends Reindeer Run; approved by Council 11/19/2020 – **\$16,510.**

NSP Fund (123)

Expenditures – Total \$4,600

- Allocate funds to cover the cost of mowing maintenance for FY 21 for six (6) City-owned NSP properties located at Northview St in Driskell Heights; approved by Council 11/19/2020 – **\$4,600.**

Bayfront Community Redevelopment Agency Fund (181)

Revenues – Total \$3,401

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$3,401.**

Expenditures – Total (\$13)

- Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21 – **(\$13).**

Police Impact Fees-Nexus 32907 Fund (183)

Expenditures – Total \$52,541

- Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **\$52,541.**

Police Impact Fees-Nexus 32908 Fund (184)

Expenditures – Total \$52,541

- Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **\$52,541.**

Police Impact Fees-Nexus 32909 Fund (186)

Expenditures – Total \$210,164

- Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **\$210,164.**

Fire Impact Fees-Nexus 32905 Fund (187)

Expenditures – Total \$6,251

- Utilize Impact Fee funds to fabricate a high-water rescue vehicle for use in two areas of the City; approved by Council 11/19/2020 – **\$6,251.**

Fire Impact Fees-Nexus 32907 Fund (188)

Expenditures – Total \$6,251

- Utilize Impact Fee funds to fabricate a high-water rescue vehicle for use in two areas of the City; approved

by Council 11/19/2020 – **\$6,251.**

Fire Impact Fees-Nexus 32909 Fund (190)

Expenditures – Total \$93,740

- Utilize Impact Fee funds to purchase an air compressor used to refill air cylinders used on 911 calls for new Fire Station 5; approved by Council 11/19/2020 – **\$50,000.**
- Appropriate funds to purchase a training vehicle to be used at the new training facility at new Fire Station 5; approved by Council 09/17/2020 – **\$43,740.**

Park Impact Fees-Nexus 32905 Fund (191)

Expenditures – Total \$150,000

- Utilize Impact Fee funds for construction of Riviera Dog Park for citizens in the northeast section of the City, project 21PR01; approved by Council 10/15/2020 – **\$150,000.**

Park Impact Fees-Nexus 32907 Fund (192)

Expenditures – Total \$534,836

- Appropriate Impact Fee funds for Phase I construction of Fred Poppe Regional Park Campground project 16PK08; approved by Council 09/17/2020 – **\$534,836.**

Park Impact Fees-Nexus 32908 Fund (193)

Expenditures – Total \$462,637

- Appropriate Impact Fee funds for Phase I construction of Fred Poppe Regional Park Campground project 16PK08; approved by Council 09/17/2020 – **\$462,637.**

Debt Service Fund (201)

Expenditures – Total (\$19,497)

- FY 21 Approved Budget entry correction - principal for \$20,623 and interest for (\$40,120) payments for the lease purchase of fire apparatus and police vehicles – **(\$19,497).**

2010 PST Revenue Bond Fund (219)

Expenditures – Total \$345,727

- Principal Payment Contribution towards Fund 219/230 Bond Refinancing – **\$427,000.**
- Reduction in budgeted interest payment amount due Fund 219/230 Bond Refinancing – **(\$127,644).**
- Appropriate additional budget to cover agent fees for Fund 219/230 Bond Refinancing – **\$119.**
- Transfer to Debt Service Fund 230 for Issuance Costs due Fund 219/230 Bond Refinancing – **\$46,252.**

2020 Special Obligation Revenue Ref Note Fund (230)

Revenues – Total \$4,632,302

- Record Special Obligation Revenue Refunding Note, 2020 Loan Proceeds – **\$4,258,000.**
- Transfer from General Fund for bond debt refinancing to support FY 2021 principal and interest payment obligations – **\$328,050.**
- Transfer from Debt Service Fund 219 for Issuance Costs due Fund 219/230 Bond Refinancing – **\$46,252.**

Expenditures – Total \$4,632,302

- Appropriate Funds for Cash Defeasance Payment for Special Obligation Revenue Refunding Note, 2020 Loan Proceeds – **\$4,258,000.**
- Appropriate Issuance costs due Fund 219/230 Bond Refinancing – **\$46,252.**
- Appropriate funds for FY 2021 Debt Amortization schedule – Principal payment – **\$248,000.**

- Appropriate funds for FY 2021 Debt Amortization schedule – Interest payment – **\$80,050.**

Community Investment Program Fund (301)

Revenues – Total \$558,492

- Transfer from General Fund for Phase I of the Fred Poppe Regional Park Campground project 16PK08; approved by Council 09/17/2020 – **\$558,492.**

Expenditures – Total \$558,492

- Appropriate funding for Phase I construction of Fred Poppe Regional Park Campground project 16PK08; approved by Council 09/17/2020 – **\$558,492.**

GO Road Program Fund (309)

Expenditures – Total \$5,821,859

- Provide funding for construction, design, survey, advertisement and engineer's estimate for Port Malabar East Road Paving Project 20GO16; approved by Council 02/06/2020 – **\$1,416,681.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Units 1, 2 & 3 Road Paving Project 21GO01; approved by Council 02/06/2020 – **\$1,214,767.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Unit 4 Road Paving Project 21GO02; approved by Council 02/06/2020 – **\$2,497,411.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Unit 27 Road Paving Project 21GO03; approved by Council 02/06/2020 – **\$44,928.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Unit 35 Road Paving Project 21GO04; approved by Council 02/06/2020 – **\$370,672.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Unit 43 Road Paving Project 21GO05; approved by Council 11/07/2019 – **\$156,720.**
- Provide funding for engineer's estimate, advertising, geotech design and survey for Unit 47 Road Paving Project 21GO06; approved by Council 11/07/2019 – **\$120,680.**

Utilities Operating Fund (421)

Revenues – Total \$3,423,439

- Reimbursement revenue projected for FY 21 to offset project funding that will be carried forward from WRF Denitrification project 17WS16 from Brevard County Indian River Lagoon Interlocal Agreement; approved by Council 10/17/2019 – **\$3,295,338.**
- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$126,972.**
- Transfer from General Fund (Human Resources Department and vending machine contributions) to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE count – **\$1,129.**

Expenditures – Total \$600,914

- Appropriate funds to construct a second clarifier at North Regional Wastewater Treatment Plant (NRWWTP), project 17WS13; approved by Council 11/05/2020 – **\$448,471.**
- Transfer funds to the 20 Bond Construction Fund (434) towards the payment of debt in FY 21; approved by Council 09/17/2020 – **\$116,620.**
- Fund appropriation for engineering and contractual services for Jupiter Bridge/C-1 abandoned water main removal as required by FDOT, project 21WS24; approved by Council 12/03/2020 – **\$35,000.**
- FY 21 Budget correction to adjust the total audit cost allocation per contractual agreements – **(\$306).**

- Appropriate funding from the General Fund (Human Resources Department and vending machine contributions) to the Utilities Operating Fund to utilize towards 2020 departmental holiday events based on active FTE count – **\$1,129.**

Utility Connection Fee Fund (423)

Expenditures – Total \$645,601

- Transfer funds to the 20 Bond Construction Fund (434) towards the payment of debt in FY 21; approved by Council 09/17/2020 – **\$645,601.**

Main Line Extension Fee Fund (425)

Expenditures – Total \$275,000

- Appropriate funds for engineering services for Pace Drive water main looping due to proposed extension of water service by Lennar Homes LLC, project 21WS23; approved by Council 11/05/2020 – **\$275,000.**

Utility 20 Bond Construction Fund (434)

Revenues – Total \$762,221

- Transfer from Utilities Operating Fund for \$116,620 and Water Connection Fees Fund for \$645,601 to the 20 Bond Construction Fund towards the payment of debt in FY 21; approved by Council 09/17/2020 – **\$762,221.**

Expenditures – Total \$12,269,221

- Appropriate note proceeds for the expansion and rehabilitation of the South Regional Water Treatment Plant (SRWTP), project 18WS04; approved by Council 09/17/2020 – **\$11,448,441.**
- Fund the 20 Bond Construction (434) Issuance Costs; approved by Council 09/17/2020 – **\$58,559.**
- Appropriate funds for the FY 21 Debt service Principal for \$585,000 and Interest for \$177,221 for the 2020 Bond Construction Note; approved by Council 09/17/2020 – **\$762,221.**

Building Fund (451)

Revenues – Total \$37,579

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$37,392.**
- Transfer from General Fund (Human Resources Department and vending machine contributions) to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE count – **\$187.**

Expenditures – Total \$382,548

- Remove Building funds from Growth Management Department (\$4,255,219) and establish Building as a stand-alone Department and move funds over \$4,255,219; approved by Council 10/01/2020 – **Net Impact - \$0.**
- Appropriate funds for installation of City's door access system at new lease location for Building Department; approved by Council 11/19/2020 – **\$7,995.**
- Appropriate funds for moving expenses of \$70,000, annual lease payment of \$100,000 and estimated operating expenses of \$31,964 for new location for Building Department; approved by Council 09/17/2020 – ***\$201,964** (*Additional budget allocation of \$7,142 based on quotes for additional janitorial costs due to location size, approved by Interim City Manager.)
- Appropriate funds for credit card processing fees until City switches to Cardknox and fees are passed onto customer; approved by Council 11/19/2020 – **\$38,800.**
- Appropriate funds to add a part-time Senior Plans Examiner and a Senior Permit Technician position due to increase of current and anticipated future construction within the City; approved by Council 12/03/2020 – **\$133,651.**

- Remove salary splits for Growth Management Director, Assistant Growth Management Director and Engineering Tech III for (\$34,423) and transfer to General Fund to distribute full salary amounts according to Ordinance passed on 10/1 for \$34,423 making Building its own Department; approved by Council 10/01/2020 – **Net Impact - \$0.**
- FY 21 Budget correction to adjust the total audit cost allocation per contractual agreements – **(\$49).**
- Appropriate funding from the General Fund (Human Resources Department and vending machine contributions) to the Building Fund to utilize towards 2020 departmental holiday events based on active FTE count – **\$187.**

Stormwater Utility Fund (461)

Revenues – Total \$43,609

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$43,609.**

Expenditures – Total (\$145)

- FY 21 Budget correction to adjust the total audit cost allocation per contractual agreements – **(\$145).**

Solid Waste Fund (471)

Revenues – Total \$3,190

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$3,190.**

Expenditures – Total (\$11)

- FY 21 Budget correction to adjust the total audit cost allocation per contractual agreements – **(\$11).**

Employee Health Insurance Fund (511)

Revenues – Total \$3,140

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$3,140.**

Risk Management Fund (512)

Revenues – Total \$16,121

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$16,121.**

Other Employee Benefits Fund (513)

Revenues – Total \$2,386

- Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement – **\$2,386.**

Fleet Services Fund (521)

Revenues – Total \$1,024,093

- Transfer from the General Fund for vehicles for the Parks Department for \$109,000 and Facilities Department \$23,371 that are offset by additional FY 2021 State-Shared revenues received; approved by Council 11/05/2020 – **\$132,371.**
- Transfer from General Fund for vehicles from Public Works/Fleet for \$586,000, Police for \$329,734 and Fire for \$134,000 from the return of excess prior years allocation from Risk Management Fund assessed through FY 19; approved by Council 09/03/2020 – **\$1,049,734.**
- Transfer reduction from General Fund to utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – **(\$179,658).**
- Transfer from General Fund for the increased cost associated with the purchase of eleven (11) police vehicle replacements; approved by Council 12/03/2020 – **\$21,646.**

Expenditures – Total \$1,024,093

- Appropriate the following funds offset by additional FY 2021 State-Shared revenues received; approved by Council 11/05/2020 – **\$132,371:**
 - Facilities: vehicle purchase for new Construction Project Manager position for \$23,371.
 - Parks: Four (4) truck replacements for \$109,000.
- Appropriate the following Fleet/vehicle needs for FY 2021 from the return of excess prior years allocation from Risk Management Fund assessed through FY 19 (FY 2020 Budget Amendment #4); approved by Council 09/03/2020 – **\$1,049,734:**
 - Public Works: Fleet equipment/vehicle replacement/upgrades - \$586,000.
 - Police: Replacement of (11) police vehicles – \$329,734.
 - Fire: Purchase of a squad truck, a District Chief Silverado crew cab and a brush truck retrofit – \$134,000.
- Return funds to utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant; approved by Council 11/19/2020 – (\$179,658).
- Appropriate funds for purchase of additional costs for eleven (11) police vehicle replacements; approved by Council 12/03/2020 – **\$21,646.**

REQUESTING DEPARTMENT:

Community & Economic Development, Growth Management, Utilities, Public Works, Parks & Recreation, Finance, Human Resources, Police Department, Fire Department, Information Technology

FISCAL IMPACT:

Please refer to Exhibit A - BA #1 Appropriations for fiscal impact summary.

RECOMMENDATION:

Motion to adopt, by Ordinance, the FY 2021 First Budget Amendment.

ATTACHMENTS:**Description**

Ordinance 2021-03

Ordinance 2021-03, Exhibit A - BA #1 Appropriations

ORDINANCE 2021-03

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2021 BUDGET BY APPROPRIATING AND ALLOCATING FUNDS IDENTIFIED IN EXHIBIT 'A', CONSISTING OF 11 PAGES AND INCORPORATED IN ITS ENTIRETY HEREIN; RECOGNIZING THAT SUCH APPROPRIATIONS MUST BE MADE PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF PALM BAY, CHAPTER 35; ADOPTING, RATIFYING, CONFIRMING, AND VALIDATING THE ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay recognizes that non-budgeted items must be appropriated and that such appropriation must be allocated by Ordinance, and

WHEREAS, transfers between funds and departments must be approved by City Council, and

WHEREAS, Chapter 35, Finance, Budget, Section 35.035, of the City of Palm Bay, Code of Ordinances, provides for the transfer of funds and appropriation of unbudgeted funds.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council, in accordance with the City of Palm Bay, Code of Ordinances, Chapter 35, Finance, Budget, Section 35.035, hereby appropriates the funds as identified in Exhibit 'A'.

SECTION 2. The City Council adopts, ratifies, and approves the appropriations as identified in Exhibit 'A'.

SECTION 3. The provisions within this Ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2021- , held on , 2021; and
read in title only and duly enacted at Meeting 2021- , held on , 2021.

Robert Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Summary of the Proposed Budget Amendment

	Revenues	Expenditures
General Fund (001)		
Recognize additional FY 21 state-shared revenues published by FI Dept of Revenue's Office of Tax Research	1,472,760	
Appropriate funds in Parks Department to remove and replace the old slide infrastructure at the Palm Bay Aquatic Center		130,000
Allocate funds in Facilities for a Tradesworker position, a new Construction Project Manager position, and increased Overtime and Building Repairs, offset by additional state shared revenues		249,856
Appropriate funds from State Revenue Sharing to Promotion of Administrative Assistant position to Economic Development Assistant position		5,000
Appropriate funds in IT for PC replacements and SAN hardware at end of life, offset by additional state shared revenues		134,000
Transfer to Fleet Fund for Police vehicle replacements from the return of excess prior years allocation from Risk Management Fund		329,734
Transfer to Fleet Fund for Fire Department vehicles from the return of excess prior years allocation from Risk Management Fund		134,000
Appropriate funds for Parks playground replacements from the return of excess prior years allocation from Risk Management Fund		590,000
Transfer to Fleet Fund for Parks truck replacements from the return of excess prior years allocation from Risk Management Fund		109,000
Transfer to Fleet Fund for Public Works/Fleet vehicles and equipment from the return of excess prior years allocation from Risk Management Fund		586,000
Appropriate funds for Public Works Traffic control devices and a large format printer from the return of excess prior years allocation from Risk Management Fund		124,843
Appropriate funds for Public Works Survey Party Chief position that was previously unfunded during the budget process		40,560

Mayor and Council: FY 2021 First Budget Amendment

January 07, 2021

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Exhibit A

Pay Adjustment for sworn & communications center personnel in Police Department		478,350
Appropriate additional funds from bid award difference plus contingency for Fred Poppe Regional Park septic to sewer conversion		100,880
Transfer to Comm Invest Fund for Ph I of the Fred Poppe Regional Park Campground project 16PK08		558,492
Appropriate funds for credit card processing fees until City switches to Cardknox and fees are passed onto customer		70,000
Transfer from Building Fund for salaries per 10/1 Ordinance to remove splits and distribute accordingly	34,423	
Per Ordinance passed on 10/1, remove salary splits between Growth Management and Building and distribute according to individual Departments		34,423
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(976)
Return funds to utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		(103,806)
Reduce transfer to Fleet Fund and utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		(179,658)
Transfer to Fleet Fund for the increased cost associated with purchase of (11) police vehicle replacements		21,646
Appropriate funds for a new Fire Inspector position, costs will be offset by additional revenues received from inspections		63,383
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	301,817	
Transfer budgeted funding from the Human Resources Department and vending machine contributions		(4,406)
Appropriate funding from the Human Resources Department and vending machine contributions to city-wide General Fund departments based on active FTE count		5,456
Transfer to Utilities Fund for budgeted funding to from the Human Resources Department and vending machine contributions to city-wide departments based on FTE count towards City Employee Holiday events		1,129

Mayor and Council: FY 2021 First Budget Amendment

January 07, 2021

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Exhibit A

Transfer to the Building Fund for budgeted funding to from the Human Resources Department and vending machine contributions to city-wide departments based on FTE count towards City Employee Holiday events		187
Undesignated Fund Balance	1,669,093	
Fund Subtotal	3,478,093	3,478,093
Law Enforcement Trust Fund (101)		
Appropriate funds for Asset Forfeiture Program legal fees, registration for 8 police officers to attend FBI-LEEDA Executive Leadership and Cops and Friends Reindeer Run		16,510
Undesignated Fund Balance	16,510	
Fund Subtotal	16,510	16,510
NSP Fund (123)		
Allocate funds to cover the cost of mowing maintenance for FY 21 for six (6) City-owned NSP properties		4,600
Undesignated Fund Balance	4,600	
Fund Subtotal	4,600	4,600
Bayfront Community Redevelopment Trust Fund (181)		
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(13)
Reserves		13
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	3,401	
Reserves		3,401
Fund Subtotal	3,401	3,401
Police Impact Fees-32907 Fund (183)		
Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		52,541
Undesignated Fund Balance	52,541	

Mayor and Council: FY 2021 First Budget Amendment

January 07, 2021

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Exhibit A

Fund Subtotal	52,541	52,541
Police Impact Fees-32908 Fund (184)		
Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		52,541
Undesignated Fund Balance	52,541	
Fund Subtotal	52,541	52,541
Police Impact Fees-32909 Fund (186)		
Utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		210,164
Undesignated Fund Balance	210,164	
Fund Subtotal	210,164	210,164
Fire Impact Fees-32905 Fund (187)		
Utilize funds to fabricate a high-water rescue vehicle for use in two areas of the City		6,251
Undesignated Fund Balance	6,251	
Fund Subtotal	6,251	6,251
Fire Impact Fees-32907 Fund (188)		
Utilize funds to fabricate a high-water rescue vehicle for use in two areas of the City		6,251
Undesignated Fund Balance	6,251	
Fund Subtotal	6,251	6,251
Fire Impact Fees-32909 Fund (190)		
Utilize Impact Fee funds to purchase an air compressor for new Fire Station 5		50,000
Utilize Impact Fee funds to purchase vehicle for the development of a training division for Fire Station 5		43,740
Undesignated Fund Balance	93,740	

Mayor and Council: FY 2021 First Budget Amendment

January 07, 2021

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Exhibit A

Fund Subtotal	93,740	93,740
Park Impact Fee Fund-32905 (191)		
Utilize Impact Fees for construction of Riviera Dog Park for citizens in the NE section of the City		150,000
Undesignated Fund Balance	150,000	
Fund Subtotal	150,000	150,000
Parks Impact Fee Fund - 32907 (192)		
Appropriate funding for Phase I construction of Fred Poppe Regional Park Campground project 16PK08		534,836
Undesignated Fund Balance	534,836	
Fund Subtotal	534,836	534,836
Park Impact Fee Fund-32908 (193)		
Appropriate funding for Phase I construction of Fred Poppe Regional Park Campground project 16PK08		462,637
Undesignated Fund Balance	462,637	
Fund Subtotal	462,637	462,637
Debt Service Fund (201)		
FY 21 Approved Budget entry correction to principal and interest payments for lease purchase of fire apparatus and police vehicles		(19,497)
Undesignated Fund Balance	(19,497)	
Fund Subtotal	(19,497)	(19,497)
2010 PST Revenue Bond Fund (219)		
Principal Payment Contribution to Fund 230		427,000
Reduction in budgeted interest payment amount for due Fund 219/230 Bond Refinancing		(127,644)
Additional budget to cover increased agent fees for Bond Refinancing		119
Transfer from to Debt Service Fund 230 for Issuance Costs due Fund 219/230 Bond Refinancing		46,252

Mayor and Council: FY 2021 First Budget Amendment

January 07, 2021

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Exhibit A

Reserves recorded as Revenues exceeded Expenditures at Balancing		(7,191)
Designated Fund Balance	338,536	
Fund Subtotal	338,536	338,536
2020 Special Obligation Revenue Ref Note Fund (230)		
Record Special Obligation Revenue Refunding Note, 2020 Loan Proceeds	4,258,000	
Appropriate Funds for Cash Defeasance Payment for Special Obligation Revenue Refunding Note, 2020 Loan Proceeds		4,258,000
Transfer from General Fund for bond debt refinancing to support FY 2021 principal and interest payment obligations	328,050	
Transfer from Debt Service Fund 219 for Issuance Costs due	46,252	
Appropriate Issuance costs due Fund 219/230 Bond Refinancing		46,252
Appropriate funds for FY 2021 Debt Amortization schedule - Principal payment		248,000
Appropriate funds for FY 2021 Debt Amortization schedule - Interest payment		80,050
Fund Subtotal	4,632,302	4,632,302
Community Investment Fund (301)		
Transfer from General Fund for Ph I of the Fred Poppe Regional Park Campground project 16PK08	558,492	
Appropriate funding for Phase I construction of Fred Poppe Regional Park Campground project 16PK08		558,492
Fund Subtotal	558,492	558,492
GO Road Program (309)		
Funding for Port Malabar East Road Paving Project 20GO16		1,416,681
Funding for Units 1, 2 & 3 Road Paving project 21GO01		1,214,767
Funding for Unit 4 Road Paving project 21GO02		2,497,411
Funding for Unit 27 Road Paving project 21GO03		44,928
Funding for Unit 35 Road Paving project 21GO04		370,672
Funding for Unit 43 Road Paving project 21GO05		156,720
Funding for Unit 47 Road Paving project 21GO06		120,680

Mayor and Council: FY 2021 First Budget Amendment

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Exhibit A

Undesignated Fund Balance	5,821,859	
Fund Subtotal	5,821,859	5,821,859
Utilities Operating Fund (421)		
Appropriate funds for NRWTP Clarifier 2 Construction 17WS13		448,471
Reimbursement revenues to offset project funding carried from FY 20 to FY 21 for 17WS16 - WRF Denitrification Project	3,295,338	
Reserves		3,295,338
Transfer funds to the 20 Bond Construction Fund (434) towards the payment of debt in FY 21		116,620
Funds for engineering and contractual services to remove 12" water main removal as required by the Florida Department of Transportation (FDOT)		35,000
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(306)
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	126,972	
Transfer from General Fund (Human Resources Department and vending machine contributions) to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE count	1,129	
Appropriate funding from the General Fund (Human Resources Department and vending machine contributions) to the Utilities Operating Fund to utilize towards 2020 departmental holiday events based on active FTE count		1,129
Undesignated Fund Balance	472,813	
Fund Subtotal	3,896,252	3,896,252
Utilities Connection Fee Fund (423)		
Transfer funds to the 20 Bond Construction Fund (434) towards the payment of debt in FY 21 for Utility System Revenue Note		645,601
Undesignated Fund Balance	645,601	

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Exhibit A

Fund Subtotal	645,601	645,601
Main Line Extension Fee Fund (425)		
Appropriate funds for engineering services for Pace Drive water main looping project 21WS23		275,000
Undesignated Fund Balance	275,000	
Fund Subtotal	275,000	275,000
20 Bond Construction Fund (434)		
Appropriate Utility System Revenue Note, Series 2020 proceeds to #18WS04		11,448,441
Fund Issuance Costs for Utility System Revenue Note, Series 2020		58,559
Transfer from Utilities Operating towards the payment of debt in FY 21	116,620	
Transfer from Connection Fee Fund towards the payment of debt in FY 21	645,601	
Appropriate funds for Utility System Revenue Note, Series 2020 - Principal		585,000
Appropriate funds for Utility System Revenue Note, Series 2020 - Interest		177,221
Undesignated Fund Balance	11,507,000	
Fund Subtotal	12,269,221	12,269,221
Building Fund (451)		
Remove Building from Growth Management and establish Building as stand-alone Department		(4,255,219)
Establish Building Department and move funds over from Growth Management		4,255,219
Appropriate funds for installation of City's door access system at new lease location for Building Department		7,995
Appropriate funds for moving expenses, annual lease payment and monthly operating expenses for new location for Building Department		201,964
Appropriate funds for credit card processing fees until City switches to Cardknox and fees are passed onto customer		38,800

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Exhibit A

Appropriate funds to add a PT Senior Plans Examiner and Senior Permit Tech position		133,651
Per Ordinance passed on 10/1, remove salary splits between Growth Management and Building and distribute according to individual Departments		(34,423)
Transfer to General Fund for salaries per Ordinance		34,423
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(49)
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	37,392	
Transfer from General Fund (Human Resources Department and vending machine contributions) to city-wide departments to utilize towards 2020 departmental holiday events based on active FTE count	187	
Appropriate funding from the General Fund (Human Resources Department and vending machine contributions) to the Building Fund to utilize towards 2020 departmental holiday events based on active FTE count		187
Undesignated Fund Balance	344,969	
Fund Subtotal	382,548	382,548
Stormwater Utility Fund (461)		
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(145)
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	43,609	
Undesignated Fund Balance	(43,754)	
Fund Subtotal	(145)	(145)

Mayor and Council: FY 2021 First Budget Amendment

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Exhibit A

Solid Waste Fund (471)		
Budget correction to adjust the total audit cost allocation per contractual agreements for FY 21		(11)
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	3,190	
Undesignated Fund Balance	(3,201)	
Fund Subtotal	(11)	(11)
Employee Health Insurance Fund (511)		
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	3,140	
Reserves		3,140
Fund Subtotal	3,140	3,140
Risk Management Fund (512)		
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	16,121	
Reserves		16,121
Fund Subtotal	16,121	16,121
Other Employee Benefits Fund (513)		
Record ICMA forfeiture refunding revenues in accordance with plan #109147 agreement	2,386	
Reserves		2,386
Fund Subtotal	2,386	2,386
Fleet Services Fund (521)		
Transfer from General Fund for vehicle in Facilities for new Construction Project Manager position, offset by additional state shared revenues	23,371	
Utilize funds for vehicle in Facilities for new Construction Project Manager position, offset by additional state shared revenues		23,371
Transfer from General Fund for Parks truck replacements from the return of excess prior years allocation from Risk Management Fund	109,000	

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Exhibit A

Utilize funds for (4) truck replacements for Parks from the return of excess prior years allocation from Risk Management Fund		109,000
Transfer from General Fund for Public Works/Fleet vehicles and equipment from the return of excess prior years allocation from Risk Management Fund	586,000	
Utilize funds for Public Works/Fleet vehicles and equipment from the return of excess prior years allocation from Risk Management Fund		586,000
Transfer from General Fund for Police vehicle replacements from the return of excess prior years allocation from Risk Management Fund	329,734	
Utilize funds for purchase of PD Vehicles from the return of excess prior years allocation from Risk Management Fund		329,734
Transfer from General Fund for Fire vehicles from the return of excess prior years allocation from Risk Management Fund	134,000	
Utilize funds for purchase of Fire Vehicles from the return of excess prior years allocation from Risk Management Fund		134,000
Transfer reduction from General Fund and utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant	(179,658)	
Return funds to utilize Impact Fees for the purchase of (6) vehicles and on-boarding (6) Patrol Officer positions awarded under DOJ + CHP Grant		(179,658)
Transfer from General Fund for the increased cost associated with purchase of (11) police vehicle replacements	21,646	
Appropriate funds for purchase of additional costs for (11) police vehicle replacements		21,646
Fund Subtotal	1,024,093	1,024,093
Total	34,917,463	34,917,463



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director, City Engineer

DATE: 1/7/2021

RE: Consideration of utilizing unallocated funds for Contracting Mowing Services (Public Works Department - \$200,000 annually).

The Public Works Department has been reorganizing the Operations Division to be more efficient in allocating resources by creating two maintenance sections. The current Operations Division is divided into three maintenance sections of mowing, stormwater and roads. The new reorganized Division will have two sections for sharing resources for the Roads and Piping and then Stormwater and Mowing. In addition to the reorganization, there is a staffing demand in the mowing section.

The staffing for the mowing crews are at the minimal level of employees to cover the on-going services. At peak times, such as storm events or extra services, the mowing section is forced to use overtime hours to provide the staffing to handle these added events and still maintain a maintenance schedule. The recent addition of the St John's Heritage Parkway to the mowing schedule has pushed the limit on the mowing staff. The time has come for the Department to use contract services for the mowing operation which the Department originally contracted in the past.

The Department is ready to bid a new annual lawn maintenance service to cover the basic services for mowing, trimming, edging, herbicide spraying and litter removal. The lawn service will be for six (6) of the major collector roadways with medians and shoulder areas. The contract will require the maintenance to be performed twice a month for a one-year period for the six (6) corridors. The service will be monitored, and the Department believes contracting this service will provide the same quality of service and allow the mowing employees to assist other sections on critical maintenance needs.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

The total estimated cost is \$200,000 annually. Funding for this request is not included in the current fiscal year approved budget; appropriation is being requested from General Fund Undesignated Fund Balance GL 001-0000-392-1001 to GL 001-7017-541-340/Other Contractual Services/Mowing Contracts. Funds are available in

General Fund Undesignated Fund Balance, due to the additional state shared revenue being reflected in the FY 21 Budget as part of the first budget amendment.

RECOMMENDATION:

Motion to approve contracting for the annual lawn maintenance services in the Public Works Department.

ATTACHMENTS:

Description

Summary Project Limits

**City of Palm Bay
Public Works Department
Lawn Maintenance Work Scope
December 5, 2020**

WORK LOCATIONS:

The areas of work shall be in the City Right of Way for the six (6) collector streets shown below within City medians and side shoulder right of way or easements. There are six (6) **Collector Road Right of Way** areas, which shall be serviced approximately **twenty-four (24) times per year or twice a month. All streets shall be served twice a month per year for this contract.** The Collector Roads are the following:

	Street	Start	End	Distance (LF)	No. of Trees	Edging/ Weeding	Acres
1	St Johns Heritage Parkway	I-95 RW	Babcock St	8,770	0	Yes	10.1
2	Malabar Road	Jupiter Blvd	Emerson Dr	15,620	68	Yes	17.9
3	St Johns Heritage Parkway	Malabar Rd	Northern City Limit	15,905	0	Yes	18.3
4	Jupiter Boulevard	Malabar Rd	San Filippo Dr.	23,665	4	Yes	16.3
5	Emerson Drive	Malabar Rd	Walden Blvd.	15,200	71	Yes	6.9
6	Emerson Drive	Minton Rd	Jupiter Blvd	23,355	55	Yes	13.4
			Total	19.4 miles	198		83 acres



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director, City Engineer

DATE: 1/7/2021

RE: Consideration of utilizing unallocated funds for an Operations Manager and purchase of one (1) vehicle (Public Works Department - \$86,625).

As part of a reorganization of the Public Works Operations Division, the Public Works Department is requesting an Operations Division Manager to manage installation of in-house stormwater drainage pipes for the road paving program, oversee the road maintenance of potholes, minor street paving, bridge and sidewalk repairs, as well as, coordinate with the stormwater and mowing supervisors to balance the workload within the Operations Division.

The Operations Division is currently divided into three maintenance sections of mowing, stormwater and roads. The reorganization will create two divisions, with one focused on Roads and Stormwater Piping and the other tasked with Stormwater Maintenance and Mowing. This is supported in part by the previous shift of employees and heavy equipment to provide three piping dedicated to the installation of street pipes in advance of the road paving projects. In FY 2020, the in-house piping crews have installed over 90 drainage pipes in Units 5, 17, 46 and at various locations, as well as the trenching operation in Unit 23 for the paved swales. The in-house piping crews have saved the City an estimated \$370,000 from using contract services.

The Road Paving Program is scheduled for another six years with an estimated 250-300 pipe crossings per year. The City does not have sufficient stormwater funds to cover contract services for this many pipe crossings per year to stay ahead of the road paving. The in-house installation of street pipes is the only option to meet the needs of the road paving program.

The Operations Division Manager is required to be in the field 80% of the work week overseeing the road maintenance and pipe installation in-house projects, which will require the use of a City vehicle (Ford 250, ¾ ton, 4X4 2 door pickup truck).

REQUESTING DEPARTMENT:
Public Works

FISCAL IMPACT:

Based on an assumed start date of 01/30/2021, the estimated fiscal impact for the Operations Manager position to the General Fund's Public Works Department in FY 2021, based on 17 remaining pay periods, is \$86,625, which includes the purchase of one (1) vehicle. Funding for this additional FTE position has not been included in the FY 2021 Approved Budget and will need to be appropriated from General Fund Undesignated Fund Balance GL 001-0000-392-1001 as follows: Salary/Wages \$37,060; Insurance Benefits Credit \$521; Social Security/Medicare \$2,875; Retirement \$3,382; Health Insurance (OAP Out-of-Network Employee Only) \$7,118; Other Employee Benefits \$3,815; Workers Compensation \$1,155; Computer Hardware/Software Support Costs \$3,449; Vehicle-Ford F 250 ¾ ton, 4X4 2-door \$27,250 (to be transferred to the Fleet Services Fund for purchase). After FY 2021, annual recurring costs to the General Fund's Public Works Department are estimated to total \$86,594 at minimum based on updated insurance/workers compensation rates and employee selections. Funds are available in General Fund Undesignated Fund Balance, due to the additional state shared revenue being reflected in the FY 21 Budget as part of the first budget amendment.

RECOMMENDATION:

Motion to approve the utilization of Undesignated Fund Balance for an Operations Division Manager and the purchase of a Ford F250 vehicle in the Public Works Department.

ATTACHMENTS:

Description

Operations_Division_Manager_Packet (BUDGET REVISION)



Position Control Change Request Form

POSITION CONTROL CHANGE REQUEST FORM									
Requesting Department:									
Please check the box below for the type of change requested:									
<input type="checkbox"/>	Reclassification of Position (please see Administrative Code 31.14.2, Reclassification of Positions)								
<input type="checkbox"/>	Position Title Change								
<input type="checkbox"/>	Funding Source Change								
<input type="checkbox"/>	Additional FTE (position already exists in the pay plan). Must attach a completed PAR FORM								
<input type="checkbox"/>	New Position (not in Pay Plan previous or current – please see Administrative Code 31.14.1, Classification of New Positions)* Must attach a completed PAR FORM								
<input type="checkbox"/>	Other								
Justification: Requesting department must attach a detailed justification memo.									
<input type="checkbox"/>	Justification memo attached								
Funding Source (Funding source may not be from one-time savings. Human Resources will review however Departments are ultimately responsible for their Budget):									
Budgetary Impact (Personnel Cost):					All Other Costs:				
<i>*Please Note: The budgetary impact figure includes benefit changes such as FICA, life, disability, etc. that are linked to the employee's annual salaries. Department must complete All other Costs if additional or new equipment is needed such as phones, computers, vehicles, etc. If none, please indicate N/A (non-applicable).</i>									
Does this action increase your FTE count?				<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
				Current			Proposed		
Name/Position Title:									
Department/Division:									
Group Plan:									
Pay Grade/Step:									
Salary:									
Submitted by:							Date:		
Reviewed by HR:							Date:		
<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	HR Director			Date:		
<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	City Manager			Date:		
<input type="checkbox"/>	Completed		<input type="checkbox"/>	Copy to Budget			<input type="checkbox"/>	Updated PC Document	
Human Resources							Date:		
Requires Council Approval Prior to Implementation:				<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
Human Resources Only - Proposed Effective Date:									



PUBLIC WORKS DEPARTMENT

INTEROFFICE MEMORANDUM

TO: Human Resource

FROM: Frank Watanabe, Public Works Director/City Engineer

DATE: December 16, 2020

RE: Justification for the addition FTE of an Operations Division Manager

This memorandum is written to document the need to request an Operations Division Manager to manage installation of in-house stormwater drainage pipes for the road paving program, oversee the road maintenance of potholes, minor street paving, bridge and sidewalk repairs, as well as, coordinate with the stormwater and mowing supervisors to balance the workload within the Operations Division.

The Operations Division is currently divided into three maintenance sections of mowing, stormwater and roads. The Division has reorganized employees and heavy equipment to provide three piping crews for the installation of street pipes in advance of the road paving. In FY 2020, the in-house piping crews have installed over 90 drainage pipes in Units 5, 17, 46 and at various locations, as well as the trenching operation in Unit 23 for the paved swales. The in-house piping crews have saved the City an estimated \$370,000 from using contract services.

The Road Paving program is scheduled for another six years with an estimated 250-300 pipe crossings per year. The City does not have sufficient stormwater funds to cover contract services for this many pipe crossings per year to stay ahead of the road paving. The in-house installation of street pipes is the only option to meet the needs of the road paving program.

The Operations Division Manager is required to be in the field 80% of the work week overseeing the road maintenance and pipe installation in-house projects, which will require the use of a City vehicle (Ford 250, $\frac{3}{4}$ ton, 4X4 2 door pickup truck).

GO Roads Employee Cost Analysis - Personnel Costs Only

	Title	Fund	FT/ PT	1210 - Full-time	1512 -Insurance Benefit Credit	1540- Additional Pay	2110 - SS/MC (FICA)	2210 - Retirement Contributions	2320 - Employee Health Ins. Premiums	2330 - Other Emp Ins. Premiums	2410 - Workers Comp	Totals
							0.0765	0.09				
Proposed Position	Operations Division Manager	GF	FT	56,680.00	797.16		4,397.00	5,172.94	10,887.00	5,835.00	1,766.00	85,535.11
Totals	1			56,680.00	797.16	-	4,397.00	5,172.94	10,887.00	5,835.00	1,766.00	85,535.11

Assumed Start Date 1/30/2021

(17 PP remaining)

Recurring Impact

001-7034-541-1210	37,060
001-7034-541-1512	521
001-7034-541-1820	N/A
001-7034-541-2110	2,875
001-7034-541-2210	3,382
001-7034-541-2320	7,118
001-7034-541-2330	3,815
001-7034-541-2410	1,155
Personnel Total	55,927

001-7034-541-1210	56,680
001-7034-541-1512	797
001-7034-541-1820	N/A
001-7034-541-2110	4,397
001-7034-541-2210	5,173
001-7034-541-2320	10,887
001-7034-541-2330	5,835
001-7034-541-2410	1,766
Personnel Total	85,535

Cell Phone/Computer	
Hardware/Software	3,449
Vehicle Cost	27,250.00

Cell Phone/Software	
Maintenance	1,059

Total FY21 Impact 86,626

Total Recurring Impact 86,594

Operations Division Manager Budgetary Cost

Item	Minimum Specifications	Budgetary Value
Support Computing Devices (5108)		
Office / Field Laptop	Intel i5, 8GB RAM, 256GB SSD, 15" Screen, Integrated Graphics, Bluetooth and Wireless Connectivity Included, Backlit Keyboard, 3 Year Warranty. Monitor, Dock, Case Not Included. Cellular Connectivity Requires Monthly Service Plan with Recurring Costs That Must Be Budgeted.	1,200
24" Monitor	LED Display (\$180 each) Dual Screen	360
Surge Protection for a Laptop	6 Outlet Power Strip	15
Laptop Docking Station	Video monitor output, USB ports	250
Total Support Computing Devices		1,825
Peripherals/Accessories/Upgrades (5403)		
Microsoft Enterprise Suite	Network logon, Email Account and Archive, Operating System, Antivirus Threat Protection, Office Productivity Suite Software (Office 365). Required for All Positions / Volunteers for Computing Access. (Rekurs Annually)	375
Adobe Acrobat Pro	Single User	425
Laserfiche, Participant User	Read Only Access (Rekurs Annually)	48
Total Peripherals/Accessories/Upgrades		848
Telephone Devices, Cellular Services (5403)		
Smarsh Subscription	Mobile Management Application. Required for All New Smartphone Activations. Smartphone Unlimited Talk, Text & Email SharePlan, Unlimited Voice/Text/Data, includes	140
Smartphone	Hotspot Service (\$53 Rekurs Monthly)	636
Total Telephone Devices, Cellular Services		776
Total Computer Hard Software Budgetary Costs		3,449
Vehicle Cost		
3/4 TON PICKUP TRUCK 4X4	Ford F250, 3/4 ton, 4x4 2door	26,000
Warning Lights	Yellow strobe light - required for safety	350
Window Tint	Standard tint for all windows	200
Bed Liner	liner for the back of pick up	500
City tag/title	Vehicle Registration	200
Total Vehicle Cost		27,250

Personnel Adjustment Request

Submitted requests impacting all personnel/staff related funding for the fiscal year

FY 2021 Total Marginal Cost/(Savings): 116,234

Title: Operations Division Manager
Fund: 001 GENERAL FUND
Department: Public Works
Division: Infrastructure
Priority:
Priority 1 CODE: Deadline:
Category: Increase
Position Type: New
Location: In-field

FOR BUDGET OFFICE USE ONLY

To be completed by the Budget Office; status inquiries should be sent to Budget@palmbayflorida.org
Status: Select Request Status
Other:
Date:
APPROVED REQUESTS ONLY - H.T.E. ENTRY
Entry Date:
Entered By: Select Individual

Description & Justification For Request:

The Public Works Department is requesting an Operations Division Manager to manage installation of in-house stormwater drainage pipes for the road paving program, oversee the road maintenance of potholes, minor street paving, bridge and sidewalk repairs, as well as, coordinate with the stormwater and mowing supervisors to balance the workload within the Operations Division.

The Operations Division is currently divided into three maintenance sections of mowing, stormwater and roads. The Division has reorganized employees and heavy equipment to provide three piping crews for the installation of street pipes in advance of the road paving. In FY 2020, the in-house piping crews have installed over 90 drainage pipes in Units 5, 17, 46 and at various locations, as well as the trenching operation in Unit 23 for the paved swales. The in-house piping crews have saved the City an estimated \$370,000 from using contract services.

The Road Paving program is scheduled for another six years with an estimated 250-300 pipe crossings per year. The City does not have sufficient stormwater funds to cover contract services for this many pipe crossings per year to stay ahead of the road paving. The in-house installation of street pipes is the only option to meet the needs of the road paving program.

The Operations Division Manager is required to be in the field 80% of the work week overseeing the road maintenance and pipe installation in-house projects, which will require the use of a City vehicle (Ford 250, ¾ ton, 4X4, 2 door pickup truck).

PERSONNEL/POSITION DETAILS

Add/Delete (FTE):	Group:	Grade:	Title:
1.00	G2	AB	Operations Division Manager
0.00	Select From Drop-Down		
0.00	Select From Drop-Down		
0.00	Select From Drop-Down		

EXPENDITURE DETAILS - ACCOUNT NUMBERS & DESCRIPTIONS

Use Full GL Accounting String & Description

Enter GL Accounting String Click Cells for Samples				Amounts
Personnel	1210 Regular Salaries & Wages	001-7034-541-	1210	56,680
Personnel	2340 Employee Cafeteria Credit	001-7034-541-	1512	797
Personnel	2110 Social Security/Medicare	001-7034-541-	2110	4,397
Personnel	2210 Retirement-ICMA	001-7034-541-	2210	5,173
Personnel	2320 Emp Health Ins Premiums	001-7034-541-	2320	10,887
Personnel	2330 Other Emp ins Premiums	001-7034-541-	2330	5,835
Personnel	2410 Workers Compensation	001-7034-541-	2410	1,766
CIT	4102-Cellular Services	001-2310-519-	4102	776
CIT	5103-Computer Supplies	001-2310-519-	5103	625
CIT	5104-Software	001-2310-519-	5104	848
CIT	5108-Computer Hardware	001-2310-519-	5108	1,200

Page 2 Sub-Total (Additional Expenditures)	27,250
Total Expenditures:	116,234
One-Time:	29,640
Recurring Costs Must Be Completed → Recurring:	86,594
Specify Identifiable Revenue Funding Source (Excluding Fund Balance):	-
	-
	-
Total Revenues:	-
Total Expenditures Minus Revenues:	116,234

Impact of Denial:

Without adding the OperationsDivision Manager, there will not be adequate oversite of the road maintenance and pipe installation in-house projects.

Personnel Adjustment Request

Submitted requests impacting all personnel/staff related funding for the fiscal year

Title:Operations Division Manager

Fund (Name/#):001 GENERAL FUND

Department:Public Works

Division:Infrastructure

EXPENDITURE DETAILS - ACCOUNT NUMBERS & DESCRIPTIONS

Use Full GL Accounting String & Description

		Enter GL Accounting String Click Cells for Samples		Amounts
Fleet	4904 - Tags/Titles/Permits	521-7070-519	4904	200
Fleet	6403 - Light Vehicles	521-7070-519	6403	27,050
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Select Category	Select From Drop-Down			-
Page 2 Sub-Total:				27,250



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director, City Engineer

DATE: 1/7/2021

RE: Consideration of utilizing unallocated funds for an Engineering Technician II in the Public Works Department (\$41,961).

The Public Works Department is requesting an additional Engineering Technician II to assist in processing residential driveway and drainage permits.

Currently, Public Works only has two engineering technicians to process permit applications as well as review drainage lot plans to ensure positive drainage flow for each residential unit. Since March 2020, the number of residential driveway permits have increased from an average of 80-90 applications which takes an average of 2-3 weeks to process. Due to the current demand of 180 applications per month, the average processing time has increased to 10 weeks, and staff is working overtime hours to keep up with the demand.

In addition, City staff is aware of several new residential subdivisions which are expected to submit an initial start-up of twenty-five (25) permit applications. The new engineering technician will work with current staff and with the Building Department to run both applications concurrently to help streamline the application review and processing time.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

Based on an assumed start date of 01/30/2021, the estimated fiscal impact for the Engineering Technician II position to the General Fund's Public Works Department in FY 2021, based on 17 remaining pay periods, is \$41,961. Funding for this additional FTE position has not been included in the FY 2021 Approved Budget and will need to be appropriated from General Fund Undesignated Fund Balance GL 001-0000-392-1001 as follows: Salary/Wages \$22,796; Insurance Benefits Credit \$521; Social Security/Medicare \$1,784; Retirement \$2,099; Health Insurance (OAP Out-of-Network Employee Only) \$7,118; Other Employee Benefits \$3,815; Workers Compensation \$1,155; Computer Hardware/Software Support Costs \$2,673. After FY 2021, annual recurring costs to the General Fund's Public Works Department are estimated to total \$60,510 at minimum based on updated insurance/workers compensation rates and employee selections. Funds are available in

General Fund Undesignated Fund Balance, due to the additional state shared revenue being reflected in the FY 21 Budget as part of the first budget amendment.

RECOMMENDATION:

Motion to approve the utilization of Undesignated Fund Balance for an Engineering Technician II in the Public Works Department.

ATTACHMENTS:

Description

Engineering Technician II Description

Engineering_Technician_II_Packet (BUDGET REVISION)



ENGINEERING TECHNICIAN II

Class Code:
2314

Bargaining Unit: White collar

CITY OF PALM BAY
Established Date: Jul 23, 2020
Revision Date: Jul 24, 2020

SALARY RANGE

\$16.76 - \$25.35 Hourly
\$34,864.00 - \$52,736.00 Annually

GENERAL STATEMENT OF JOB:

Under general supervision, performs administrative support functions in processing documentation for construction projects under the instruction of an engineering supervisor. Considerable independent judgment and initiative are required in carrying out program objectives within the framework of administrative principles and practices and established policies and regulations. Considerable tact and courtesy are required in frequent contacts with contractors, Division Heads, and the general public. Reports to the Engineering Supervisor.

SPECIFIC DUTIES & RESPONSIBILITIES:

ESSENTIAL JOB FUNCTIONS

Performs various office functions such as copying maps, plans, and text, filing/processing appropriate documentation for ease of retrieval, sharing, future use, etc.

Retrieves plats, plans, maps, and legal documents, and any other land development related documents

Gathers field and historical data for land development and capital improvement projects, for presentation to engineering staff

Participates in monitoring land development construction projects in assigned area of responsibility.

May be required to perform field observations/inspections related to NPDES compliance on commercial job sites and throughout the City

Keeps a repository of NPDES-related complaints, findings, and resolutions

Receives and responds to complaints and/or inquiries from the general public, other governmental agencies and other internal departments.

Performs field reconnaissance when necessary to document findings related to complaints and /or works with field staff to gather /document findings in the field

Keeps a repository of NPDES-related complaints and resolutions

Serves as a liaison with engineering consultants, contractors, and the general public in the discussion and explanation of regulatory requirements, City codes, bid requests, processes, procedures, and /or other related issues.

Participates in a variety of meetings related to assigned projects, departmental activities, and/or other related activities.

Develops /maintains project management database for all aspects of land development review in the Engineering Division and coordinates with the Transportation Engineer, and Stormwater Engineer.

Tracks land development/ capital improvement projects to completion and archives documents per City policy and protocol

Prepares and maintains spreadsheet for maintenance bonds, performance bonds and other legal documentation tracking.

Keeps an updated data base of all contractors and engineers involved in land development projects throughout the City.

ADDITIONAL JOB FUNCTIONS

Performs other related work as required.

Ability to read and interpret construction plans is a plus.

The listed duties are only illustrative and are not intended to describe every function that may be performed by this job class. The omission of specific statements does not preclude management from assigning specific duties not listed if such duties are a logical assignment to the position.

EMERGENCY DECLARATION STATUS:

Code 2: Non-essential employees will not be required to work during a declared emergency but may be required to work during an undeclared emergency or in the aftermath of an event associated with a declared emergency. On an incident by incident basis, the employee's Department Head will make the determination when the employee will be required to work.

MINIMUM TRAINING & EXPERIENCE:

Graduation from high school required. Associate's Degree in engineering or engineering technology, survey, computer aided design (drafting), geographic, mapping or related field preferred plus three (3) years of experience in construction project administration/management, or related field. Must possess a valid Florida Driver's License and have an acceptable driving record and maintain an acceptable driving record.

MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS:

Physical Requirements: Must be able to operate equipment including computers, copiers, calculators, and be proficient in Microsoft Office Suite of programs and experience with PowerPoint and Adobe Illustrator are a plus. Must have superior organizational skills and be proficient in data management.

Data Conception: Requires the ability to compare and/or judge the readily observable, functional, structural or compositional characteristics (whether similar or divergent from obvious standards) of data, people or things.

Interpersonal Communication: Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments or directions to subordinates or assistants.

Language Ability: Requires the ability to read a variety of technical reports, correspondence, maps, design specifications, contracts, manuals, permits, etc. Requires the ability to prepare correspondence, conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

Intelligence: Requires the ability to apply principles of logical thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

Verbal Aptitude: Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including engineering, and computer terminology.

Numerical Aptitude: Requires the ability; to add and subtract; multiply and divide; utilize decimals and percentages;

Form/Spatial Aptitude: Requires the ability to inspect items for proper length, width and shape.

Motor Coordination: Requires the ability coordinate hands and eyes rapidly and accurately in using office equipment.

Manual Dexterity: Requires the ability to handle a variety of items such as office equipment. Must have minimal levels of eye/hand/foot coordination.

Color Discrimination: Requires the ability to differentiate between colors and shades of color.

Interpersonal Temperament: Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

Physical Communication: Requires the ability to talk and hear: (Talking: expressing or

exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via a telephone and two-way radio.

PERFORMANCE INDICATORS:

Knowledge of Job: Has general knowledge of federal, state and local laws, ordinances, rules and regulations pertaining to requirements for construction projects and related programs. Is able to coordinate communications, provide leadership and generate trust in contact with various governmental and regulatory agency representatives. Can prepare clear and comprehensive analytical reports orally and in writing. Is able to exercise tact and courtesy in frequent contact with public officials at various levels, contractors, developers, property owners, and the general public. Is able to establish and maintain effective working relationships as necessitated by work assignments.

Quality of Work: Maintains high standards of accuracy in exercising duties and responsibilities. Exercises immediate remedial action to correct any quality deficiencies that occur in areas of responsibility. Maintains high quality communication and interacts with all departments and divisions, co? workers and the general public.

Quantity of Work: Maintains effective and efficient output of all duties and responsibilities as described under "Specific Duties and Responsibilities."

Dependability: Assumes responsibility for doing assigned work and meeting deadlines. Completes assigned work on or before deadlines in accordance with directives, policy, standards and prescribed procedures. Accepts accountability for meeting assigned responsibilities in the technical, human and conceptual areas.

Attendance: Attends work regularly and adheres to policies and procedures regarding absences and tardiness. Provides adequate notice to higher management with respect to vacation time and time? off requests.

Initiative and Enthusiasm: Maintains an enthusiastic, self?reliant and self?starting approach to meet job responsibilities and accountability. Strives to anticipate work to be done and initiates proper and acceptable direction for completion of work with a minimum of supervision and instruction.

Judgment: Exercises analytical judgment in areas of responsibility. Identifies problems or situations as they occur and specifies decision objectives. Identifies or assists in identifying alternative solutions to problems or situations. Implements decisions in accordance with prescribed and effective policies and procedures and with a minimum of errors. Seeks expert or experienced advice and researches problems, situations and alternatives before exercising judgment.

Cooperation: Accepts supervisory instruction and direction and strives to meet the goals and objectives of same. Questions such instruction and direction when clarification of results or consequences are justified, i.e., poor communications, variance with policy or procedures, etc. Offers suggestions and recommendations to encourage and improve cooperation between all staff persons and departments within the department.

Relationships with Others: Shares knowledge with supervisors and staff for mutual benefit. Contributes to maintaining high morale among all employees. Develops and maintains cooperative and courteous relationships with department employees, staffers and managers in other departments, representatives from organizations, and the general public so as to maintain good

will toward projects and create a good departmental image. Tactfully and effectively handles requests, suggestions and complaints from other departments and persons in order to maintain good will within the department. Interacts effectively with fellow employees, City Manager, professionals and the general public.

Coordination of Work: Plans and organizes daily work routine. Establishes priorities for the completion of work in accordance with sound time?management methodology. Avoids duplication of effort. Estimates expected time of completion of elements of work and establishes a personal schedule accordingly. Attends meetings, planning sessions and discussions on time. Implements work activity in accordance with priorities and estimated schedules. Maintains a calendar for meetings, deadlines and events.

Safety and Housekeeping: Adheres to all safety and housekeeping standards established by the organization and various regulatory agencies. Sees that the standards are not violated. Maintains a clean and orderly workplace.



Position Control Change Request Form

POSITION CONTROL CHANGE REQUEST FORM									
Requesting Department:									
Please check the box below for the type of change requested:									
<input type="checkbox"/>	Reclassification of Position (please see Administrative Code 31.14.2, Reclassification of Positions)								
<input type="checkbox"/>	Position Title Change								
<input type="checkbox"/>	Funding Source Change								
<input type="checkbox"/>	Additional FTE (position already exists in the pay plan). Must attach a completed PAR FORM								
<input type="checkbox"/>	New Position (not in Pay Plan previous or current – please see Administrative Code 31.14.1, Classification of New Positions)* Must attach a completed PAR FORM								
<input type="checkbox"/>	Other								
Justification: Requesting department must attach a detailed justification memo.									
<input type="checkbox"/>	Justification memo attached								
Funding Source (Funding source may not be from one-time savings. Human Resources will review however Departments are ultimately responsible for their Budget):									
Budgetary Impact (Personnel Cost):					All Other Costs:				
<i>*Please Note: The budgetary impact figure includes benefit changes such as FICA, life, disability, etc. that are linked to the employee's annual salaries. Department must complete All other Costs if additional or new equipment is needed such as phones, computers, vehicles, etc. If none, please indicate N/A (non-applicable).</i>									
Does this action increase your FTE count?				<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
				Current			Proposed		
Name/Position Title:									
Department/Division:									
Group Plan:									
Pay Grade/Step:									
Salary:									
Submitted by:							Date:		
Reviewed by HR:							Date:		
<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	HR Director			Date:		
<input type="checkbox"/>	Approved	<input type="checkbox"/>	Denied	City Manager			Date:		
<input type="checkbox"/>	Completed		<input type="checkbox"/>	Copy to Budget			<input type="checkbox"/>	Updated PC Document	
Human Resources							Date:		
Requires Council Approval Prior to Implementation:				<input type="checkbox"/>	Yes	<input type="checkbox"/>	No		
Human Resources Only - Proposed Effective Date:									



PUBLIC WORKS DEPARTMENT

INTEROFFICE MEMORANDUM

TO: Human Resource

FROM: Frank Watanabe, Public Works Director/City Engineer

DATE: December 16, 2020

RE: Justification for the addition FTE of an Engineering Technician II

This memorandum is written to document the need to request an additional Engineering Technician II to assist in processing residential driveway and drainage permits.

Currently, Public Works only has two engineering technicians to process permit applications as well as review drainage lot plans to ensure positive drainage flow for each residential unit. Since March of FY 2020, the number of residential driveway permits have increased from an average of 80-90 applications which takes an average of 2-3 weeks to process. Due to the current demand of 180 applications per month, the average processing time has increased to 10 weeks, and staff is working overtime hours to keep up with the demand.

In addition, City staff is aware of several new residential subdivisions which are expected to submit an initial start-up of twenty-five (25) permit applications. The new engineering technician will work with current staff and with the Building Department to run both applications concurrently to help streamline the application review and processing time.

GO Roads Employee Cost Analysis - Personnel Costs Only

	Title	Fund	FT/ PT	1210 - Full-time	1512 -Insurance Benefit Credit	1540- Additional Pay	2110 - SS/MC (FICA)	2210 - Retirement Contributions	2320 - Employee Health Ins. Premiums	2330 - Other Emp Ins. Premiums	2410 - Workers Comp	Totals
							0.0765	0.09				
Proposed Position	Engineering Technician II	GF	FT	34,864.00	797.16		2,728.08	3,209.50	10,887.00	5,835.00	1,766.00	60,086.74
Totals	1			34,864.00	797.16	-	2,728.08	3,209.50	10,887.00	5,835.00	1,766.00	60,086.74

Assumed Start Date 1/30/2021

(17 PP remaining)

001-7013-541-1210	22,796
001-7013-541-1512	521
001-7013-541-1820	N/A
001-7013-541-2110	1,784
001-7013-541-2210	2,099
001-7013-541-2320	7,118
001-7013-541-2330	3,815
001-7013-541-2410	1,155
Personnel Total	39,287

Computer	2,673
Hardware/Software	

Recurring Impact

001-7013-541-1210	34,864
001-7013-541-1512	797
001-7013-541-1820	N/A
001-7013-541-2110	2,728
001-7013-541-2210	3,210
001-7013-541-2320	10,887
001-7013-541-2330	5,835
001-7013-541-2410	1,766
Personnel Total	60,087

Software	423
Maintenance	

Total FY21 Impact 41,960

Total Recurring Impact 60,510

Engineering Technician II Budgetary Cost

Item	Minimum Specifications	Budgetary Value
Support Computing Devices (5108)		
Office / Field Laptop	Intel i5, 8GB RAM, 256GB SSD, 15" Screen, Integrated Graphics, Bluetooth and Wireless Connectivity Included, Backlit Keyboard, 3 Year Warranty. Monitor, Dock, Case Not Included. Cellular Connectivity Requires Monthly Service Plan with Recurring Costs That Must Be	1,200
24" Monitor	LED Display (\$180 each) Dual Screen	360
Surge Protection for a Laptop	6 Outlet Power Strip	15
Laptop Docking Station	Video monitor output, USB ports	250
Total Support Computing Devices		1,825
Peripherals/Accessories/Upgrades (5403)		
Microsoft Enterprise Suite	Network logon, Email Account and Archive, Operating System, Antivirus Threat Protection, Office Productivity Suite Software (Office 365). Required for All Positions / Volunteers for Computing Access. (Rekurs Annually)	375
Adobe Acrobat Pro	Single User	425
Laserfiche, Participant User	Read Only Access (Rekurs Annually)	48
Total Peripherals/Accessories/Upgrades		848
Total Computer Hard Software Budgetary Costs		2,673

Personnel Adjustment Request

Submitted requests impacting all personnel/staff related funding for the fiscal year

FY 2021 Total Marginal Cost/(Savings):62,760

Title:

Engineering Technician II

Fund:

001 GENERAL FUND

Department:

Public Works

Division:

Survey

Priority:

Priority 1 CODE:

Deadline:

Category:

Increase

Position Type:

New

Location:

In-field

FOR BUDGET OFFICE USE ONLY

To be completed by the Budget Office; status inquiries should be sent to
Budget@palmbayflorida.org

Status:

Select Request Status

Other:

Date:

APPROVED REQUESTS ONLY - H.T.E. ENTRY

Entry Date:

Entered By:

Select Individual

Description & Justification For Request:

The Public Works Department is requesting an additional Engineering Technician II to assist in processing residential driveway and drainage permits.

Currently, Public Works only has two engineering technicians to process permit applications as well as review drainage lot plans to ensure positive drainage flow for each residential unit. Since March of FY 2020, the number of residential driveway permits have increased from an average of 80-90 applications which takes an average of 2-3 weeks to process. Due to the current demand of 180 applications per month, the average processing time has increased to 10 weeks, and staff is working overtime hours to keep up with the demand.

In addition, City staff is aware of several new residential subdivisions which are expected to submit an initial start-up of twenty-five (25) permit applications. The new engineering technician will work with current staff and with the Building Department to run both applications concurrently to help streamline the application review and processing time.

PERSONNEL/POSITION DETAILS

Add/Delete (FTE):

1.00

Group:

NB

Grade:

J

Title:

Engineering Technician II

Add/Delete (FTE):

0.00

Group:

Select From Drop-Down

Grade:

Title:

Add/Delete (FTE):

0.00

Group:

Select From Drop-Down

Grade:

Title:

Add/Delete (FTE):

0.00

Group:

Select From Drop-Down

Grade:

Title:

EXPENDITURE DETAILS - ACCOUNT NUMBERS & DESCRIPTIONS

Use Full GL Accounting String & Description

Enter GL Accounting String
Click Cells for Samples

				Amounts
Personnel	1210 Regular Salaries & Wages	001-7013-541-	1210	34,864
Personnel	2340 Employee Cafeteria Credit	001-7013-541-	1512	797
Personnel	2110 Social Security/Medicare	001-7013-541-	2110	2,728
Personnel	2210 Retirement-ICMA	001-7013-541-	2210	3,210
Personnel	2320 Emp Health Ins Premiums	001-7013-541-	2320	10,887
Personnel	2330 Other Emp ins Premiums	001-7013-541-	2330	5,835
Personnel	2410 Workers Compensation	001-7013-541-	2410	1,766
CIT	5104-Software	001-2310-519-	5104	848
CIT	5108-Computer Hardware	001-2310-519-	5108	1,825

Page 2 Sub-Total (Additional Expenditures)

-

Total Expenditures:

62,760

One-Time:

2,250

Recurring Costs Must Be Completed →

Recurring:

60,510

Specify Identifiable Revenue Funding Source (Excluding Fund Balance):

-

-

-

Total Revenues:

-

Total Expenditures Minus Revenues:

62,760

Impact of Denial:

Without the additional Engineering Technician II, there will not be adequate staff to process the residential driveway and drainage permits in a reasonable time frame that meets City standards of 2-3 weeks.

Personnel Adjustment Request

Submitted requests impacting all personnel/staff related funding for the fiscal year

Title:

Engineering Technician II

Fund (Name/#):

001 GENERAL FUND

Department:

Public Works

Division:

Survey

EXPENDITURE DETAILS - ACCOUNT NUMBERS & DESCRIPTIONS

Use Full GL Accounting String & Description

		Enter GL Accounting String Click Cells for Samples	Amounts
Select Category	Select Category		-
Select Category	Select Category		-
Select Category	Select From Drop-Down		-
Select Category	Select Category		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Select Category	Select From Drop-Down		-
Page 2 Sub-Total:			-



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, Acting City Manager

THRU: Frank Watanabe, Public Works Director

DATE: 1/7/2021

RE: Consideration of reclassifying the part-time Data Entry Clerk to full-time (Public Works Department - \$41,584).

Public Works is requesting to change the Data Entry Clerk PT position from part-time to full-time. The current part-time position allows 25 hours per week for assigned tasks. The additional 15 hours for tracking, reporting, ordering and managing inventory will expand the accessibility of the employee to communicate with other departments and increase the productivity of reporting within the Public Works Department.

The Data Entry Clerk is responsible for tracking, reporting, ordering, and managing inventory and surplus throughout all Public Works Divisions. These activities include but are not limited to the following:

- Assisting managers, supervisors and coordination with the Risk Department of reporting and tracking safety incidents through the Safety 101 program, as well as manage the safety inventory
- Assisting with emergency events by coordinating inventory, reporting and tracking
- Managing the surplus inventory and working with the Procurement Department
- Responsible for all the tracking, reporting, and ordering for NAGE Blue and White uniforms, office supplies, customer service calls, permitting, employee training, Solid Waste and Stormwater activities
- Backup assistance to the Administrative Secretary

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

Based on an assumed start date of 01/11/2021, the estimated fiscal impact for transitioning the Part-Time Data Entry Clerk to a Full-Time (FTE) position to the General Fund's Public Works Department in FY 2021, based on 18 remaining pay periods, is \$41,584. Funding for this additional FTE position has not been included in the FY 2021 Approved Budget and will need to be appropriated from General Fund Undesignated Fund Balance GL 001-0000-392-1001 as follows: Salary/Wages \$19,145; Insurance Benefits Credit \$426; Social Security/Medicare \$1,465; Retirement \$1,723; Health Insurance \$13,562; Other Employee Benefits \$4,040; Workers Compensation \$1,223. The remaining budget of \$10,305 for the Part-Time position remaining vacant for the remaining months of FY 2021 can be applied to off-set the previously mentioned appropriations. In total,

the net impact for transitioning the Part-Time Data Entry Clerk to a Full-Time (FTE) position to the General Fund's Public Works Department in FY 2021 is \$31,279. After FY 2021, annual recurring costs to the General Fund's Public Works Department are estimated to total \$60,064 at minimum based on updated insurance/workers compensation rates and employee selections. Funds are available in General Fund Undesignated Fund Balance, due to the additional state shared revenue being reflected in the FY 21 Budget as part of the first budget amendment.

RECOMMENDATION:

Motion to approve the position change from Public Works Data Entry Clerk part-time to Data Entry Clerk full-time with the utilization of General Fund Undesignated Fund Balance.

ATTACHMENTS:

Description

Data_Entry_Clerk_Analysis (BUDGET REVISION)

Data Entry Clerk PT to FT

Current	Title	Fund	FT/ PT	BU	1210 - Full-time	1512 - Insurance Benefit Credit	1540- Certificate/ License	1820 - Clothing Allowance OR 5204 Boot Allowance	2110 - SS/MC (FICA)	2210 - Retirement Contributions	2320 - Employee Health Ins. Premiums	2330 - Other Emp Ins. Premiums	2410 - Workers Comp	Totals
									0.0765	0.09				
Bill Rebola	PT Data Entry Clerk	GF	PT	GP	13,827.22	-		-	1,057.78	-	-	-	-	14,885.00
Totals	1				13,827.22	-	-	-	1,057.78	-	-	-	-	14,885.00

Proposed	Title	Fund	FT/ PT	BU	1210 - Full-time	1512 - Insurance Benefit Credit	1540- Certificate/ License	1820 - Clothing Allowance OR 5204 Boot Allowance	2110 - SS/MC (FICA)	2210 - Retirement Contributions	2320 - Employee Health Ins. Premiums	2330 - Other Emp Ins. Premiums	2410 - Workers Comp	Totals
Bill Rebola	Data Entry Clerk	GF	FT	NW	27,654.43	615.16		-	2,115.56	2,488.90	19,589.00	5,835.00	1,765.92	60,063.97
Totals	1				27,654.43	615.16	-	-	2,115.56	2,488.90	19,589.00	5,835.00	1,765.92	60,063.97

Assumed Start Date of 01/11/2021	
Current 16 Weeks	(4,580.00)
Proposed 36 Weeks (see details below)	(41,582.75)
Annual Cost	(46,162.75)
Budget	14,885.00
Impact to Budget	(31,277.75)

0

Assumed Start Date 1/11/2021	
(18 PP remaining)	
001-7011-541-1210	19,145
001-7011-541-1512	426
001-7011-541-1820	N/A
001-7011-541-2110	1,465
001-7011-541-2210	1,723
001-7011-541-2320	13,562
001-7011-541-2330	4,040
001-7011-541-2410	1,223
FY 21 Personnel Total	41,583
Anticipated PT-Salary Savings @ 36 weeks	
	(10,305)
TOTAL FY 21 IMPACT	31,278