



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. 2017-26

TUESDAY

September 19, 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) vacancy on the Code Enforcement Board (represents 'at-large' 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.

RECOGNITION AND PROCLAMATION:

1. Paul Edwards, Brevard Caribbean American Sports and Cultural Association – Certificate of Appreciation to the City of Palm Bay for its support.
2. Sickle Cell Awareness Day – September 23, 2017.

PRESENTATION:

1. Nancy Peltonen, President and CEO, Greater Palm Bay Chamber of Commerce – update.

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
TELEVISED ON THE SPACE COAST GOVERNMENT TV CHANNEL.

PUBLIC HEARINGS:

1. Ordinance No. 2017-62, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the northeast corner of Riviera Drive and Mariposa Drive, in the vicinity south of Newbern Street and west of Craftsland Lane, from Recreation and Open Space Use to Single Family Residential Use (0.18 acres) (Case No. CP-19-2017, City of Palm Bay), only one reading.
- ♣2. Ordinance No. 2017-63, rezoning property located south of and adjacent to Malabar Road, in the vicinity east of Allison Drive, from RR-1 (Rural Residential (Brevard County)) to PUD (Planned Unit Development) for a final Planned Unit Development (PUD) for the first phase of a residential subdivision to be known as Chaparral PUD (28.75 acres)(Case No. PUD-37-2017, Chaparral Properties, LLC), first reading.
3. Ordinance No. 2017-64, amending the Code of Ordinances, Chapter 170, Construction Codes and Regulations, in order to remove City regulations of docks and piers located within the Indian River, which are regulated by outside agencies (Case No. T-38-2017, City of Palm Bay), first reading.
4. Request by D.R. Horton, Inc., for a final Planned Unit Development (PUD) for Phase One of a single-family residential subdivision to be known as The Preserves at Stonebriar PUD, which property is located between Cogan and Windbrook Drives, in the vicinity south of Bayside Lakes Boulevard (102.14 acres)(Case No. PUD-36-2017).
5. 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)(**RESCHEDULED TO RCM 10-03-17**).
6. 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)(**RESCHEDULED TO RCM 10-03-17**).
7. 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) (**RESCHEDULED TO RCM 10-03-17**).
8. Ordinance No. 2017-46, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located south of and adjacent to Dorchester Street, in the vicinity north of Malabar Road, from Recreation and Open Space Use to Single Family Residential Use (10.04 acres)(Case No. CP-16-2017, City of Palm Bay) (**RESCHEDULED TO RCM 10-03-17**).
9. 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.) (**RESCHEDULED TO RCM 10-03-17**).
10. 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) (**RESCHEDULED TO RCM 10-03-17**).

PROCUREMENTS:

Award of Bid:

- * 1. Sod, pick-up and delivery – IFB No. 57-0-2017 – Public Works, and Parks and Recreation Departments (Green Thumb Landscaping; Nail Farms; and Martin Tractor dba Bonnie's Sod - \$105,000).

Miscellaneous:

- * 1. Vehicle replacement (Florida Sheriff's contract) – Fire Rescue Department (Duval Ford - \$60,000).
- * 2. SCADA system upgrade/process valves, treatment plans/wells/lift stations – Utilities Department (Santis Engineering, Inc. - \$81,928).
- * 3. "Other Agency" contracts, traffic equipment, purchasing authority increase (Florida Department of Transportation Approved Product List) – Public Works Department (increase authority to \$151,000).
- * 4. "Other Agency" contracts, replacement vehicles and equipment, stormwater utility (Florida Sheriff's Association contract) – Public Works Department (Reed Nissan; Duval Ford; Sun State International; Ring Power - \$532,409).

UNFINISHED AND OLD BUSINESS:

- 1. Appointment of one (1) member to the Melbourne-Tillman Water Control District.

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first reading.)

- * 1. Ordinance No. 2017-65, amending the Code of Ordinances, Chapter 120, Cannabis Dispensing Businesses, in order to comply with Section 381.986(11), Florida Statutes.
- * 2. Ordinance No. 2017-66, amending the Code of Ordinances by creating Chapter 101, to be titled 'Communications Facilities in Public Rights-of-Way'.
- * 3. Ordinance No. 2017-67, amending the Fiscal Year 2016-2017 budget by appropriating and allocating certain monies (fourth budget amendment).
- * 4. Consideration of amending the 2014-2017 State Housing Initiatives Partnership (SHIP), Local Housing Assistance Plan (LHAP), to include Disaster Recovery/Relief Strategy provisions.
- * 5. Consideration of submitting an application to the Bureau of Justice for Justice Assistance Grant program funds to purchase mobile/portable radios for the Police Department.
- * 6. Consideration of temporary waiver of fence permit fees related to Hurricane Irma.
- * 7. Acknowledgement of the City's monthly financial report for July 2017.
- * 8. Consideration of adopting the Brevard County Comprehensive Emergency Management Plan 2016.
- * 9. Consideration of travel and training for specified City employees.
- 10. Discussion on declaring City Council as the governing board of the Bayfront Community Redevelopment Agency.

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.