



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. 2016-06

THURSDAY

March 3, 2016 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

Joe Pellizze - The Church for All Nations, Palm Bay

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. One (1) term expiring on Police and Firefighters' Retirement Pension Plan, Board of Trustees (represents 'city resident who is not a beneficiary of pension plan').++
2. One (1) vacancy on the Community Development Advisory Board (represents 'essential services personnel').+

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.

PRESENTATION:

1. Marcy Hutchens, Membership Recruitment Manager – Girl Scouts of Citrus.

PROCLAMATION:

1. Irish American Month – March 2016.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2016-03; February 4, 2016.
- * 2. Regular Council Meeting No. 2016-04; February 18, 2016.
- * 3. Special Council Meeting No. 2016-05; February 24, 2016.

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. 2016-12, amending the Code of Ordinances, Chapter 169, Land Development Code, by modifying the applicability requirements for Citizen Participation Plans (Case No. T-4-2016, City of Palm Bay), for first reading.
2. Ordinance No. 2016-13, vacating a portion of the rear public utility and drainage easement located within Lot 23, Block 1539, Port Malabar Unit 31 (Case No. VE-2-2016, James Clapper), for first reading.
- ♣3. Request by Azror Ashrapov for a variance to allow a proposed exterior stair roof overhang to encroach the 10-foot rear setback; and to allow an existing building and walk-in cooler to encroach the five-foot side interior and ten-foot rear setbacks in BMUV (Bayfront Mixed Use Village District) zoning (0.34 acres)(Case No. V-3-2016).

PROCUREMENTS:

Miscellaneous:

- * 1. Heating, ventilating and air conditioning (HVAC) replacement, Palm Bay Community Center – Parks and Recreation Department (Hill York - \$17,741).
- * 2. "Other Agency" contracts, seasonal recreation worker services (Brevard County contract) – Parks and Recreation Department (AUE Staffing, Inc. - \$75,426).

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Community Development Advisory Board.

COUNCIL REPORTS:

NEW BUSINESS:

- * 1. Resolution No. 2016-09, establishing a policy for the preparation of an annual road priority list.
- * 2. Resolution No. 2016-10, authorizing the Mayor to execute a Subordination of City Utility Interests with the Florida Department of Transportation as it relates to the widening of Babcock Street, from Malabar Road to Palm Bay Road.
- * 3. Resolution No. 2016-11, providing for the refunding of the City's outstanding Utility System Refunding Revenue Bonds, Series 2005B.
- * 4. Resolution No. 2016-12, amending Resolution No. 2014-10, by modifying certain definitions contained therein as it relates to the Utility System Refunding Revenue Note, Series 2014.

- * 5. Resolution No. 2016-13, accepting real property conveyed to the City by the Brevard County Board of County Commissioners (Palm Bay Regional Park and the Greater Palm Bay Senior Center).
- * 6. Consideration of extending the time frame for submission of a final Planned Unit Development application (Chaparral Properties, LLC, Case No. PUD-5-2014).
- * 7. Consideration of expenditures from the Police Department's Law Enforcement Trust Fund (\$3,200).
- * 8. Consideration of:
 - a) the disposal of City capital surplus property; and
 - b) the sale of Fire Department rescue vehicles.
- * 9. Consideration of amending the Fiscal Year 2015-2016 budget by appropriating and allocating certain monies as it relates to the properties acquired from the Brevard County Board of County Commissioners.
- * 10. Acknowledgement of the City's monthly financial report for January 2016.
- * 11. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended December 31, 2015.
- 12. Consideration of revising Council's Policies and Procedures regarding placing an item on the agenda (Councilman Santiago).
- * 13. Consideration of Mayor Capote attending the Florida League of Mayors Conference, May 5-7, 2016, in Orlando.
- 14. Consideration of:
 - a) scheduling a workshop for March 2016; and
 - b) rescheduling the first regular Council meetings in April and May 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.

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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.

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