

Effective April 7, 2022, Regular Council Meetings will begin at 6:00 P.M.



120 Malabar Road SE
Palm Bay, FL 32907
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Mayor
ROB MEDINA
Deputy Mayor
KENNY JOHNSON
Councilmembers
RANDY FOSTER
DONNY FELIX

AGENDA

Regular Council Meeting 2022-06 Thursday

March 17, 2022 - 7:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907

CALL TO ORDER:

INVOCATION:

1. Father Dee Wellington Bright, Sr. - Church of Our Savior, Palm Bay.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. [Vacancies on the Auditor Selection Committee.](#)+
2. Two (2) vacancies on the Youth Advisory Board (represents 'at-large student member' positions).++
3. Two (2) vacancies on the Community Development Advisory Board (represents 'low-income and essential services personnel' positions).++
4. One (1) vacancy on the Disaster Relief Committee.++
5. Two (2) vacancies on the Youth Advisory Board (represents 'adult member, 30 years and older' positions).++

AGENDA REVISIONS:

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 2022-33, vacating a portion of the side public utility and drainage easement located within Lots 2 and 3, Block 1608, Port Malabar Unit 32 \(Case VE-2-2022, Timothy Laskovich\), final reading.](#)
2. [Ordinance 2022-34, granting approval of a Final Development Plan to allow a proposed PUD \(Planned Unit Development\) for eight \(8\) commercial parcels to be known as 'Cypress Bay Commercial Center' on property located east of and adjacent to Babcock Street, in the vicinity north of Davis Lane \(28.49 acres\) \(Case FD-7-2022, Cypress Bay Farms, LLC\), final reading. \(Quasi-Judicial Proceeding\)](#)
3. [Ordinance 2022-38, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Youth Advisory Board', by modifying the membership term limits, final reading.](#)
4. Ordinance 2022-26, providing for the annexation of certain real property located in the vicinity east of St. Johns Heritage Parkway and north of Melbourne-Tillman Water Control District Canal C-1, into the City (0.21 acres) (Case A-3-2022, Pace Drive Holdings, LLC), final reading. (CONTINUED TO 04/07/22 RCM)
5. Ordinance 2022-37, rezoning property located in the vicinity east of St. Johns Heritage Parkway and north of Melbourne-Tillman Water Control District Canal C-1, from General Use (Brevard County) to PUD (Planned Unit Development) (0.21 acres) (Case CPZ-8-2022, Pace Drive Holdings, LLC), final reading. (Quasi-Judicial Proceeding) (CONTINUED TO 04/07/22 RCM)

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda. 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. [Award of Bid: Road bond paving, Unit 48 and Emerson Drive - IFB 10-0-2022 - Public Works Department \(Ranger Construction Industries, Inc. - \\$5,029,341\).](#)
2. [Award of Bid: Road bond paving, Unit 20 - IFB 17-0-2022 - Public Works Department \(Ranger Construction Industries, Inc. - \\$2,651,686\).](#)
3. [Change of Award of Proposal: Special Magistrate for Code Compliance - RFP 13-0-2022 - Growth Management Department \(Clark Hill - \\$29,280 annually\).](#)
4. [Resolution 2022-13, adopting the goal of Vision Zero - that no loss of life is acceptable on our city streets.](#)
5. [Resolution 2022-14, authorizing the submission of a grant application to the Florida Inland Navigation District \(FIND\) for the purchase of a marine safety patrol vessel.](#)
6. [Resolution 2022-15, conveying City-owned surplus real estate located at 146 Holiday Park Boulevard to buyer Scott and Evelyn Goff \(\\$17,790\).](#)
7. [Ordinance 2022-39, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Building and Construction Advisory Committee', by repealing the subchapter in its entirety, thereby dissolving the Building and Construction Advisory Board, first reading.](#)
8. [Ordinance 2022-40, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Library Advisory Board', by repealing the subchapter in its entirety, thereby dissolving the Library Advisory Board, first reading.](#)
9. [Consideration of negotiating the acquisition of right-of-way \(2.77 acres\) for the future widening of Malabar Road and southward extension of the St. Johns Heritage](#)

Parkway.

10. Consideration of a purchase offer for City-owned surplus real estate located at 254 Holiday Park Boulevard NE from buyer Teresa M. Whiteman-Watson (\$24,855).
11. Consideration of a purchase offer for Bayfront CRA-owned surplus real estate located at 1582 Water Drive NE from buyer Palm Bay Landings LLC (\$192,000).
12. Consideration of designating certain Bayfront CRA-owned properties as surplus real estate available for sale to the public.
13. Consideration of accepting the 2021 Annual Reports from L3Harris Technologies and Midwest Dental Arts for the City's Ad Valorem Tax Abatement Program.
14. Consideration of the Bayfront Community Redevelopment Agency 2021 Annual Report.
15. Consideration of a proposed amendment to the Planning and Zoning Board By-Laws, Article VI, Meetings, to modify the start time for regular meetings.
16. Consideration of an agreement with the Florida Institute of Technology for the use of City property for drone education and research.
17. Consideration of transferring funding from the Vehicle/Truck Wash Assembly account into the Covered Structures for Vehicle/Equipment account (\$60,000).
18. Consideration of a modification to the capital expenditure for Fiscal Year 2021/2022 Police marked patrol vehicles.
19. Consideration of travel and training for specified City employee(s) (Parks and Recreation Department).
20. Consideration of travel and training for specified city employee(s) (Building Department).
21. Consideration of travel and training for specified City employee(s) (Code Compliance).

UNFINISHED AND OLD BUSINESS:

1. Appointment of two (2) members to the Police and Firefighters' Pension Plan, Board of Trustees.
2. Appointment of one (1) member to the Sustainability Advisory Board.

NEW BUSINESS:

1. Consideration of installing a Military Static Display at Veteran's Park (\$18,860). (Councilman Foster)
2. Consideration of a development agreement with Forestar pertaining to a development project known as 'Cypress Bay West'.

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.