



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. 2016-30

THURSDAY

November 3, 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.

RECOGNITIONS AND PROCLAMATION:

1. Volunteer Program (one (1) year of service as City boardmember):
 - a) Bayfront Community Redevelopment Agency – Stephen Borowski;
 - b) Community Development Advisory Board – Alan Borkowski.
2. National Geographic Information System Day – November 16, 2016.

PRESENTATION:

1. Stuart Buchanan, Growth Management Director, and Jarvis Middleton, Public Works Director – Interchange and connecting roadway update.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2016-28; October 18, 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. 2016-69, amending the Code of Ordinances, Chapter 184, Subdivisions, in order to allow residential flag lots (Case No. T-27-2016, City of Palm Bay), final reading.
2. 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), final reading.
3. Ordinance No. 2016-71, vacating a portion of the rear public utility and drainage easement located within Lots 6 and 7, Block 55, Port Malabar Unit 4 (Case No. VE-7-2016, Julie Bauer), first reading.
4. Ordinance No. 2016-72, vacating a portion of the rear public utility and drainage easement located within Lot 14, Block 1845, Port Malabar Unit 39 (Case No. VE-8-2016, Craig Kratzer), first reading.
5. Ordinance No. 2016-73, amending the Code of Ordinances, Chapter 202, Reclaimed Water, in order to revise procedures (Case No. T-34-2016, City of Palm Bay), first reading.
6. Ordinance No. 2016-74, amending the Code of Ordinances, Chapter 184, Subdivisions, in order to revise certain procedures (Case No. T-35-2016, City of Palm Bay), first reading.
7. Ordinance No. 2016-75, amending the Code of Ordinances, Chapter 185, Zoning Code, in order to provide for Regional Transportation Centers and revise certain provisions (Case No. T-36-2016, City of Palm Bay), first reading.
8. Ordinance No. 2016-76, amending the Code of Ordinances, Chapter 185, Zoning Code, in order to revise certain standards related to architectural style requirements (Case No. T-37-2016, City of Palm Bay), first reading.
9. Ordinance No. 2016-77, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in the vicinity southwest of the intersection of Jupiter Boulevard and San Filippo Drive, from Recreation Open Space Use to Multiple Family Residential Use (0.27 acres)(Case No. CP-24-2016, San Filippo Cove, Inc.), only one reading required.
- ♣10. Ordinance No. 2016-78, rezoning property located in the vicinity southwest of the intersection of Jupiter Boulevard and San Filippo Drive from RM-10 (Single-, Two-, and Multiple-Family Residential District) to RM-20 (Multiple-Family Residential District) (18.94 acres)(Case No. CPZ-24-2016, San Filippo Cove, Inc.), first reading.
11. Ordinance No. 2016-79, amending the City's Comprehensive Plan Future Land Use Element related to the density cap for Policy 8.31, Palm Vista (1,698 acres)(Case No. CP-25-2016, Len-Palm Vista, LLC), only one reading required.
- ♣12. Ordinance No. 2016-80, rezoning property located north of and adjacent to Jaslo Street, in the vicinity between Bloke Avenue and San Filippo Drive from RM-10 (Single-, Two-, and Multiple-Family Residential District) to RM-20 (Multiple-Family Residential District) (9.63 acres)(Case No. Z-40-2016, Alliance Palm Bay, LLC), first reading.
- ♣13. Resolution No. 2016-46, granting a conditional use for a proposed retail store occupying more than 5,000 square feet of gross floor area in NC (Neighborhood Commercial District) zoning (1.56 acres)(Case No. CU-22-2016, Equitas Capital Advisors, LLC).

- ♣14. Resolution No. 2016-47, granting a conditional use for a planned industrial development (business park) in LI (Light Industrial and Warehousing District) zoning (5.20 acres)(Case No. CU-28-2016, The Hady Family Limited Partnership).
- ♣15. Resolution No. 2016-48, granting a conditional use for proposed retail automotive gas/fuel sales in CC (Community Commercial District) zoning (1.50 acres)(Case No. CU-29-2016, Sunshine Petro, Inc.).
- ♣16. Resolution No. 2016-49, granting a conditional use for proposed retail automotive gas/fuel sales in CC (Community Commercial District) zoning (1.43 acres)(Case No. CU-31-2016, Cumberland Farms, Inc.).
- ♣17. Request by Cumberland Farms, Inc. for a variance to allow proposed retail automotive gas/fuel sales to encroach the 10-foot side-corner parking setback and to reduce the minimum number of required parking spaces in CC (Community Commercial District) zoning (1.43 acres)(Case No. V-32-2016).
- ♣18. Request by Louis Prophete for a variance to allow a proposed accessory structure (existing shed) to encroach the 25-foot side-corner setback in RS-2 (Single-Family Residential District) zoning (0.26 acres)(Case No. V-24-2016).
- 19. Request by KEW, LLC, for a final Planned Unit Development (PUD) for a self-storage facility within the Bayside Lakes Office Park PUD, which property is located south of and adjacent to Bayside Lakes Boulevard, in the vicinity east of Eldron Boulevard (5.08 acres)(Case No. PUD-30-2016).
- 20. Request by Harold W. Fahs for a variance to allow a proposed concrete carport to encroach the 25-foot side-corner setback in RS-2 (Single-Family Residential District) zoning (0.26 acres)(Case No. V-25-2016) **(RESCHEDULED TO P&Z – 11/2/16)**.
- 21. Request by Johnny Imes for a variance to allow a proposed accessory structure (detached garage) to encroach the 25-foot side-corner setback in RS-2 (Single-Family Residential District) zoning (0.26 acres)(Case No. V-33-2016) **(RESCHEDULED TO P&Z – 11/2/16)**.

PROCUREMENTS:

Award of Proposals:

- * 1. Building service, inspection and plan review, continuing consultant services – RFP No. 76-0-2016 – Growth Management Department (GFA International, Inc. - \$91,520).

Contract:

- * 1. Debris removal/disaster recovery and debris monitoring, pre-positioned emergency contracts – Public Works Department/Office of the City Manager (Ceres Environmental Services - \$1,120,992; Thompson Consulting Services - \$70,487).

Miscellaneous:

- * 1. Software and maintenance support, purchasing authority – Communications and Information Technology Department (Sungard/H.T.E. – up to \$305,832).
- * 2. “Other Agency” contracts, portable and mobile radio packages (Brevard County contract) – Fire Department (Communications International - \$114,113 (sole source)); authorization to surplus existing mobile radios (\$6,045).
- * 3. “Other Agency” contracts, contracted seasonal recreation worker services (Brevard County contract) – Parks and Recreation Department (AUE Staffing, Inc. – \$238,752).

COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first reading.)

- * 1. Resolution No. 2016-50, adopting the Title VI/Nondiscrimination Policy and Plan.
- * 2. Resolution No. 2016-51, renaming Palm Bay Regional Park as 'Fred Poppe Regional Park'.
- * 3. Ordinance No. 2016-81, creating a dedicated funding source to implement an Economic Development Plan for the "High Tech Corridor".
- * 4. Ordinance No. 2016-82, amending the Fiscal Year 2015-2016 budget by appropriating and allocating certain monies (fifth budget amendment).
- * 5. Consideration of amending the existing Interlocal Agreement with Brevard County for emergency repair of traffic signals.
- 6. Consideration of scheduling a special Council meeting to certify the November 8, 2016, regular municipal election results; administering oath of office to elected officials.

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.

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