



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. 2016-09

TUESDAY

April 5, 2016 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. One (1) vacancy Building and Construction Advisory Committee (represents 'at-large' position).++

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.

PROCLAMATIONS:

1. National Volunteer Appreciation Week – April 10-16, 2016.
2. Earth Day – April 22, 2016.
3. American Cancer Society Relay for Life – April 23-24, 2016.
4. Water Conservation Month – April 2016.
5. National Autism Awareness Month – April 2016.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2016-07; March 17, 2016.
- * 2. Special Council Meeting No. 2016-08; March 21, 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. 2016-14, 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 final reading.
2. Ordinance No. 2016-15, amending the Code of Ordinances, Chapter 92, in order to update certain sections contained therein (Case No. T-6-2016, City of Palm Bay), for first reading.
3. Ordinance No. 2016-16, amending the Code of Ordinances, Chapter 170, in order to update certain sections contained therein (Case No. T-6-2016, City of Palm Bay), for first reading.
4. Ordinance No. 2016-17, amending the Code of Ordinances, Chapter 185, in order to update certain sections contained therein (Case No. T-6-2016, City of Palm Bay), for first reading.
5. Ordinance No. 2016-18, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the southwest corner of Palm Bay Road and Franklin Drive from Public/Semi-Public Use to Commercial Use (1.84 acres)(Case No. CP-2-2016, City of Palm Bay), only one reading required.
- ♣6. Ordinance No. 2016-19, rezoning property located at the southwest corner of Palm Bay Road and Franklin Drive from IU (Institutional Use District) to CC (Community Commercial District) (1.84 acres)(Case No. CPZ-2-2016, City of Palm Bay), for first reading.
- ♣7. Request by Joseph Kaufhold for a variance to allow a proposed front porch to encroach the 25-foot front setback in RS-1 (Single-Family Residential District) zoning (0.23 acres)(Case No. V-5-2016).

PROCUREMENTS:

Miscellaneous:

- * 1. "Other Agency" contracts, law enforcement vehicles and equipment (Florida Sheriff's Association/ Broward Sheriff's Office contracts) – Police Department (Auto Nation Chrysler/Dodge - \$417,183; Strobes-R-U's - \$87,634).

UNFINISHED AND OLD BUSINESS:

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

COUNCIL REPORTS:

NEW BUSINESS: (Ordinance is for first reading.)

- * 1. Resolution No. 2016-14, amending Resolution No. 2015-47, as amended, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay.
- * 2. Resolution No. 2016-15, amending Resolution No. 2015-48, as amended, adopting the Five-Year Capital Improvements Program for Fiscal Years 2015-2016 through 2019-2020.
- * 3. Ordinance No. 2016-20, amending the Fiscal Year 2015-2016 budget by appropriating and allocating certain monies (second budget amendment).
- * 4. Consideration of expenditures from the Police Department's Law Enforcement Trust Fund (\$2,000).
- * 5. Consideration of creating a part-time position within the Public Works Department.
- 6. Consideration of:
 - a) Mayor Capote traveling to Washington, D.C., May 10-12, 2016; and
 - b) Councilmembers attending the Institute for Elected Municipal Officials conference in Tampa, Florida, April 29-30, 2016.
- 7. Resolution No. 2016-09, establishing a policy for the preparation of an annual road priority list (**RESCHEDULED TO RCM 04-21-16**).

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.

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