



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)  
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Mayor  
WILLIAM CAPOTE

Deputy Mayor  
JEFF BAILEY

Councilmembers  
MICHELE PACCIONE  
HARRY SANTIAGO, JR.  
TRES HOLTON

# AGENDA

## REGULAR COUNCIL MEETING NO. 2016-07

### THURSDAY

March 17, 2016 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

Bishop Merton Clark – Truth Revealed Ministries, Palm Bay

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### ANNOUNCEMENTS:

1. 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.

#### PRESENTATIONS:

1. Leiza Fitzgerald, STAR Tournament Director – Coastal Conservation Association's Statewide Tournament and Anglers Rodeo (STAR) event.
2. Camille Gordon-Taylor, Operations Division Manager, Public Works Department – Safe Routes to School program.

#### ADOPTION OF MINUTES:

- \* 1. Regular Council Meeting No. 2016-06; March 3, 2016.

#### 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.

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

## **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 final 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 final reading.
3. Ordinance No. 2016-14, vacating a portion of the rear public utility and drainage easement located within Lot 4, Block 2407, Port Malabar Unit 45 (Case No. VE-3-2016, Fuad Aldawodi), for first reading.
4. 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), for first reading **(CONTINUED FROM RCM-02-18-16)**.
5. 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), for first reading **(CONTINUED FROM RCM-02-18-16)**.
- ♣6. 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), for first reading **(CONTINUED FROM RCM-02-18-16)**.

## **PROCUREMENTS:**

### **Award of Proposals:**

- \* 1. Air conditioning preventative maintenance and repairs, various city facilities – RFP No. 23-0-2016 – Utilities and Facilities Maintenance Departments (Hearth & Home Inc. - \$16,920).
- \* 2. Lockbox services (rebid) – RFP No. 31-0-2016 – Utilities and Public Works Departments (Bill2Pay LLC - \$50,000).

### **Miscellaneous:**

- \* 1. Architectural and engineering continuing consultant services, master agreements and rate schedules (Architects RZK, Inc.; Don Facciobene, Inc.; and MBV Engineering, Inc.).
- \* 2. Land development review, engineering and inspection continuing consultant services, master agreements and rate schedules (MBV Engineering, Inc.; B.S.E. Consultants, Inc.; and Bowman Consulting Group - \$52,000).
- \* 3. General civil, roadway, traffic engineering continuing consultant services, master agreements and rate schedules (B.S.E. Consultants, Inc.; Ghyabi and Associates; Infrastructure Engineers, Inc.; MBV Engineering, Inc.; and Metric Engineering, Inc.)

### **UNFINISHED AND OLD BUSINESS:**

1. Appointment of two (2) at-large members to the Building and Construction Advisory Committee.
2. Appointment of two (2) members to the Police and Firefighters Retirement Pension Plan, Board of Trustees (represents one (1) Councilmember and one (1) resident).
3. Consideration of extending the time frame for submission of a final Planned Unit Development application (Chaparral Properties, LLC, Case No. PUD-5-2014)(**CONTINUED FROM RCM-03-03-16**).

### **COMMITTEE AND COUNCIL REPORTS:**

#### **NEW BUSINESS:**

- \* 1. Consideration of Drainage Easement agreements with Brevard Landvest, LLC and Sebastian Resources 400 Limited Partnership; and First Amendment to Drainage Easement agreement with Cypress Bay Farms, LLC as it relates to the I-95 Southern Interchange and St. Johns Heritage Parkway.
- \* 2. Consideration of a grant agreement with the Florida Department of Environmental Protection for the Basin 1 stormwater treatment project.
- \* 3. Consideration of settlement with Preferred Governmental Insurance Trust and disposal of City capital surplus property.
- 4. Consideration of vacant park sites to be submitted as required for the necessary rezoning and land use amendments; proceeding with the sale of properties for the uses as proposed.

### **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

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**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.**