



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)  
www.palmbayflorida.org

Mayor  
WILLIAM CAPOTE  
Deputy Mayor  
HARRY SANTIAGO, JR.  
Councilmembers  
TRES HOLTON  
JEFF BAILEY  
BRIAN ANDERSON

# AGENDA

## REGULAR COUNCIL MEETING NO. 2017-06

### THURSDAY

March 2, 2017 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### 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.

#### RECOGNITION AND PROCLAMATION:

1. Irish American Heritage Month – March 2017.
2. Florida Department of Health in Brevard County – recognizing Mayor William Capote as a 2017 Healthy Weight Community Champion.

#### PRESENTATION:

1. Tom Michaud, Facilities Director, City of Palm Bay – Florida Power and Light SolarNow Program.

#### ADOPTION OF MINUTES:

- \* 1. Regular Council Meeting No. 2017-05; February 16, 2017.

#### 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. 2017-18, providing for the annexation of certain real property located in the vicinity north of Emerson Drive, east of St. Johns Heritage Parkway, and west of Amador Avenue, into the City (10.00 acres) (Case No. A-2-2017, Lynn Gilchrist), first reading.
2. Ordinance No. 2017-19, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in the vicinity north of Emerson Drive, east of St. Johns Heritage Parkway, and west of Amador Avenue, from Agricultural (Brevard County) to Rural Single Family Use (10.00 acres)(Case No. CP-2-2017, Lynn Gilchrist), first reading.
- ♣3. Ordinance No. 2017-20, rezoning property located in the vicinity north of Emerson Drive, east of St. Johns Heritage Parkway, and west of Amador Avenue, from GU (General Use District) (Brevard County) to GU (General Use Holding District) (10.00 acres)(Case No. CPZ-2-2017, Lynn Gilchrist), first reading.
- ♣4. Request by Sutton Properties Tower, LLC, for site plan approval to allow a proposed off-site parking lot for overflow parking on property located east of and adjacent to Lipscomb Street, in the vicinity south of Commerce Park Drive (1.70 acres)(Case No. SP-6-2017).
- ♣5. Request by Eric Addington for a final subdivision to be known as Sanibel Cove Subdivision in RS-2 (Single-Family Residential District) zoning (16.79 acres)(Case No. FS-2-2016).
6. Ordinance No. 2017-12, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located east of and adjacent to Cascade Avenue, in the vicinity south of Malabar Road, from Single Family Residential Use to Commercial Use (0.48 acres)(Case No. CP-1-2017, Emerson Development Partners, LLC), first reading **(RESCHEDULED TO RCM 03/16/17)**.
7. Ordinance No. 2017-13, rezoning property located south of and adjacent to Malabar Road, in the vicinity between Emerson Drive and Cascade Avenue, from RS-1 (Single-Family Residential District) and RC (Restricted Commercial District) to CC (Community Commercial District) (2.05 acres)(Case No. CPZ-1-2017, Emerson Development Partners, LLC), first reading **(RESCHEDULED TO RCM 03/16/17)**.
8. Resolution No. 2017-02, granting a conditional use for retail automotive gas/fuel sales in CC (Community Commercial District) zoning (2.05 acres)(Case No. CU-1-2017, Emerson Development Partners, LLC) **(RESCHEDULED TO RCM 03/16/17)**.

## **PROCUREMENTS:**

### **Award of Bid:**

- \* 1. Heating, ventilation, and air conditioning (HVAC) modifications, Server Room – IFB No. 09-0-2017 – Communications and Information Technology Department (Hill York Service Corp. - \$248,544).

## **COUNCIL REPORTS:**

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**NEW BUSINESS: (Ordinances are for first reading.)**

1. Resolution No. 2017-04, establishing a Skate Park Ad Hoc Committee (Councilman Bailey).
- \* 2. Ordinance No. 2017-21, amending the Code of Ordinances, Chapter 70, General Provisions, in order to revise certain provisions related to solicitation on rights-of-way.
- \* 3. Ordinance No. 2017-22, amending the Fiscal Year 2016-2017 budget by appropriating and allocating certain monies (second budget amendment).
- \* 4. Consideration of utilizing General Fund monies to cover the shortage in funds allocated for the Senior Center roof replacement project.
- \* 5. Consideration of adopting the amended Citizen Participation Plan for City's Community Development Block Grant and HOME programs.

**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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