



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

Deputy Mayor
HARRY SANTIAGO, JR.

Councilmembers
TRES HOLTON
JEFF BAILEY
BRIAN ANDERSON

AGENDA

REGULAR COUNCIL MEETING NO. 2017-19

THURSDAY

August 3, 2017 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENT:

1. One (1) vacancy on the Enterprise Zone Development Agency (represents 'local financial institute or insurance entities').++

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.

ADOPTION OF MINUTES:

- * 1. Special Council Meeting No. 2017-13; May 31, 2017.
- * 2. Regular Council Meeting No. 2017-16; July 6, 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.

PUBLIC HEARINGS:

1. Ordinance No. 2017-51, vacating a portion of a thirty-foot (30') easement located within Lot 3, Turkey Creek Commons (Case No. VE-7-2017, Avtec Homes), final reading.

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TELEVIEWED ON THE SPACE COAST GOVERNMENT TV CHANNEL.**

2. Ordinance No. 2017-52, amending the Code of Ordinances, Chapter 38, Procurement Department, in order to revise the application and exclusions provisions contained therein, final reading.
3. Ordinance No. 2017-53, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located east of and adjacent to Saybrook Road, between Falls Church Street and Saxony Road, from Public/Semi-Public Use to Multi-Family Residential Use (14.20 acres)(Case No. CP-17-2017, M.P. Developers, Inc.), first reading.
- ♣4. Ordinance No. 2017-54, rezoning property located east of and adjacent to Saybrook Road, between Falls Church Street and Saxony Road, from RS-2 Single-Family Residential District) to RM-20 (Multiple-Family Residential District) (14.20 acres)(Case No. CPZ-17-2017, M.P. Developers, Inc.), first reading.
5. Ordinance No. 2017-55, vacating and abandoning a portion of the drainage right-of-way located between Lots 12-13, Block 1987, Port Malabar Unit 40 (.024 acres)(Case No. VDRW-1-2017, Mercury Avenue LLC), first reading.
- ♣6. Resolution No. 2017-31, granting a conditional use to modify a binding site plan in order to construct a free-standing liquor store on property located south of and adjacent to Malabar Road, in the vicinity east of Emerson Drive and west of Holiday Park Boulevard, in CC (Community Commercial District) zoning (29.69 acres)(Case No. CU-25-2017, Wal-Mart Stores East, LP).
- ♣7. Request by Bryan and Karen Jean Loseke for a variance to allow a proposed building addition to encroach the 25-foot rear setback by a maximum of 5.00 feet in RS-2 (Single-Family Residential District) zoning (0.17 acres)(Case No. V-31-2017).
- ♣8. Request by Laurie Soccio for a variance to allow relief from the 1,000-foot separation requirement for a proposed adult community residential home in RS-1 (Single-Family Residential District) zoning (0.23 acres)(Case No. V-32-2017).
9. Request for a conditional use to allow a proposed self-storage facility in CC (Community Commercial District) zoning (4.93 acres)(Case No. CU-33-2017, 940 Malabar Road, LLC).
(WITHDRAWN)

PROCUREMENTS:

Award of Proposal:

- * 1. Design-build services, St. Johns Heritage Parkway (Interchange to Babcock Street) – RFP No. 02-0-2017 – Public Works Department; authorize staff to negotiate agreement with Community Asphalt/Wade Trim for GMP base proposal amount; authorize staff to obtain loan or bond financing to fund project (\$11.5 million).

COUNCIL REPORTS:

NEW BUSINESS:

- * 1. Resolution No. 2017-32, amending the Procurement Manual by removing the exemption language related to the Homes for Warriors program.

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2. Resolution No. 2017-33, adopting the Program Year 2017-2018 Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program One-Year Action Plan.
3. Resolution No. 2017-34, establishing residential hardship assistance and extending mitigation credit application deadline for stormwater service assessments.
- * 4. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$3,000).
5. Consideration of scheduling workshops for August 2017.

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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