



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

AGENDA

Regular Council Meeting 2021-30 Thursday

**November 18, 2021 - 7:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907**

CALL TO ORDER:

INVOCATION:

1. Assistant Pastor Tony Avila - Iglesia El Sinai, Palm Bay.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Two (2) vacancies on the Charter Review Commission (represents 'at-large' positions).++
2. One (1) vacancy on the Youth Advisory Board (represents 'at-large student' member position).++
3. One (1) vacancy on the Youth Advisory Board (represents 'adult member, 30 years and older' position).++
4. [One \(1\) term expiring on the Bayfront Community Redevelopment Agency \(represents 'at-large' position\).+](#)

AGENDA REVISIONS:

PROCLAMATIONS AND RECOGNITIONS:

1. Recognition: One (1) year of service as a City boardmember on the Community Development Advisory Board - Alvin Payne; Henry Morin.
2. Recognition: One (1) year of service as a City boardmember on the Citizens' Budget Advisory Board - Chris Seibert.
3. Recognition: One (1) year of service as a City boardmember on the Disaster Relief Committee and the Code Enforcement Board - Susan Walberg.
4. Proclamation: Barbados Day - November 21, 2021. (Councilman Felix)

5. Proclamation: National Community Planning Month - November 2021.

PRESENTATIONS:

1. [Mehul J. Parekh, Public Works Director - American with Disabilities Act \(ADA\) Transition Plan.](#)

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 2021-68, granting approval of a Final Development Plan for a PMU \(Parkway Mixed Use District\) zoning residential development to be known as 'St. Johns Preserve Townhomes' on property located north of and adjacent to Malabar Road, in the vicinity west of St. Johns Heritage Parkway \(19.12 acres\) \(Case FD-35-2021, St. Johns Preserve Investment Group, LLC\), final reading. \(Quasi-Judicial Proceeding\)](#)
2. [Ordinance 2021-69, granting approval of a Final Development Plan for a PUD \(Planned Unit Development\) zoning residential subdivision to be known as 'The Reserve at Country Club Lakes Estates' on property located north of Country Club Drive, in the vicinity between Riviera Drive and Port Malabar Boulevard \(74.24 acres\) \(Case FD-40-2021, Palm Bay Greens, LLC\), final reading. \(Quasi-Judicial Proceeding\)](#)
3. [Ordinance 2021-70, granting approval of a Final Development Plan for a PUD \(Planned Unit Development\) zoning residential subdivision to be known as 'Cypress Bay West Phase III' on property located in the vicinity west of Mara Loma Boulevard and Babcock Street, in the vicinity between Willowbrook Street and Cogan Drive \(190.28 acres\) \(Case FD-41-2021, Waterstone Farms, LLC\), final reading. \(Quasi-Judicial Proceeding\)](#)
4. [Ordinance 2021-71, amending the Fiscal Year 2020-2021 budget by appropriating and allocating certain monies \(fifth/final budget amendment\), final reading.](#)
5. [Ordinance 2021-72, vacating a portion of the rear public utility and drainage easement located within Lots 38 and 39, Block 509, Port Malabar Unit 12 \(Case VE-10-2021, Luis Sanchez\), first reading.](#)
6. [Ordinance 2021-73, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in south Palm Bay, in the vicinities west of Babcock Street and north of the Indian River County line, from Agricultural Use \(Brevard County\) and R1:2.5 Use \(Brevard County\) and City Centerlane Use to Utilities Use \(3,266.49 acres\) \(CP-10-2021, Florida Power & Light Company\), first reading.](#)
7. [Ordinance 2021-74, rezoning property located in south Palm Bay, in the vicinities west of Babcock Street and north of the Indian River County line, from General Use \(Brevard County\) to GU \(General Use Holding District\) \(3,266.49 acres\) \(Case CPZ-10-2021, Florida Power & Light Company\), first reading. \(Quasi-Judicial Proceeding\)](#)
8. [Ordinance 2021-75, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the northeast corner of Pace Drive and St. Johns Heritage Parkway, from Recreation and Open Space Use and Single-Family Residential Use to Multiple-Family Residential Use \(96.66 acres\)](#)

[\(Case CP-9-2021, Heritage Parkway East Holdings, LLC aka Lennar Homes, LLC\), first reading.](#)

9. [Resolution 2021-65, granting approval of a Planned Unit Development \(PUD\) Preliminary Development Plan for a residential subdivision to be known as 'Medley at Everlands', which property is located at the northeast corner of Pace Drive and St. Johns Heritage Parkway \(291.11 acres\) \(Case PD-21-2021, Heritage Parkway East Holdings, LLC aka Lennar Homes, LLC\). \(Quasi-Judicial Proceeding\)](#)
10. [Ordinance 2021-76, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in the vicinity north of Emerson Drive, between St. Johns Heritage Parkway and Amador Avenue, from Recreation and Open Space Use and Single-Family Residential Use to Multiple-Family Residential Use and Single-Family Residential Use \(26.67 acres\) \(Case CP-14-2021, Heritage Parkway East Holdings, LLC aka Lennar Homes, LLC\), only one reading required.](#)
11. [Resolution 2021-66, granting approval of a Planned Unit Development \(PUD\) Preliminary Development Plan for a residential subdivision to be known as 'Palm Vista at Everlands PUD Phase II', which property is located in the vicinity north of Emerson Drive, between St. Johns Heritage Parkway and Amador Avenue \(158.69 acres\) \(Case PD-49-2021, Heritage Parkway East Holding, LLC aka Lennar Homes, LLC\). \(Quasi-Judicial Proceeding\)](#)
12. Request by NSD Palm Bay IV, LLC to amend the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the northwest corner of Robert J. Conlan Boulevard and Commerce Park Drive, from Industrial Use to Bayfront Mixed Use (7.11 acres) (Case CP-11-2021). (CONTINUED to 12/01/21 P&Z and 12/16/21 RCM)
13. Request by NSD Palm Bay IV, LLC to rezone property located at the northwest corner of Robert J. Conlan Boulevard and Commerce Park Drive, from LI (Light Industrial and Warehousing District) to BMU (Bayfront Mixed Use District) (7.11 acres) (Case CPZ-11-2021). (CONTINUED to 12/01/21 P&Z and 12/16/21 RCM)

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 2021-29; November 4, 2021.](#)
2. [Resolution 2021-67, amending Resolution 98-55, as amended, by revising the City's Economic Development Ad Valorem Tax \(AVT\) Exemption Program.](#)
3. [Contract: Selectron Technologies Interactive Voice Response \(IVR\) Solution for e-Permit Applications - Building Department \(Selectron Technologies, Inc. - \\$144,625 \(sole source\)\).](#)
4. [Consideration of a purchase offer for City-owned surplus real estate located at 171 Holiday Park Boulevard, NE with buyer Tommy E. Ratcliffe \(\\$20,990\).](#)

NEW BUSINESS:

1. [Consideration of dissolving the City of Palm Bay Business Improvement District.](#)
2. [Consideration of designating City-owned property generally located in the 2300 block of Malabar Road W \(Tax Account: 2961562\) as surplus real estate.](#)

3. [Consideration of establishing a Building Permit Fee Rebate Program.](#)
4. [Consideration of Collective Bargaining Agreements with the Fraternal Order of Police \(FOP\) for Police Officer's, Sergeant's, and Lieutenant's Units; and pay adjustments for Commander and Deputy Chief positions.](#)
5. [Consideration of Collective Bargaining Agreements with the Palm Bay International Association of Fire Fighters \(IAFF\), Local 2446, Rank and File and Supervisors Units.](#)
6. [Consideration of councilmembers serving as representatives to other agencies/organizations/committees.](#)

COMMITTEE AND COUNCIL REPORTS:

1. [Committee/Council Reports](#)

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.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

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.