



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)
www.palmbayflorida.org

Mayor
WILLIAM CAPOTE

Deputy Mayor
JEFF BAILEY

Councilmembers
MICHELE PACCIONE
HARRY SANTIAGO, JR.
TRES HOLTON

AGENDA

REGULAR COUNCIL MEETING NO. 2016-12

THURSDAY

May 19, 2016 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

Pastor Jim Campbell – First Baptist Church of Melbourne, Bay West Campus.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENT:

1. Three (3) terms expiring on the Community Development Advisory Board (represents 'residential home building', 'banking industry', and 'advocate for low-income persons' positions).++

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.

PROCLAMATION:

1. Palm Bay Elementary School Problem Solvers Day – May 19, 2016.

PRESENTATION:

1. Carr, Riggs and Ingram, LLC – Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2015:
 - a) Consideration of forwarding report to the Auditor General.

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

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

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

PUBLIC HEARINGS:

1. Ordinance No. 2016-21, vacating a portion of the rear public utility and drainage easement located within Lot 23, Block 854, Port Malabar Unit 17 (Case No. VE-4-2016, Charles Gullo), final reading.
- ♣2. Ordinance No. 2016-27, rezoning property located west of and adjacent to Babcock Street, east of Interstate 95 from IU (Institutional Use District) to LI (Light Industrial and Warehousing District) (3.13 acres)(Case No. CPZ-7-2016, Babcock Storage South, LLC), final reading.
3. Ordinance No. 2016-28, amending the Code of Ordinances, Chapter 185, by including a definition for mobile vending (Case No. T-14-2016, City of Palm Bay), final reading.
4. Ordinance No. 2016-29, amending the Code of Ordinances, Chapter 174, in order to update certain sections contained therein (Case No. T-15-2016, City of Palm Bay), final reading.
5. Ordinance No. 2016-30, amending the Code of Ordinances, Chapter 179, in order to update certain sections contained therein (Case No. T-15-2016, City of Palm Bay), final reading.
6. Ordinance No. 2016-31, amending the Code of Ordinances, Chapter 182, in order to update certain sections contained therein (Case No. T-15-2016, City of Palm Bay), final reading.
7. Ordinance No. 2016-32, amending the Code of Ordinances, Chapter 184, in order to update certain sections contained therein (Case No. T-15-2016, City of Palm Bay), final reading.
8. Ordinance No. 2016-33, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Lehigh Avenue, in the vicinity south of Malabar Road, from Commercial Use to Single Family Residential Use (0.23 acres)(Case No. CP-8-2016, John and Pamela Thrasher), only one reading required.
- ♣9. Ordinance No. 2016-34, rezoning property located west of and adjacent to Lehigh Avenue, in the vicinity south of Malabar Road, from RC (Restricted Commercial District) to RS-1 (Single-Family Residential District) (0.23 acres)(Case No. CPZ-8-2016, John and Pamela Thrasher), first reading.
10. Ordinance No. 2016-35, vacating a portion of the rear public utility and drainage easement located within Lot 13, Block 2201, Port Malabar Unit 28 (Case No. VE-5-2016, Dawn Sigman), first reading.
- ♣11. Ordinance No. 2016-36, rezoning property located west of and adjacent to Dixie Highway, in the vicinity north of Riverview Drive and south of Overlook Drive, from RM-20 (Multiple-Family Residential District) and RS-2 (Single-Family Residential District) to PUD (Planned Unit Development) for a multi-family residential subdivision to be known as The Terraces PUD (6.86 acres)(Case No. PUD-10-2016, Palm Bay 2, LLC), first reading.

- ♣12. Request by Dimitrios Makos for a variance to allow an existing home to encroach the 25-foot side corner setback; and to allow a proposed fence to encroach the 25-foot side corner setback by a maximum of 7.7 feet in RS-1 (Single-Family Residential District) zoning (0.25 acres)(Case No. V-13-2016).
- 13. Ordinance No. 2016-09, providing for the annexation of certain real property located west of and adjacent to Babcock Street, in the vicinity north of Centerlane Road and south of Micco Road, into the City (244.419 acres) (Case No. A-1-2016, Roy Wayne Yates), final reading **(RESCHEDULED – TBD)**.
- 14. Ordinance No. 2016-10, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Babcock Street, in the vicinity north of Centerlane Road and south of Micco Road from Residential 1:2.5 (Brevard County) to Rural Single Family Use (244.42 acres)(Case No. CP-1-2016, Roy Wayne Yates), final reading **(RESCHEDULED – TBD)**.
- ♣15. Ordinance No. 2016-11, rezoning property located west of and adjacent to Babcock Street, in the vicinity north of Centerlane Road and south of Micco Road, from AU (Agricultural Residential Classification) and AGR (Agricultural Classification) (Brevard County) to GU (General Use Holding District) (244.42 acres)(Case No. CPZ-1-2016, Roy Wayne Yates), final reading **(RESCHEDULED – TBD)**.
- 16. Consideration of whether it is in the public's best interest to perform the project as authorized by the City of Palm Bay Code of Ordinance 35.085 Cooperative Purchasing and Utilization of Other Agency Contracts regarding the completion of the St. Johns Heritage Parkway North Extension which consists of the construction of road base, asphalt, curbing and striping **(WITHDRAWN)**.

PROCUREMENTS:

Miscellaneous:

- * 1. "Other Agency" contracts, replacement computing devices, purchasing authority – Communications and Information Technology/Utilities Departments (Software House International – up to \$41,443).

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS:

- 1. Consideration of options to finalize the berm project located on Gaynor Drive between Gantry and Fairbanks Streets to improve access to the new Bayridge West subdivision.
- * 2. Consideration of Signatory Public Agency Addendum, for the purpose of establishing the Trust Agreement as an interlocal agreement, to become a Signatory Public Agency of the Florida Education Investment Trust Fund.
- * 3. Consideration of expenditures from the Police Department's Law Enforcement Trust Fund (\$1,000).
- * 4. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended March 31, 2016.

ADMINISTRATIVE AND LEGAL REPORTS:

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

ADJOURNMENT:

♣Quasi-judicial proceeding.

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. (§ 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.