



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

Mayor
WILLIAM CAPOTE

Deputy Mayor
TRES HOLTON

Councilmembers
HARRY SANTIAGO, JR.
JEFF BAILEY
BRIAN ANDERSON



HOLIDAY SEASON MERRIMENT
6:30 P.M. – Heritage High School Show Choir



AGENDA

REGULAR COUNCIL MEETING NO. 2017-34 THURSDAY

December 21, 2017 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

Pastor Monica Washington – Cornerstone Assembly of God, Palm Bay

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Two (2) vacancies on the Enterprise Zone Development Agency (represents 'local resident and 'local financial institute or insurance entities').++
2. Two (2) vacancies on the Community Development Advisory Board (represents 'for-profit provider' and advocate for low-income persons).++
3. Four (4) vacancies on the Palm Bay Municipal Foundation Disaster Relief Committee (one of whom will preferably be a member of the clergy within the community).++
4. One (1) vacancy on the Community Development Advisory Board (represents 'advocate for low-income persons').++
5. Two (2) vacancies on the Citizens' Budget Advisory Board (represents 'at-large' positions).+

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.

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

RECOGNITIONS:

1. Palm Bay elementary schools (Grades 1 through 3) – recognizing winners of the Christmas tree ornament contest – Palm Bay Utilities Department.

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.

PUBLIC HEARINGS:

1. Ordinance No. 2017-85, establishing a Citizens' Budget Advisory Board for the purpose of assisting and making recommendations to City Council on the budgetary process, final reading. (Councilman Santiago)
2. Ordinance No. 2017-86, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Bayfront Community Redevelopment Agency', by modifying the eligibility requirements applicable to at-large members serving on the Board of Commissioners, final reading.
- ♣3. Ordinance No. 2017-90, rezoning property located at the southwest corner of Market Circle, in the vicinity north of Port Malabar Boulevard, from OP (Office Professional District) to CC (Community Commercial District) (0.95 acres)(Case No. CPZ-28-2017, City of Palm Bay), final reading.
- ♣4. Ordinance No. 2017-92, rezoning property located at the northwest corner of Port Malabar Boulevard and Market Circle, from OP (Office Professional District) to CC (Community Commercial District) (0.97 acres)(Case No. CPZ-29-2017, City of Palm Bay), final reading.
5. Ordinance No. 2017-94, vacating a portion of the rear public utility and drainage easement located within Lot 10, Block 2352, Port Malabar Unit 45 (Case No. VE-11-2017, Rene Richer), final reading.
6. Ordinance No. 2017-95, amending the Fiscal Year 2017-2018 budget by appropriating and allocating certain monies (first budget amendment), final reading.
7. Ordinance No. 2017-96, vacating a portion of the rear public utility and drainage easement located within Lot 5, Block 2300, Port Malabar Unit 44 (Case No. VE-12-2017, Krista and Robert Baumbach), first reading.
8. Resolution No. 2017-63, electing to use the uniform method of collecting non-ad valorem special assessments for roads, water and sewer.

PROCUREMENTS:

Contracts:

- * 1. 'Cooperative Purchase' for fencing contractor services (Brevard County School Board contract) – multiple City departments (All-Rite Fence Services, Inc; Commercial Fence Contractors, Inc.; East Coast Fence and Guardrail, Inc. – approximately \$164,000).

Miscellaneous:

- * 1. 'Cooperative Purchase' of three (3) vehicles, Solid Waste Fund (Florida Sheriff's Association contracts) – Public Works Department (Sun State International Trucks - \$149,590; Terry Taylor's DeLand Nissan, Inc. - \$53,038).
- * 2. 'Cooperative Purchase', mini excavator/trailer (Florida Sheriff's Association contract) – Utilities Department (Ring Power Corporation - \$59,629).
- * 3. Lime slaker, North Regional Lime Softening Water Treatment Plant – Utilities Department (Integrity Municipal Systems - \$152,230 (sole source)).
- * 4. Software and maintenance support, purchasing authority – Communications and Information Technology Department (Superion – up to \$321,133).

UNFINISHED AND OLD BUSINESS:

- 1. Appointment of two (2) at-large members to the Bayfront Community Redevelopment Agency.
- 2. Motion to dismiss ethics complaint(s). (Deputy Mayor Holton)
- 3. Consideration of scheduling a Special Council Meeting regarding Deputy Mayor Holton.

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first reading.)

- 1. Consideration of revising Council's Policies and Procedures with regard to public vehicle use. (Councilman Santiago)
- * 2. Resolution No. 2017-64, amending Resolution No. 2017-49, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay.
- * 3. Resolution No. 2017-65, amending Resolution No. 2017-50, adopting the Five-Year Capital Improvements Program for Fiscal Years 2017-2018 through 2021-2022.
- * 4. Ordinance No. 2017-97, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Local Road Advisory Board', by renaming the board to the 'Palm Bay Infrastructure Advisory and Oversight Board' and modifying the duties and responsibilities of the board. (Councilman Santiago)
- 5. Ordinance No. 2017-98, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions', by including regulations related to parking on private property. (Councilman Santiago)
- * 6. Ordinance No. 2017-99, establishing a Sustainability Board. (Councilman Anderson)
- * 7. Ordinance No. 2017-100, amending the Code of Ordinances, Chapter 55, Police and Firefighters Retirement Pension Plan, by clarifying certain definitions related to the Fire Share Plan.
- 8. Consideration of naming the baseball complex at Fred Poppe Regional Park for Roberto Clemente Walker.
- * 9. Consideration of an Interlocal Agreement with the City of West Melbourne for roadway improvements to Riviera Drive.
- * 10. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$7,600).
- * 11. Consideration of utilizing Police Department Impact Fees for the purchase and installation of property and evidence lockers at the north and south district locations (\$21,246).

ADMINISTRATIVE AND LEGAL REPORTS:

1. Consideration of filing amicus brief in support of Brevard County.

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.