



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. 2017-20

### TUESDAY

August 15, 2017 - 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 financial institute or insurance entities').++
2. One (1) term expiring on the Melbourne-Tillman Water Control District.+

#### 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:

1. Ceremony to administer the oath of office to Fire Chief Russell "Rusty" Nail.

#### PRESENTATIONS:

1. Senator Debbie Mayfield, District 17; and Representative Randy Fine, District 53 – Legislative update.
2. Nancy Peltonen, President and CEO, Greater Palm Bay Chamber of Commerce – update.

#### ADOPTION OF MINUTES:

- \* 1. Regular Council Meeting No. 2017-17; July 20, 2017.

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. 2016-84, amending the City's Comprehensive Plan Future Land Use Element related to Urban Service Boundaries, Capital Improvements Element, Transportation Element Map Series, and Transportation Element Policy tC-1.4F (Case No. CP-26-2016, City of Palm Bay), final reading.
2. 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), final reading.
3. Ordinance No. 2017-56, vacating a thirty-foot (30') easement surrounding Parcel 254, east of adjacent to Clearmont Street (Case No. VE-6-2017, Fred Boozer, Jr.), first reading.
4. Ordinance No. 2017-57, vacating a portion of the rear public utility and drainage easement located within Lot 6, Block 213, Port Malabar Unit 7 (Case No. VE-8-2017, Maria Diaz), first reading.
- ♣5. Resolution No. 2017-35, granting a conditional use to allow a multi-use development to be known as Northshore Palm Bay in BMU (Bayfront Mixed Use District) zoning (24.61 acres)(Case No. CU-34-2017, Palm City Investments, F.H., LLC).
- ♣6. Resolution No. 2017-36, granting a conditional use for excavation/mining in GU (General Use Holding District) zoning (16.18 acres)(Case No. CU-35-2017, Cypress Bay Farms, LLC).

**PROCUREMENTS:**

**Miscellaneous:**

- \* 1. Asphalt rejuvenation projects (City of Margate contract) – Public Works Department (Pavement Technology, Inc. - \$230,683).

**COMMITTEE AND COUNCIL REPORTS:**

**NEW BUSINESS:**

1. Resolution No. 2017-37, authorizing the issuance of stormwater revenue bonds to finance the cost of the acquisition, construction and equipping of capital improvements to the City's stormwater system.
2. Resolution No. 2017-38, extending the deadline for filing stormwater service assessment mitigation credit applications.
- \* 3. Resolution No. 2017-39, memorializing the interfund advances from the Building Fund to the General and Fleet Funds.
- \* 4. Resolution No. 2017-40, amending Resolution No. 2016-42, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay.

- \* 5. Resolution No. 2017-41, amending Resolution No. 2016-43, adopting the Five-Year Capital Improvements Program for Fiscal Years 2016-2017 through 2020-2021.
- \* 6. Consideration of a grant agreement with the Florida Department of Economic Opportunity for restoration of the historic pier and shoreline; authorizing expenditures until grant reimbursement received.
- \* 7. Consideration of a Memorandum of Agreement with the Fraternal Order of Police to revise Article 52, Off-Duty Employment, within the collective bargaining agreements for the Police Officer's, Sergeant's, and Lieutenant's Units.
- \* 8. Consideration of certification of the non-ad valorem assessment roll for calendar year 2017 for:
  - a) USA 1 (PM Units 38 and 40);
  - b) PM Unit 31.
- \* 9. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended June 30, 2017.
- \* 10. Acknowledgement of the City's monthly financial report for June 2017.
- \* 11. Consideration of travel and training for specified City employees.
- 12. Consideration of a policy regarding the sale of City surplus property.

#### **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.