



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

Mayor
WILLIAM CAPOTE
Deputy Mayor
BRIAN ANDERSON
Councilmembers
HARRY SANTIAGO, JR.
JEFF BAILEY
KENNY JOHNSON

AGENDA

REGULAR COUNCIL MEETING NO. 2019-01

THURSDAY

January 3, 2019 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Two (2) vacancies on the Community Development Advisory Board (represents 'for-profit provider' and 'actively engage in home building' positions).++
2. One (1) vacancy on the Disaster Relief Committee Executive Board.++
3. One (1) vacancy on the Sustainability 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:

1. Recognizing Grace Alley for the donation of forty-nine (49) embroidered American flags to honor the memory of their late owner, Chaz Key.

PRESENTATIONS:

1. John Mongioi – Turkey Creek long-term management.
2. Michael Kahn, P.A. – opioid litigation update.

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

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2018-31; December 6, 2018.
- * 2. Regular Council Meeting No. 2018-32; December 20, 2018.

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. 2018-52, repealing Ordinance Nos. 2010-24 and 2010-25, in order to combine the two (2) previously approved land use designation conditions into one RAC (Regional Activity Center Use) known as 'Emerald Lakes' (1,561 acres)(Case No. CP-15-2018, Emerald Investment Holdings, LLC), final reading.
2. Ordinance No. 2018-68, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'Off-Street Parking and Loading Requirements', by revising provisions related to design requirements (Case No. T-29-2018, City of Palm Bay), final reading.
3. Ordinance No. 2018-69, creating a Youth Advisory Board, final reading. (Councilman Johnson)
4. Ordinance No. 2019-01, vacating a portion of the rear public utility and drainage easement located within Lot 20, Block 185, Port Malabar Unit 7 (Case No. VE-7-2018, Diana Tual and Carl Bragg), first reading.
- ♣5. Ordinance No. 2019-02, granting approval of a final development plan to be known as 'Cypress Bay Preserve' on property located east of and adjacent to Babcock Street, in the vicinity north and south of the proposed St. Johns Heritage Parkway extension to Interstate 95 (182.23 acres)(Case No. FD-28-2018, Cypress Bay Farms, LLC), first reading.
6. Ordinance No. 2019-03, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Commerce Park Drive, in the vicinity between Lipscomb Street and Robert J. Conlan Boulevard, from Industrial Use to Multiple Family Residential Use (23.63 acres)(Case No. CP-21-2018, Northshore Development), first reading.
- ♣7. Ordinance No. 2019-04, rezoning property located north of and adjacent to Commerce Park Drive, in the vicinity between Lipscomb Street and Robert J. Conlan Boulevard, from LI (Light Industrial and Warehousing District) to RM-20 (Multiple-Family Residential District) (23.63 acres)(Case No. CPZ-21-2018, Northshore Development), first reading.
8. Ordinance No. 2019-05, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Ivanhoe Street, in the vicinity east of Consolata Avenue, from Recreation and Open Space Use to Single Family Residential Use (2.81 acres)(Case No. CP-22-2018, City of Palm Bay), only one reading required.
9. Request by Devlin Munion for a variance to allow an existing dumpster enclosure and parking area to encroach five-feet into the 10-foot side interior setback (2.00 acres)(Case No. V-27-2018). **(RESCHEDULED TO P&Z - 01/09/19)**

PROCUREMENTS:

Award of Bid:

- * 1. Rehabilitation (North Regional Water Treatment Plan Unit No. 1) – IFB No. 02-0-2019 – Utilities Department (L7 Construction, Inc. - \$1,525,997).

Miscellaneous:

- * 1. Engineering services (South Regional Water Treatment Plant (SRWTP) expansion and North Regional Water Treatment Plant (NRWTP) Reverse Osmosis rehabilitation) – RFQ No. 47-0-2018 – Utilities Department (Tetra Tech, Inc. - \$752,130).

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS: (Ordinance is for first reading.)

- * 1. Ordinance No. 2019-06, amending Ordinance No. 2018-62, naming streets surrounding the Fred Poppe Campground.
- * 2. Resolution No. 2019-01, selling and conveying certain real property to Brevard Investing Group Corp (Tract F, Port Malabar Unit 13).
- * 3. Consideration of an interlocal agreement with Brevard County to establish a coordinated process for the assignment of addresses throughout the City (\$29,925).
- * 4. Consideration to permit credit card merchant fees to be paid as a service fee directly from cardholder to American Merchant Systems, Inc.
- * 5. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended September 30, 2018.
- * 6. Consideration of the City's state legislative priorities.
- * 7. Consideration of travel and training for specified City employees.

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.

Pursuant to Council Policies and Procedures, members of the public wishing to use electronic media when addressing City Council must provide the electronic file to staff for screening no later than 2:00 P.M. on the day of the meeting; audio presentations must be submitted to the City Clerk at least twenty-four (24) hours prior to the meeting.