



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. 2016-28

### TUESDAY

October 18, 2016 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### ANNOUNCEMENTS:

1. One (1) vacancy on the Enterprise Zone Development Agency (represents 'local business' 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. Red Ribbon Week – October 23-31, 2016.
2. Dysautonomia Month – October 2016.
3. Bullying Prevention Month – October 2016.
4. Puerto Rican Day – November 6, 2016; Puerto Rican Heritage Month – October 6-November 19, 2016.

#### PRESENTATIONS:

1. Nancy Peltonen, President and CEO, Greater Palm Bay Chamber of Commerce – update.
2. Andrew Lannon, Office of the City Attorney – Risk Management Fund update.
3. Graffiti Skate Zone – update.

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

**ADOPTION OF MINUTES:**

- \* 1. Regular Council Meeting No. 2016-21; August 16, 2016.
- \* 2. Regular Council Meeting No. 2016-25; September 15, 2016.
- \* 3. Special Council Meeting No. 2016-26; September 22, 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.

**PUBLIC HEARINGS:**

- ♣1. Ordinance No. 2016-68, rezoning property located at the southeast corner of Rheine Road and Treu Terrace, from RS-2 (Single-Family Residential District) to CC (Community Commercial District) (2.96 acres)(Case No. CPZ-15-2016, City of Palm Bay), final reading.
- 2. Ordinance No. 2016-69, amending the Code of Ordinances, Chapter 184, Subdivisions, in order to allow residential flag lots (Case No. T-27-2016, City of Palm Bay), first reading.
- 3. Ordinance No. 2016-70, vacating a portion of the rear public utility and drainage easement located within Lot 16, Block 1704, Port Malabar Unit 36 (Case No. VE-6-2016, Dwight Sliger), first reading.
- ♣4. Request by Erik Verret for a variance to allow a proposed accessory structure (workshop) to encroach the 8-foot side interior setback by a maximum of two (2) feet in RS-2 (Single-Family Residential District) zoning (0.24 acres)(Case No. V-26-2016).
- 5. Request by Interplan, LLC for a conditional use to allow proposed retail use in excess of 5,000 square feet of gross floor area in NC (Neighborhood Commercial District) zoning (1.56 acres)(Case No. CU-22-2016) **(RESCHEDULED TO P&Z – 10/05/16)**.
- 6. Request by Ganesh of Titusville, LLC to amend the City's Comprehensive Plan Future Transportation Map Series to reclassify Glendale Avenue and Glencove Avenue from local streets to minor collector roadways (Case No. CP-22-2016) **(RESCHEDULED TO P&Z – 10/05/16)**.
- 7. Request by Ganesh of Titusville, LLC for a conditional use to allow proposed retail automotive fuel sales in NC (Neighborhood Commercial District) zoning (12.19 acres)(Case No. CU-23-2016) **(RESCHEDULED TO P&Z – 10/05/16)**.
- 8. Request by Harold W. Fahs for a variance to allow a proposed concrete carport to encroach the 25-foot side corner setback by a maximum of eleven (11) feet in RS-2 (Single-Family Residential District) zoning (0.26 acres)(Case No. V-25-2016) **(RESCHEDULED TO P&Z – 10/05/16)**.

**PROCUREMENTS:**

**Award of Proposals:**

- \* 1. Dental benefits – RFP No. 49-0-2015 (re-award) – Human Resources Department (Cigna Health & Life/Cigna Dental Health of Florida – approximately \$336,000).
- \* 2. Road reconstruction projects, San Filippo/Waco, Malabar/Jupiter, portion of Community College Parkway – RFP No. 43-0-2016 – Public Works Department (Asphalt Paving Systems, Inc. - \$711,145).

- \* 3. Federal lobbying services – RFP No. 63-0-2016 – Economic Development and External Affairs Department (Van Scoyoc Associates - \$72,000).

**Contract:**

- \* 1. Health insurance benefits, renewal – Human Resources Department (Cigna Health & Life Insurance Company).

**Miscellaneous:**

- \* 1. "Other Agency" term contracts utilized for the purchase of operating materials, supplies and equipment – City Departments (approximately \$1,615,000 annually).
- \* 2. Caterpillar equipment parts and services – Public Works Department (Ring Power – approximately \$110,000 annually (sole source)).
- \* 3. Sod, delivered/picked-up, increase multiple award value – multiple City Departments (Nail Farms Inc. and Green Thumb Landscaping, Inc. – approximately \$122,000 annually).
- \* 4. "Other Agency" contracts, computer consoles (Brevard County Dispatch Console Purchasing Agreement) – Police/Communications and Information Technology Departments (Communications International, Inc. – \$92,599).

**COMMITTEE AND COUNCIL REPORTS:**

**NEW BUSINESS:**

- \* 1. Resolution No. 2016-45, extending the Water Connection Incentive Program.
- \* 2. Consideration of submitting an application to the U.S. Environmental Protection Agency for Brownfield Assessment grant funds.
- \* 3. Consideration of the public service agencies to receive funding from the Fiscal Year 2016-2017 Community Development Block Grant Action Plan.
- \* 4. Consideration of ratifying collective bargaining agreements, International Association of Firefighters:
  - a) Supervisors Unit;
  - b) Rank and File.
- \* 5. Consideration of renaming Palm Bay Regional Park for Fred Poppe.
- \* 6. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$1,500).
- \* 7. Consideration of adding two (2) full-time sworn positions within the Police Department.
- \* 8. Acknowledgement of the City's monthly financial report for August 2016.
- 9. Consideration of appointing a representative to serve on the Brevard County Library Impact Fee Advisory Committee.

**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.**