



Mayor
ROB MEDINA
Deputy Mayor
DONNY FELIX
Councilmembers
KENNY JOHNSON
RANDY FOSTER
VACANT

AGENDA

Regular Council Meeting 2023-08 Thursday

**April 6, 2023 - 6:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907**

CALL TO ORDER:

INVOCATION:

1. Pastor Chris Adams - Christian Life Church, Palm Bay.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++

AGENDA REVISIONS:

PROCLAMATIONS AND RECOGNITIONS:

1. Proclamation: Recognizing Mykel Benson. (Mayor Medina)
2. Proclamation: Sustainability Awareness Month - April 2023.
3. Proclamation: Water Conservation Month - April 2023.

PRESENTATIONS:

1. Pastor Ken Delgado, The House Church, honoring the City of Palm Bay for its partnership with the 2022 Family Christmas Extravaganza Event.

PUBLIC COMMENTS/RESPONSES:

Public comments will be heard by the City Council on non-agenda issues. Speakers must complete 'Public Comment Cards' (orange) and are limited to three (3) minutes each.

PUBLIC HEARINGS:

1. Ordinance 2023-10, amending the Code of Ordinances, Chapter 50, Elections, Subchapter 'Filling of Vacancies', by modifying provisions contained therein pursuant to the Palm Bay City Charter, final reading.
2. Ordinance 2023-14, vacating a portion of the side public utility and drainage easement located within Lot 20, Block 777, Port Malabar Unit 16 (Case VE-2-2023, Landsea Homes/Carissa Tyler), first reading.
3. Ordinance 2023-15, vacating a portion of the rear public utility and drainage easement located within Lot 21, Block 1865, Port Malabar Unit 41 (Case VE-3-2023, Dominick Migliaccio), first reading.
4. Resolution 2023-09, granting a conditional use to allow for a self storage facility in CC (Community Commercial District) zoning, on property located between Babcock Street and Knecht Road, in the vicinity south of Palm Bay Road (4.9 acres) (Case CU-3-2023, M. David Moallem). (Quasi-Judicial Proceeding)
5. Ordinance 2023-16, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Micco Road, in the vicinity east of Interstate 95 Highway, from Micco Park Village District to Parkway Flex Use (353.47 acres) (Case CP-2-2023, Peat Holding, LLC/Brian Lulfs, Managing Member), first reading.
6. Ordinance 2023-17, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'District Regulations' and 'Conditional Uses', by modifying provisions related to self-storage facilities (Case T23-0003 (formerly T-23-2023), City of Palm Bay), first reading. (Councilman Johnson)
7. Request by Babcock & Malabar, LLC, to rezone property located in the vicinity south of Malabar Road, east of Interstate 95 Highway, and west of Babcock Street, from CC (Community Commercial District) to GC (General Commercial District) (8.93 acres) (Case Z23-00002 (formerly Z-18-2023)). (CONTINUED TO 04/05/23 P&Z AND 04/20/23 RCM)
8. Request by Babcock & Malabar, LLC, to amend the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in the vicinity south of Malabar Road, east of Interstate 95 Highway, and west of Babcock Street, from Residential Open Space Use to Commercial Use (7.43 acres) (Case CP23-00002 (formerly CP-5-2023)). (CONTINUED TO 04/05/23 P&Z AND 04/20/23 RCM)
9. Request by the City of Palm Bay to amend the Code of Ordinances, Chapter 174, Floodplain and Stormwater Management, Subchapter 'Stormwater Management and Conservation, Part 2: Drainage Plan', to clarify residential elevations for single-family residential construction (Case T23-00002 (formerly T-12-2023)). (CONTINUED TO 04/05/23 P&Z AND 05/18/23 RCM)

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda. 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.

1. Adoption of Minutes: Meeting 2023-04; February 16, 2023.
2. Adoption of Minutes: Meeting 2023-05; February 23, 2023.
3. Award of Bid: Road bond paving (Units 13 and 14, Madden Avenue and Osmosis Drive) - IFB 21-0-2023 - Public Works Department (Timothy Rose Contracting, Inc. - \$10,954,848).

4. Award of Bid: Culvert replacement (Walden Boulevard at C-42) - IFB 23-0-2023 - Public Works Department (Timothy Rose Contracting, Inc. - \$476,556).
5. Contract: Voluntary supplemental insurance benefits, renewal - Human Resources Department (Life Insurance Corporation of North America (Cigna Group Insurance) - \$72,000 (employee-paid coverages)).
6. Contract: Citywide multi-function equipment, lease extension (Canon Financial Services Inc. (lease payments) - \$143,356; Dex Imaging LLC (maintenance costs) - \$69,305).
7. Miscellaneous: 'Cooperative Purchase', tractor trade-in/tractor and slope mower purchase (Sourcewell contract) - Public Works Department (Everglades Equipment Group - \$230,825).
8. Miscellaneous: 'Piggyback Purchase', polyethylene pipe Volusia County Polyethylene Pipe contract) - Public Works Department (Ferguson Enterprises, Inc. - \$120,000).
9. Miscellaneous: 'Piggyback Purchase', 2023 Ford Maverick Hybrid and excavator attachments (Volusia Schools contract) - Public Works Department (Step One Automotive Group (vehicle purchase); Ring Power (excavator attachments) - \$50,844).
10. Ordinance 2023-18, redefining and establishing the territorial and corporate limits of the City of Palm Bay, first reading.
11. Ordinance 2023-19, amending the Code of Ordinances, Chapter 34, Human Resources, Subchapter 'General Provisions', by including provisions for a general background check requirement and a special criminal history background check, first reading.
12. Ordinance 2023-20, amending the Code of Ordinances, Chapter 51, Public Hearings, Subchapter 'Public Hearing Notices', by modifying provisions related to public hearing notices, first reading.
13. Ordinance 2023-21, amending the Fiscal Year 2022-2023 budget by appropriating and allocating certain monies (second budget amendment), first reading.
14. Consideration of an in-kind services donation from The House Church beautify the Police Department employee picnic area.
15. Consideration of submitting an application for Energy Efficiency and Conservation Block Grant Program funds.
16. Consideration of appropriating funds for an additional Electrician position within the Utilities Department (\$80,261).
17. Consideration of appropriating funds for an additional Operations Division Manager position within the Utilities Department (\$39,419).
18. Consideration of travel and training for specified City employees (Finance Department).
19. Consideration of travel and training for specified City employees (Utilities Department).
20. Acknowledgement of the City's monthly financial report for February 2023 (Unaudited).

UNFINISHED AND OLD BUSINESS:

1. Consideration of initial ranking of applicants for the vacancy of Palm Bay City Council Seat 5.

NEW BUSINESS:

1. Acknowledgement of the temporary vacancy of City Council Seat 3 due to the illness of Councilman Randy Foster.
2. Consideration of scheduling a workshop meeting for April 2023.

COUNCIL REPORTS:

ADMINISTRATIVE AND LEGAL REPORTS:

PUBLIC COMMENTS/RESPONSES: Speakers are limited to 3 minutes.

ADJOURNMENT:

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. (Section 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.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

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.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE AND TELEVISED ON

THE SPACE COAST GOVERNMENT TV CHANNEL.



LEGISLATIVE MEMORANDUM

DATE: 4/6/2023

RE: Proclamation: Sustainability Awareness Month - April 2023.

ATTACHMENTS:

Description

Proclamation

SUSTAINABILITY AWARENESS MONTH
April 2023

IT IS HEREBY PROCLAIMED BY THE MAYOR OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, that:

WHEREAS, the City of Palm Bay participates in many activities throughout the year, but particularly during the month of April, that are focused on environmental stewardship and our desire to contribute to the future well-being of our community, and

WHEREAS, Earth Day, first held in 1970, will be recognized this year on April 22 with the theme “Invest In Our Planet”, and the City recognizes we all have an obligation to care for and protect the earth for future generations, and

WHEREAS, every year, the City participates in the annual Keep Brevard Beautiful Trash Bash Event, with this year’s event being held on April 1st with the theme “Love Where You Live”, and the City hosting six different trash pick-up sites, and

WHEREAS, each year, the City of Palm Bay Utilities Department celebrates water conservation month in April and promotes activities to raise awareness, and

WHEREAS, the City of Palm Bay Sustainability Advisory Board is partnering with City staff to host the 1st Annual Sustainability Fair on April 15th, from 4pm to 7pm, and the public is welcome to join us for food vendors, eco-vendors, free rain barrel workshop (with pre-registration), free bounce house, face painting, sustainable demonstrations, games, and more,

NOW, THEREFORE, I, Rob Medina, Mayor of the City of Palm Bay, by virtue of the authority of said office, do hereby proclaim the month of April 2023, as

SUSTAINABILITY AWARENESS MONTH

in the City of Palm Bay, and urge all citizens to celebrate at Palm Bay’s 1st Annual Sustainability Fair event at City Hall on Saturday, April 15, 2023, from 4:00 p.m. to 7:00 p.m., and to support efforts to protect our environment and promote sustainability for our City both now and in the future.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Palm Bay to be affixed this Sixth day of April, Two Thousand Twenty-Three.

Rob Medina, MAYOR

ATTEST:

Terese Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Terese Jones, City Clerk

DATE: 4/6/2023

RE: Ordinance 2023-10, amending the Code of Ordinances, Chapter 50, Elections, Subchapter 'Filling of Vacancies', by modifying provisions contained therein pursuant to the Palm Bay City Charter, final reading.

A public hearing is to be held on the above subject ordinance and the caption read for the second and final time at tonight's Council meeting.

REQUESTING DEPARTMENT:

Legislative

ATTACHMENTS:

Description

Ordinance 2023-10

ORDINANCE 2023-10

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 50, ELECTIONS, SUBCHAPTER 'FILLING OF VACANCIES', BY MODIFYING PROVISIONS CONTAINED THEREIN PURSUANT TO THE PALM BAY CITY CHARTER; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 50, Elections, Subchapter 'Filling of Vacancies', is hereby amended and shall henceforth read as follows:

"Section 50.50 MAYOR — PERMANENT VACANCY.

(A) When a permanent vacancy occurs in the office of mayor as a result of death, resignation, illness, disability, forfeiture of office, written court order, or other lawful written order or action, such vacancy shall be filled in accordance with the following procedures:

(1) ~~When there is one (1) year or less remaining in the term of said office, the deputy mayor shall assume the responsibilities of that office until the remainder of the term, or~~ >>By appointment of the majority of the remaining members within sixty (60) days. If the majority of the remaining members of the City Council fail to fill the vacancy through appointment within the sixty-day period, a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Elections and adopted by resolution of the City Council. All vacancy elections will run concurrent with the regularly scheduled city elections. Appointments will be to serve until the next general election cycle.<<

(2) ~~When more than one (1) year is left remaining in the term of said office and no general municipal election is scheduled within one (1) year, a special election shall be scheduled to be held no sooner than ninety (90) days or more than one hundred eighty (180) days following the date of the vacancy. The deputy mayor shall act as the mayor until a new mayor is elected. The individual elected shall serve the remainder of the unexpired term. The acting mayor will then resume the position of deputy mayor for the remaining balance of his/her appointment and remain on the city council to complete his/her elected term.~~ >>The vacancy shall be announced at not less than two (2) public meetings of council. A solicitation period of thirty (30) days, or as close thereto, shall be given for the receipt of applications. When the number of applications received exceeds the number of vacant positions, each councilmember shall rank the individuals from 1 - __, with Number 1 representing the councilmember's first choice. Council may decide prior to the initial ranking, to have additional rounds of voting at a subsequent meeting. If there are five (5) or more applicants, only the five (5) applicants receiving the lowest ranking shall advance to a subsequent round of voting. Council shall then rank the applicants and the applicant receiving the lowest total shall fill the vacancy. In the event of a tie, the applicant with the highest number shall be eliminated and Council shall then rank the remaining applicants. Appointments shall be made at a public council meeting following the two announcements, or if no applications are received within the time frame designated, at a special council meeting called for that purpose.<<

Section 50.51 MAYOR — TEMPORARY VACANCY — COURT ORDER, OTHER LAWFUL ORDER OR ACTION.

(A) When a temporary vacancy occurs in the office of mayor as a result of a written suspension by court order or other written lawful order or action, such vacancy shall be filled in accordance with the following procedures:

(1) The deputy mayor shall assume the responsibilities of the office until the suspension by court order or other lawful order or action becomes final, the mayor is returned to office, or the term of office expires, whichever occurs first.

(2) If the mayor is not reinstated, the position shall be filled in accordance with § 50.50(A)(1) or (2), whichever is applicable.

Section 50.52 MAYOR — TEMPORARY VACANCY — ILLNESS OR DISABILITY.

(A) When a temporary vacancy occurs in the office of mayor as a result of an illness or mental or physical disability, such vacancy shall be filled in accordance with the following procedures:

(1) The mayor is required to notify the city council of such illness or disability pursuant to section 3.063 of the city charter. The determination of such illness or disability shall be made by an affirmative vote of at least three (3) councilmembers.

(2) After the determination of such illness or disability by the city council, should the mayor be absent from twelve (12) consecutive regular council meetings, the office shall be deemed vacated.

(3) The deputy mayor shall assume the responsibilities of the office until the mayor is able to return to office, the term of office expires, or the office is filled in accordance with § 50.50(A)(1) or (2), whichever occurs first.

Section 50.53 DEPUTY MAYOR.

During any period the deputy mayor assumes the position of mayor, due to either a permanent or temporary vacancy, the city council shall select one of its members to serve as acting deputy mayor for the balance of the appointment of deputy mayor or until such time as the office of mayor is filled as provided in § 50.50(A)(1) or (2), whichever is applicable.

Section 50.54 COUNCIL SEAT.

The vacant council seat, created by the council action taken in § 50.53 above, shall be filled on an interim basis by a majority vote of the council. The individual chosen shall fill the position of councilmember and shall forfeit the seat of councilmember when the elected mayor resumes office or the newly elected mayor assumes the duties of the office of mayor.

Section 50.55 COUNCILMEMBER — PERMANENT VACANCY.

(A) When a permanent vacancy occurs in the office of councilmember as a result of death, resignation, illness, disability, forfeiture of office, written court order, or other lawful written order or action, such vacancy shall be filled in accordance with the following procedures:

~~(1) When there is one (1) year or less remaining in the term of said office, the council shall, by a majority vote, choose a qualified successor to serve the remainder of the term.~~ >>By appointment of the majority of the remaining members within sixty (60) days. If the majority of the remaining members of the City Council fail to fill the vacancy through appointment within the sixty-day period,

a special election to fill the vacancy shall be called and held in a manner coordinated by the City Clerk with the Supervisor of Elections and adopted by resolution of the City Council. All vacancy elections will run concurrent with the regularly scheduled city elections. Appointments will be to serve until the next general election cycle.<<

~~(2) — When more than one (1) year is left remaining in the term of said office and no general municipal election is scheduled within one (1) year, a special election shall be scheduled to be held no sooner than ninety (90) days or more than one hundred eighty (180) days following the date of the vacancy. The individual elected shall serve the remainder of the unexpired term.~~ >>The vacancy shall be announced at not less than two (2) public meetings of council. A solicitation period of thirty (30) days, or as close thereto, shall be given for the receipt of applications. When the number of applications received exceeds the number of vacant positions, each councilmember shall rank the individuals from 1 - __, with Number 1 representing the councilmember's first choice. Council may decide prior to the initial ranking, to have additional rounds of voting at a subsequent meeting. If there are five (5) or more applicants, only the five (5) applicants receiving the lowest ranking shall advance to a subsequent round of voting. Council shall then rank the applicants and the applicant receiving the lowest total shall fill the vacancy. In the event of a tie, the applicant with the highest number shall be eliminated and Council shall then rank the remaining applicants. Appointments shall be made at a public council meeting following the two announcements, or if no applications are received within the time frame designated, at a special council meeting called for that purpose.<<

Section 50.56 COUNCILMEMBER — TEMPORARY VACANCY — SUSPENSION BY COURT ORDER, OTHER LAWFUL ORDER OR ACTION.

(A) When a temporary vacancy occurs in the office of councilmember as a result of a written suspension by court order or other lawful written order or action, such vacancy shall be filled in accordance with the following procedures:

(1) The council shall, by a majority vote, choose a qualified successor to assume the responsibilities of the office until the suspension by court order or other lawful order or action becomes final, the councilmember is returned to office, or the term of office expires, whichever occurs first.

(2) If the councilmember is not reinstated, the position shall be filled in accordance with § 50.55(A)(1) or (2), whichever is applicable.

Section 50.57 COUNCILMEMBER— TEMPORARY VACANCY — ILLNESS OR DISABILITY.

(A) When a temporary vacancy occurs in the office of councilmember as a result of an illness or mental or physical disability, such vacancy shall be filled in accordance with the following procedures:

(1) The councilmember is required to notify the city council of such illness or disability pursuant to section 3.063 of the city charter. The determination of such illness or disability shall be made by an affirmative vote of at least three (3) councilmembers.

(2) After the determination of such illness or disability by the city council, should the councilmember be absent from twelve (12) consecutive regular council meetings, the office shall be deemed vacated.

(3) The council shall, by a majority vote, choose a qualified successor to assume the responsibilities of the office until the councilmember returns to office, the term of office expires, or the office is filled in accordance with § 50.55(A)(1) or (2), whichever occurs first.

Section 50.58 DISABILITY DEFINED.

For purposes of this subchapter, a disability is defined as a physical or mental impairment that substantially limits the ability of the mayor or councilmember to perform the essential duties of their elected positions. A permanent disability means there is no expectation of recovery; a temporary disability means that after a period of time there is an expectation of recovery.

Section 50.59 QUALIFIED SUCCESSOR.

Individuals appointed by the city council to fill temporary vacancies shall meet the city's qualifications for candidates seeking public office."

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director

DATE: 4/6/2023

RE: Ordinance 2023-14, vacating a portion of the side public utility and drainage easement located within Lot 20, Block 777, Port Malabar Unit 16 (Case VE-2-2023, Landsea Homes/Carissa Tyler), first reading.

Landsea Homes/ Carissa Tyler has submitted an application to vacate the Northerly 10 feet of the Southerly 20-foot Public Utility & Drainage Easement, less the Easterly 20 foot Public Utility & Drainage Easement, thereof containing 1052 square feet or 0.02 acres , more or less, of Lot 20, Block 777, Port Malabar Unit 16, according to the Plat thereof, as Recorded in Plat Book 15, Pages 84 thru 98, of the Public Records of Brevard County, Florida, for a constructed new single family residence use.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

None.

RECOMMENDATION:

Motion to approve per the recommendation section of the staff report.

ATTACHMENTS:

Description

Staff Report- VE-2-2023

Ordinance 2023-14



DATE: March 8, 2023

CASE #: VE-2-2023

PUBLIC WORKS DEPARTMENT STAFF REPORT

REQUEST TO VACATE EASEMENT

PROPOSAL: Vacation of Easement is requested to vacate the Northerly 10 feet of the Southerly 20-foot Public Utility & Drainage Easement, less the Easterly 20 foot Public Utility & Drainage Easement, thereof containing 1052 square feet or 0.02 acres , more or less, of Lot 20, Block 777, Port Malabar Unit 16, according to the Plat thereof, as Recorded in Plat Book 15, Pages 84 thru 98, of the Public Records of Brevard County, Florida, for a constructed new single family residence use.

LOCATION: 1403 Van Buren Avenue SE
(Lot 20, Block 777, Port Malabar Unit 16)

APPLICANT: Landsea Homes/ Carissa Tyler

SITE DATA

PRESENT ZONING: RS-2 – Single-Family Residential

AREA OF VACATING: 680 square feet, more or less

| | | |
|------------------------|----------|-----------------------------------|
| ADJACENT ZONING | N | RS-2 – Single-Family Residential. |
| & LAND USE: | E | 100ft MTWCD Drainage right of way |
| | S | 50ft City Drainage right of way |
| | W | RS-2 – Single-Family Residential |

STAFF ANALYSIS:

Vacation of Easement is requested to vacate the Northerly 10 feet of the Southerly 20-foot Public Utility & Drainage Easement, less the Easterly 20 foot Public Utility & Drainage Easement, thereof containing 1052 square feet or 0.02 acres , more or less, of Lot 20, Block 777, Port Malabar Unit 16, according to the Plat thereof, as Recorded in Plat Book 15, Pages 84 thru 98, of the Public Records of Brevard County, Florida, for a constructed new single family residence use.

Public works, AT&T, Florida Power and Light, and Spectrum have no objections to the vacating request.

The City of Palm Bay's Departments have the enclosed comments relating to the vacating request. It should be noted that city policy allows for the approval of a vacation request for the first 10 feet, along city owned canal, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the northerly 10 feet of the southerly 20-foot Public Utility & Drainage Easement, less the Easterly 20 foot Public Utility & Drainage Easement, thereof containing 1052 square feet or 0.02 acres , more or less, of Lot 20, Block 777, Port Malabar Unit 16, according to the Plat thereof, as Recorded in Plat Book 15, Pages 84 thru 98, of the Public Records of Brevard County, Florida, for a constructed new single family residence use.

STAFF RECOMMENDATION:

Staff recommends approval of the vacating of easement with conditions per the analysis section of this staff report.

LEGAL DESCRIPTION

SHEET 1 OF 2

SECTION 16, TOWNSHIP 29 SOUTH, RANGE 37 EAST

NOT VALID WITHOUT THE SKETCH
ON SHEET 2 OF 2

PARENT PARCEL ID: 29-37-16-GP-777-20

PURPOSE: VACATE PORTION OF EASEMENT

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 20, BLOCK 777, PORT MALABAR UNIT SIXTEEN ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 84 THRU 98 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 10.00 FEET OF THE SOUTH 20.00 FEET LESS THE EAST 20.00 FEET OF SAID LOT 20, CONTAINING 1052 SQUARE FEET, MORE OR LESS.

SURVEYORS NOTES:

- 1.) BEARINGS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF LOT 20, BLOCK 777, BEARS S70°02'13"W PER THE PLAT OF PORT MALABAR UNIT SIXTEEN.
- 2.) PU & DE DENOTES PUBLIC UTILITY AND DRAINAGE FACILITIES EASEMENT.



WSUITER@ATT.NET WJSUITER.COM

PREPARED FOR: LS-VEH 2 LLC

WHEN PRINTED THIS DOCUMENT IS NOT CONSIDERED
SIGNED AND SEALED. THIS SURVEY IS ONLY VALID
WHEN THE SIGNATURE CAN BE VERIFIED ON THE
ELECTRONIC DOCUMENTS ONLY. THIS DOCUMENT
HAS BEEN DIGITALLY SIGNED AND SEALED.

PROFESSIONAL SURVEYOR AND MAPPER IN
RESPONSIBLE CHARGE
WILLIAM J. SUITER
FLORIDA CERTIFICATE NO. 4210
CERTIFICATE OF AUTHORIZATION #LB 5419

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SURVEYING, INC. ALL RIGHTS RESERVED



PREPARED BY: WILLIAM J. SUITER LAND SURVEYING, INC.

ADDRESS: 1849 CANOVA STREET SE, PALM BAY, FLORIDA 32909

PHONE: (321) 728-0553

DATE: 2-22-2023

SECTION 16, TOWNSHIP 29 SOUTH, RANGE 37 EAST

DRAWING NO. 23-3E

"EXHIBIT A"

SKETCH OF DESCRIPTION

SECTION 16, TOWNSHIP 29 SOUTH, RANGE 37 EAST

SHEET 2 OF 2

NOT VALID WITHOUT THE LEGAL
DESCRIPTION ON SHEET 1 OF 2

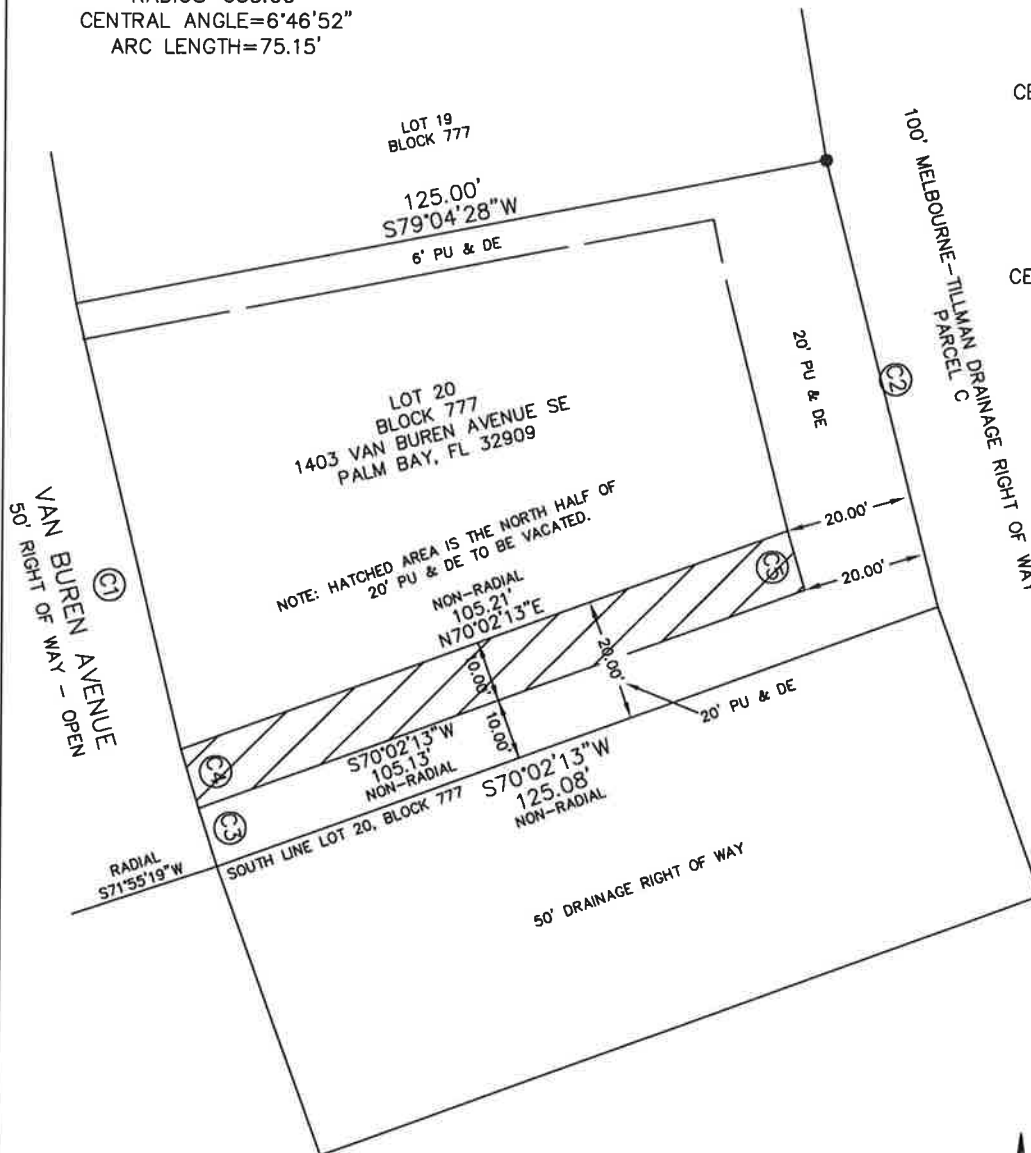
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CENTRAL ANGLE=7°09'09"
ARC LENGTH=94.88'

C2
RADIUS=635.00'
CENTRAL ANGLE=6°46'52"
ARC LENGTH=75.15'

C3
RADIUS=760.00'
CENTRAL ANGLE=00°45'16"
ARC LENGTH=10.01'

C4
RADIUS=760.00'
CENTRAL ANGLE=00°45'18"
ARC LENGTH=10.01'

C5
RADIUS=655.00'
CENTRAL ANGLE=00°52'35"
ARC LENGTH=10.02'



WJS WILLIAM J. SUITER
LAND
SURVEYING, INC.

BILL@WJSUITER.COM WJSUITER.COM



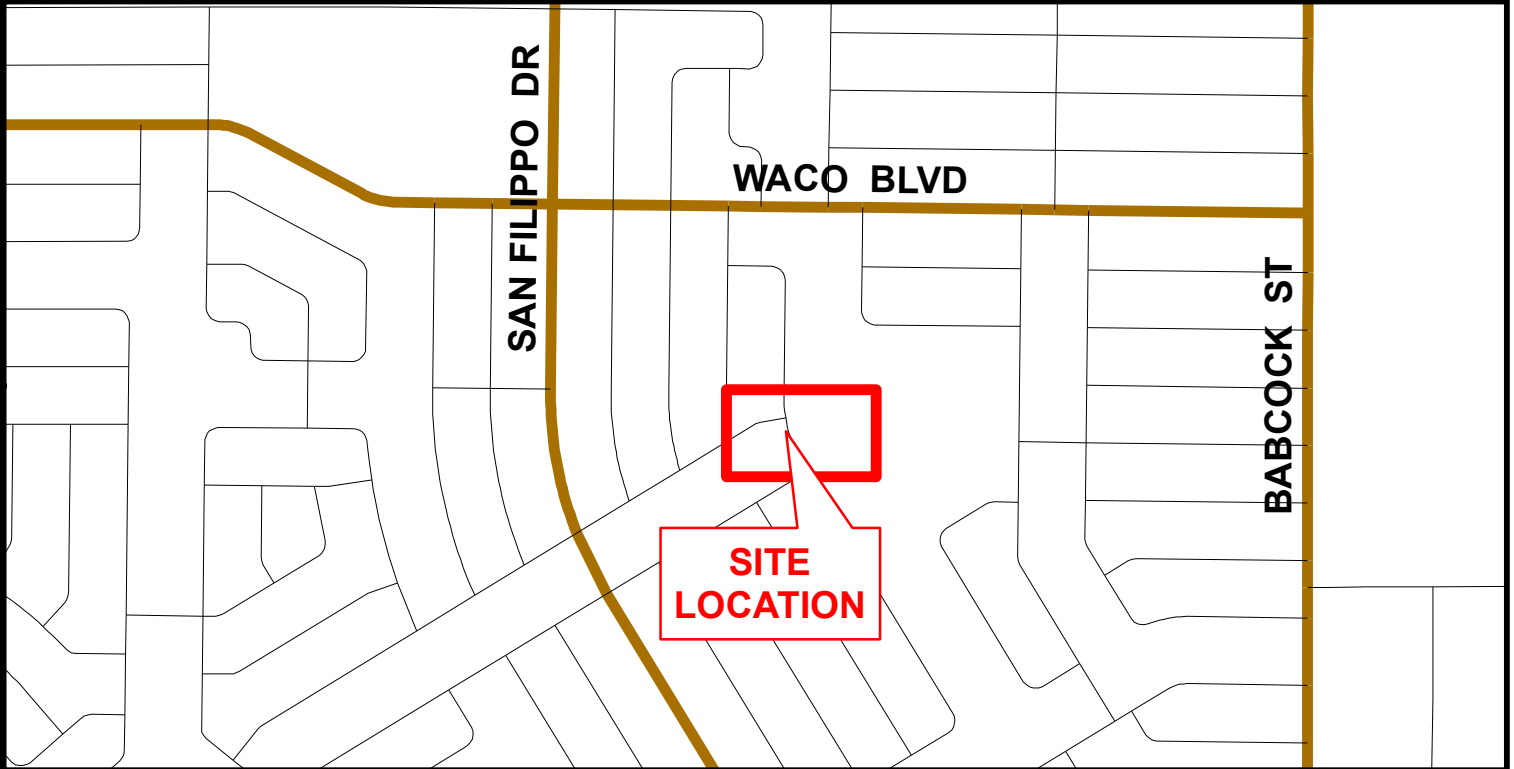
SCALE 1" = 30'
THIS IS NOT A SURVEY

PROJECT NO.: 23-3E

PREPARED BY: WILLIAM J. SUITER
LAND SURVEYING, INC.

SECTION 16, TOWNSHIP 29 SOUTH, RANGE 37 EAST

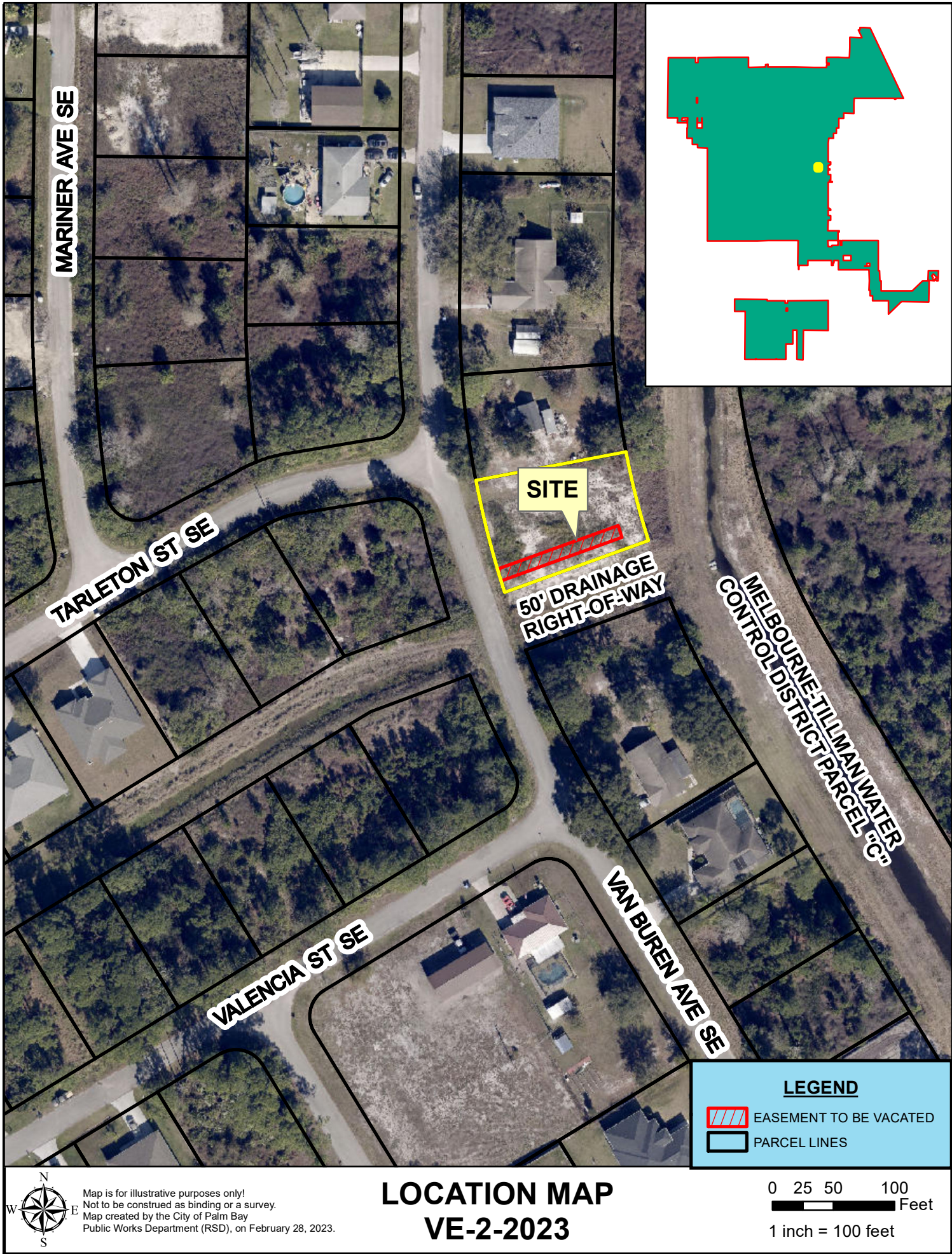
LOCATION MAP



Map is for illustrative purposes only!
Not to be construed as binding or a survey.
Map created by the City of Palm Bay
Public Works Department (RSD), on February 28, 2023.

VE-2-2023

0 25 50 100
Feet
1 inch = 100 feet





PUBLIC WORKS DEPARTMENT

1050 MALABAR ROAD SW PALM BAY, FLORIDA 32907

PHONE: (321) 952-3403

EMAIL: pwpermitting@palmbayflorida.org

RECEIVED
FEB 23 2023
CITY OF PALM BAY
PUBLIC WORKS

REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY

This application must be completed, legible, and returned, with all attachments referred to herein, to the Public Works Department, Palm Bay, Florida. The request will then be reviewed by City staff and scheduled before the City Council. A minimum of eight (8) weeks is required to process the application. You or your representative are required to attend the hearing and will be notified by mail of the date and time of the meeting. The meeting will be held at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida, unless otherwise stated.

Name of Applicant (Please print): LANDSEA HOMES/CARISSA TYLER

Address: 2420 S. Lakemont Ave, Suite 450, Orlando, FL

City: Orlando Zip Code: 32814

Phone Number: 321-271-9033 Business Phone Number: ~~321-271-9033~~

Fax Number: n/a Email: sgemes@landseahomes.com

LEGAL DESCRIPTION, PREPARED BY A CERTIFIED SURVEYOR, OF THAT PORTION OF THE EASEMENT REQUESTING TO BE VACATED UPON WHICH THE ENCROACHMENT IS PROPOSED OR CURRENTLY EXISTS:

The North 10.00 Feet of the South 20.00 Feet less the
East 20.00 Feet of said lot 20. Containing 1062
Square feet, more or less.

Section: 14 Township: 29 S Range: 37 E

Size of area covered by this application (calculate acreage): .0263 acres

Zoning classification at present: Vacant Residential Land

Which action applying for (easement, drainage): easement

Reason for requesting vacation and intended use: For new single family residence
use

If the encroachment currently exists, provide the date that a permit was issued by the Building Division.

Sept. 6, 2022 for 1403 Van Buren Avenue.

The following enclosures are needed to complete this application:

1. \$182.00 Application Fee. Make check payable to "City of Palm Bay". ✓
2. List of names and addresses of property owners abutting the lot or parcel within which the easement or drainage right-of-way is located; ✓
3. Copy of plat, map, etc. depicting area location of easement or drainage right-of-way to be vacated. ✓
4. Original notarized letters from the following utility and service companies are required stating whether or not they object to or if there is no interest in the vacating of the easement or drainage right-of-way. If equipment lies within the easement or drainage right-of-way requested for vacation, the applicant shall be responsible for any expenses incurred for relocating same, unless other arrangements have been made with the company. ✓
5. See contacts listed below:

Are you the property owner of record? ☒ Yes ☐ No

If no, a notarized letter from the property owner must be attached giving consent to the applicant to request the vacating.

Contact the Land Development Division (321-733-3042) as to whether a variance is required. If Required, YOU MUST OBTAIN APPROVAL FOR THE VARIANCE PRIOR TO PROCEEDING WITH THE VACATING REQUEST.

☐ Required ☒ Not Required

Land Development Division Jamie Ramos Date 1/23/2023

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION AND ALL DATA ATTACHED MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE CITY COUNCIL.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant Carissa Tyler Date 02/16/2023

Printed Name of Applicant Carissa Tyler / LANDSEA HOMES

ORDINANCE 2023-14

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE SIDE TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LOCATED WITHIN LOT 20, BLOCK 777, PORT MALABAR UNIT 16, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 84-98, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Landsea Homes/Carissa Tyler, has requested the City of Palm Bay, Florida, to vacate a portion of a certain public utility and drainage easement, which portion is legally described herein, and

WHEREAS, the vacation and abandonment of said portion of the public utility and drainage easement will neither adversely affect nor benefit the public.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby vacates and abandons a portion of the side public utility and drainage easement located within Lot 20, Block 777, Port Malabar Unit 16, according to the plat thereof as recorded in Plat Book 15, Pages 84-98, of the Public Records of Brevard County, Florida, Section 16, Township 29S, Range 37E, being more particularly described as follows:

BEING THE SOUTH 10.00 FEET OF THE NORTH 20.00 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, LESS AND EXCEPT THE EAST 6 FOOT AND WEST 20 FOOT SIDE EASEMENTS THEREOF, LYING WITHIN SAID LOT 6, BLOCK 470, PORT MALABAR UNIT ELEVEN RECORDED IN PLAT BOOK 15, PAGES 34 THROUGH 42, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; CONTAINING 590 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

SECTION 2. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023- , held on , 2023; and read in title only and duly enacted at Meeting 2023- , held on , 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: Landsea Homes/Carissa Tyler
Case: VE-2-2023

cc: (date) Applicant
Case File
Brevard County Recording



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director

DATE: 4/6/2023

RE: Ordinance 2023-15, vacating a portion of the rear public utility and drainage easement located within Lot 21, Block 1865, Port Malabar Unit 41 (Case VE-3-2023, Dominick Migliaccio), first reading.

Dominick Migliaccio has submitted an application for 1808 Holbrook Rd NW to vacate a 10 foot portion of the Southerly 20- foot Public Utility & Drainage Easement, running for a 15 foot distance along the Northerly line of the Southerly 20-foot Public Utility & Drainage Easement, thereof containing 150 square feet or 0.003 acres, more or less, of Lot 20, Block 1865, Port Malabar Unit 41, according to the Plat thereof, as Recorded in Plat Book 21, Pages 36 - 42, of the Public Records of Brevard County, Florida, to place a shed in the back yard.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

None.

RECOMMENDATION:

Motion to approve per the recommendation section of the Staff Report.

ATTACHMENTS:

Description

Staff Report- VE-3-2023

Ordinance 2023-15



DATE: March 17, 2023
CASE #: VE-3-2023

PUBLIC WORKS DEPARTMENT STAFF REPORT

REQUEST TO VACATE EASEMENT

PROPOSAL: Vacation of Easement is requested to vacate a 10 foot portion of the Southerly 20-foot Public Utility & Drainage Easement, running for a 15 foot distance along the Northerly line of the Southerly 20-foot Public Utility & Drainage Easement, thereof containing 150 square feet or 0.003 acres , more or less, of Lot 20, Block 1865, Port Malabar Unit 41, according to the Plat thereof, as Recorded in Plat Book 21, Pages 36 - 42, of the Public Records of Brevard County, Florida. To place a shed in the back yard.

LOCATION: 1808 Holbrook RD NW
(Lot 20, Block 1865, Port Malabar Unit 41)

APPLICANT: Dominick Migliaccio

SITE DATA

PRESENT ZONING: RS-2 – Single-Family Residential

AREA OF VACATING: 150 square feet, more or less

| | | |
|--|----------|-----------------------------------|
| ADJACENT ZONING & LAND USE: | N | RS-2 – Single-Family Residential. |
| | E | RS-2 – Single-Family Residential |
| | S | 100ft MTWCD Drainage right of way |
| | W | RS-2 – Single-Family Residential |

STAFF ANALYSIS:

Vacation of Easement is requested to vacate a 10 foot portion of the Southerly 20-foot Public Utility & Drainage Easement, running for a 15 foot distance along the Northerly line of the Southerly 20-foot Public Utility & Drainage Easement, thereof containing 150 square feet or 0.003 acres , more or less, of Lot 20, Block 1865, Port Malabar Unit 41, according to the Plat thereof, as Recorded in Plat Book 21, Pages 36 - 42, of the Public Records of Brevard County, Florida. To place a shed in the back yard.

Public Works, AT&T, Florida Power and Light, and Spectrum have no objections to the vacating request.

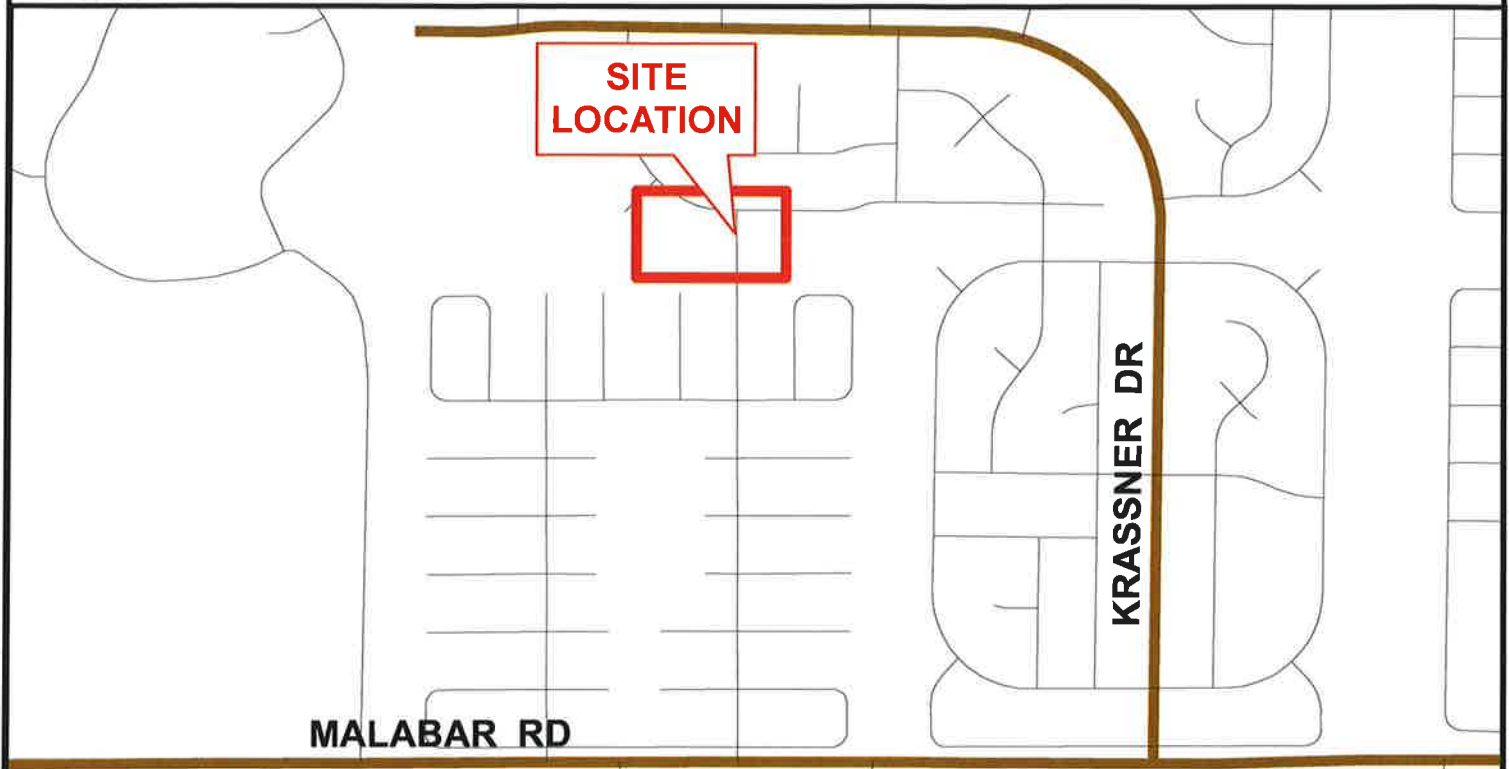
The City of Palm Bay's Departments have the enclosed comments relating to the vacating request. It should be noted that city policy allows for the approval of a vacation request for the first 10 feet, along MTWCD owned canal, if there are no obvious issues of conflict.

Staff has no adverse comments regarding removal of the 10 foot portion of the Southerly 20-foot Public Utility & Drainage Easement, running for a 15 foot distance along the Northerly line of the Southerly 20-foot Public Utility & Drainage Easement, thereof containing 150 square feet or 0.003 acres , more or less, of Lot 20, Block 1865, Port Malabar Unit 41, according to the Plat thereof, as Recorded in Plat Book 21, Pages 36 - 42, of the Public Records of Brevard County, Florida. To place a shed in the back yard.

STAFF RECOMMENDATION:

Staff recommends approval of the vacating of easement with conditions per the analysis section of this staff report.

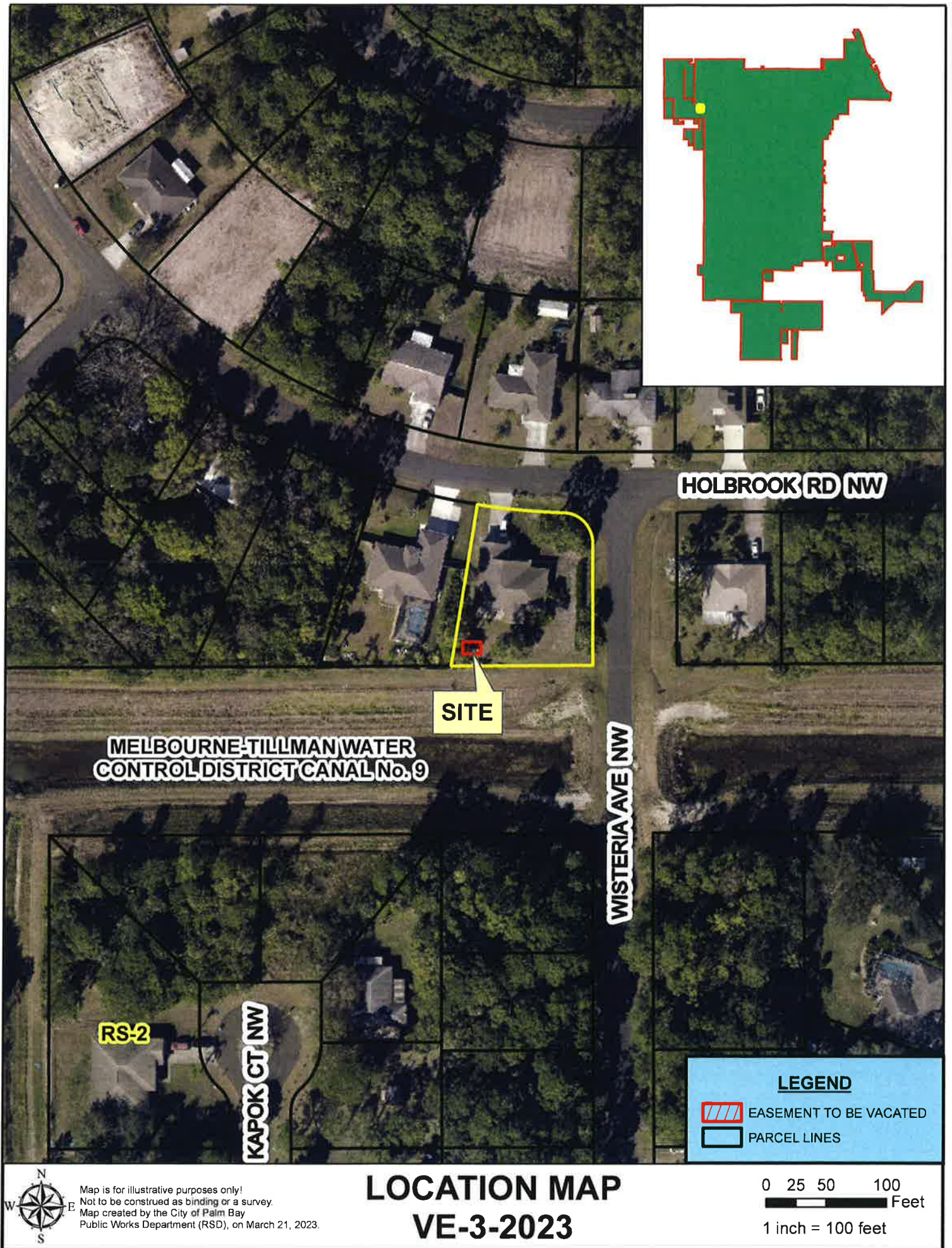
LOCATION MAP



Map is for illustrative purposes only!
Not to be construed as binding or a survey.
Map created by the City of Palm Bay
Public Works Department (RSD), on March 21, 2023.

VE-3-2023

0 25 50 100
Feet
1 inch = 100 feet





PUBLIC WORKS DEPARTMENT
1050 MALABAR ROAD SW PALM BAY, FLORIDA 32907
PHONE: (321) 952-3403
EMAIL: pwpermitting@palmbayflorida.org

REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY

This application must be completed, legible, and returned, with all attachments referred to herein, to the Public Works Department, Palm Bay, Florida. The request will then be reviewed by City staff and scheduled before the City Council. A minimum of eight (8) weeks is required to process the application. You or your representative are required to attend the hearing and will be notified by mail of the date and time of the meeting. The meeting will be held at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida, unless otherwise stated.

Name of Applicant (Please print): Dominick Migliaccio
Address: 1808 Holbrook Rd NW
City: Palm Bay Zip Code: 32907
Phone Number: (321) 544-7523 Business Phone Number: N/A
Fax Number: N/A Email: migliaccio_n@yahoo.com

LEGAL DESCRIPTION, PREPARED BY A CERTIFIED SURVEYOR, OF THAT PORTION OF THE EASEMENT REQUESTING TO BE VACATED UPON WHICH THE ENCROACHMENT IS PROPOSED OR CURRENTLY EXISTS:

Yes, the signed and sealed legal description prepared by a certified surveyor is attached.

Section: 33 Township: 28 South Range: 36 East
Size of area covered by this application (calculate acreage): .003 acres
Zoning classification at present: RS-2
Which action applying for (easement, drainage): Easement
Reason for requesting vacation and intended use: Requesting portion of the easement to be vacated to place an accessory structure.

If the encroachment currently exists, provide the date that a permit was issued by the Building Division.
N/A

The following enclosures are needed to complete this application:

1. \$182.00 Application Fee. Make check payable to "City of Palm Bay".
2. List of names and addresses of property owners abutting the lot or parcel within which the easement or drainage right-of-way is located;
3. Copy of plat, map, etc. depicting area location of easement or drainage right-of-way to be vacated.
4. Original notarized letters from the following utility and service companies are required stating whether or not they object to or if there is no interest in the vacating of the easement or drainage right-of-way. If equipment lies within the easement or drainage right-of-way requested for vacation, the applicant shall be responsible for any expenses incurred for relocating same, unless other arrangements have been made with the company.
5. See contacts listed below:

Are you the property owner of record? ☒ Yes ☐ No

If no, a notarized letter from the property owner must be attached giving consent to the applicant to request the vacating.

Contact the Land Development Division (321-733-3042) as to whether a variance is required. If Required, YOU MUST OBTAIN APPROVAL FOR THE VARIANCE PRIOR TO PROCEEDING WITH THE VACATING REQUEST.

☐ Required ☒ Not Required

Land Development Division Sue from Land Dev. Date 2/8/23

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION AND ALL DATA ATTACHED MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE CITY COUNCIL.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING REQUEST TO VACATE EASEMENT/DRAINAGE RIGHTS-OF-WAY APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Applicant Dominick Migliaccio Digitally signed by Dominick Migliaccio
Date: 2023.02.08 10:14:16 -05'00' Date 2/8/23

Printed Name of Applicant Dominick Migliaccio

ORDINANCE 2023-15

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, VACATING AND ABANDONING A PORTION OF THE REAR TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, LOCATED WITHIN LOT 21, BLOCK 1865, PORT MALABAR UNIT 41, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 21, PAGES 36-42, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dominick Migliaccio has requested the City of Palm Bay, Florida, to vacate a portion of a certain public utility and drainage easement, which portion is legally described herein, and

WHEREAS, the vacation and abandonment of said portion of the public utility and drainage easement will neither adversely affect nor benefit the public.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2. The City Council of the City of Palm Bay hereby vacates and abandons a portion of the rear public utility and drainage easement located within Lot 21, Block 1865, Port Malabar Unit 41, according to the plat thereof as recorded in Plat Book 21, Pages 36-42, of the Public Records of Brevard County, Florida, Section 33, Township 28S, Range 36E, being more particularly described as follows:

Commence at the found iron rod and cap (PLS5383) at the southeast corner of Lot 21, Block 1865, Port Malabar Unit 41, according to the map or plat thereof, as recorded in Plat Book 21, Pages 36 thorough 42, of the public records of Brevard County, Florida; thence run N 0°15'51" W, a distance of 20.00 feet; thence run S

89°40'45" W, a distance of 92.60 feet to the Point of Beginning; thence run S 0°19'15" E, a distance of 10.00 feet; thence Run S 89°40'45" W, a distance of 15.00 feet; thence run N 0°19'15" W, a distance of 10.00 feet; thence run N 89°40'45" E, a distance of 15.00 feet to the Point of Beginning; containing 0.003 acres, more or less.

SECTION 3. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023- , held on , 2023; and read in title only and duly enacted at Meeting 2023- , held on , 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: Dominick Migliaccio

Case: VE-3-2023

cc: (date) Applicant
Case File
Brevard County Recording



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Alexandra Bernard, Growth Management Director

DATE: 4/6/2023

RE: Resolution 2023-09, granting a conditional use to allow for a self storage facility in CC (Community Commercial District) zoning, on property located between Babcock Street and Knecht Road, in the vicinity south of Palm Bay Road (4.9 acres) (Case CU-3-2023, M. David Moallem). (Quasi-Judicial Proceeding)

Mr. M. David Moallem (Erick Garcia Salas, Contineo Group and Cal Conner, U-Haul Co. of Eastern Florida, Reps.) have submitted for a Conditional Use to allow for self-storage facility in the CC, Community Commercial District. The 4.9-acre vacant unimproved property is generally located north of and adjacent to Hunter Ave NE, in the vicinity east of Sabal Palm Square, which is located at the southeast intersection of Palm Bay Road and Babcock Street NE. The owner has executed a cross-access agreement with Amerco Real Estate Company for use of the easement which starts at Palm Bay Road NE approximately 725 feet from Babcock Street and runs behind/east of the rear of U-Haul, located at 4703 Babcock Street NE.

The property is located adjacent to but separated by an easement from a multi-family apartment complex, known as Braxton Apartments. The facility will be adequately buffered by a six (6) foot high opaque masonry wall or wood fence from the residential at the south property line.

The applicant intends to construct nine (9) one-story buildings with a total square footage of 33,212, plus associated parking. The proposed buildings will be comprised of the following, building #1 will be 17,012 sq ft with the additional eight (8) buildings be made up of 162 - 10x10 individual storage units. The site plan meets all parking requirements and no door openings for any storage unit, with the exception of emergency egress doors, will face any residentially zoned property as required by the Code.

A Citizen Participation meeting was held on November 30, 2022, at 6 PM at U-Haul Storage in Palm Bay. The Citizen Participation Plan report notes no attendance by any member of the public and no comments or questions submitted to the applicant prior to P&Z Board.

City Council has the authority to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

REQUESTING DEPARTMENT:

Growth Management

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Motion to approve Resolution 2023-## providing a conditional use for U-Haul Co. of Florida 32, LLC (Case CU-3-2023), subject to the staff comments contained in this report.

Planning and Zoning Board Recommendation:

Unanimous approval of the request at the March 1, 2023 regular Planning & Zoning Board meeting.

ATTACHMENTS:

Description

CU-3-2023 - Staff Report

CU-3-2023 - Site Plan

CU-3-2023 - Citizen Participation Plan Report

CU-3-2023 - Application

CU-3-2023 - Legal Ad

CU-3-2023 - Board Minutes

Executed Cross Access Agreement

Resolution 2023-09



STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Stephen White, Principal Planner

CASE NUMBER

CU-3-2023

PLANNING & ZONING BOARD HEARING DATE

March 1, 2023

PROPERTY OWNER & APPLICANT

M. David Moallem (Erick Garcia Salas, Contineo Group and Cal Conner, U-Haul Co. of Eastern Florida, Reps).

PROPERTY LOCATION/ADDRESS

Block 528, Section 22, Township 28, Range 37, Brevard County, Florida. Generally located north of and adjacent to Hunter Ave NE, in the vicinity east of Babcock St. NE.

SUMMARY OF REQUEST

The applicant is requesting a Conditional Use to allow for a self-storage facility.

Zoning

CC, Community Commercial District

Future Land Use

COM, Commercial

Site Improvements

Vacant, Unimproved

Site Acreage

4.9 acres

SURROUNDING ZONING & USE OF LAND

North

CC, Community Commercial; Professional Office

East

CC, Community Commercial; Unimproved

South

RM-15, Single, Two, Multi-Family Residential Single-Family Residential District; Multiple-Family Residential

West

CC, Community Commercial; Commercial retail

COMPREHENSIVE PLAN

COMPATIBILITY

Yes, Community Commercial Use

BACKGROUND:

The request is to allow for a self-storage facility on vacant Community Commercial property which is approximately 4.9 acres. The subject property is generally located north of and adjacent to Hunter Ave NE, in the vicinity east of Babcock St. NE.

ANALYSIS:

Section 185.088(F) of the Code of Ordinances provides special requirements and conditions for establishment of self-storage facilities within the CC, Community Commercial zoning district.

The proposed location is prohibited from having doors facing residentially zoned properties other than ingress and egress locations. The current proposal does not show any doors or ingress/egress locations facing any residentially zoned properties. The condition will be applicable to all future Site Plans associated with this Conditional Use.

Interior traffic lanes should be a minimum of 35' wide for two-way traffic and 25' for one-way traffic. The plan submitted does not indicate whether the traffic is one-way or two-way. A plan depicting minimum widths of 35' wide for two-way traffic and 25' for one-way traffic for Site Plan approval.

A landscaping plan will be reviewed during the Site Plan application and review by the Development Review staff.

CODE REQUIREMENTS:

To be granted Conditional Use approval, requests are evaluated upon items (A) through (I) of the General Requirements and Conditions of Section 185.087 of the Code of Ordinances. A review of these items is as follows:

Item (A): Adequate ingress and egress may be obtained to and from the property, with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergencies.

An easement dedication for ingress, egress and utility easement will need to be executed and recorded with the Brevard County Clerk of Court prior to granting approval of the Site Plan.

The ingress and egress point to the proposed location is not located off Right-of-Way. Additionally, the property will have two access points on the northwest corner and the north/northeast corner of the property.

Item (B): Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

Parking requirements and drive aisles will need to be engineered in accordance with the Land Development Code. This will allow for safe travel and pedestrian access throughout the property.

The traffic lanes will need to be 35' wide for two-way traffic and 25' for one-way traffic. The plans will need to indicate the proper width and direction of travel. If it is only one-way traffic, the plans will need to indicate that via traffic flow print on the plans.

Item (C): Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

The proposed location is currently vacant. If developed, the owner/developer will be responsible for extending service to the site in accordance with current City regulations. All development would be required to go through Site Plan approval for all utility improvements to be made on the property.

Item (D): Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.

This location will need to ensure proper buffering due to the property directly south being Multi-Family residential. Opaque fencing of 6' in height and landscaping will be required for proper screening and buffering.

Item (E): Signs, if any, and proposed exterior lighting will be so designed and arranged to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.

Upon Site Plan application, all signage and site lighting will be reviewed by appropriate staff. All applications will be in accordance with current City regulations.

Item (F): Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

Development Review staff will ensure adequate stormwater management for the proposed Conditional Use and a landscape plan signed and sealed by a Landscape Architect will need to be submitted and reviewed during the Site Plan review.

Item (G): The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.

The intensity of the proposed project should not create a nuisance or hazard to surrounding properties. If violations or hazards become a nuisance, this Conditional Use could be brought back before City Council for reconsideration, revocation, or additional conditions to be applied.

Additionally, this property will not be utilized for overflow parking or storage of U-Haul box trucks from the adjoining business.

Item (H): The use as proposed for development will be compatible with the existing or permitted uses of adjacent properties.

This area has similar commercial intensity and would be compatible for the proposed location.

Item (I): Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, a reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

The Board and Council have the authority and right to impose any additional and justifiable safeguards, and/or conditions, to ensure that the facility operates safely and harmoniously with its surroundings.

STAFF FINDINGS:

Case CU-3-2023 meets the minimum requirements for approval of a Conditional Use. Staff recommends approval of the proposed Conditional Use subject to the staff comments contained in this report, which are required to be addressed during Site Plan review.

TECHNICAL COMMENTS

CASE CU-3-2023 – Self-Storage Conditional Use

Engineering Comments (Natalie Shaber PE, City Engineer 321.890.4217):

Environmental report provided:

1. The GT survey shall be re-done by February 19th, 2023, and every 90 days until a site work permit has been issued.
2. Additional observation for nests is recommended prior to commencement of land clearing activities. Signage and protection measures for the Eastern indigo snake will need to be in place during construction.

Stormwater management:

1. All external agency permits shall be provided prior to scheduling a pre-sitework meeting.
2. All design and performance standards and specifications per Ch 62-330 F.A.C. shall be met for a site with direct discharge to an impaired waterbody and Outstanding Florida Water including a nutrient analysis demonstrating the the post-development nutrient loads do not exceed the pre-development.
3. Please schedule a separate meeting with Public Works staff to discuss the potential for low impact development implementation and incentives.
4. Please provide sufficient topographical survey including off-site survey to demonstrate the direction of flow in the pre-development condition.
5. Provide a geotechnical report with borings that identify the SHWT and soil infiltration rates/ hydrologic soil units in the pre-developed condition.
6. Please use the drained condition in the pre-development calculations and undrained in the post-development.

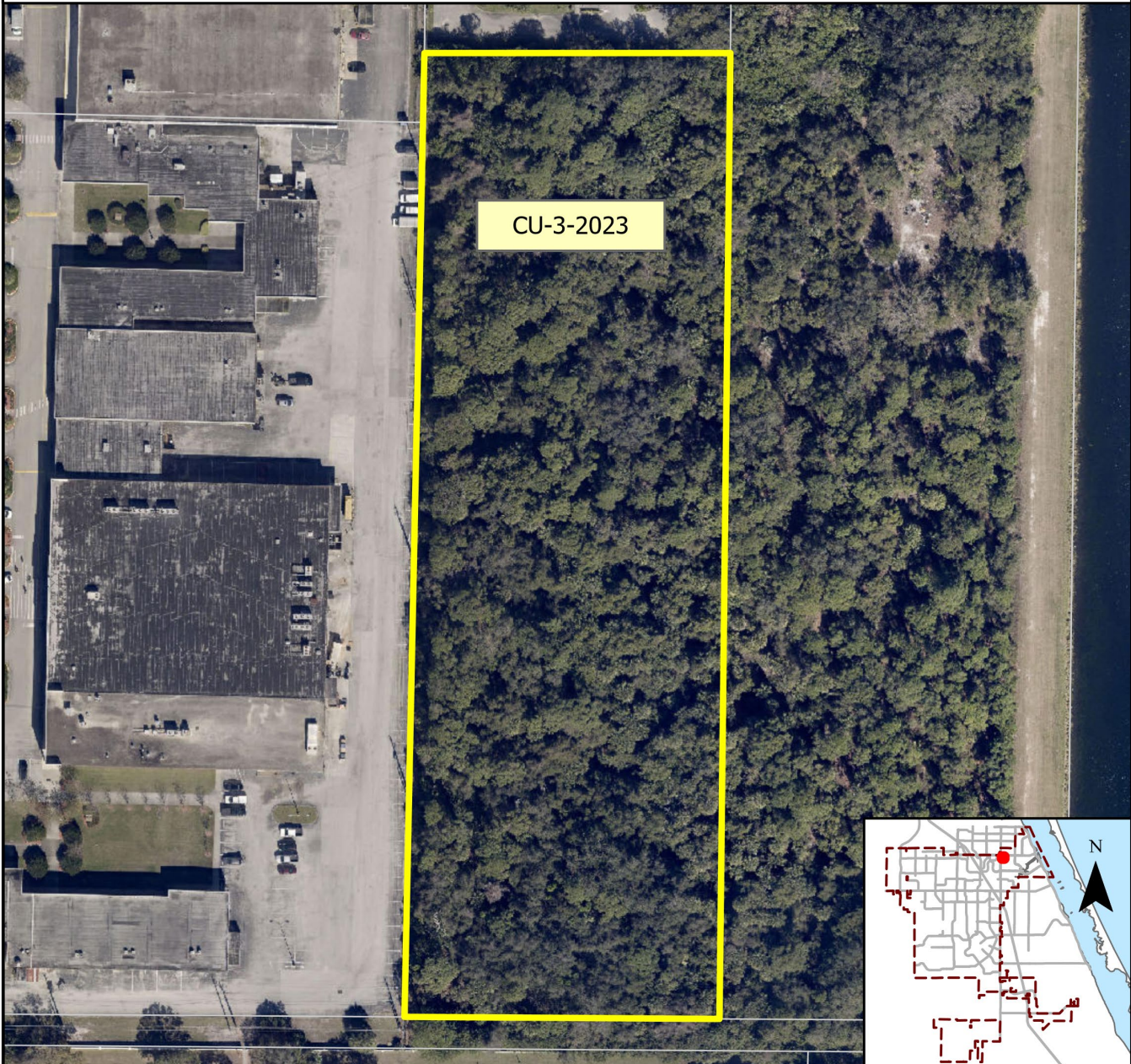
Time of concentration calculations shall consider any onsite storage in the pre-development condition.

BUILDING DEPARTMENT-FIRE (Michael Bloom, CFPS 321.952-3400):

1. Please provide plans complying with Florida Fire Prevention Code (FFPC) 7th edition, Florida Administrative Code (FAC), Florida State Statute (FSS) and City of Palm Bay Ordinances Chapters 33 and 177.
2. Available water may not be of sufficient volume to protect the specific hazard of the 16,636' squared structure. High Piled Storage, Extra Hazard Group 2. It is recommended that a Fire Protection Engineer be consulted early in the design process.



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



SITE LOCATION MAP CASE: CU-3-2023

Subject Property

North of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street NE



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



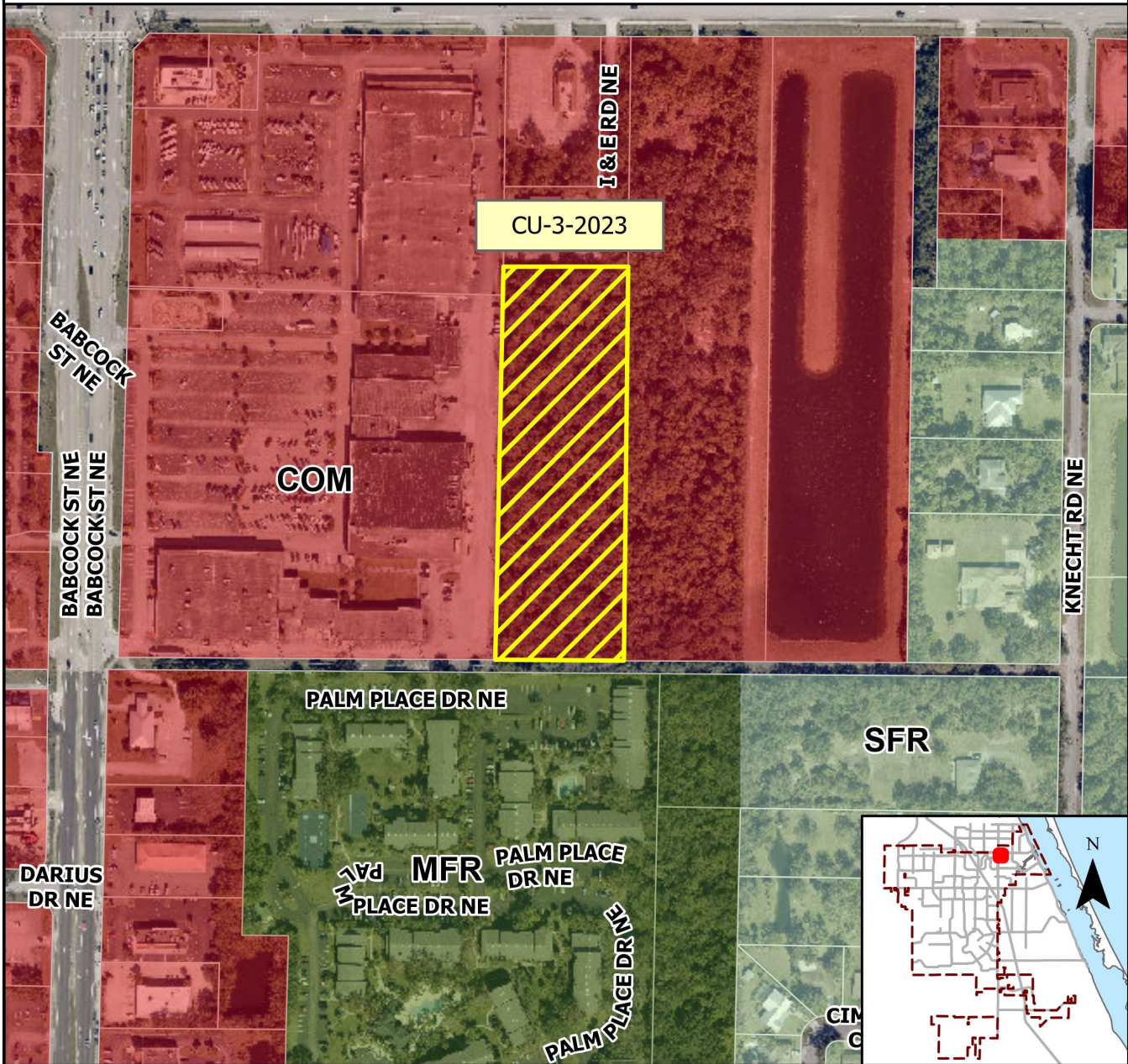
AERIAL LOCATION MAP CASE: CU-3-2023

Subject Property

North of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street NE



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP CASE: CU-3-2023

Subject Property

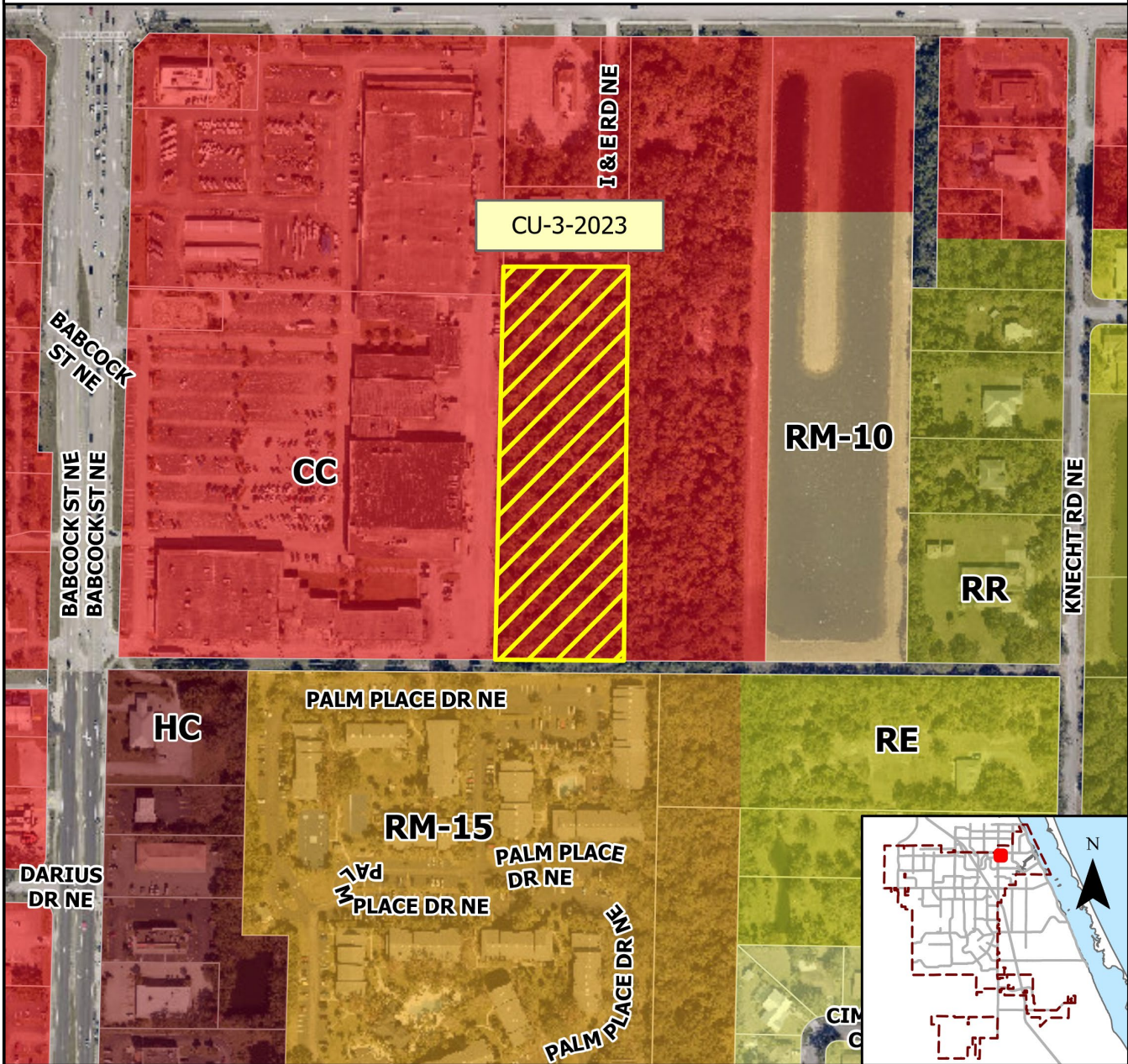
North of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street NE

Future Land Use Classification

COM – Commercial



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP CASE: CU-3-2023

Subject Property

North of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street NE

Current Zoning Classification

CC – Community Commercial

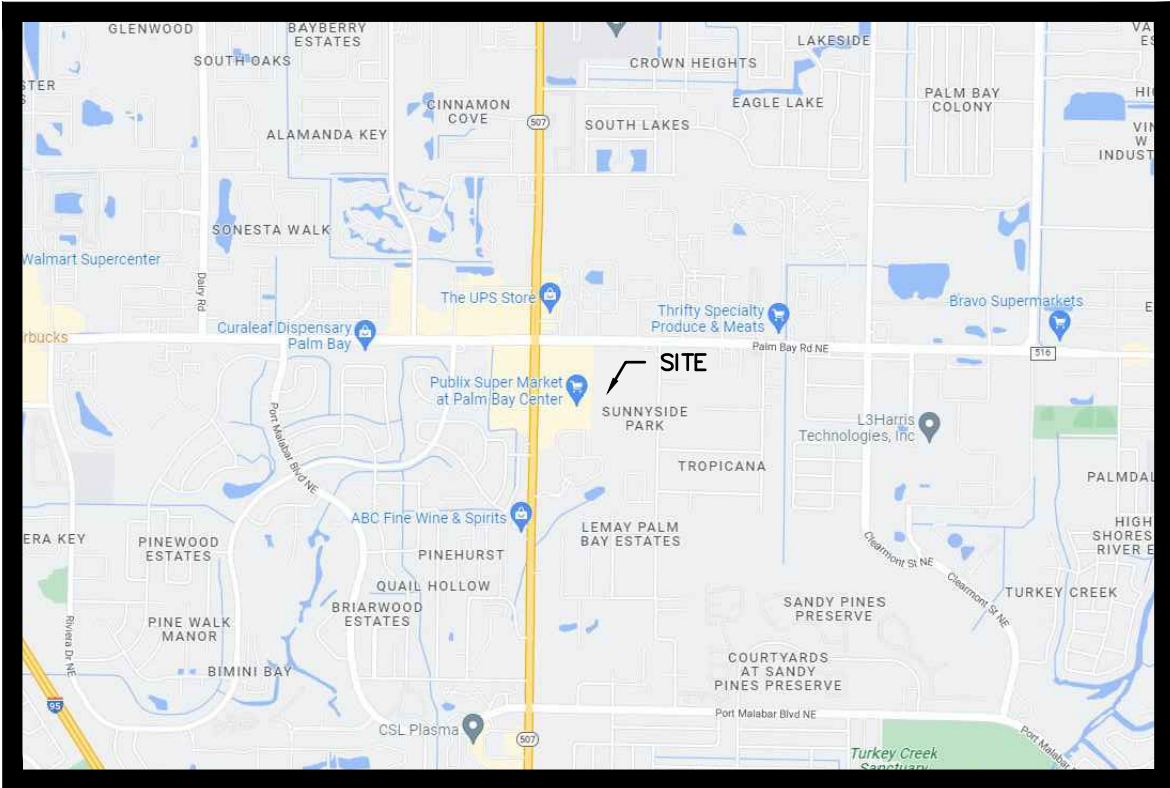
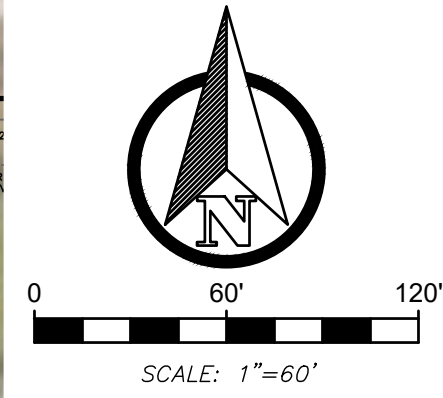
D:\CONTINIO-MASTER DROPBOX\BRYAN RUSSELL (DROPBOX)\CONTINIO-MASTER (P-DRIVE) PROJECTS\2022\22-429 - U-HAUL STORAGE - PALM BAY, FL.DWG

PALM BAY ROAD

S. BABCOCK STREET



STATE ROAD 516 - PALM BAY ROAD N.E. (200' R/W)



VICINITY MAP

N.T.S.

LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- PROPOSED PAVEMENT
- PARKING ROW COUNT

| SITE DATA | |
|--------------------------|---|
| LOCAL JURISDICTION | CITY OF PALM BAY |
| PRIMARY PARCEL ID | 28-37-22-00-528 |
| ZONING DESIGNATION | CC (COMM. COMMERCIAL) |
| OVERLAY DISTRICT | N/A |
| TOTAL PROPERTY ACREAGE | ±4.6 ACRES |
| TOTAL DISTURBED ACREAGE | TBD |
| PROPOSED USE | ±17,000-SF STORAGE BUILDING (1-STORY) (162) 10x10 MINI-STORAGE UNITS |
| MIN. LOT SIZE | 12,500-SF |
| MIN. LOT WIDTH | 100' |
| MAX. BLDG COVERAGE | 25% |
| PROPOSED BLDG COVERAGE | 18% |
| PROPOSED IMPERVIOUS AREA | ±2.6 ACRES |
| MAX BUILDING HEIGHT | 70' |
| FRONT BUILDING SETBACK | 30' |
| SIDE BUILDING SETBACK | 10' |
| REAR BUILDING SETBACK | 30' |

DESCRIPTION OF THE REQUEST

AMERICO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Palm Bay's participation and counseling in regards to a redevelopment for the property located at Hunter Ave NE, Palm Bay, FL. AREC is the wholly owned real estate subsidiary of the U-Haul System.

EXISTING CONDITIONS

The proposed 4.6-acre property is located at Hunter Ave NE, Palm Bay, FL. The parcel is identified as: 28-37-22-00-528. To the west of the subject property is the Palm Bay Center Shopping Mall which has an existing U-Haul Center, a variety of businesses, and a Publix Supermarket. To the east of the property is an undeveloped parcel which is heavily wooded. To the north is the Palm Bay Dental Center. To the south is a portion of The Vikings at Palm Bay apartment rental property. Refer to Exhibit 1: Existing Conditions Map.

PROPOSED STORAGE FACILITY DESCRIPTION:

U-Haul is proposing to expand its operation and is proposing to build a one-story 17,017 SF U-Box Storage building and eight (8) mini storage buildings totaling 16,200 SF. Our uses consist of self-storage, which requires a Conditional Use Permit. Access will be through an existing curb cut along Palm Bay Road NE, as well as proposed curb cuts to the west property line, which abuts the shopping center.

The property is currently zoned as CC (Community Commercial.) The proposed development requires a Conditional Use Permit for the proposed storage use. Our uses are compatible and consistent with the permitted uses of the property, and with the surrounding uses. We feel strongly that our proposal is compatible in nature.

PRELIMINARY CONCEPT

NOTE: THIS CONCEPTUAL DESIGN SHOULD BE UTILIZED AS A GRAPHICAL REPRESENTATION OF A POSSIBLE DESIGN CHOICE. THE INFORMATION ON THIS PLAN WAS DESIGNED FROM LIMITED MATERIAL AND HAS ITS INACCURACIES, THEREFORE IT SHOULD NOT BE USED FOR CONSTRUCTION UNTIL ALL APPLICABLE MATERIAL NEEDED HAS BEEN REVIEWED AND INCORPORATED.

DRAFT

CONTINIO GROUP
755 COMMERCE DRIVE
SUITE 800
DECATUR, GA 30030
770.335.9403
www.fcengineer



U-HAUL®

P.O. BOX 560025,
ORLANDO, FL 32805
CONTACT: CAL CONNER
CAL.CONNER@UHAULC.COM

U-HAUL EXPANSION
PALM PAY, FL
JURISDICTION: CITY OF PALM BAY
ISSUED FOR: CONCEPT
PARCELS: 28-37-22-00-528
LOCATION: 4703 BABCOCK ST NE,
PALM BAY, FL 32905

| # | DATE | REVISIONS |
|---|------|-----------|
| | | |
| | | |
| | | |
| | | |
| | | |

DRAWN: KJH
CHECK: EGS
JOB NO: 22-429
DATE: 2/9/23

CONCEPT
SITE 02
SHEET 01



SCALE: 1"=80'

STATE ROAD 516 - PALM BAY ROAD N.E. (200' R/W)

S88° 47' 14"E
40.00'

POINT OF BEGINNING
(PARCEL ID: 28-37-22-00-528)
(LESS AND EXCEPT PARCEL A)

PARCEL ID: 28-37-22-00-546
OWNER: ELWOOD FAMILY REVOCABLE LIVING TRUST
1760 PALM BAY ROAD N.E.
PALM BAY, FL 32905
(O.R.B. 8399, PG. 1194)

(LESS AND EXCEPT PARCEL A)

80' NON-EXCLUSIVE PERPETUAL RIGHT-OF-WAY
AND EASEMENT FOR INGRESS AND UTILITY PURPOSES
(O.R.B. 3811, PG. 2486)

N01° 12' 49"E
512.02'

S01° 12' 49"W
512.02'

POINT OF BEGINNING
(LESS AND EXCEPT PARCEL B)

(LESS AND EXCEPT PARCEL B)
PARCEL ID: 28-37-22-00-552
OWNER: PALM BAY ROAD INVESTMENTS, LLC
1764 PALM BAY ROAD N.E.
PALM BAY, FL 32905
(O.R.B. 7584, PG. 1089)

80' NON-EXCLUSIVE PERPETUAL RIGHT-OF-WAY
AND EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES
(O.R.B. 3811, PG. 2486)
ASPHALT PAVEMENT

CONCRETE
WALL

N88° 47' 11"W
40.00'

SITE BENCHMARK
NAIL SET IN SOUTH SIDE
OF WOOD POWER POLE
ELEV. = 24.70'

ASPHALT PAVED DRIVE
12" CHAIN
LINK FENCE



CONTINEO GROUP
755 COMMERCE DRIVE
SUITE 800
DECATUR, GA 30030
404.457.3919
www.tcg.engineer

PROPOSED ACCESS EASEMENT EXHIBIT

ISSUED FOR: EASEMENT RECORD

JURISDICTION: CITY OF PALM BAY, FL

LOCATION: 4703 BABCOCK ST NE
PALM BAY, FL 32905

DRAWN:
JRM

CHECK:
RTC

JOB NO:
22-429

DATE:
2/9/23

C100



Nov. 30, 2022

[illegible]

Moving Made Easier. SM

CITIZEN PARTICIPATION REPORT

**U-HAUL STORAGE EXPANSION
4703 BABCOCK STREET NE, PALM BAY, FL 32905
CONTINEO GROUP PROJECT #: 22-429**

Concerns:

There were no local citizens present for the meeting other than the management of U-Haul, Stacey Bruno and Cal Conner, and the Civil Engineering Principal, Erick Garcia-Salas.

Thus, no concerns were brought to attention during the meeting or via email, phone calls, or mail.



LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopmentweb@palmbayflorida.org

CONDITIONAL USE APPLICATION

This application must be deemed complete and legible, and the original application with original signature(s) must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

PARCEL ID(S):

28-37-22-00-528

TAX ACCOUNT NUMBER(S):

34U0 - PALM BAY

PROPERTY ADDRESS:

Hunter Ave NE ,Palm Bay, FL

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):

4.9 acres

ZONING CLASSIFICATION AT PRESENT (ex.: RS-2, CC, etc.):

CC (Community Commercial)

CONDITIONAL USE SOUGHT:

Proposed self- storage use

CITY OF PALM BAY, FLORIDA
CONDITIONAL USE APPLICATION
PAGE 2 OF 4

BE ADVISED: All Conditional Use applications/projects are evaluated based on the following items located in [Section 185.087](#) of the Code of Ordinances:

1. Proposed building and structures.
2. Proposed parking areas, vehicular and pedestrian circulation;
3. Proposed driveways and roadways near the site;
4. Conceptual stormwater management system; and
5. The provisions for potable water, sewer, and fire protection.

A SITE SKETCH TO SCALE MUST BE PROVIDED OF THE FOLLOWING:

- (A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.
- (C) Adequate and properly located utilities that are available or may be reasonably provided to serve the proposed development.
- (D) Adequate screening and/or buffering will be provided to protect and provide compatibility with adjoining properties.
- (E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of vehicular movement, noise, fume generation, or type of physical activity.
- (H) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including, but not limited to, reasonable time limit within which the action for which special approval is requested shall be begun or completed, or both.

CITY OF PALM BAY, FLORIDA
CONDITIONAL USE APPLICATION
PAGE 3 OF 4

ADDITIONAL CONDITIONS MUST BE MET AND INCORPORATED INTO THE SITE SKETCH FOR THE SPECIFIC CONDITIONAL USE. Additional criteria is listed in [Section 185.088](#) and available from staff (check all that apply):

- ☐ **Church** [Sec. 185.088(A)]
- ☐ **Club or Lodge** [Sec. 185.088(B)]
- ☐ **Commercial Dog Kennel** [Sec. 185.088(C)]
- ☐ **Planned Industrial Development** (industrially zoned site over 5 acres) [Sec. 185.088(D)]
- ☐ **Public or Private School** [Sec. 185.088(E)]
- ☒ **Self-Storage Facility** [Sec. 185.088(F)]
- ☐ **Communication Tower and Facilities** [Sec. 185.088(G)]
- ☐ **Dance Club** [Sec. 185.088(H)]
- ☐ **Security Dwelling Unit** [Sec. 185.088(I)]
- ☐ **Wedding Venue** [Sec. 185.088(J)]
- ☐ **Event Hall** [Sec. 185.088(K)]

CITY OF PALM BAY, FLORIDA
CONDITIONAL USE APPLICATION
PAGE 4 OF 4


THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☐ *\$650.00 Application Fee. Make Check payable to "City of Palm Bay."
- ☐ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☐ Site Sketch (See page 2 for requirements). **Also provide the site sketch on Memory Drive.**
- ☐ Citizen Participation Plan. Refer to [Section 169.005](#) of the Land Development Code for guidelines.
- ☐ Sign(s) posted on the subject property. Refer to [Section 51.07\(C\)](#) of the Legislative Code for guidelines. Staff will provide a sign template.
- ☐ **Where the property owner is not the representative for the request, a [LETTER](#) must be attached giving the notarized consent of the property owner(s) to a representative.**

Name of Representative Erick Garcia- Salas /Contineo or Cal Conner/ U-Haul Co of E FL

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers to the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing conditional use application and that the facts stated in it are true.

Owner Signature M. David Moalle  Date 10/26/2022
Printed Name M. David Moalle
Full Address 1663 Georgia St. NE #700 Palm Bay, FL 32907
Telephone 321-626-3590 Email palmabayland@gmail.com

***NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

October 27, 2022

Re: Letter of Authorization

As the property owner of the site legally described as:

PART OF SW 1/4 OF SW 1/4 AS DESC IN ORB 2628 PG 2380 & 2658 PG 2627 PAR 548

I, Owner Name: M. David Moallem
Address: 1663 Georgia St. NE #700 Palm Bay, FL 32907
Telephone: 321-626-3590
Email: palmbayland@gmail.com

hereby authorize:

Representative: Erick Garcia Salas/ TCG or Cal Conner/ U-Haul Co of Eastern FL

Address: 4703 Babcock St NE, Palm Bay, FL 32905

Telephone: (404) 457-3919; (321) 288- 0055

Email: erickg@thecontineogroup.com/ cal_conner@uhaul.com

to represent the request(s) for:

property parcel ID 28-37-22-00-528, at Hunter Ave NE ,Palm Bay, FL

M. David Moallem
(Property Owner Signature)

STATE OF Florida

COUNTY OF Brevard

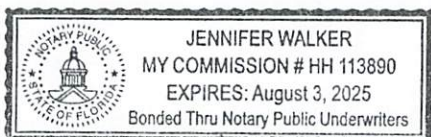
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 27 day of October, 2022 by

M. David Moallem, property owner.

Jennifer Walker

Jennifer Walker, Notary Public

☒ Personally Known or ☐ Produced the Following Type of Identification:





Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

| PUBLICATION | TOLL-FREE | Local # | Email |
|---------------|--------------|--------------|-------------------------|
| Florida Today | 888-516-9220 | 321-242-3632 | BRELegals@gannett.com |
| Eagle | 888-516-9220 | 321-242-3632 | BREEagle@gannett.com |
| Reporter | 888-516-9220 | 321-242-3632 | BREReporter@gannett.com |

Customer: CITY OF PALM BAY

Ad No.: 0005596520

Address: SUITE 201
PALM BAY FL 32907
USA

Run Times: 1

No. of Affidavits: 1

Run Dates: 02/16/23

Text of Ad:

Ad#5596520 2/16/2023
CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on March 1, 2023, and by the City Council on April 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1. ****CU-3-2023 - M. David Moallem (Erick Garcia Salas, Contineo Group and Cal Conner, U-Haul Co. of Eastern FL, Reps.)**

A Conditional Use to allow a proposed self-storage facility in a CC, Community Commercial District, in accordance with Section 185.088 of the Palm Bay Code of Ordinances

Tax Parcel 528, Section 22, Township 28, Range 37, Brevard County, Florida, containing approximately 4.9 acres. Located north of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street NE

2. **CP-5-2023 - Sam Wolkowick, Babcock & Malabar, LLC (Shubman Desai, E.I., Bowman Consulting Group, Ltd. / Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law / Alberto Krygier, Adelon Capital, Reps.)**

A small-scale Comprehensive Plan Future Land Use Map amendment from Residential Open Space Use to Commercial Use

Tract G.2 Retention Area, Port Malabar Unit 57, Section 4, Township 29, Range 37, Brevard County, Florida, containing 7.43 acres. Located in the vicinity, south of Malabar Road SE, east of Interstate-95 Highway, and west of Babcock Street SE

3. ****Z-18-2023 - Sam Wolkowick, Babcock & Malabar, LLC (Shubman Desai, E.I., Bowman Consulting Group, Ltd. / Kimberly Rezanka, Lacey Lyon Rezanka Attorneys At Law / Alberto Krygier, Adelon Capital, Reps.)**

A zoning change from a CC, Community Commercial District to a GC, General Commercial District

A portion of Tax Parcel 1.1, Section 4, Township 29, Range 37, Brevard County, Florida, containing approximately 8.93 acres. Located in the vicinity, south of Malabar Road SE, east of Interstate-95 Highway, and west of Babcock Street SE

4. **T-12-2023 - City of Palm Bay (Public Works Department)**

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 174: Floodplain and Stormwater Management, Section 174.073, to clarify residential elevations for single-family residential construction

****Indicates quasi-judicial request(s).**
If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or 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.
Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.
Chandra Powell
Planning Specialist

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2023-03

Held on Wednesday, March 1, 2023, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Chairperson Leeta Jordan called the meeting to order at approximately 6:00 p.m.

Mr. Ranier Warner led the Pledge of Allegiance to the Flag.

ROLL CALL:

| | | |
|---------------------------|--------------------------|---------|
| CHAIRPERSON: | Leeta Jordan | Present |
| VICE CHAIRPERSON: | Philip Weinberg | Present |
| MEMBER: | Donald Boerema | Present |
| MEMBER: | Robert Good | Present |
| MEMBER: | Randall Olszewski | Present |
| MEMBER: | Rainer Warner | Present |
| MEMBER: | VACANT | |
| NON-VOTING MEMBER: | David Karaffa | Present |
| | (School Board Appointee) | |

CITY STAFF: Present were Ms. Alexandra Bernard, Growth Management Director; Mr. Jesse Anderson, Ph.D., Assistant Growth Management Director; Mr. Stephen White, Principal Planner, Ms. Tania Ramos, Senior Planner; Ms. Uma Sarmistha, Senior Planner; Ms. Carol Gerundo, Planning Specialist; Mr. Rodney Edwards, Deputy City Attorney.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2023-02; February 1, 2023.

Motion to approve the minutes as presented.

1. ****CU-3-2023 - U-Haul Self-Storage - M. David Moallem (Erick Garcia Salas, Contineo Group and Cal Conner, U-Haul Co. of Eastern FL, Reps.) - A Conditional Use to allow a proposed self-storage facility in a CC, Community Commercial District, in accordance with Section 185.088 of the Palm Bay Code of Ordinances. Tax Parcel 528, Section 22, Township 28, Range 37, Brevard County, Florida, containing approximately 4.9 acres. Located north of and adjacent to Hunter Avenue NE, in the vicinity east of Babcock Street**

Mr. White presented the staff report for Case CU-3-2023. Case CU-3-2023 met the minimum requirements for a Conditional Use request subject to the staff comments contained in the staff report, which are required to be addressed during Site Plan review. Mr. White noted that one of the conditions, the Cross Access Easement Agreement, was turned in to staff after the agenda was uploaded. The agreement was recorded by the Clerk of Court.

Mr. Warner asked if the project was an extension of the current business. Mr. White stated that it was a separate business with the same owners.

Mr. Erick Garcia-Salas, P.E., The Contineo Group, Atlanta, Georgia (representative for the applicant), gave an overview of the conditional use request. Mr. Garcia Salas indicated that the subject property, an empty island lot located behind Publix, would only have access through the U-Haul portion of the property into the U-Haul area. The primary use for the property was for U-Boxes, where persons would be able to store belongings, and it would not be open to the public. Mr. Garcia-Salas noted that it would be open for U-Haul employees, although further into the property there would be a component for drive-up self-storage. The property was in a secluded area, and did not front residential areas, with no future connections to Publix.

Mr. Boerema asked if there would be street entrances or exits to the east. Mr. Garcia-Salas indicated that there would be no street entrances or exits to the east and reiterated that the only access would be through the U-Haul portion.

Mr. Boerema inquired about the residential properties to the south. Mr. Garcia-Salas stated that the residential area to the south would be buffered by a stormwater retention pond.

Mr. Olszewski wanted to know if most of the square footage would be used by the U-Haul employees for moving the U-Boxes, and if customers would not be involved with the keeping of the U-Boxes. Mr. Garcia-Salas indicated that the U-Boxes would be in the north portion of the building and would be used by the employees, not the customers.

Mr. Olszewski asked if the self-storage component of the project was going to be like the current self-storage in the U-Haul parking lot. Mr. Garcia-Salas stated that self-storage would be drive-up, like the current self-storage.

Mr. Olszewski wanted to know how the project would be affected by the current Publix project. Mr. Garcia-Salas stated that there would be no effect on the purpose and overall look. Mr. Garcia-Salas described the screening, the location and access agreement of the project.

Mr. Boerema asked where the entrance to the project would be. Mr. Garcia-Salas stated that the entrance would be at the north end of the property.

Mr. Boerema wanted to know if there were any meetings with Publix. Mr. Garcia-Salas explained that U-Haul representatives met with the property owners and noted that everyone was aware and in full support of the project.

Motion to approve Case CU-3-2023 subject to the conditions in the Staff Report.

Motion by Mr. Weinberg, seconded by Mr. Olszewski. Motion carried with members voting as follows:

Aye: Jordan, Weinberg, Boerema, Good, Olszewski, Warner.

After recording return to:
Lora Lakov, Amerco Real Estate Company
2727 N. Central Ave.
Phoenix, AZ 85004

CFN 2023032476, OR BK 9719 PAGE 2888.
Recorded 02/17/2023 at 11:30 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs: 12

CROSS ACCESS EASEMENT AGREEMENT

This Cross Easement Agreement ("Agreement") is made and dated as of the 13TH day of February, 2023 by **U-HAUL CO. OF FLORIDA 32, LLC**, a Nevada limited liability company having a place of business at 2727 N. Central Avenue, Phoenix, AZ 85004, and **AMERCO REAL ESTATE COMPANY**, a Nevada corporation having a place of business at 2727 N. Central Ave., Phoenix, AZ 85004 (hereinafter referred to as "AREC").

RECITALS

WHEREAS, U-HAUL CO. OF FLORIDA 32 LLC is the owner of certain property located in the City of Palm Bay, FL, commonly known as the U-Haul Center 781071 as more particularly described in Exhibit A attached hereto (the "U-HAUL CO. OF FLORIDA 32 LLC Property"), and Amerco Real Estate Company is the owner of certain property located in the City of Palm Bay, FL, commonly known as Palm Bay Hunter Ave. NE, Palm Bay, Florida as more particularly described in Exhibit B attached hereto (collectively the "AREC Property"); and

WHEREAS, the U-HAUL CO. OF FLORIDA 32 LLC Property and AREC Property share a common boundary line; and

WHEREAS, U-HAUL CO. OF FLORIDA 32, LLC and AREC intend hereby to create and provide for the use and benefit of their respective properties, subject to the limitations hereinafter provided, a reciprocal, perpetual, non-exclusive easement for pedestrian and vehicular ingress, egress, passage and traffic between the U-HAUL CO. OF FLORIDA 32 LLC Property and the AREC Property; and

WHEREAS, U-HAUL CO. OF FLORIDA 32 LLC and AREC intend that each of them, their respective successors in interest and their respective lessees, occupants, customers, employees, licensees, tenants and business invitees (the "Permittees") shall at all times enjoy the benefits of and shall at all times hold their interests subject to, the rights, easements, privileges and restrictions hereinafter set forth; and

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, U-HAUL CO. OF FLORIDA 32 LLC and AREC do declare and agree as follows:

ARTICLE 1 **Use/Access**

1.1 Access Easement for U-HAUL CO. OF FLORIDA 32 LLC. AREC hereby grants to U-HAUL CO. OF FLORIDA 32 LLC for the use of U-HAUL CO. OF FLORIDA 32 LLC and its Permittees,

subject to all existing easements, encumbrances and restrictions of record, a perpetual, non-exclusive easement appurtenant to and for the benefit of the U-HAUL CO. OF FLORIDA 32 LLC Property, upon, over and across the U-HAUL CO. OF FLORIDA 32 LLC Easement Area (as defined below) solely for the limited purpose of pedestrian and vehicular ingress, egress, passage and traffic between the U-HAUL CO. OF FLORIDA 32 LLC Property and the AREC Property.

1.2 Access Easement for AREC Property. U-HAUL CO. OF FLORIDA 32 LLC hereby grants to AREC for the use of AREC and its Permittees, subject to all existing easements, encumbrances and restrictions of record, a perpetual, non-exclusive easement appurtenant to and for the benefit of the AREC Property, upon, over and across the AREC Easement Area (as defined below) solely for the limited purpose of pedestrian and vehicular ingress, egress, passage and traffic between the AREC Property and the U-HAUL CO. OF FLORIDA 32 LLC Property.

1.3 Access Easement Areas. The Easement Area shall be located over, upon and across the U-HAUL CO. OF FLORIDA 32 LLC Property as described in Exhibit C attached hereto. Notwithstanding anything else herein to the contrary, subject to the limitations contained herein, each of the parties hereto reserves the right to construct buildings, landscaping, parking areas, driveways and other improvements on their respective properties which buildings, landscaping, parking areas, driveways and other improvements may not reduce the size of any easement areas located on their respective properties nor interfere with the reciprocal easement rights granted herein.

1.4 Use. Use of the Easement Areas by the benefitted parties is not hereby exclusively granted but shall be in common with the use thereof by the owners and Permittees of the property upon which the Easement Area is located. Each of the parties and their respective Permittees hereto shall be entitled to use those portions of the Easement Area which shall lie in their property for those uses provided herein and for any other reasonable uses so long as such other uses do not interfere with or obstruct the reasonable use of the Easement Area by the other party and its Permittees. Each party hereto shall specifically have the right to make any use of the subsurface of the Easement Area located on the property owned by them, at their sole cost and expense, so long as such use does not interfere with or obstruct the other party's reasonable use as provided herein.

Article II Maintenance

2.1 Maintenance of Easement Area. Each party shall pave, repair, and at all times maintain in good condition those portions of the Easement Area which lie within that party's property. Maintenance of the Easement Areas shall include without limitation.

2.1.1 Maintenance, repair and replacement of the surface and subsurface of the Easement Area, as necessary, to maintain the Easement Area in a level, smooth and evenly covered condition with the types of materials and at the same grade and elevation as used by the parties on the date of the completion of construction of the Easement Area, or portion thereof, except that the parties shall be permitted to use such substitute materials as will in all respects be equal to or better than the materials originally used by the Owners with respect to quality, appearance and durability.

2.1.2 Removal from the Easement Area of paper, rubbish, debris, ice, snow and other hazards to persons using the Easement Area, and washing or thoroughly sweeping paved areas as required.

2.1.3 Maintenance of such appropriate parking signs and pavement markings, entrance, exit and directional signs and markers and lights so as to be uniform with those used on both properties.

2.1.4 Such painting and repainting of traffic lines and parking lines to maintain the Easement Area in first-class condition so as to be uniform with and provide for safe traffic flow between the subject properties.

2.1.5 Maintenance, repair and replacement of any drainage facilities located on each party's property so that any such facilities shall remain in good working order and condition.

Article III General Provisions

3.1 Not a Public Dedication. Nothing contained in this Agreement shall, or shall be deemed to, constitute a gift or dedication of any portion of the U-HAUL CO. OF FL 32 LLC Property or the AREC Property to the general public or for the benefit of the general public or for any public purpose whatsoever, it being the intention that this Agreement will be strictly limited to and for the purposes expressed herein. Each party hereto shall be permitted, from time to time, to take whatever reasonable action it deems necessary to prevent any portion of their respective properties from being dedicated or taken for public use or benefit.

3.2 Mortgage Subordination. Any mortgage or deed of trust affecting any portion of the Properties executed after this Agreement is recorded shall at all times be subject and subordinate to the terms of this Agreement, and any party foreclosing any such mortgage or deed of trust, or acquiring title by deed in lieu of foreclosure shall acquire title subject to all of the terms and provisions of this Agreement.

3.3 Termination by Merger. This grant of easement shall automatically terminate and become null and void upon the same person or entity attaining ownership of both the U-HAUL CO. OF FL 32 LLC Property and AREC Property.

3.4 Insurance. The respective property owners will at all times maintain or cause to be maintained with respect to the Easement Area commercial general liability insurance (including contractual liability coverage) against claims for bodily injury, death or property damage occurring on, in or about the Easement Area, combined single limit coverage of not less than ONE MILLION DOLLARS (\$1,000,000.00) with respect to personal injury, and in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) with respect to property damage.

3.5 Indemnity. The respective parties shall indemnify, defend and hold harmless the other party and its directors, officers, agents, representatives, and employees harmless from and against any and all liens, liabilities, costs or expenses (including reasonable attorney's fees and court costs), incurred in connection with, arising out of, occurring due to, or in any way related to the use of the easements herein granted, excluding, however, any personal injury or property damage to the extent the same is due to the negligence or willful misconduct of the other party.

Article IV Miscellaneous

4.1 Running of Benefits and Burdens. All provisions of this Agreement, including the benefits and burdens hereof, run with the land and are binding upon and inure to the benefit of the parties and their respective heirs, assigns, successors, and personal representatives.

4.2 Estoppel Certificates. Each party hereunder shall upon not less than thirty (30) days from receipt of written notice from the other party execute and deliver to such other party a certificate in recordable form stating that (i) either this Agreement is unmodified and in full force and effect or is modified (and stating the modification); and (ii) whether or not to the best of its knowledge the other party is in default in any respect under this Agreement and if in default, specifying such default.

4.3 Waivers - Remedies Cumulative. No delay or omission by any of the parties hereto in exercising any right or power accruing upon any noncompliance or failure of performance by the other parties under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. The failure herein to specify a right, power or remedy accruing upon any non-compliance or failure of performance by any of the parties hereto shall not be construed to be a waiver thereof or an impairment of the rights of the party or parties thereby aggrieved to all remedies then available to it at law or in equity by reason of such non-compliance or failure of performance. A waiver by any of the parties hereto of any of the covenants, conditions or agreements hereof to be performed by one or more of the others shall not be construed to be a waiver of any succeeding breach thereof of any other covenant, condition or agreement herein contained.

4.4 Enforcement. The easements, restrictions and obligations created and imposed herein shall be effective upon the date hereof, shall run with the land, and shall inure to the benefit of and be binding upon the parties, their heirs, executors, administrators, successors, successors-in-title, assigns and tenants, including any ground lessee under a ground lease. Said easements, restrictions and obligations shall be unaffected by any change in the ownership of any property covered by this Agreement or by any change of use, demolition, reconstruction, expansion or other circumstances, except as specified herein. Each of the rights created hereunder may be enforceable in a court of equity by the owner of any property covered by this Agreement and by any mortgagee of said property; however, enforcement hereunder shall be sought solely against the then owner of the property or parcel (or the owner of an interest in such property or parcel) alleged to be in default.

4.5 Construction of Agreement; Captions. This Agreement shall be construed under Arizona law, sets forth the entire agreement between the parties and supersedes all prior agreements and memoranda with respect to the subject matter hereof. The captions used herein are used only as a matter of convenience and are not to be considered a part of this Agreement or to be used in determining the intent of the parties.

4.6 Notices. Any notice or other like communication from one party to another party pursuant to this Agreement shall be in writing and shall be delivered by (i) hand, (ii) registered or certified mail, return receipt requested, or (iii) recognized overnight mail courier service (e.g. Federal Express, Airborne Express, DH), addressed to the owner of either property at the address listed on the assessor's field card as maintained by the County Assessor's Office.

Any notice sent pursuant to the terms of this Agreement shall be deemed to have been given (i) on the date the same was delivered by hand, (ii) two (2) business days after same was deposited in the United States Mail, registered or certified mail, with postage thereon fully prepaid, or (iii) one (1) business day after deposited with any applicable recognized overnight mail courier service sent via overnight delivery addressed as herein above provided.

4.7 Amendments. This Agreement may be modified, amended, or cancelled only by a written instrument executed by the owners of each of the Properties at the time of such amendment.

4.8 Severability. If any term or provision of this Agreement, to any extent, shall be held invalid or unenforceable, the remaining terms and provisions hereof shall not be affected thereby, but each such remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

4.9 Attorneys' Fees and Costs. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorneys' fees and costs, whether or not suit is filed.

4.10 Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Arizona.

Executed on the date first written above.

[Signatures follow on the next page]

U-HAUL CO. OF FLORIDA 32, LLC

AMERCO REAL ESTATE COMPANY

By: [Signature]

By: [Signature]

Printed: Steve Winkelman _____

Printed: Matthew Braccia _____

Title: Assistant Secretary _____

Title: President _____

Date: 2/13/23

Date: 2/13/2023

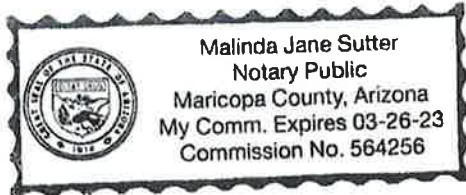
STATE OF ARIZONA)

) ss:

COUNTY OF MARICOPA)

On this 13th day of February, 2023, before me, the undersigned Notary Public in and for said State, personally appeared Stephen Winkelman, known or identified to me, to be a Assistant Secretary of U-HAUL CO. OF FLORIDA 32, LLC, a Nevada limited liability company, and the person that executed the within instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for Arizona
My Commission Expires: 3/26/23

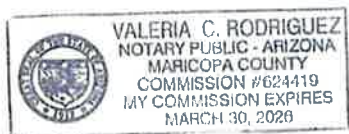
STATE OF ARIZONA)

) ss:

COUNTY OF MARICOPA)

On this 13th day of February, 2023, before me, the undersigned Notary Public in and for said State, personally appeared Matthew F. Braccia, known or identified to me, to be a President of Amerco Real Estate Company, a Nevada corporation, and the person that executed the within instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for Arizona
My Commission Expires: 3/30/2026

Exhibit A
(U-HAUL CO. OF FLORIDA 32 LLC Property Description)

EXHIBIT "A"

A parcel of land lying in Section 22, Township 28 South, Range 37 East, Brevard County, Florida, and being more fully described as follows:

Commence at the West ¼ corner of said Section 22 and run S 01° 04' 12" West, along the West line of said Section 22, a distance of 215.09 feet; thence S 88° 55' 48" East, perpendicular to said West line, a distance of 70.0 feet to a point on the Easterly right-of-way line of Babcock Street (SR 507), said point also being the Point-of-Beginning of this description; thence continue S 88° 55' 48" East, a distance of 150.0 feet; thence N 01° 04' 12" East, a distance of 150.0 feet to a point on the Southerly right-of-way line of Palm Bay Road (SR 516); thence S 89° 41' 20" East, along said Southerly right-of-way line of Palm Bay Road a distance of 602.41 feet; thence S 00° 57' 20" West, a distance of 512.00 feet; thence N 88° 55' 48" West, a distance of 753.45 feet to a point on the aforesaid Easterly right-of-way line of Babcock Street (SR 507); thence N 01° 04' 12" East, along said Easterly right-of-way line of Babcock Street (SR 507) a distance of 354.06 feet to the Point-of-Beginning.

LESS AND EXCEPT the following described parcel:

A parcel of land lying in Section 22, Brevard County, Florida, and being more fully described as follows:

Commence at the West ¼ corner of said Section 22, Township 28 South, Range 37 East and run South 01° 04' 12" West, along the West line of said Section 22, a distance of 215.09 feet; thence South 88° 55' 48" East, a distance of 70.0 feet to a point on the Easterly right-of-way line of Babcock Street (SR 507); thence continue South 88° 55' 48" East, a distance of 150.00 feet to the Point-of-Beginning; thence North 01° 04' 12" East, a distance of 150.00 feet to a point on the Southerly right-of-way line of Palm Bay Road (SR 516); thence South 89° 41' 20" East, along said Southerly right-of-way line a distance of 100.01 feet; thence South 01° 04' 12" West, a distance of 151.32 feet; thence North 88° 55' 48" West, a distance of 100.00 feet to the Point-of-Beginning.

TOGETHER WITH that Reciprocal Easement recorded in [Official Records Book 1977, Page 948](#), of the Public Records of Brevard County, Florida.

Exhibit B
(AREC Property Description)



First American

EXHIBIT "B"

ISSUED BY

First American Title Insurance Company

File No: NCS-1144836-PHX1

File No.: NCS-1144836-PHX1

The Land referred to herein below is situated in the County of Brevard, State of Florida, and is described as follows:

BEGIN AT THE NORTHEAST CORNER OF THE WEST 5 ACRES OF LOT 10 OF FLORIDA INDIAN RIVER LAND COMPANY'S SUBDIVISION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 37 EAST, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 1, PAGE 164, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND FOR A FIRST COURSE OF THE PROPERTY TO BE INCLUDED IN THIS DESCRIPTION RUN SOUTH AND ALONG THE EAST LINE OF THE WEST 5 ACRES OF SAID LOT 10, A DISTANCE OF 1331.67 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 10; THENCE FOR A SECOND COURSE RUN EAST AND ALONG THE SOUTH LINE OF SAID LOT 10 A DISTANCE OF 250 FEET TO A POINT; THENCE FOR A THIRD COURSE RUN NORTH TO A POINT ON THE NORTH LINE OF SAID LOT 10, SAID POINT BEING 250 FEET EAST OF THE POINT OF BEGINNING; THENCE FOR A FOURTH COURSE RUN WEST AND ALONG THE NORTH LINE OF LOT 10 A DISTANCE OF 250 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT STATE ROAD 516; AND LESS AND EXCEPT THE WEST 190.0 FEET OF THE NORTH 368.0 FEET OF THE EAST 3/4 OF LOT 10, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 37 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 164, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, LESS THE NORTH 68.0 FEET FOR PALM BAY ROAD RIGHT OF WAY. ALSO DESCRIBED AS: COMMENCE AT A POINT ON THE EAST LINE OF LOT 10, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 37 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 164, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT BEING 68.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 10; THENCE RUN WEST A DISTANCE OF 243.49 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN SOUTH 0 DEGREES 38'49" WEST A DISTANCE OF 1262.42 FEET TO THE SOUTH LINE OF SAID LOT 10; THENCE RUN SOUTH 89 DEGREES 51'11" WEST A DISTANCE OF 250.01 FEET; THENCE RUN NORTH 0 DEGREES 38'49" EAST A DISTANCE OF 963.06 FEET; THENCE RUN EAST A DISTANCE OF 190.0 FEET; THENCE RUN NORTH 0 DEGREES 38'49" EAST A DISTANCE OF 300.0 FEET; THENCE RUN EAST A DISTANCE OF 60.0 FEET TO THE POINT OF BEGINNING AND SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

LESS AND EXCEPT THE FOLLOWING PARCELS A AND B:

PARCEL A: COMMENCE AT A POINT ON THE EAST LINE OF LOT 10, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 37 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 164 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT BEING 68.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 10; THENCE RUN WEST 243.49 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, THEN RUN S. 0 DEGREES 38'49" W., A DISTANCE OF 300.0 FEET; THENCE RUN WEST A DISTANCE OF 60.0 FEET; THENCE RUN N. 0 DEGREES 38'49" E., A DISTANCE OF 300.0 FEET; THENCE RUN EAST 60.0 FEET TO THE POINT OF BEGINNING. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

PARCEL B: COMMENCE AT A POINT ON THE EAST LINE OF LOT 10, FLORIDA INDIAN RIVER LAND COMPANY SUBDIVISION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 37 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 164, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID POINT BEING 68.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 10; THENCE RUN WEST 243.49 FEET; THENCE RUN S. 0 DEGREES 38'49" W., A DISTANCE OF 300.0 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE S. 0 DEGREES 38'49" W., A DISTANCE OF 160.45 FEET; THENCE RUN WEST A DISTANCE OF 250.0 FEET; THENCE RUN N. 0 DEGREES 38'49" E., A DISTANCE OF 160.45 FEET; THENCE RUN EAST A DISTANCE OF 250.0 FEET TO THE POINT OF BEGINNING.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; and Schedule B, Part II-Exceptions.

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**Exhibit C
(Easement Area)**

RESOLUTION 2023-09

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, GRANTING A CONDITIONAL USE TO ALLOW FOR A SELF STORAGE FACILITY IN CC (COMMUNITY COMMERCIAL DISTRICT) ZONING; WHICH PROPERTY IS GENERALLY LOCATED BETWEEN BABCOCK STREET AND KNECHT ROAD, IN THE VICINITY SOUTH OF PALM BAY ROAD, AND LEGALLY DESCRIBED HEREIN; GRANTING THE USE AS A CONDITIONAL USE; PROVIDING FOR A COMMENCEMENT PERIOD; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, application for a conditional use in CC (Community Commercial District) zoning to allow for a self-storage facility on property legally described herein, has been made by M. David Moallem, and

WHEREAS, the request was duly considered by the Planning and Zoning Board of the City of Palm Bay on March 1, 2023, which voted to recommend to the City Council approval, and

WHEREAS, all provisions applicable to the conditional use under Chapter 185, Zoning, Conditional Uses, Sections 185.085 and 185.086, and District Regulations, Section 185.043 and 185.088, of the Palm Bay Code of Ordinances, have been addressed by the applicant, and

WHEREAS, the City Council of the City of Palm Bay has determined that such conditional use will neither be injurious to the neighborhood nor otherwise detrimental to the public welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby grants a conditional use to allow for a self-storage facility on property zoned CC (Community Commercial District), which property is legally described as follows:

Tax Parcel 528, of the Public Records of Brevard County, Florida; Section 22, Township 28S, Range 37E; containing 4.9 acres, more or less.

SECTION 2. The Conditional Use is granted subject to the applicant complying with the following:

- A. Constructing the self-storage facility in accordance with the site plan which is, by reference, incorporated herein as Exhibit 'A';
- B. The Land Development Division Staff Report which is, by reference, incorporated herein as Exhibit 'B';
- C. The self-storage facility will not be utilized for overflow parking or storage of U-Haul box trucks from the adjoining business;
- D. The proposed location is prohibited from having doors facing residentially zoned properties other than ingress and egress locations;
- E. A six (6) foot high opaque masonry wall or fence shall be erected around the entire property boundary;
- F. The owner/developer will be responsible for extending service to the site in accordance with current City regulations;
- G. If violations or hazards become a nuisance, this Conditional Use could be brought back before City Council for reconsideration, revocation, or additional conditions to be applied; and
- H. All provisions of the Code of Ordinances of the City of Palm Bay and all other state and federal rules, regulations, and statutes.

SECTION 3. The conditional use must be commenced within one (1) year from the effective date of this resolution. Commencement shall mean the issuance of the appropriate development permit(s), which must remain active. Failure to commence within one (1) year of issuance of the first permit shall void the conditional use.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2023- , of the City Council of the
City of Palm Bay, Brevard County, Florida, held on , 2023.

ATTEST:

Rob Medina, MAYOR

Terese M. Jones, CITY CLERK

Applicant: M. David Moallem
Case: CU-3-2023

cc: (date) Brevard County Recording
Applicant
Case File



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Alexandra Bernard, Growth Management Director

DATE: 4/6/2023

RE: Ordinance 2023-16, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Micco Road, in the vicinity east of Interstate 95 Highway, from Micco Park Village District to Parkway Flex Use (353.47 acres) (Case CP-2-2023, Peat Holding, LLC/Brian Lulfs, Managing Member), first reading.

Applicant Brian Lulfs, Managing Member of Peat Holdings, LLC (Jake Wise, P.E., Construction Engineering Group, LLC) submitted a large-scale Comprehensive Plan Future Land Use Map amendment from Micco Park Village Use to Parkway Flex Use for approximately 353.47 acres, generally located north of and adjacent to Micco Road SE, in the vicinity east of Interstate 95 Highway.

The intended use for the 353.47-acre property is a Parkway Flex Use development to be known as Lulfs Parcel. The proposed land use amendment would be considered compatible, as the diversity and mixture of residential and non-residential uses provides for a more efficient distribution of compatible land uses and further addresses the long-term responsible growth of the City by providing residents with diverse housing options, to include 184.1 acres of single-family residential and 30.9 acres of multi-family residential). Lulfs Parcel is intended to be a walkable community with 12.6 acres of landscape buffers and pedestrian connectivity. The project will also provide approximately 10.8 acres of commercial activity directly accessible to the residential development. Specifically, the commercial will be located on the western side of the proposed St. Johns Heritage Parkway (SJHP) extension east of Interstate 95. Additionally, the project proposes 11.2 acres of commercial land along the eastern side of the SJHP to capture trips generated from the northern adjacent developments. The proposed distribution of uses across this project area is conceptually depicted in Exhibit A, attached.

Please note that the School Concurrency letter from Brevard Public Schools projects that Sunrise Elementary School, Southwest Middle School, and Bayside High School are not projected to have capacity in the concurrency service area. The adjacent concurrency area is projected, at this time, is projected to have capacity at Stone Magnet Middle and Palm Bay Magnet Senior High; however, there is a shortfall of capacity for the concurrency area and adjacent concurrency area for elementary schools. To receive site plan approval, the development is required to contact BPS to discuss a mitigation process for final school concurrency determination.

REQUESTING DEPARTMENT:

Growth Management

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Request for City Council to consider an ordinance for Case CP-2-2023, Lulfs Parcel. Case CP-2-2023 meets the minimum requirements of a large-scale Comprehensive Plan Future Land Use Map amendment request.

Planning and Zoning Board Recommendation:

On March 1, 2023, the Planning and Zoning Board unanimously recommended approval.

ATTACHMENTS:**Description**

CP-2-2023 - Staff Report

CP-2-2023 - Exhibit A - Lulfs Parcel Bubble Plan

CP-2-2023 - School Concurrency Letter

CP-2-2023 - Narrative

CP-2-2023 - Citizen Participation Plan Report

CP-2-2023 - Application

CP-2-2023 - Legal Ad

CP-2-2023 - Applicant Presentation

CP-2-2023 - Board Minutes

Ordinance 2023-16



REVISED

STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Jesse D. Anderson, Assistant Growth Management Director

CASE NUMBER

CP-2-2023

PLANNING & ZONING BOARD HEARING DATE

March 1, 2023

PROPERTY OWNER & APPLICANT

Brian Lulfs, Managing Member of Peat Holdings, LLC (Jake Wise, P.E., Construction Engineering Group, LLC)

PROPERTY LOCATION/ADDRESS

Tax Parcels 500 and 751 of Section 12, Township 30, Range 37 along with Tax Parcel 2 of Section 13, Township 30, Range, 37, Brevard County, Florida, containing approximately 353.47 acres. Located north of and adjacent to Micco Road SE in the vicinity east of Interstate 95 Highway

SUMMARY OF REQUEST

The applicant is requesting A large-scale Comprehensive Plan Future Land Use Map amendment from Micco Park Village Use to Parkway Flex Use.

Existing Land Use

Micco Park Village District, ~~RES 1 Residential Unit per Acre (Brevard County)~~

Site Improvements

Undeveloped Land

Site Acreage

353.47 acres

SURROUNDING FUTURE LAND USE & EXISTING USE OF LAND

North

RAC Regional Activity Center - Vacant

East

PUB-CONS Public Conservation (County) - Vacant

South

MPVD Micco Park Village District; PUB-CONS Public Conservation (County); - Vacant

West

PUB-CONS Public Conservation (County);

BACKGROUND:

The subject properties are generally located north of and adjacent to Micco Road SE in the vicinity east of Interstate 95 Highway and is approximately 353.47 acres.

ANALYSIS:

Per Chapter 183: Comprehensive Plan Regulations, Section 183.01(B), the purpose and intent of the Comprehensive Plan is to encourage the most appropriate use of land and resources to promote the health, safety, and welfare of the community.

1. FUTURE LAND USE ELEMENT

The Comprehensive Plan (Plan) FLU Element Goal FLU-1 is to ensure a high-quality, diversified living environment through the efficient distribution of compatible land uses.

The Comprehensive Plan (Plan) FLU Element Goal FLU-2 is to provide for and maintain viable neighborhoods and residential development to meet the existing and future needs of the residents of Palm Bay.

The Comprehensive Plan (Plan) FLU Element Goal FLU-3 Provide for economically viable commercial areas which promote a sound and diversified local economy and serve the retail and service needs of the City's residents.

The Comprehensive Plan (Plan) FLU Element Goal FLU-8 is to provide for a diverse and self-sustaining pattern of land uses that support the present and future population of the City of Palm Bay.

The intended use for the 353.47-acre property is a Parkway Flex Use development to be known as Lulfs Parcel. The proposed land use amendment would be considered compatible, as the diversity and mixture of residential and nonresidential uses provides for a more efficient distribution of compatible land uses. Moreover, it further addresses the long-term growth of the city by providing residents with diverse housing options (i.e. single-family and multifamily). In addition to these aspects, Lulfs Parcel is intended to be a walkable community with 12.6 acres of landscape buffers and pedestrian connectivity. The project will also provide commercial activity directly accessible to the residential property with the 10.8-acre tract of land designated for commercial use on the western side of the proposed St. Johns Heritage Parkway extension. It additionally further provides 11.2 acres commercial land along the eastern side of the highway to capture trips generated north from adjacent developments. The proposed distribution of uses across this project area is conceptually depicted in Exhibit A attached along with this staff report.

2. CONSERVATION ELEMENT

The environmental character of the city is maintained through conservation, appropriate use, and protection of natural resources.

The subject property is not located within any of the Florida scrub-jay polygons identified in the City's Habitat Conservation Plan (HCP). Any protected species that would be found on the subject property

would need to be mitigated as required by State and Federal regulations and per Comprehensive Plan Policy CON-1.7B.

Coastal Management: The subject property is not located within the Coastal Management Area.

3. HOUSING ELEMENT

The proposed FLU amendment does not adversely impact the supply and variety of safe, decent, attractive, and affordable housing within the city.

Housing Goal 1 - Provide for sufficient supply and variety of safe, decent, attractive and affordable housing, at locations which provide for convenient access to municipal facilities and services and which minimize impacts on the physical environment.

The proposed conceptual plan (Exhibit A) depicts a mixture of single-family and multifamily uses with approximately 184.1 acres and 30.9 acres of land designated for each use respectively. Furthermore, the intention is that there will be 12.6 acres of landscape buffers and pedestrian connectivity to establish a walkable community, which will provide for convenient access to commercial activities on the western side of the proposed St. John's Heritage Parkway extension.

4. INFRASTRUCTURE ELEMENTS

The city evaluates present and future water, sewer, drainage, and solid waste and assesses the ability of infrastructure to support development.

Utilities: If developed, the owner/developer will be responsible for extending service to the site in accordance with current City regulations.

Drainage: If developed, a drainage plan must be prepared in accordance with current regulations and approved by the City, along with appropriate outside agencies, including the St. Johns River Water Management District. Any proposed stormwater management system will be reviewed and approved by the City during the site plan review process

5. INTERGOVERNMENTAL COORDINATION ELEMENT

Public Schools: The proposed Future Land Use Map amendment alters the distribution of entitled residential land. The parcels under review are increasing the maximum density through the proposed land use change, which will add housing units. Some impacts to the public-school system area are anticipated. Considering the adjacent concurrency service areas, there is sufficient capacity at the high school level. However, there is an anticipated shortfall of capacity within the adjacent concurrency areas for the elementary and middle school levels. Nevertheless, the school district condition is to have the applicant contact staff to discuss the mitigation process as defined in Section 13.5 of the ILA-2014 prior to submitting for a final concurrency determination.

6. RECREATION AND OPEN SPACE ELEMENT

The proposed FLU amendment would increase the demand for recreation services as compared to

the existing public needs, due to potential increase in density.

However, the requested use would not exceed the existing parkland or recreational level of service standards for the planning area and will be providing parkland, recreational activity, and open/civic space within the bounds of the project area.

7. TRANSPORTATION ELEMENT

The objectives of the Comprehensive Plan's Transportation Element are to provide a safe, balanced, efficient transportation system that maintains the roadway level of service and adequately serves the needs of the community. If developed, a traffic impact analysis will be required to determine any negative impacts on the existing transportation system along with any suggested improvements, which will be taken under consideration during the Site Plan review/approval process.

8. PROPERTY RIGHTS ELEMENT

The goal of the Comprehensive Plan's Property Rights Element is for the City to respect judicially acknowledged and constitutionally protected private property rights.

This proposed land-use change does not appear to infringe upon the property rights of the applicant.

STAFF RECOMMENDATION:

Case CP-2-2023 meets the minimum requirements for a Large-Scale Comprehensive Plan Future Land Use Map Amendment request for transmittal to the Department of Economic Opportunity (DEO). Staff recommends approval of the proposed Large-Scale Comprehensive Plan Future Land Use Map amendment.



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



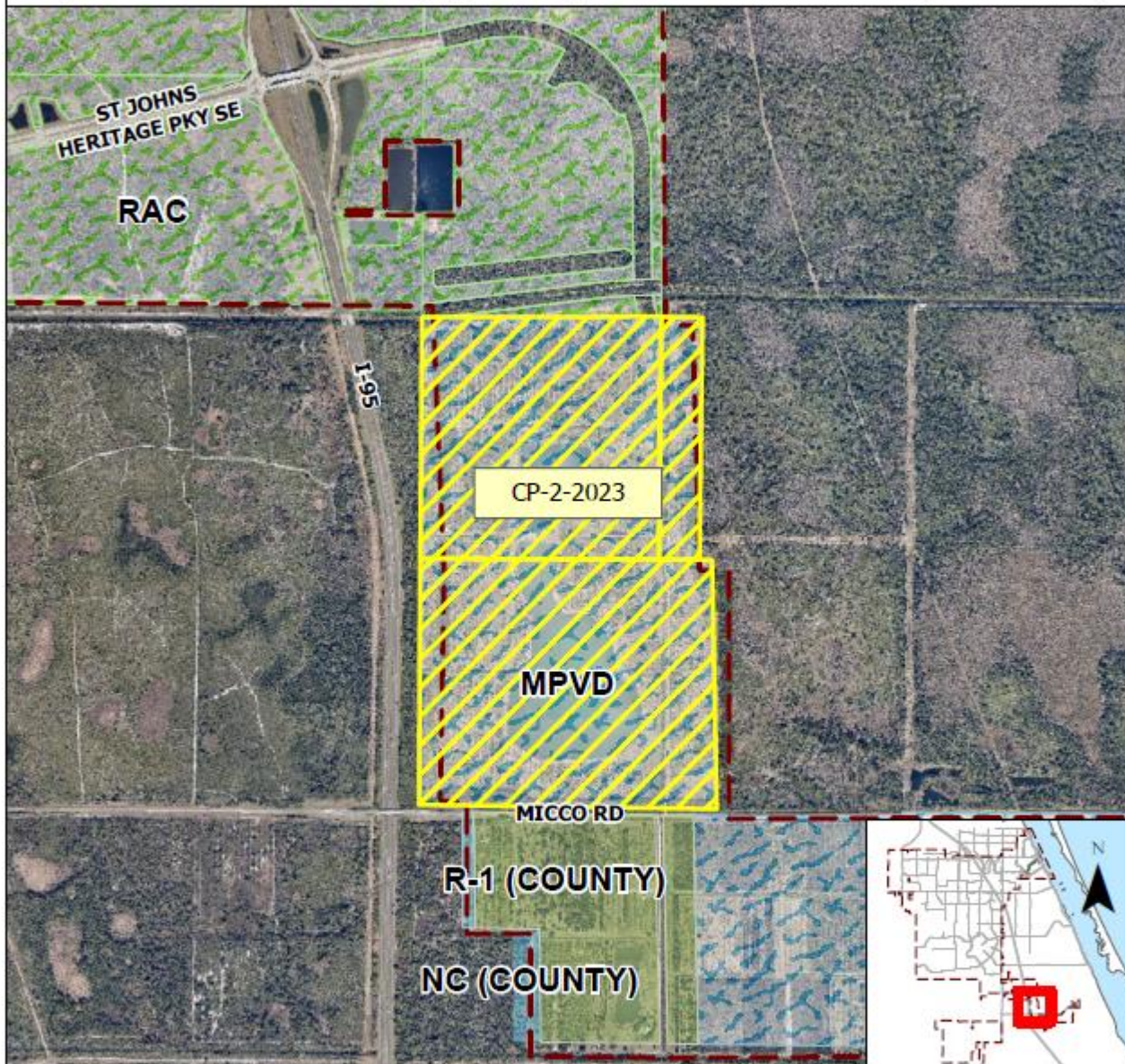
AERIAL LOCATION MAP CASE: CP-2-2023

Subject Property

Located north of and adjacent to Micco Road SE, in the vicinity east of Interstate 95 Highway



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



FUTURE LAND USE MAP CASE: CP-2-2023

Subject Property

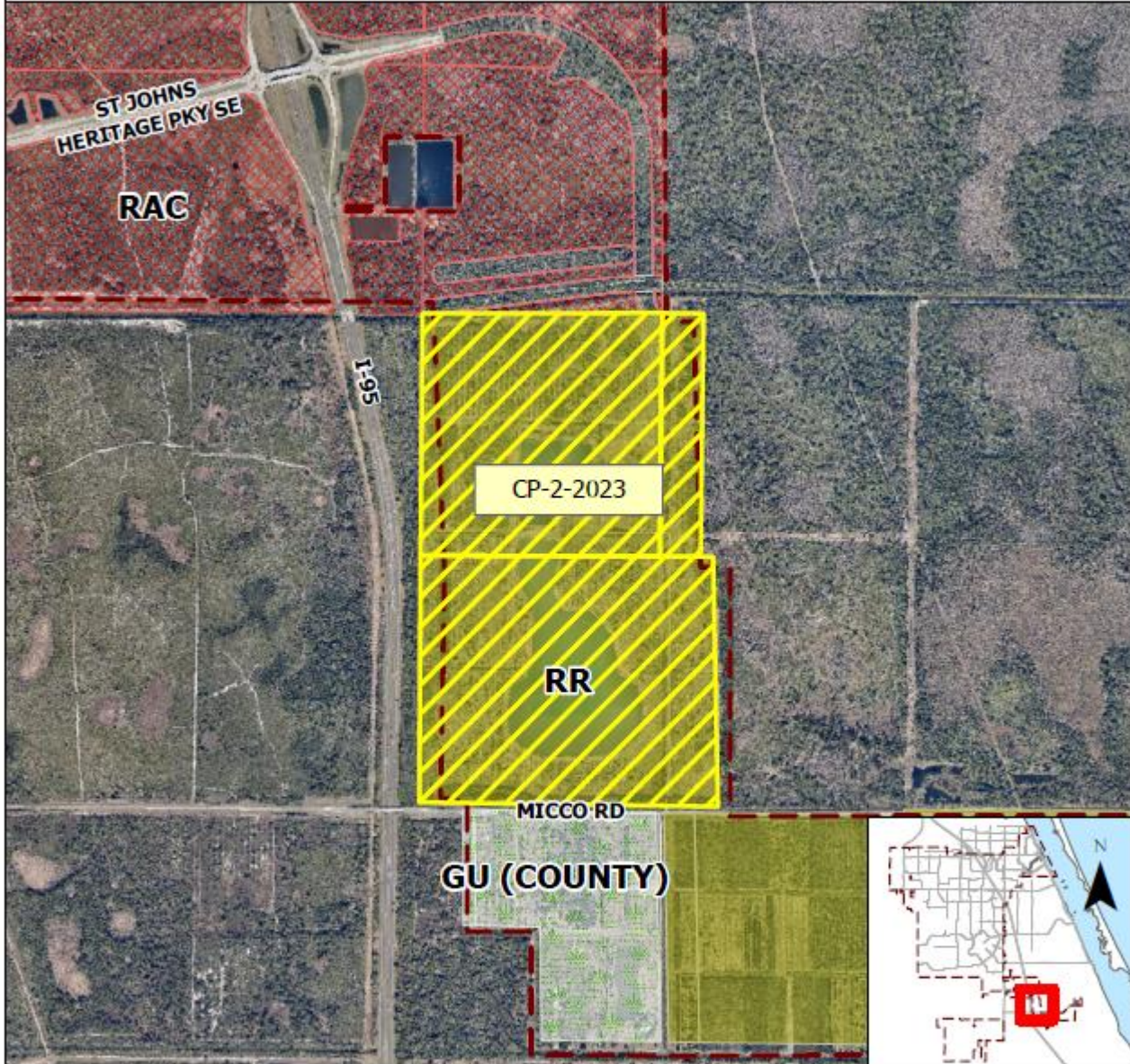
Located north of and adjacent to Micco Road SE, in the vicinity east of Interstate 95 Highway

Future Land Use Classification

MPVD – Micco Park Village District



Map is not to scale—for illustrative purposes only; not to be construed as binding or as a survey.



ZONING MAP CASE: CP-2-2023

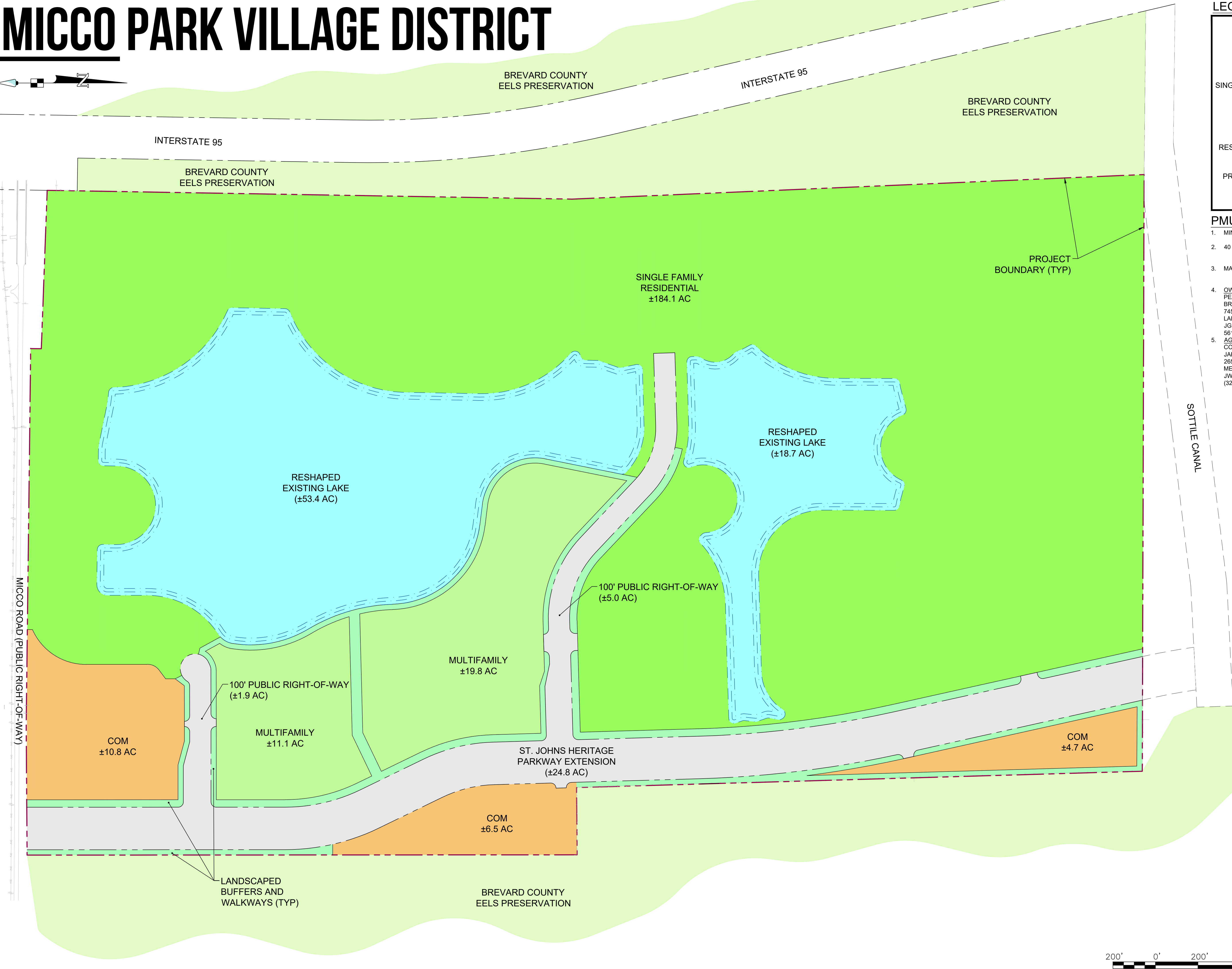
Subject Property

Located north of and adjacent to Micco Road SE, in the vicinity east of Interstate 95 Highway

Current Zoning Classification

RR – Rural Residential

MICCO PARK VILLAGE DISTRICT



| | | |
|---|--|----------------------------|
| LEGEND: | | |
| COMMERCIAL (±82,600 SF) | | ±22.0 AC |
| MULTI-FAMILY (±487 UNITS) | | ±30.9 AC (15.8 DU/ACRE) |
| SINGLE FAMILY RESIDENTIAL (±773 UNITS) | | ±184.1 AC (4.0 DU/ACRE) |
| LANDSCAPED BUFFERS AND WALKWAYS | | ±12.7 AC |
| RESHAPED EXISTING LAKES | | ±72.1 AC |
| PROPOSED RIGHT-OF-WAY | | ±31.7 AC |
| TOTAL ACREAGE | | ±353.5 |

- PMU CRITERIA:**
- MINIMUM ACREAGE REQUIRED = 20 ACRES
• ACREAGE PROPOSED: ±353.5 ACRES
 - 40 SQUARE FEET (SF) OF COMMERCIAL SPACE PER RESIDENTIAL UNIT
• 1,260 UNITS X 40 SF = 50,400 SF MINIMUM REQUIRED
• 82,600 SF PROPOSED
 - MAXIMUM DENSITY = 10 UNITS/ACRE
• MAXIMUM ALLOWED = 353.47 X 10 = 3,534 UNITS
• PROPOSED = 1260 UNITS
 - OWNERSHIP:
PEAT HOLDINGS, LLC
BRIAN LULFS
7457 PARK LANE ROAD
LAKE WORTH, FL 33449
JGIELDAG@LOTISGROUP.COM
561-239-4619
 - AGENT:
CONSTRUCTION ENGINEERING GROUP, LLC
JAKE T. WISE, PE
2651 W. EAU GALLIE BLVD. SUITE A
MELBOURNE, FL 32935
JWISE@CEENGINEERING.COM
(321) 610-1760

LEGAL DESCRIPTION:

PARCEL 1:
THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA.

PARCEL 2:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST FOR THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND, THENCE N 02° 27' 32" W ALONG THE WEST LINE OF SAID SECTION 12 A DISTANCE OF 2694.63 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 12; THENCE S 89° 49' 41" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 2513.11 FEET TO THE CENTER OF SAID SECTION 12; THENCE S 89° 51' 05" E ALONG THE SAID 1/4 SECTION LINE A DISTANCE OF 294.46 FEET; THENCE S 01° 39' 23" ALONG THE EAST LINE OF THE WEST 18 ACRES OF THE SOUTHEAST 1/4 OF SAID SECTION 12 A DISTANCE OF 2662.75 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 12; THENCE N 89° 32' 19" E ALONG THE SOUTH LINE OF SAID SECTION 12 A DISTANCE OF 316.44 FEET; THENCE S 00° 01' 57" E ALONG THE EAST LINE OF THE WEST 37 ACRES OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 37 EAST A DISTANCE OF 2587.86 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MICCO ROAD; THENCE S 89° 36' 28" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 611.12 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13; THENCE N 89° 19' 07" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 1772.17 FEET; THENCE N 00° 23' 57" E ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET; THENCE N 87° 52' 34" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 745.73 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 13; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE RUN N 00° 57' 24" E ALONG THE WEST LINE OF SAID SECTION 13 A DISTANCE OF 2468.91 FEET TO THE NORTHWEST CORNER OF SAID SECTION 13 AND THE POINT OF BEGINNING. LESS AND EXCEPT THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA.

IN ALL CONTAINING 353.470 ACRES MORE OR LESS.

MPVD BUBBLE
11/08/22 MASTER PLAN

**CONSTRUCTION
ENGINEERING
GROUP**
Consulting Engineers



School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699

Dr. Robert E. Schiller, Ed.D., Interim Superintendent



February 22, 2023

Mr. Jesse Anderson, Ph.D
Assistant Growth Management Director
City of Palm Bay
Growth Management Department
120 Malabar Road SE
Palm Bay, Florida 32907

**RE: Proposed Micco Park Village District Development
School Impact Analysis – Capacity Determination CD-2023-06**

Dear Mr. Anderson,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is comprised of multiple parcels, please see list attached, containing a total of approximately 353.47 acres in the City of Palm Bay, Florida. The proposed development includes 773 single family homes and 487 multi-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in the *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28* which is attached for reference.

| | Multi Family | | Single Family | | Both |
|--------------------|--------------------------|-------------------------------|--------------------------|-------------------------------|--------------------------------------|
| | 487 | | 773 | | |
| Students Generated | Student Generation Rates | Calculated Students Generated | Student Generation Rates | Calculated Students Generated | Rounded Number of Students Generated |
| Elementary | 0.11 | 53.57 | 0.24 | 185.52 | 239 |
| Middle | 0.02 | 9.74 | 0.07 | 54.11 | 64 |
| High | 0.05 | 24.35 | 0.12 | 92.76 | 117 |
| Total | 0.18 | 87.66 | 0.43 | 332.39 | 420 |

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



An Equal Opportunity Employer

**FISH Capacity (including relocatable classrooms) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2023-24 to 2027-28**

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | 913 | 913 | 935 | 1,023 | 1,067 | 1,067 |
| Southwest | 1,230 | 1,230 | 1,230 | 1,289 | 1,289 | 1,289 |
| Bayside | 2,263 | 2,263 | 2,263 | 2,263 | 2,382 | 2,382 |

Projected Student Membership

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | 767 | 836 | 908 | 1,004 | 1,067 | 1,067 |
| Southwest | 920 | 1,024 | 1,127 | 1,174 | 1,285 | 1,285 |
| Bayside | 1,885 | 2,023 | 2,099 | 2,175 | 2,371 | 2,371 |

Students Generated by Newly Issued SCADL Reservations Since FFP

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | - | - | - | - | - | - |
| Southwest | - | - | - | - | - | - |
| Bayside | - | - | - | - | - | - |

**Cumulative Students Generated by
Proposed Development**

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | - | - | 29 | 101 | 209 | 239 |
| Southwest | - | - | 8 | 28 | 56 | 64 |
| Bayside | - | - | 14 | 50 | 102 | 117 |

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | 767 | 836 | 937 | 1,105 | 1,276 | 1,306 |
| Southwest | 920 | 1,024 | 1,135 | 1,202 | 1,341 | 1,349 |
| Bayside | 1,885 | 2,023 | 2,113 | 2,225 | 2,473 | 2,488 |

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
|-----------|---------|---------|---------|---------|---------|-------|
| Sunrise | 146 | 77 | (2) | (82) | (209) | (239) |
| Southwest | 310 | 206 | 95 | 87 | (52) | (60) |
| Bayside | 378 | 240 | 150 | 38 | (91) | (106) |

At this time, Sunrise Elementary School, Southwest Middle School and Bayside High School are not projected to have enough capacity for the total of projected and potential students from the Micco Park Village District development. Because there is a shortfall of available capacity in the concurrency service area, the capacity of adjacent concurrency service areas must be considered.

The adjacent elementary school concurrency service areas are Port Malabar Elementary School, Columbia Elementary School, and Westside Elementary School. The adjacent middle school concurrency service area is Stone Magnet Middle. The adjacent high school concurrency service area is Palm Bay Magnet Senior High. A table of capacities of the *adjacent Schools Concurrency Service Areas* that may accommodate the impacts of the Micco Park Village District development is shown below:

| FISH Capacity (including relocatable classrooms) from the Financially Feasible Plan (FFP) Data and Analysis for School Years 2023-24 to 2027-28 | | | | | | |
|--|---------|---------|---------|---------|---------|-------|
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | 852 | 852 | 852 | 852 | 852 | 852 |
| Columbia | 751 | 751 | 751 | 751 | 751 | 751 |
| Stone | 1,076 | 1,076 | 1,076 | 1,076 | 1,076 | 1,076 |
| Palm Bay | 2,657 | 2,657 | 2,657 | 2,657 | 2,657 | 2,657 |
| Projected Student Membership | | | | | | |
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | 640 | 683 | 746 | 760 | 795 | 795 |
| Columbia | 512 | 531 | 522 | 538 | 538 | 538 |
| Stone | 708 | 799 | 823 | 890 | 977 | 977 |
| Palm Bay | 1,495 | 1,581 | 1,683 | 1,704 | 1,700 | 1,700 |
| Students Generated by Newly Issued SCADL Reservations Since FFP | | | | | | |
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | - | - | - | - | - | - |
| Columbia | - | - | - | - | - | - |
| Stone | 6 | 6 | 6 | 6 | 6 | 6 |
| Palm Bay | 15 | 15 | 15 | 15 | 15 | 15 |
| Cumulative Students Generated by Proposed Development | | | | | | |
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | - | - | 29 | 101 | 209 | 239 |
| Columbia | - | - | 29 | 101 | 209 | 239 |
| Stone | - | - | 8 | 28 | 56 | 64 |
| Palm Bay | - | - | 14 | 50 | 102 | 117 |
| Total Projected Student Membership (includes Cumulative Impact of Proposed Development) | | | | | | |
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | 640 | 683 | 775 | 861 | 1,004 | 1,034 |
| Columbia | 512 | 531 | 551 | 639 | 747 | 777 |
| Stone | 714 | 805 | 837 | 924 | 1,039 | 1,047 |
| Palm Bay | 1,510 | 1,596 | 1,712 | 1,769 | 1,817 | 1,832 |
| Projected Available Capacity = FISH Capacity - Total Projected Student Membership | | | | | | |
| School | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028+ |
| Port Malabar | 212 | 169 | 77 | (9) | (152) | (182) |
| Columbia | 239 | 220 | 200 | 112 | 4 | (26) |
| Stone | 362 | 271 | 239 | 152 | 37 | 29 |
| Palm Bay | 1,147 | 1,061 | 945 | 888 | 840 | 825 |

At this time, the adjacent middle school and high school concurrency areas are projected to have enough capacity for the total of projected and potential students from the Micco Park Village District development; however, there is a shortfall of available capacity in the concurrency service area and the adjacent concurrency service areas for elementary schools.

Before this project is submitted for final school concurrency determination, please contact our staff to discuss the mitigation process as defined in Section 13.5 of the *ILA-2014*. The district is closely monitoring rapid development in this area.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karen Black', with a stylized flourish at the end.

Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28*

Copy: Susan Hann, AICP, Assistant Superintendent of Facility Services
File CD-2023-06

David G. Lindemann, AICP, Director of Planning & Project
Management, Facilities Services
File CD-2023-06

School Board of Brevard County Micco Park Village District



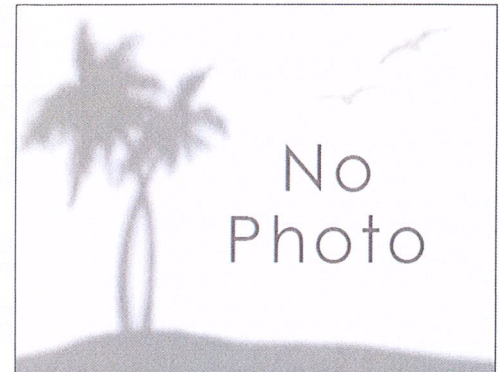
Properties:

Account: 3000715

MapView

EagleView

| | |
|-------------------|---|
| Owners: | PEAT HOLDING LLC Wrong ownership? Maybe this is why... |
| Mail Address: | 7457 PARK LANE RD LAKE WORTH FL 33449 |
| Site Address: | 1998 MICCO RD PALM BAY FL 32976 |
| Parcel ID: | 30-37-12-00-500 |
| Taxing District: | 34U0 - PALM BAY |
| 2022 Exemptions: | NONE Wrong exemption? Maybe this is why... |
| Property Use: | 6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI |
| Total Acres: | 160 |
| Site Code: | 0001 - NO OTHER CODE APPL. |
| Plat Book/Page: | 0000/0000 |
| Subdivision Name: | -- |
| Land Description: | SW 1/4 |



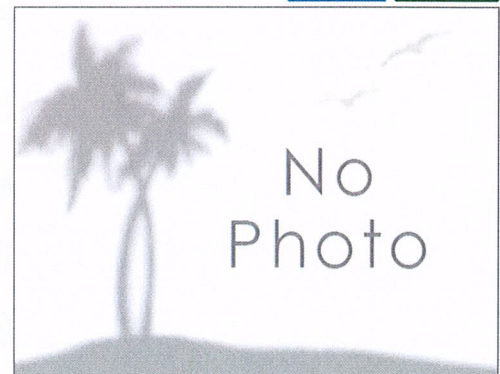
Estimate Property Taxes

Account: 3000718

MapView

EagleView

| | |
|-------------------|---|
| Owners: | PEAT HOLDING LLC Wrong ownership? Maybe this is why... |
| Mail Address: | 7457 PARK LANE RD LAKE WORTH FL 33449 |
| Site Address: | 2000 MICCO RD PALM BAY FL 32976 |
| Parcel ID: | 30-37-13-00-2 |
| Taxing District: | 34U0 - PALM BAY |
| 2022 Exemptions: | NONE Wrong exemption? Maybe this is why... |
| Property Use: | 6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI |
| Total Acres: | 197 |
| Site Code: | 0001 - NO OTHER CODE APPL. |
| Plat Book/Page: | 0000/0000 |
| Subdivision Name: | -- |
| Land Description: | W 37 AC OF NE 1/4, ALL NW 1/4, EXC RD R/W |



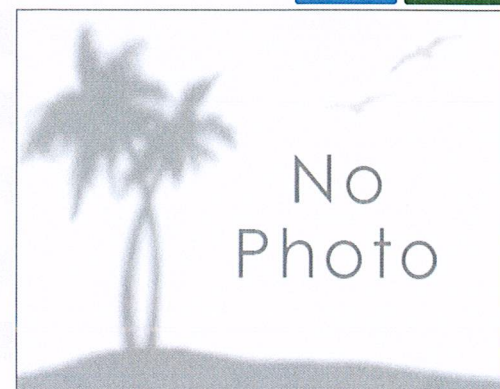
Estimate Property Taxes

Account: 3010667

MapView

EagleView

| | |
|-------------------|---|
| Owners: | PEAT HOLDING LLC Wrong ownership? Maybe this is why... |
| Mail Address: | 7457 PARK LANE RD LAKE WORTH FL 33449 |
| Site Address: | NONE |
| Parcel ID: | 30-37-12-00-751 |
| Taxing District: | 34U0 - PALM BAY |
| 2022 Exemptions: | NONE Wrong exemption? Maybe this is why... |
| Property Use: | 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT |
| Total Acres: | 18 |
| Site Code: | 0001 - NO OTHER CODE APPL. |
| Plat Book/Page: | 0000/0000 |
| Subdivision Name: | -- |
| Land Description: | W 18 AC OF SE 1/4 |

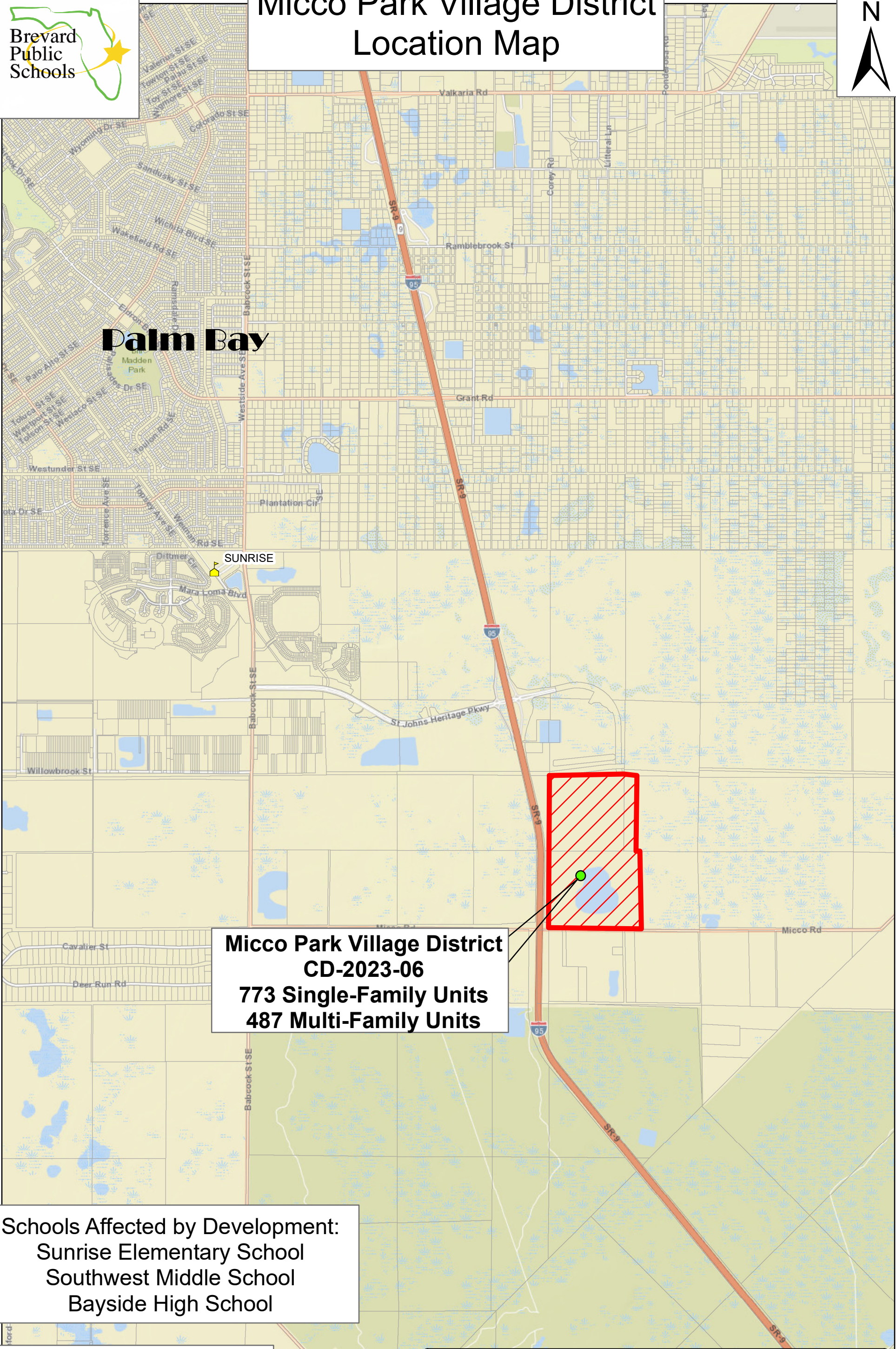
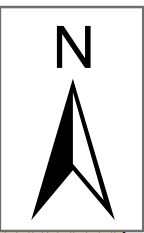


ATA Value





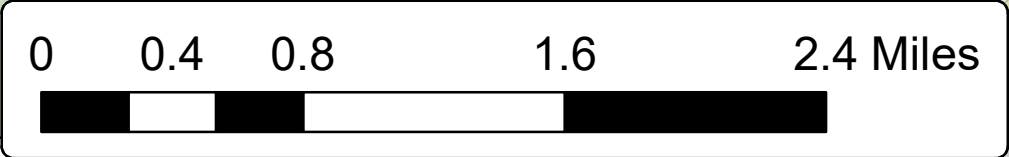
Micco Park Village District Location Map



Micco Park Village District
CD-2023-06
773 Single-Family Units
487 Multi-Family Units

Schools Affected by Development:
Sunrise Elementary School
Southwest Middle School
Bayside High School

Drawn By:
Planning & Project Management
Karen M. Black
Feb. 22, 2023



Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the **100%** Level of Service

Data and Analysis for School Years 2022-23 to 2027-28



| Summary | | | | 2022-23 | | | 2023-24 | | | 2024-25 | | | 2025-26 | | | 2026-27 | | | 2027-28 | | |
|---|--|--|--|---------|--|------|---------|--|-----|---------|--|------|---------|--|-----|---------|--|------|---------|--|------|
| Highest Utilization Elementary Schools: | | | | | | 93% | | | 99% | | | 100% | | | 99% | | | 99% | | | 100% |
| Highest Utilization Middle Schools: | | | | | | 88% | | | 88% | | | 94% | | | 92% | | | 91% | | | 100% |
| Highest Utilization Jr / Sr High Schools: | | | | | | 83% | | | 83% | | | 81% | | | 78% | | | 77% | | | 76% |
| Highest Utilization High Schools: | | | | | | 107% | | | 99% | | | 97% | | | 98% | | | 100% | | | 100% |


| School | Type | Grades | Utilization Factor | School Year 2022-23 | | | School Year 2023-24 | | | School Year 2024-25 | | | School Year 2025-26 | | | School Year 2026-27 | | | School Year 2027-28 | | |
|--------|------|--------|--------------------|---------------------|---------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|
| | | | | FISH Capacity | 10/14/22 Membership | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization |

| Elementary School Concurrency Service Areas | | | | | | | | | | | | | | | | | | | | | |
|---|------------|------|------|--------|--------|-----|--------|--------|-----|--------|--------|------|--------|--------|-----|--------|--------|-----|--------|--------|------|
| Allen | Elementary | PK-6 | 100% | 751 | 598 | 80% | 751 | 598 | 80% | 751 | 635 | 85% | 751 | 704 | 94% | 751 | 720 | 96% | 773 | 766 | 99% |
| Andersen | Elementary | K-6 | 100% | 884 | 568 | 64% | 884 | 568 | 64% | 884 | 549 | 62% | 884 | 537 | 61% | 884 | 530 | 60% | 884 | 501 | 57% |
| Apollo | Elementary | K-6 | 100% | 902 | 731 | 81% | 902 | 731 | 81% | 902 | 749 | 83% | 902 | 753 | 83% | 902 | 736 | 82% | 902 | 718 | 80% |
| Atlantis | Elementary | PK-6 | 100% | 739 | 620 | 84% | 739 | 620 | 84% | 739 | 608 | 82% | 739 | 596 | 81% | 739 | 585 | 79% | 739 | 572 | 77% |
| Audubon | Elementary | PK-6 | 100% | 761 | 450 | 59% | 761 | 450 | 59% | 761 | 435 | 57% | 761 | 422 | 55% | 761 | 419 | 55% | 761 | 426 | 56% |
| Cambridge | Elementary | PK-6 | 100% | 787 | 495 | 63% | 787 | 495 | 63% | 787 | 511 | 65% | 787 | 505 | 64% | 787 | 510 | 65% | 787 | 524 | 67% |
| Cape View | Elementary | PK-6 | 100% | 570 | 305 | 54% | 570 | 288 | 51% | 570 | 309 | 54% | 570 | 314 | 55% | 570 | 315 | 55% | 570 | 329 | 58% |
| Carroll | Elementary | K-6 | 100% | 751 | 626 | 83% | 751 | 633 | 84% | 751 | 643 | 86% | 751 | 623 | 83% | 751 | 619 | 82% | 751 | 628 | 84% |
| Challenger 7 | Elementary | PK-6 | 100% | 573 | 503 | 88% | 573 | 503 | 88% | 573 | 474 | 83% | 573 | 462 | 81% | 573 | 433 | 76% | 573 | 413 | 72% |
| Columbia | Elementary | PK-6 | 100% | 751 | 506 | 67% | 751 | 512 | 68% | 751 | 531 | 71% | 751 | 522 | 70% | 751 | 538 | 72% | 751 | 538 | 72% |
| Coquina | Elementary | K-6 | 100% | 711 | 560 | 79% | 711 | 560 | 79% | 711 | 565 | 79% | 711 | 602 | 85% | 711 | 590 | 83% | 711 | 585 | 82% |
| Creel | Elementary | PK-6 | 100% | 1,114 | 626 | 56% | 1,114 | 660 | 59% | 1,114 | 668 | 60% | 1,114 | 668 | 60% | 1,114 | 667 | 60% | 1,114 | 658 | 59% |
| Croton | Elementary | PK-6 | 100% | 795 | 488 | 61% | 795 | 488 | 61% | 795 | 514 | 65% | 795 | 528 | 66% | 795 | 542 | 68% | 795 | 542 | 68% |
| Discovery | Elementary | PK-6 | 100% | 980 | 643 | 66% | 980 | 664 | 68% | 980 | 675 | 69% | 980 | 671 | 68% | 980 | 720 | 73% | 980 | 761 | 78% |
| Endeavour | Elementary | PK-6 | 100% | 968 | 719 | 74% | 968 | 750 | 77% | 968 | 717 | 74% | 968 | 707 | 73% | 968 | 674 | 70% | 968 | 671 | 69% |
| Enterprise | Elementary | K-6 | 100% | 729 | 597 | 82% | 729 | 597 | 82% | 729 | 578 | 79% | 729 | 552 | 76% | 729 | 538 | 74% | 729 | 529 | 73% |
| Fairglenn | Elementary | PK-6 | 100% | 789 | 617 | 78% | 789 | 617 | 78% | 789 | 617 | 78% | 789 | 632 | 80% | 789 | 635 | 80% | 789 | 625 | 79% |
| Gemini | Elementary | K-6 | 100% | 711 | 468 | 66% | 711 | 477 | 67% | 711 | 465 | 65% | 711 | 468 | 66% | 711 | 455 | 64% | 711 | 457 | 64% |
| Golfview | Elementary | PK-6 | 100% | 777 | 441 | 57% | 777 | 441 | 57% | 777 | 460 | 59% | 777 | 481 | 62% | 777 | 489 | 63% | 777 | 503 | 65% |
| Harbor City | Elementary | PK-6 | 100% | 629 | 403 | 64% | 629 | 405 | 64% | 629 | 457 | 73% | 629 | 474 | 75% | 629 | 494 | 79% | 629 | 509 | 81% |
| Holland | Elementary | PK-6 | 100% | 605 | 432 | 71% | 605 | 450 | 74% | 605 | 451 | 75% | 605 | 444 | 73% | 605 | 442 | 73% | 605 | 431 | 71% |
| Imperial Estates | Elementary | K-6 | 100% | 729 | 659 | 90% | 729 | 684 | 94% | 729 | 712 | 98% | 729 | 724 | 99% | 751 | 742 | 99% | 795 | 779 | 98% |
| Indianlantic | Elementary | K-6 | 100% | 798 | 686 | 86% | 798 | 686 | 86% | 798 | 685 | 86% | 798 | 671 | 84% | 798 | 676 | 85% | 798 | 651 | 82% |
| Jupiter | Elementary | PK-6 | 100% | 930 | 729 | 78% | 930 | 735 | 79% | 930 | 801 | 86% | 930 | 882 | 95% | 974 | 940 | 97% | 1,040 | 1,030 | 99% |
| Lockmar | Elementary | PK-6 | 100% | 892 | 585 | 66% | 892 | 585 | 66% | 892 | 569 | 64% | 892 | 552 | 62% | 892 | 558 | 63% | 892 | 559 | 63% |
| Longleaf | Elementary | PK-6 | 100% | 790 | 631 | 80% | 790 | 637 | 81% | 790 | 613 | 78% | 790 | 590 | 75% | 790 | 563 | 71% | 790 | 528 | 67% |
| Manatee | Elementary | K-6 | 100% | 998 | 898 | 90% | 998 | 910 | 91% | 998 | 889 | 89% | 998 | 845 | 85% | 998 | 888 | 89% | 998 | 881 | 88% |
| McAuliffe | Elementary | PK-6 | 100% | 838 | 621 | 74% | 838 | 621 | 74% | 838 | 580 | 69% | 838 | 568 | 68% | 838 | 553 | 66% | 838 | 528 | 63% |
| Meadowlane Intermediate | Elementary | 3-6 | 100% | 1,114 | 825 | 74% | 1,114 | 825 | 74% | 1,114 | 779 | 70% | 1,114 | 773 | 69% | 1,114 | 805 | 72% | 1,114 | 843 | 76% |
| Meadowlane Primary | Elementary | K-6 | 100% | 824 | 651 | 79% | 824 | 666 | 81% | 824 | 660 | 80% | 824 | 630 | 76% | 824 | 618 | 75% | 824 | 613 | 74% |
| Mila | Elementary | PK-6 | 100% | 707 | 435 | 62% | 707 | 435 | 62% | 707 | 439 | 62% | 707 | 396 | 56% | 707 | 383 | 54% | 707 | 362 | 51% |
| Mims | Elementary | PK-6 | 100% | 725 | 464 | 64% | 725 | 464 | 64% | 725 | 481 | 66% | 725 | 512 | 71% | 725 | 525 | 72% | 725 | 513 | 71% |
| Oak Park | Elementary | PK-6 | 100% | 968 | 505 | 52% | 968 | 505 | 52% | 968 | 471 | 49% | 968 | 478 | 49% | 968 | 475 | 49% | 968 | 447 | 46% |
| Ocean Breeze | Elementary | PK-6 | 100% | 654 | 554 | 85% | 654 | 550 | 84% | 654 | 542 | 83% | 654 | 533 | 81% | 654 | 534 | 82% | 654 | 531 | 81% |
| Palm Bay Elem | Elementary | PK-6 | 100% | 983 | 586 | 60% | 983 | 613 | 62% | 983 | 610 | 62% | 983 | 627 | 64% | 983 | 630 | 64% | 983 | 636 | 65% |
| Pinewood | Elementary | PK-6 | 100% | 569 | 521 | 92% | 591 | 521 | 88% | 591 | 541 | 92% | 613 | 572 | 93% | 613 | 598 | 98% | 613 | 600 | 98% |
| Port Malabar | Elementary | PK-6 | 100% | 852 | 640 | 75% | 852 | 640 | 75% | 852 | 683 | 80% | 852 | 746 | 88% | 852 | 760 | 89% | 852 | 795 | 93% |
| Quest | Elementary | PK-6 | 100% | 932 | 693 | 74% | 932 | 693 | 74% | 932 | 684 | 73% | 932 | 681 | 73% | 932 | 685 | 73% | 932 | 697 | 75% |
| Riviera | Elementary | PK-6 | 100% | 777 | 699 | 90% | 777 | 714 | 92% | 777 | 718 | 92% | 799 | 780 | 98% | 843 | 827 | 98% | 887 | 866 | 98% |
| Roosevelt | Elementary | K-6 | 100% | 599 | 288 | 48% | 599 | 298 | 50% | 599 | 269 | 45% | 599 | 256 | 43% | 599 | 239 | 40% | 599 | 220 | 37% |
| Sabal | Elementary | PK-6 | 100% | 785 | 500 | 64% | 785 | 500 | 64% | 785 | 503 | 64% | 785 | 516 | 66% | 785 | 534 | 68% | 785 | 535 | 68% |
| Saturn | Elementary | PK-6 | 100% | 998 | 649 | 65% | 998 | 649 | 65% | 998 | 677 | 68% | 998 | 821 | 82% | 998 | 794 | 80% | 998 | 786 | 79% |
| Sea Park | Elementary | PK-6 | 100% | 461 | 337 | 73% | 461 | 337 | 73% | 461 | 327 | 71% | 461 | 321 | 70% | 461 | 326 | 71% | 461 | 329 | 71% |
| Sherwood | Elementary | PK-6 | 100% | 609 | 459 | 75% | 609 | 459 | 75% | 609 | 458 | 75% | 609 | 457 | 75% | 609 | 450 | 74% | 609 | 441 | 72% |
| Sunrise | Elementary | PK-6 | 100% | 913 | 759 | 83% | 913 | 767 | 84% | 913 | 836 | 92% | 935 | 908 | 97% | 1,023 | 1,004 | 98% | 1,067 | 1,067 | 100% |
| Suntree | Elementary | K-6 | 100% | 755 | 600 | 79% | 755 | 602 | 80% | 755 | 561 | 74% | 755 | 541 | 72% | 755 | 516 | 68% | 755 | 480 | 64% |
| Surfside | Elementary | K-6 | 100% | 541 | 442 | 82% | 541 | 442 | 82% | 541 | 425 | 79% | 541 | 418 | 77% | 541 | 417 | 77% | 541 | 407 | 75% |
| Tropical | Elementary | K-6 | 100% | 910 | 669 | 74% | 910 | 669 | 74% | 910 | 614 | 67% | 910 | 600 | 66% | 910 | 572 | 63% | 910 | 545 | 60% |
| Turner | Elementary | PK-6 | 100% | 874 | 555 | 64% | 874 | 564 | 65% | 874 | 589 | 67% | 874 | 647 | 74% | 874 | 675 | 77% | 874 | 691 | 79% |
| University Park | Elementary | PK-6 | 100% | 811 | 487 | 60% | 811 | 487 | 60% | 811 | 545 | 67% | 811 | 592 | 73% | 811 | 642 | 79% | 811 | 658 | 81% |
| Viera Elem | Elementary | K-6 | 100% | 1,030 | 695 | 67% | 1,030 | 717 | 70% | 1,030 | 759 | 74% | 1,030 | 857 | 83% | 1,030 | 926 | 90% | 1,074 | 1,061 | 99% |
| Westside | Elementary | K-6 | 100% | 857 | 799 | 93% | 857 | 846 | 99% | 923 | 922 | 100% | 989 | 974 | 98% | 1,033 | 988 | 96% | 1,099 | 1,100 | 100% |
| Williams | Elementary | PK-6 | 100% | 715 | 451 | 63% | 715 | 450 | 63% | 715 | 443 | 62% | 715 | 414 | 58% | 715 | 411 | 57% | 715 | 415 | 58% |
| Elementary Totals | | | | 42,215 | 30,468 | | 42,237 | 30,778 | | 42,303 | 30,996 | | 42,435 | 31,549 | | 42,677 | 31,905 | | 43,007 | 32,280 | |

| | | | | School Year 2022-23 | | | School Year 2023-24 | | | School Year 2024-25 | | | School Year 2025-26 | | | School Year 2026-27 | | | School Year 2027-28 | | |
|---|--------------|----------|--------------------|---------------------|---------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|----------------------|--------------------|----------------------------|
| School | Type | Grades | Utilization Factor | FISH Capacity | 10/14/22 Membership | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization | Future FISH Capacity | Student Projection | Total Capacity Utilization |
| Middle School Concurrency Service Areas | | | | | | | | | | | | | | | | | | | | | |
| Central | Middle | 7-8 | 90% | 1,514 | 1,129 | 75% | 1,514 | 1,129 | 75% | 1,514 | 1,158 | 76% | 1,514 | 1,228 | 81% | 1,514 | 1,289 | 85% | 1,514 | 1,377 | 91% |
| DeLaura | Middle | 7-8 | 90% | 960 | 842 | 88% | 960 | 844 | 88% | 960 | 902 | 94% | 960 | 820 | 85% | 960 | 789 | 82% | 960 | 826 | 86% |
| Hoover | Middle | 7-8 | 90% | 680 | 505 | 74% | 680 | 505 | 74% | 680 | 534 | 79% | 680 | 574 | 84% | 680 | 577 | 85% | 680 | 588 | 86% |
| Jackson | Middle | 7-8 | 90% | 660 | 550 | 83% | 660 | 550 | 83% | 660 | 545 | 83% | 660 | 538 | 82% | 660 | 555 | 84% | 660 | 588 | 89% |
| Jefferson | Middle | 7-8 | 90% | 873 | 608 | 70% | 873 | 608 | 70% | 873 | 600 | 69% | 873 | 609 | 70% | 873 | 563 | 64% | 873 | 548 | 63% |
| Johnson | Middle | 7-8 | 90% | 1,064 | 610 | 57% | 1,064 | 610 | 57% | 1,064 | 650 | 61% | 1,064 | 698 | 66% | 1,064 | 753 | 71% | 1,064 | 825 | 78% |
| Kennedy | Middle | 7-8 | 90% | 869 | 671 | 77% | 869 | 671 | 77% | 869 | 687 | 79% | 869 | 670 | 77% | 869 | 669 | 77% | 869 | 677 | 78% |
| Madison | Middle | 7-8 | 90% | 781 | 446 | 57% | 781 | 453 | 58% | 781 | 484 | 62% | 781 | 452 | 58% | 781 | 476 | 61% | 781 | 593 | 76% |
| McNair | Middle | 7-8 | 90% | 616 | 365 | 59% | 616 | 369 | 60% | 616 | 346 | 56% | 616 | 354 | 57% | 616 | 337 | 55% | 616 | 347 | 56% |
| Southwest | Middle | 7-8 | 90% | 1,230 | 920 | 75% | 1,230 | 920 | 75% | 1,230 | 1,024 | 83% | 1,230 | 1,127 | 92% | 1,289 | 1,174 | 91% | 1,289 | 1,285 | 100% |
| Stone | Middle | 7-8 | 90% | 1,076 | 668 | 62% | 1,076 | 708 | 66% | 1,076 | 799 | 74% | 1,076 | 823 | 76% | 1,076 | 890 | 83% | 1,076 | 977 | 91% |
| Middle Totals | | | | 10,323 | 7,314 | | 10,323 | 7,367 | | 10,323 | 7,729 | | 10,323 | 7,893 | | 10,382 | 8,072 | | 10,382 | 8,631 | |
| Junior / Senior High School Concurrency Service Areas | | | | | | | | | | | | | | | | | | | | | |
| Cocoa | Jr / Sr High | PK, 7-12 | 90% | 2,097 | 1,545 | 74% | 2,097 | 1,536 | 73% | 2,097 | 1,555 | 74% | 2,097 | 1,525 | 73% | 2,097 | 1,518 | 72% | 2,097 | 1,470 | 70% |
| Cocoa Beach | Jr / Sr High | 7-12 | 90% | 1,445 | 983 | 68% | 1,445 | 1,000 | 69% | 1,445 | 1,000 | 69% | 1,445 | 941 | 65% | 1,445 | 928 | 64% | 1,445 | 867 | 60% |
| Space Coast | Jr / Sr High | 7-12 | 90% | 1,852 | 1,534 | 83% | 1,852 | 1,534 | 83% | 1,852 | 1,505 | 81% | 1,852 | 1,450 | 78% | 1,852 | 1,428 | 77% | 1,852 | 1,402 | 76% |
| Jr / Sr High Totals | | | | 5,394 | 4,062 | | 5,394 | 4,070 | | 5,394 | 4,060 | | 5,394 | 3,916 | | 5,394 | 3,874 | | 5,394 | 3,739 | |
| Senior High School Concurrency Service Areas | | | | | | | | | | | | | | | | | | | | | |
| Astronaut | High | 9-12 | 95% | 1,451 | 1,109 | 76% | 1,451 | 1,109 | 76% | 1,451 | 1,123 | 77% | 1,451 | 1,129 | 78% | 1,451 | 1,164 | 80% | 1,451 | 1,158 | 80% |
| Bayside | High | 9-12 | 95% | 2,263 | 1,851 | 82% | 2,263 | 1,885 | 83% | 2,263 | 2,023 | 89% | 2,263 | 2,099 | 93% | 2,263 | 2,175 | 96% | 2,382 | 2,371 | 100% |
| Eau Gallie | High | PK, 9-12 | 95% | 2,221 | 1,582 | 71% | 2,221 | 1,582 | 71% | 2,221 | 1,597 | 72% | 2,221 | 1,625 | 73% | 2,221 | 1,631 | 73% | 2,221 | 1,693 | 76% |
| Heritage | High | 9-12 | 95% | 2,314 | 2,033 | 88% | 2,314 | 2,055 | 89% | 2,314 | 2,065 | 89% | 2,314 | 2,057 | 89% | 2,314 | 2,099 | 91% | 2,314 | 2,171 | 94% |
| Melbourne | High | 9-12 | 95% | 2,370 | 2,245 | 95% | 2,370 | 2,245 | 95% | 2,370 | 2,245 | 95% | 2,370 | 2,248 | 95% | 2,370 | 2,284 | 96% | 2,370 | 2,345 | 99% |
| Merritt Island | High | PK, 9-12 | 95% | 1,962 | 1,546 | 79% | 1,962 | 1,546 | 79% | 1,962 | 1,512 | 77% | 1,962 | 1,457 | 74% | 1,962 | 1,437 | 73% | 1,962 | 1,454 | 74% |
| Palm Bay | High | PK, 9-12 | 95% | 2,657 | 1,483 | 56% | 2,657 | 1,495 | 56% | 2,657 | 1,581 | 60% | 2,657 | 1,683 | 63% | 2,657 | 1,704 | 64% | 2,657 | 1,700 | 64% |
| Rockledge | High | 9-12 | 95% | 1,836 | 1,559 | 85% | 1,836 | 1,559 | 85% | 1,836 | 1,640 | 89% | 1,836 | 1,699 | 93% | 1,836 | 1,693 | 92% | 1,836 | 1,620 | 88% |
| Satellite | High | PK, 9-12 | 95% | 1,527 | 1,518 | 99% | 1,551 | 1,536 | 99% | 1,551 | 1,433 | 92% | 1,551 | 1,413 | 91% | 1,551 | 1,359 | 88% | 1,551 | 1,299 | 84% |
| Titusville | High | 9-12 | 95% | 1,813 | 1,313 | 72% | 1,813 | 1,333 | 74% | 1,813 | 1,335 | 74% | 1,813 | 1,351 | 75% | 1,813 | 1,316 | 73% | 1,813 | 1,322 | 73% |
| Viera | High | PK, 9-12 | 95% | 2,141 | 2,289 | 107% | 2,474 | 2,319 | 94% | 2,474 | 2,391 | 97% | 2,474 | 2,417 | 98% | 2,569 | 2,579 | 100% | 2,664 | 2,660 | 100% |
| High Totals | | | | 22,555 | 18,528 | | 22,912 | 18,664 | | 22,912 | 18,945 | | 22,912 | 19,178 | | 23,007 | 19,441 | | 23,221 | 19,793 | |
| Schools of Choice (Not Concurrency Service Areas) | | | | | | | | | | | | | | | | | | | | | |
| Freedom 7 | Elementary | K-6 | 100% | 475 | 403 | 85% | 475 | 414 | 87% | 475 | 414 | 87% | 475 | 414 | 87% | 475 | 414 | 87% | 475 | 414 | 87% |
| Stevenson | Elementary | K-6 | 100% | 569 | 506 | 89% | 569 | 508 | 89% | 569 | 508 | 89% | 569 | 508 | 89% | 569 | 508 | 89% | 569 | 508 | 89% |
| South Lake | Elementary | K-6 | 100% | 481 | 434 | 90% | 657 | 453 | 69% | 657 | 471 | 72% | 657 | 489 | 74% | 657 | 507 | 77% | 657 | 529 | 81% |
| West Melbourne | Elementary | K-6 | 100% | 618 | 549 | 89% | 618 | 552 | 89% | 794 | 570 | 72% | 794 | 588 | 74% | 794 | 606 | 76% | 794 | 624 | 79% |
| Edgewood | Jr / Sr High | 7-12 | 90% | 1,077 | 938 | 87% | 1,077 | 950 | 88% | 1,077 | 950 | 88% | 1,077 | 950 | 88% | 1,077 | 950 | 88% | 1,077 | 950 | 88% |
| West Shore | Jr / Sr High | 7-12 | 90% | 1,264 | 930 | 74% | 1,264 | 950 | 75% | 1,264 | 950 | 75% | 1,264 | 950 | 75% | 1,264 | 950 | 75% | 1,264 | 950 | 75% |
| Schools of Choice | | | | 4,484 | 3,760 | | 4,660 | 3,827 | | 4,836 | 3,863 | | 4,836 | 3,899 | | 4,836 | 3,935 | | 4,836 | 3,975 | |
| Brevard Totals | | | | 84,971 | 64,132 | | 85,526 | 64,706 | | 85,768 | 65,593 | | 85,900 | 66,435 | | 86,296 | 67,227 | | 86,840 | 68,418 | |

Notes

1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2022-23 are reported from the FISH database as of October 14, 2022.
2. Student Membership is reported from the Fall Final Membership Count (10/14/2022).
3. Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
4. Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nongecoded student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
5. In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
6. If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
 - If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - For school year 2023-24, no additional capacity is needed.
 - For school year 2024-25, a total of 3 intermediate classrooms are projected for Westside Elementary School
 - For school year 2025-26, a total of 6 intermediate classrooms are projected for Pinewood (1), Riveria (1), Sunrise (1) and Westside (3) Elementary Schools.
 - For school year 2026-27, a total of 14 intermediate classrooms are projected for Imperial Estates (1), Jupiter (2), Riveria (2), Sunrise (4), Westside (2) Elementary Schools, and Southwest Middle School (3). 4 High School relocatable classrooms are proposed for Viera High School.
 - For school year 2027-28, a total of 15 intermediate classrooms are projected for Roy Allen (1), Imperial Estates (2), Jupiter (3), Riveria (2), Viera El (2), Sunrise (2), and Westside (3) Elementary Schools. 9 High School relocatable classrooms are proposed for Bayside (5) and Viera (4) High.
7. A classroom addition is planned for construction at Viera High School for 2023-24. The factored capacity is adjusted for the proposed 350 student stations.
8. A classroom addition is planned for construction at South Lake Elementary School for 2023-24. The factored capacity is adjusted for the proposed 176 student stations.
9. A classroom addition is planned for construction at West Melbourne School of Science for 2024-25. The factored capacity is adjusted for the proposed 176 student stations.
10. Capacity adjusted for Board approved addition of one relocatable each at Pinewood Elementary and Satellite High Schools for school year 2024-25 forward.



Micco Park Village District (Lulfs Parcel) Large Scale Comprehensive Plan and Zoning District Amendment Justification and Reason for Change

Project: The Micco Park Village District (Lulfs Parcel) is a 353.5 acre project site that provides a mixed use master planned community in the City of Palm Bay. It is located south of East Emerald Lakes and the Sotile Canal, east of Interstate 95, north of Micco Road and Brevard County EEL's preservation lands are east and west of the property. It is an opportunity for the City to provide much needed housing in various types plus a plethora of commercial land the housing would support and help thrive.

The existing property has two large lakes and a pole barn but is otherwise undeveloped. The eastern extension of the St. Johns Heritage Parkway (SJHP) is anticipated to be through the project site from East Emerald Lakes at the existing Interstate 95 interchange, across the Sotile Canal, and through to Micco Road. Micco Road and the Sotile Canal are Brevard County jurisdiction and the SJHP is a City roadway so multiple agencies will be coordinated. The Parkway is proposed to run north/south near our eastern boundary.

The following land uses are proposed:


- ±22.0 acres of commercial or industrial.
- ±194.6 acres of single family residential at 4.0 units per acre.
- ±30.9 acres of multi-family residential at 15.8 units per acre.
- ±61.7 acres of existing reshaped lakes also proposed for stormwater treatment use.
- ±31.7 acres for future public right-of-way.
- ±12.6 acres of landscaped buffers and pedestrian connectivity (as a walkable community).

With the extension of the Parkway City utilities for water and wastewater will also be extended as well as power, cable/internet, and others. The City is currently working on two plant expansion projects to support this type of development for both water and wastewater.

The existing large lakes will be re-shaped and be a huge amenity for the master planned mixed use development. Pedestrian connectivity to provide a true walkable community between the various residential uses and commercial portions of the site will ensure it's viability and enhance its success.

Compatibility and Transitional Buffers: We are seeking the Parkway Mixed Use District (PMU) zoning district and Parkway Flex Use future land use (FLU). The zoning and land use require a mixed use development as proposed which is compatible with the Emerald Lakes East project to the north and the Emerald Lakes West project to the west of it. It also allows for a variety of residential and commercial uses with the flexibility for the project to be successful through varying market trends. We have the Sotile Canal to the north and preservation buffers on our





east and west ends of the site through Brevard County EEL's program. Their land will never be disturbed. Just south of us is Micco Road which is a busy County right-of-way corridor so the proposed land use and zoning are compatible. The Sotile Canal, Micco Road and the EEL's preservation lands provide buffers to the surrounding properties as well.

Property Owner: Brian Lulfs, as Managing Member of Peat Holding, LLC

Applicant: Jake Wise, PE – Construction Engineering Group, LLC

Future Land Use (Existing): Micco Park Village District

Zoning (Existing): Micco Park Village District


Meeting a Need: Housing supply and affordability has been increasingly problematic throughout the City of Palm Bay and Brevard County. The proposed project will provide varying housing units for the need that exists in the area, as reflected by very low multi-family vacancy rates and demand for single family homes. Projects such as this one and others can address the rising cost of housing in Brevard County by offering an attractive, attainable housing option and provide commercial lands that will support the new residential. It is a true master planned mixed use walkable community providing residential and commercial needs to new and current Palm Bay residents.

Economic and Fiscal Benefit: This project will provide substantial impact fees for police, fire, utilities, parks and transportation. The net fiscal impact for multi-family is significantly higher than that of single family residences and the same as commercial. In addition, there is no maintenance required by the City of Palm Bay for any of the internal streets or stormwater management system for the project. The net result is a lower demand for services while providing a much higher (property) tax income for the City of Palm Bay. The aforementioned Emerald Lakes project directly north of this project is in the process of providing a water tanks, police and fire station site to help support nearby development. This project would assist in supporting that as well.


Future Development Plan: The Applicant held a pre-application meeting with the Palm Bay City staff and it was agreed that the proposed zoning and FLU would be the most compatible and flexible use for the success of the master planned community. Please see the enclosed bubble master plan identifying the proposed uses outlined in this memorandum. The project provides substantial benefits to the City of Palm Bay and its residents as follows:

- Meets varying housing needs for the City of Palm Bay and provides commercial lands to support the residential.
- It is compatible with the project to the north and has preservation buffers to the east and west as well as the Sotile Canal and Micco Road to the north and south, respectively.



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- It will support the extension of the SJHP and provided both needed right-of-way and stormwater treatment for this regionally beneficial roadway.
 - Provides substantial fiscal and financial benefits to the City of Palm Bay.
 - It includes a master planned mixed use walkable community for current and future Palm Bay residents to enjoy.





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The following land uses are proposed:


- ±22.0 acres of commercial or industrial.
- ±194.6 acres of single family residential at 4.0 units per acre.
- ±30.9 acres of multi-family residential at 15.8 units per acre.
- ±61.7 acres of existing reshaped lakes also proposed for stormwater treatment use.
- ±31.7 acres for future public right-of-way.
- ±12.6 acres of landscaped buffers and pedestrian connectivity (as a walkable community).

With the extension of the Parkway City utilities for water and wastewater will also be extended as well as power, cable/internet, and others. The City is currently working on two plant expansion projects to support this type of development for both water and wastewater.

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east and west ends of the site through Brevard County EEL's program. Their land will never be disturbed. Just south of us is Micco Road which is a busy County right-of-way corridor so the proposed land use and zoning are compatible. The Sotile Canal, Micco Road and the EEL's preservation lands provide buffers to the surrounding properties as well.

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Zoning (Existing): Micco Park Village District


Meeting a Need: Housing supply and affordability has been increasingly problematic throughout the City of Palm Bay and Brevard County. The proposed project will provide varying housing units for the need that exists in the area, as reflected by very low multi-family vacancy rates and demand for single family homes. Projects such as this one and others can address the rising cost of housing in Brevard County by offering an attractive, attainable housing option and provide commercial lands that will support the new residential. It is a true master planned mixed use walkable community providing residential and commercial needs to new and current Palm Bay residents.

Economic and Fiscal Benefit: This project will provide substantial impact fees for police, fire, utilities, parks and transportation. The net fiscal impact for multi-family is significantly higher than that of single family residences and the same as commercial. In addition, there is no maintenance required by the City of Palm Bay for any of the internal streets or stormwater management system for the project. The net result is a lower demand for services while providing a much higher (property) tax income for the City of Palm Bay. The aforementioned Emerald Lakes project directly north of this project is in the process of providing a water tanks, police and fire station site to help support nearby development. This project would assist in supporting that as well.

Future Development Plan: The Applicant held a pre-application meeting with the Palm Bay City staff and it was agreed that the proposed zoning and FLU would be the most compatible and flexible use for the success of the master planned community. Please see the enclosed bubble master plan identifying the proposed uses outlined in this memorandum. The project provides substantial benefits to the City of Palm Bay and its residents as follows:

- Meets varying housing needs for the City of Palm Bay and provides commercial lands to support the residential.
- It is compatible with the project to the north and has preservation buffers to the east and west as well as the Sotile Canal and Micco Road to the north and south, respectively.



- 
-
- It will support the extension of the SJHP and provided both needed right-of-way and stormwater treatment for this regionally beneficial roadway.
 - Provides substantial fiscal and financial benefits to the City of Palm Bay.
 - It includes a master planned mixed use walkable community for current and future Palm Bay residents to enjoy.



Micco Park Village District (Lulfs Parcel)

Citizen Participation Plan: (As required by Ordinance 2006-45, City of Palm Bay, Florida)

Date: 12/14/22

Applicant: Construction Engineering Group, LLC

Development: Development seeking approval of a Large Scale Comprehensive Plan and Zoning District Amendment Change

Site: BCPA Parcel IDs: 30-3-12-00-500, 30-37-13-00-2 & 30-37-12-00-751

Township 30 Range 37 and Section 12 & 13

Owners: Peat Holding, LLC

The following information reflects the plan of the Applicant to notify interested parties of its pending application with the City of Palm Bay for the proposed development of this site, as described above; and to facilitate an open dialogue with such parties and attempt to address their concerns.

Persons Notified Directly:

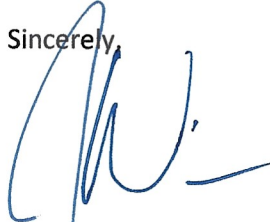
All persons or businesses residing within a 500' radius of the corners of the property (as provided by the Brevard County Property Appraiser's Office) were notified by USPS mail.

Public Meeting:

- One neighborhood community meeting was held where the current proposed site exhibit was made available to the attending public to view to provide information about the proposal. The meeting was held on Monday December 12, 2022 at the Holiday Inn Express & Suites' meeting room located 1206 Malabar Road SE; Palm Bay, FL 32907 at 6:30 pm.
 - No one from the public was in attendance.
 - A copy of the sign in sheet will be provided to the City of Palm Bay.

The applicant acknowledges that upon completion of the process described above, it is required to submit this Citizen Participation Report to the Growth Management Department at least five days prior to the City's first public hearing or final administrative review.

Sincerely,



Jake T. Wise, PE

Principal Civil Engineer - Construction Engineering Group, LLC



Time: 6:30 pm



**CONSTRUCTION
ENGINEERING
GROUP**
Consulting Engineers



LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

Landdevelopmentweb@palmbayflorida.org

**COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT
APPLICATION**

This application must be deemed complete and legible, and the original application with original signature(s) must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. **Large Scale Amendments will require 60 days of review prior to a scheduled Planning and Zoning Board meeting.** The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

APPLICATION AMENDMENT TYPE:

- ☐ **Small Scale** (50 acres or Less) ☐ **Text Amendment** (Comp. Plan)
- ☒ **Large Scale** (More than 50 acres)

PARCEL ID(S):

30-37-12-00-500, 30-37-13-00-2 & 30-37-12-00-751

TAX ACCOUNT NUMBER(S):

3000715, 3000718 & 3010667

LEGAL DESCRIPTION OF THE PROPERTY COVERED BY THIS APPLICATION: (attach additional sheets if necessary):

See attached

SIZE OF AREA COVERED BY THIS APPLICATION (calculate acreage):

353.47 AC

CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 2 OF 3

LAND USE CLASSIFICATION AT PRESENT OR PLAN SECTION AFFECTED (ex.: Commercial, Single Family, Policy CIE-1.1B, etc.):

MPVD (Micco Park Village District)

LAND USE CLASSIFICATION DESIRED OR PROPOSED TEXT CHANGE (attach additional sheets if necessary):

Parkway Flex Use

PRESENT USE OF PROPERTY:

Grazing Land

STRUCTURES LOCATED ON THE PROPERTY: N/A

REZONING FILED IN CONJUNCTION WITH THIS APPLICATION: Yes

JUSTIFICATION FOR CHANGE (attach additional sheets containing supporting documents and evidence if necessary):

See attached

SPECIFIC USE INTENDED FOR PROPERTY:

Mixed use development with commercial, residential as well as extension of the St Johns Heritage Parkway
Single family: 773
Apartments: 420
Townhomes: 67

THE FOLLOWING PROCEDURES AND ENCLOSURES ARE REQUIRED TO COMPLETE THIS APPLICATION:

- ☒ *Application Fee. Make Check payable to “City of Palm Bay.”
- ☐ \$1,200.00 - Small Scale (50 acres or Less)
- ☒ \$2,000.00 - Large Scale (More than 50 acres)
- ☐ \$2,000.00 - Text Amendment (Comp. Plan)

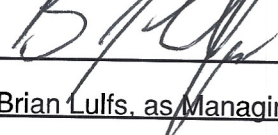
CITY OF PALM BAY, FLORIDA
COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION
PAGE 3 OF 3

- ☐ Legal description of the subject property with a sketch of the legal. **Also provide the site sketch on Memory Drive.**
- ☐ List of legal descriptions of all properties within a 500-foot radius of the boundaries of the property covered by this application, together with the names and mailing addresses (including zip codes) of all respective property owners within the above referenced area. (This should be obtained for a fee from the Brevard County Planning and Zoning Department at (321) 633-2060.)
- ☐ School Board of Brevard County School Impact Analysis Application (if applicable). The application is obtained from the Planning and Project Management Department of the School Board of Brevard County at (321) 633-1000, extension 11418.
- ☐ Sign(s) posted on the subject property. Refer to Section 51.07(C) of the Legislative Code for guideline. Staff will provide a sign template.
- ☐ **Where the property owner is not the representative for the request, a LETTER must be attached giving the notarized consent of the property owner(s) to a representative.**

Name of Representative Jake Wise, PE- Construction Engineering Group, LLC

I, THE UNDERSIGNED UNDERSTAND THAT THIS APPLICATION MUST BE COMPLETE AND ACCURATE BEFORE CONSIDERATION BY THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AND CERTIFY THAT ALL THE ANSWERS TO THE QUESTIONS IN SAID APPLICATION, AND ALL DATA AND MATTER ATTACHED TO AND MADE A PART OF SAID APPLICATION ARE HONEST AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING COMPREHENSIVE PLAN OR FUTURE LAND USE MAP AMENDMENT APPLICATION AND THAT THE FACTS STATED IN IT ARE TRUE.

Owner Signature  **Date** 9-12-22
Printed Name Brian Lulfs, as Managing Member of Peat Holding, LLC
Full Address 7457 Park Lane Road; Lake Worth, FL 33449
Telephone 561-239-4619 **Email** jgielda@lotisgroup.com

***NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY**

_____, 20_____

Re: Letter of Authorization

As the property owner of the site legally described as:

BCPA Parcel Ids: 30-3-12-00-500, 30-37-13-00-2 & 30-37-12-00-751

I, Owner Name: Brian Lulfs, as Managing Member of Peat Holding, LLC

Address: 7457 Park Lane Road; Lake Worth, FL 33449

Telephone: 561-239-4619

Email: igielda@lotisgroup.com

hereby authorize:

Representative: Jake Wise, PE- Construction Engineering Group, LLC


Address: 2651 W Eau Gallie Blvd; Suite A; Melbourne, FL 32935

Telephone: 321-610-1760

Email: jwise@cegengineering.com

to represent the request(s) for:

Any and all applications related to CPA submittal


(Property Owner Signature)

STATE OF

FLORIDA

COUNTY OF

Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th day of September, 2022 by

BRIAN J LULFS

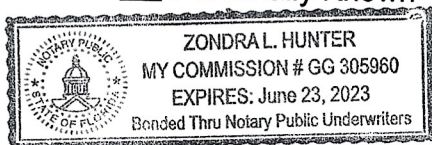
, property owner.

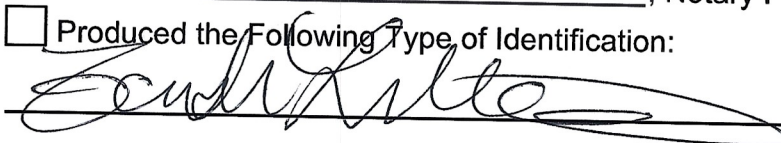


Personally Known or



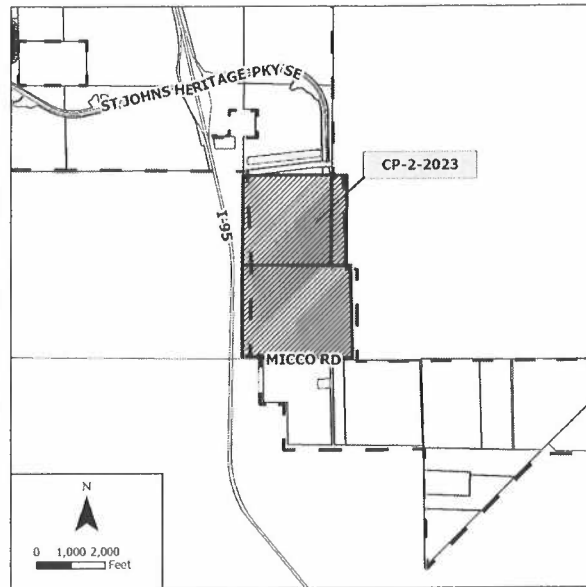
Produced the Following Type of Identification:



_____, Notary Public


CITY OF PALM BAY, FLORIDA NOTICE OF PUBLIC HEARING FOR A COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on March 1, 2023, and by the City Council on April 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):



**1. CP-2-2023 - Brian Lulfs, Managing Member
of Peat Holdings, LLC (Jake Wise, P.E.,
Construction Engineering Group, LLC)**

A large-scale Comprehensive Plan Future Land Use Map amendment from Micco Park Village Use to Parkway Flex Use.

Tax Parcels 500 and 751 of Section 12, Township 30, Range 37 along with Tax Parcel 2 of Section 13, Township 30, Range, 37, Brevard County, Florida, containing approximately 353.47 acres. Located north of and adjacent to Micco Road SE in the vicinity east of Interstate 95 Highway

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or 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. Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced case(s).

Chandra Powell
Planning Specialist

A Daily Publication By:



CITY OF PALM BAY
120 MALABAR RD SE
PALM BAY, FL 32907
ATTN CHANDRA POWELL

STATE OF FLORIDA COUNTY OF BREVARD

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the FLORIDA TODAY a daily newspaper published in Brevard County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

as published in FLORIDA TODAY in the issue(s) of

2/16/2023

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida and that the said newspaper has heretofore been continuously published in said Brevard County, Florida each day and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 16TH DAY OF FEBRUARY 2023 by legal clerk who is personally known to me

A handwritten signature in black ink, appearing to be "Chandra Powell", written over a horizontal line.

Affiant

A handwritten signature in black ink, appearing to be "Nancy Heyrman", written over a horizontal line.

Notary State of Wisconsin County of Brown

5.15.23

My commission expires

PUBLICATION COST: \$623.60
AD NO: GC11020274
CUSTOMER NO: 6CI213
PO#: PUBLIC NOTICE

NANCY HEYRMAN
Notary Public
State of Wisconsin



MICCO PARK VILLAGE DISTRICT



Who is Lotis?

- Boca Raton based development firm established in 2008 by John Markey, Adam Freedman and James Gielda.
- Vertically integrated meaning that we acquire land; design projects; obtain entitlements & permits; finance development; oversee vertical construction; and manage assets.
- Interdisciplinary team of 25+ employees with degrees in site planning; landscape architecture; architecture; general contracting; civil engineering; property management; accounting; and finance.
- We have developed garden-style apartments; senior living communities; condominiums; single-family homes; and mixed-use projects all in the tri-county area of South Florida.



25+

Development Professionals

7,000+

Housing Units Developed

20+

Years of Experience



Lotis Executive Team



JOHN K. MARKEY
Co-Founder

- Over 40 years of experience as a tradesman, architect, general contractor, asset manager, and real estate developer
- Previous COO of Boca Raton Based EB Developers; Primary Design Architect at Tektonica; owner and architect/GC of record for JKM Design Build
- University of Arizona College of Architecture, Bachelor's of Architecture



ADAM P. FREEDMAN
Co-Founder & Chief Financial Officer

- Over 18 years of experience focused on real estate finance (debt/equity/bonds); risk management; and investment management
- Previous Financial Analyst and Risk Manager for Boca Raton based EB Developers and Analyst at Transunion
- University of Delaware, degrees in Finance, Economics and Management Information Systems

Lotis Executive Team



JAMES S. GIELDA

Co-Founder & Chief Development Officer

- Over 20 years of experience as a land use consultant; site planner; landscape architect; and licensed real estate professional
- Previous Director of Entitlements of Boca Raton Based EB Developers and Project Manager at Land Design South (WGI)
- Virginia Tech, College of Architecture & Urban Studies, Bachelor's of Landscape Architecture



BRADY HOOKER

Partner & Director of Investments

- Over 25 years of experience in corporate finance sourcing debt and equity
- Previous Founder/Head of International Trading Division at Midland Paper & Packaging Company
- DePaul University, MBA in Corporate Finance & Southern Methodist University, Bachelor's in Economics with Financial Applications



- Located at 9141 West Commercial Blvd., Tamarac, Florida
- PPP between the City of Tamarac and Lotis entities via a 99-year ground lease
- 401 Class 'A' apartments and clubhouse within 450,000+ SF.
- Urban site within close proximity to an elementary school, temple and church that required detailed coordination

| | |
|--------------------------------|---------------------------|
| <u>General Contractor:</u> | Straticon |
| <u>Architect:</u> | TI Architecture |
| <u>MEP Engineer:</u> | Stoffer and Associates |
| <u>Structural Engineer:</u> | CDN Engineering |
| <u>Project Cost:</u> | \$120,000,000 |
| <u>Construction Lender(s):</u> | City National / Valley |
| <u>Equity Lender:</u> | Capital Solutions / Lotis |



25+

Acre Development Site

401

Class 'A' Apartment Units

450K

Square Feet of Constructed Space

- Located at 11810 South Military Trail, Boynton Beach, Florida
- Single two-story building with extensive interior amenity spaces including restaurants, salon, tavern, etc.
- 100 Assisted Living residents and 38 Memory Care residents
- Operated by HRA (Harbor Retirement Associates) of Vero Beach

| | |
|--------------------------------|----------------------|
| <u>General Contractor:</u> | Robling Construction |
| <u>Architect:</u> | Saltz-Michelson |
| <u>MEP Engineer:</u> | TLC Engineering |
| <u>Structural Engineer:</u> | CDN Engineering |
| <u>Project Cost:</u> | \$52,000,000 |
| <u>Construction Lender(s):</u> | Bank Hapoalim |
| <u>Equity Lender:</u> | Locust Point / Lotis |



5+

Acre Development Site

138

Senior Living Residents

110K+

Square Feet of Constructed Space



- Located at 1341 -1391 S. SR 7, Wellington, Florida, just north of Wellington Regional Medical Center
- Mixed-use development featuring retail, restaurants, office, apartments, senior living, and single-family homes
- Includes 20+ acre lake with recreational trails, a pier and public park
- Largest Mixed-Use project in Wellington

General Contractor: Lotis Builders LLC
Architect: TI Architecture / Robling
MEP Engineer: Stoffer and Associates
Structural Engineer: CDN Engineering
Project Cost: \$300,000,000
Construction Lender(s): Valley / B of A
Equity Lender: Linkvest / Lotis

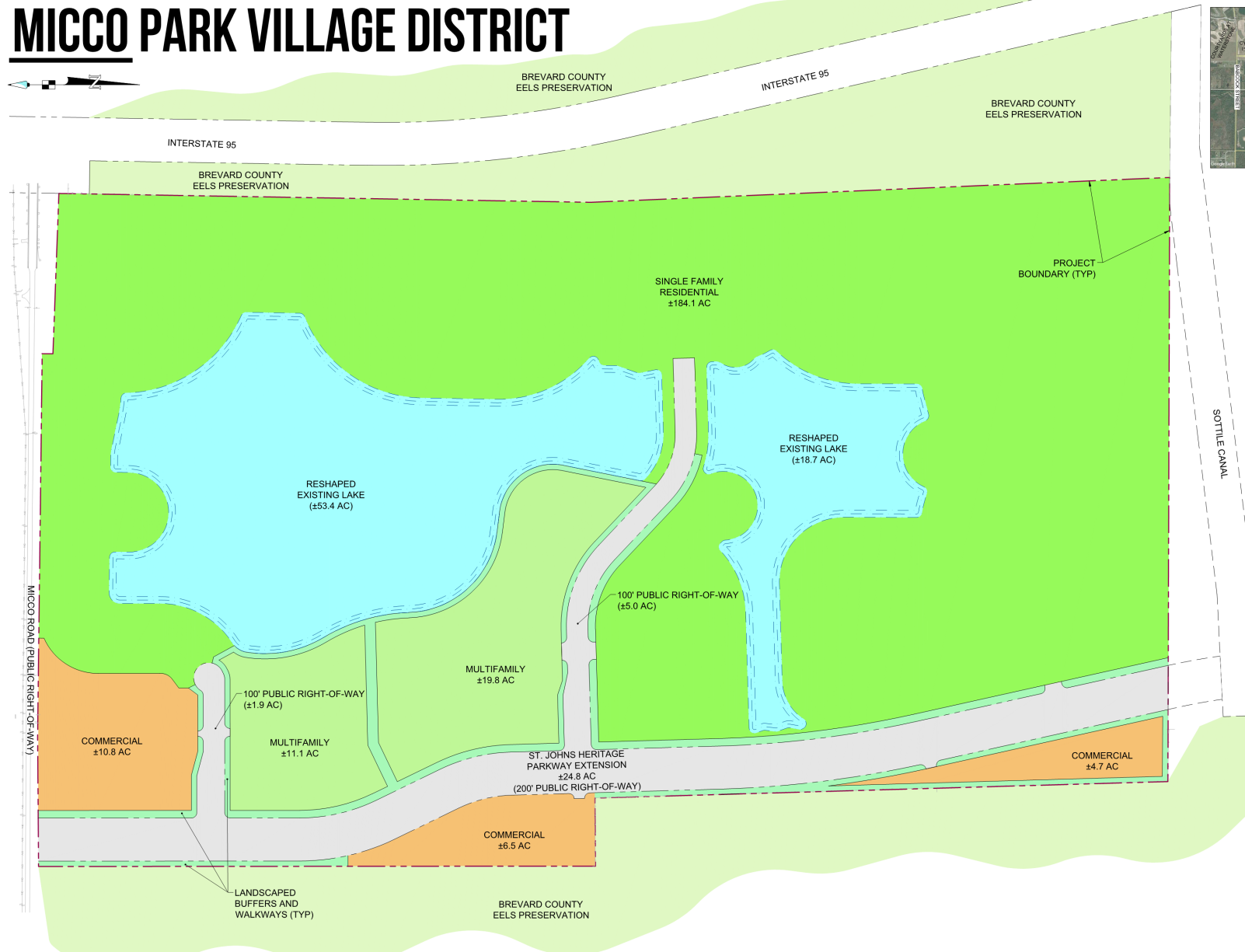


120+ *Acre Development Site*

685 *Units (SF, Apartments & Senior)*

1.2M+ *Square Feet of Constructed Space*

MICCO PARK VILLAGE DISTRICT



LOCATION MAP
NTS

PARKWAY MIXED USE CRITERIA:

- MINIMUM ACREAGE REQUIRED = 20 ACRES
• ACREAGE PROPOSED: 333.5 ACRES
- 40 SQUARE FEET (SF) OF COMMERCIAL SPACE PER RESIDENTIAL UNIT
• 1,260 UNITS X 40 SF = 50,400 SF MINIMUM REQUIRED
• 52,892 SF PROPOSED
- MAXIMUM DENSITY = 10 UNITS/ACRE
• MAXIMUM ALLOWED = 333.5 AC X 10 = 3,335 UNITS
• PROPOSED = 1260 UNITS (3.8 UNITS/ACRE)
- OWNER: PEAT HOLDINGS, LLC
BRYAN LUIJS
7457 PARK LANE ROAD
LAKE WORTH, FL 33449
JUIJLON@LOTUSGROUP.COM
TEL: (941) 239-4619
- AGENT/CONSULTANT: ASPECT/CONSULTANT, ENGINEER
CONSTRUCTION ENGINEERING GROUP, LLC
JAMES T. WISE, PE
2651 W. EAU GALIE BLVD. SUITE A
MELBOURNE, FL 32050
JWIS@CEENGINEERING.COM
TEL: (321) 419-7760

LEGAL DESCRIPTION:

TABLE 1:
THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH,
RANGE 37 EAST, BREVARD COUNTY, FLORIDA.

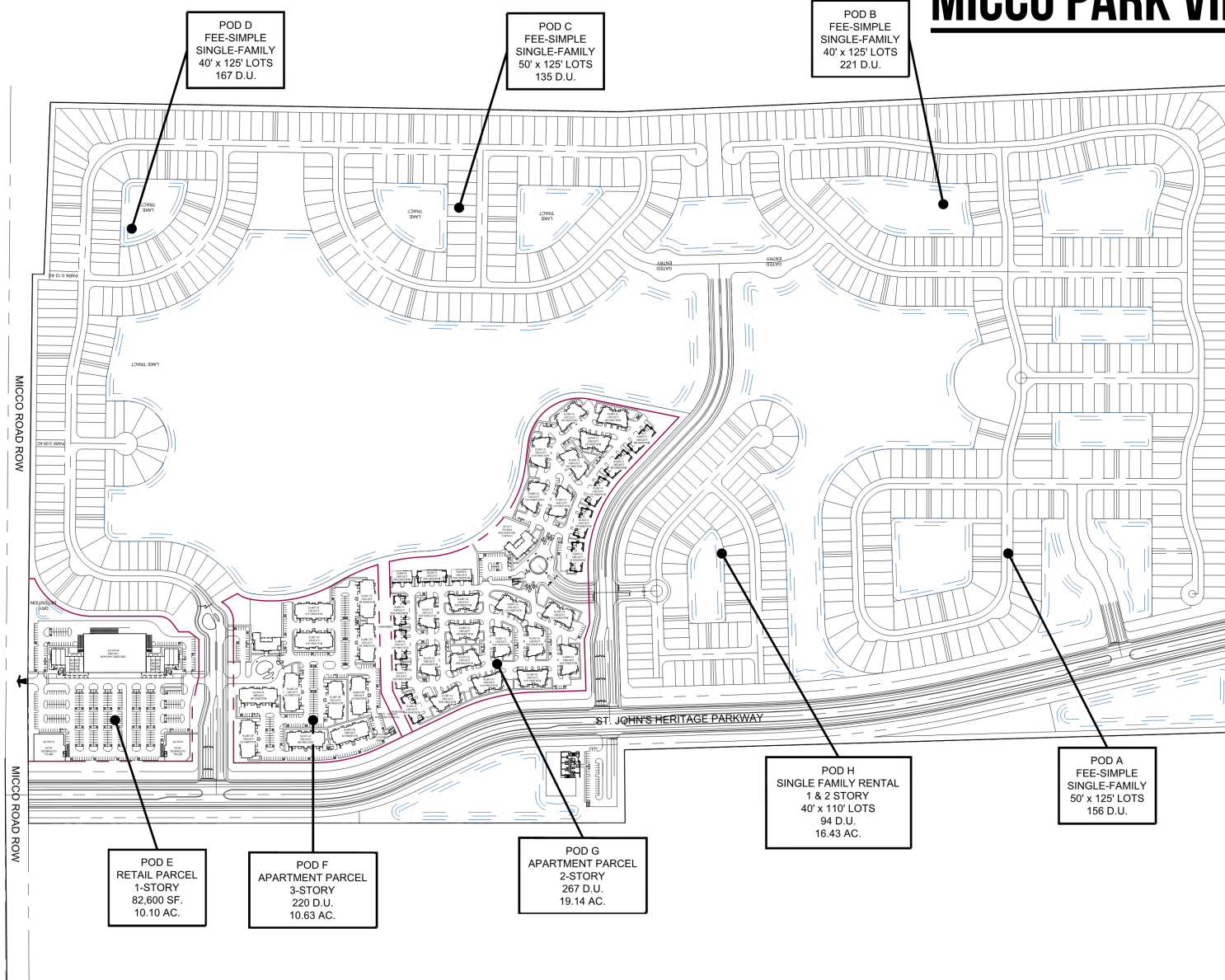
PARCEL 2:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION
12, TOWNSHIP 30 SOUTH, RANGE 37 EAST FOR THE POINT OF
BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND,
THENCE N 02° 27' 32" W ALONG THE WEST LINE OF SAID
SECTION 12 A DISTANCE OF 284.63 FEET TO THE WEST 1/4
CORNER OF SAID SECTION 12; THENCE S 89° 49' 41" E ALONG
THE 1/4 SECTION LINE A DISTANCE OF 293.11 FEET TO THE
CENTER OF SAID SECTION 12; THENCE S 89° 51' 05" E ALONG
THE SAID 1/4 SECTION LINE A DISTANCE OF 284.46 FEET;
THENCE S 01° 39' 23" ALONG THE EAST LINE OF THE WEST 1/4
ACRES OF THE SOUTHWEST 1/4 OF SAID SECTION 12 A
DISTANCE OF 2862.75 FEET TO A POINT ON THE SOUTH LINE OF
SAID SECTION 12; THENCE N 89° 35' 15" E ALONG THE SOUTH
LINE OF SAID SECTION 12 A DISTANCE OF 316.44 FEET; THENCE
S 00° 01' 07" E ALONG THE EAST LINE OF THE WEST 3/4 ACRES
OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 30 SOUTH,
RANGE 37 EAST A DISTANCE OF 287.86 FEET TO A POINT ON
THE NORTH RIGHT-OF-WAY LINE OF MICCO ROAD; THENCE S 89°
32' 26" W ALONG THE SAID NORTH RIGHT-OF-WAY LINE A
DISTANCE OF 811.12 FEET TO AN INTERSECTION WITH THE
WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 13;
THENCE N 89° 19' 07" W ALONG THE SAID NORTH RIGHT-OF-WAY
LINE A DISTANCE OF 1772.17 FEET; THENCE N 00° 23' 57" E
ALONG THE SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF
80.00 FEET; THENCE N 87° 52' 34" W ALONG THE SAID NORTH
RIGHT-OF-WAY LINE A DISTANCE OF 766.72 FEET TO A POINT ON
THE WEST LINE OF SAID SECTION 13; THENCE LEAVING SAID
NORTH RIGHT-OF-WAY LINE, RUN N 00° 57' 26" E, ALONG THE
WEST LINE OF SAID SECTION 13 A DISTANCE OF 248.91 FEET
TO THE NORTHWEST CORNER OF SAID SECTION 13 AND THE
POINT OF BEGINNING, LESS AND EXCEPT THE SOUTHWEST 1/4
OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST,
BREVARD COUNTY, FLORIDA.

IN ALL CONTAINING 353.470 ACRES MORE OR LESS.

LEGEND:

| | |
|---|----------------------------|
| COMMERCIAL (462,800 SF) | ±22.0 AC |
| MULTIFAMILY (487 UNITS) | ±30.9 AC (15.8 DU/ACRE) |
| SINGLE FAMILY RESIDENTIAL (2773 UNITS) | ±184.1 AC (6.9 DU/ACRE) |
| LANDSCAPED BUFFERS AND WALKWAYS | ±12.7 AC |
| RESHAPED EXISTING LAKES | ±72.1 AC |
| PROPOSED RIGHT-OF-WAY | ±31.7 AC |
| TOTAL ACREAGE | ±353.5 |

MICCO PARK VILLAGE DISTRICT



LULFS PARCEL SITE DATA

| | |
|-------------------------------|-----------------|
| GROSS ACREAGE | +/-353 AC. |
| TOTAL UNITS | 1,260 D.U. |
| GROSS DENSITY | 3.58 D.U. / AC. |
| FEE-SIMPLE SINGLE FAMILY LOTS | 679 D.U. |
| 40' x 125' | 388 D.U. |
| 50' x 125' | 291 D.U. |
| FEE-SIMPLE SINGLE FAMILY LOTS | 94 D.U. |
| 40' x 125' | 94 D.U. |
| APARTMENTS | 487 D.U. |
| 2-STORY TOWNHOMES | 67 D.U. |
| 2-STORY FLATS | 200 D.U. |
| 3-STORY FLATS | 220 D.U. |
| COMMERCIAL | 82,600 SF. |
| GROCERY ANCHOR | 45,000 SF. |
| IN-LINE RETAIL | 19,600 SF. |
| OUT-PARCELS | 18,000 SF. |
| TOTAL FEE-SIMPLE UNITS | 679 D.U. |
| TOTAL RENTAL UNITS | 581 D.U. |
| TOTAL RETAIL SF. | 82,600 SF. |

POD F UNIT MIX

| | |
|---------------------|---------------|
| TOTAL RENTAL UNITS | 220 D.U. |
| 1 BR / 1 BATH FLATS | 77 D.U. (35%) |
| 2 BR / 2 BATH FLATS | |
| 3 BR / 2 BATH FLATS | 33 D.U. (15%) |
| TOTAL GARAGES | 110 GARAGES |

POD G UNIT MIX

| | |
|---------------------------|---------------|
| TOTAL RENTAL UNITS | 267 D.U. |
| 1 BR / 1 BATH FLATS | 80 D.U. (30%) |
| 2 BR / 2 BATH FLATS | |
| 3 BR / 2.5 BATH TOWNHOMES | 67 D.U. (25%) |
| TOTAL GARAGES | 331 GARAGES |

POD H UNIT MIX

| | |
|-----------------------|-------------|
| TOTAL RENTAL UNITS | 94 D.U. |
| 4 BR / 2.5 BATH HOMES | 94 D.U. |
| TOTAL GARAGES | 188 GARAGES |

CITY OF PALM BAY, FLORIDA

PLANNING AND ZONING BOARD/
LOCAL PLANNING AGENCY
REGULAR MEETING 2023-03

Held on Wednesday, March 1, 2023, in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Land Development Division, Palm Bay, Florida. The minutes are not a verbatim transcript but a brief summary of the discussions and actions taken at this meeting.

Chairperson Leeta Jordan called the meeting to order at approximately 6:00 p.m.

Mr. Ranier Warner led the Pledge of Allegiance to the Flag.

ROLL CALL:

| | | |
|---------------------------|--------------------------|---------|
| CHAIRPERSON: | Leeta Jordan | Present |
| VICE CHAIRPERSON: | Philip Weinberg | Present |
| MEMBER: | Donald Boerema | Present |
| MEMBER: | Robert Good | Present |
| MEMBER: | Randall Olszewski | Present |
| MEMBER: | Rainer Warner | Present |
| MEMBER: | VACANT | |
| NON-VOTING MEMBER: | David Karaffa | Present |
| | (School Board Appointee) | |

CITY STAFF: Present were Ms. Alexandra Bernard, Growth Management Director; Mr. Jesse Anderson, Ph.D., Assistant Growth Management Director; Mr. Stephen White, Principal Planner, Ms. Tania Ramos, Senior Planner; Ms. Uma Sarmistha, Senior Planner; Ms. Carol Gerundo, Planning Specialist; Mr. Rodney Edwards, Deputy City Attorney.

ADOPTION OF MINUTES:

1. Regular Planning and Zoning Board/Local Planning Agency Meeting 2023-02; February 1, 2023.

Motion to approve the minutes as presented.

2. **CP-2-2023** - Micco Park Village - Brian Lulfs, Managing Member of Peat Holdings, LLC (Jake Wise, P.E., Construction Engineering Group, LLC) - A large-scale Comprehensive Plan Future Land Use Map amendment from Micco Park Village Use to Parkway Flex Use. Tax Parcels 500 and 751 of Section 12, Township 30, Range 37 along with Tax Parcel 2 of Section 13, Township 30, Range, 37, Brevard County, Florida, containing approximately 353.47 acres. Located north of and adjacent to Micco Road SE in the vicinity east of Interstate 95 Highway

Mr. Anderson presented the staff report for Case CP-2-2023. Case CP-2-2023 met the minimum criteria for a large-scale Comprehensive Plan Future Land Use Map Amendment request.

Mr. Good inquired if the plan for the area was a higher density zoning. Mr. Anderson stated that the Micco Park Village District already had entitlements through the adoption of the Comprehensive Plan. He noted that if you were to look at the adopted current plan versus what had been proposed you would notice that Micco Park Village had not changed in any way. If the applicant wanted to change the entitlements, they would have to come forward and make an application.

Mr. Warner wanted to know how this project changed from the original Micco Park Village District in the newly adopted Comprehensive Plan. Mr. Anderson stated that the area was going to be significantly less intense and less dense.

Mr. Karaffa wanted to know if there would be a school inside the project. Mr. Anderson explained that there had not been any discussions for a school site for the project and mentioned that the School Concurrency Application indicated that they were greenlighted for the next phase. He mentioned that it would be unlikely that the subject project would require a school site because of the proximity to the previous Micco Village District project that included a school site.

Mr. Olszewski wanted to know if there was any other project that existed in the City that was designated Parkway Flex District. Mr. Anderson stated that there was, and that it was located in the northwestern portion of the City near the St. Johns Heritage Parkway Extension area. Mr. Olszewski wanted to know how long the Parkway Flex Use existed. Mr. Anderson noted that it had existed since 2016.

Mr. Jake Wise, P.E. Construction Engineering Group, LLC (civil engineer for the project and representative for the applicant) introduced the developer for the project, Mr. James Gielda, Chief Development Officer, Lotis Group. Mr. Gielda informed the board of he and his partners years of experience in developing in Florida, and he looked forward to being in Palm Bay.

Mr. Olszewski asked when Lotis Group got involved in the project. Mr. Gielda explained that the property was owned by an investment partner for about 5 or 6 years. Mr. Olszewski wanted to know how dependent the project was on Emerald Lakes occurring. Mr. Gielda explained that the project was not 100 percent dependent on Emerald Lakes and that the primary reason was the Emerald Lakes property to the north already had public right-of-way dedicated to the City which would allow legal access to extend I-95 through the subject property for additional right-of-way dedication. Mr. Olszewski asked if Mr. Gielda was personally aware of how the existing St. John's Heritage Parkway had got there. Mr. Gielda explained that he was aware of the history.

Mr. Wise showed slides of the Master Plan of Micco Park Village District and gave details of the project. He noted that the eight criteria that staff mentioned in the staff report for Land Use approval were met. A Citizen Participation Plan (CPP) meeting was held and there were no attendees. Mr. Wise stated that the proposed land use would require 40 square feet of commercial land for every residential unit. He noted that the project was proposing 80,000 square feet of commercial. Mr. Wise mentioned that there were two lakes that encompassed almost 75 acres of the property and would total 100 acres of the project with the Parkway. The master plan reshaped the area and included pedestrian

interconnectivity and recreational amenities. Mr. Wise noted that Brevard County Environmental Endangered Lands (EELS), that would be preserved in perpetuity, abuts the property to both the east and west.

The floor was opened for public comments, and there was no correspondence in the file.

Mr. Bill Battin (resident at Ocean Spray Street SW) spoke in favor of the request. Mr. Battin stated that he was speaking in favor of the project because of the previous approval of the Micco Park Village to the east. He noted that without approval of the subject request, Micco Park Village would fail. Mr. Battin stated that the City would fail on the St. Johns Heritage Parkway unless there was some kind of agreement between the developers that were involved. Mr. Battin wanted to know how the pedestrians were supposed to get across the St. Johns Heritage Parkway since it was supposed to be a walkable community. Mr. Battin appreciated the fact that the developer had gone into neighborhoods where equestrian communities were a high priority. He hoped that the project would succeed.

Mr. Wise responded to Mr. Battin's questions. He stated that they understood that it would be developer dollars driving the extension of the Parkway and utilities.

The floor was closed for public comments, and there was no correspondence in the file.

Motion by Mr. Weinberg, seconded by Mr. Warner to approve Case CP-2-2023.

Motion carried with members voting as follows:

Aye: Jordan, Weinberg, Boerema, Good, Olszewski, Warner.

ORDINANCE 2023-16

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 183, COMPREHENSIVE PLAN REGULATIONS, SECTION 183.01, COMPREHENSIVE PLAN, SUBSECTION (D), ADOPTION OF FUTURE LAND USE MAP, BY AMENDING FUTURE LAND USE MAP; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay has designated the Planning and Zoning Board as its Local Planning Agency and said Local Planning Agency held a public hearing on an amendment to the Comprehensive Plan on March 1, 2023, after public notice, and

WHEREAS, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held a public hearing on an amendment to the Comprehensive Plan on April 6, 2023, after public notice, and

WHEREAS, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, submitted the amendment to the Florida Department of Economic Opportunity for review and comment, and

WHEREAS, the Florida Department of Economic Opportunity submitted a Comment Report regarding this amendment, and

WHEREAS, the City Council of the City of Palm Bay has considered the Comments provided and has addressed all items, and

WHEREAS, the City Council of the City of Palm Bay, pursuant to Chapter 163, Florida Statutes, held an adoption public hearing on the amendment to the Comprehensive Plan on **[DATE OF HEARING]**, after public notice, and

WHEREAS, the City Council of the City of Palm Bay desires to adopt said amendment to the Comprehensive Plan of the City of Palm Bay.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The Comprehensive Plan of the City of Palm Bay, Brevard County, Florida, is hereby amended to provide for the change in land use of property from Micco Park Village District to Parkway Flex Use, which property is legally described herein as follows:

Tax Parcels 500 and 751, of the Public Records of Brevard County, Florida; Section 12, Township 30S, Range 37E; along with Tax Parcel 2, of the Public Records of Brevard County, Florida; Section 13, Township 30S, Range 37E; containing 353.47 acres, more or less.

SECTION 2. The Future Land Use Map is hereby changed to reflect this amendment.

SECTION 3. All staff report conditions and limitations shall be met and those conditions and limitations shall be made a part of the Comprehensive Plan.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 5. This ordinance shall become effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance pursuant to Section 163.3184(3)(c)4, Florida Statutes. The Department only issues a final order for Expedited State Review amendments if they are challenged by an affected party.

Read in title only at Meeting 2023- , held on , 2023; and
read in title only and duly enacted at Meeting 2023- , held on , 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Applicant: Peat Holding, LLC/Brian Lulfs, Managing Member
Case: CP-2-2023

cc: (date) Brevard County Property Appraiser
Applicant
Case File



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Alexandra Bernard, Growth Management Director

DATE: 4/6/2023

RE: Ordinance 2023-17, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'District Regulations' and 'Conditional Uses', by modifying provisions related to self-storage facilities (Case T23-0003 (formerly T-23-2023), City of Palm Bay), first reading. (Councilman Johnson)

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.088, Special Requirements and Conditions; Section 185.045 LI – Light Industrial and Warehousing District; Section 185.046 HI – Heavy Industrial District; and Section 185.054, GC – General Commercial District; to amend the locations, requirements, and conditions for self-storage facilities. (Councilman Johnson)

The applicant for this amendment is the City of Palm Bay, Florida. The applicant seeks to provide additional requirements for consideration when a conditional use for a self-storage facility is requested, and to amend the zoning classifications where a self-storage facility can be developed as a permitted use.

Currently, the City's Land Development Code allows self-storage facilities as a permitted use in the General Commercial (GC) district, and as a conditional use in the Highway Commercial (HC), Community Commercial (CC), and the Planned Commercial Development (PCD) districts.

The proposed changes will add self-storage facilities as a permitted use in the Light Industrial and Warehousing (LI) and Heavy Industrial (HI) districts. The proposed changes also amends the General Commercial (GC) district, allowing self-storage facilities only by conditional use, subject to Section 185.088(F) Special Requirements and Conditions.

In addition, Section 185.088(F) Special Requirements and Conditions is being amended to facilitate appropriate site development and sizing of self-storage facilities seeking a conditional use in the commercial districts. These changes provide for commercial activity and connectivity in the commercial districts while providing options for self-storage facilities within the community, specifically in relation to residential development.

REQUESTING DEPARTMENT:

Growth Management

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Motion to approve an Ordinance providing for the textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code Section 185.088, Special Requirements and Conditions; Section 185.045 LI – Light Industrial and Warehousing District; Section 185.046 HI – Heavy Industrial District; and Section 185.054 GC – General Commercial District to modify language pertaining to self-storage facilities.

Planning and Zoning Board Recommendation:

The Planning & Zoning Board will consider this case at the regular meeting on April 5, 2023. The Board's recommendation will be provided to City Council prior to the Regular Council Meeting on April 6, 2023.

ATTACHMENTS:**Description**

T23-00003 - Staff Report

T23-00003 - Application

Legal Ad

Ordinance 2023-17



STAFF REPORT

LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042

landdevelopmentweb@palmbayflorida.org

Prepared by

Tania Ramos, Senior Planner

CASE NUMBER

T23-00003

PLANNING & ZONING BOARD HEARING DATE

April 5, 2023

APPLICANT

City of Palm Bay, Florida

PROPERTY LOCATION/ADDRESS

Not Applicable

SUMMARY OF REQUEST

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.088, Special Requirements and Conditions; Section 185.045 LI – Light Industrial and Warehousing District; Section 185.046 HI – Heavy Industrial District; and Section 185.054, GC – General Commercial District; to amend the locations, requirements, and conditions for self-storage facilities. (Councilman Johnson)

Existing Zoning

Not Applicable

Existing Land Use

Not Applicable

Site Improvements

Not Applicable

Site Acreage

Not Applicable

SURROUNDING ZONING & USE OF LAND

North

Not Applicable

East

Not Applicable

South

Not Applicable

West

Not Applicable

BACKGROUND:

A Textual Amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.088, Special Requirements and Conditions; Section 185.045 LI – Light Industrial and Warehousing District; Section 185.046 HI – Heavy Industrial District; and Section 185.054, GC – General Commercial District; to amend the locations, requirements, and conditions for self-storage facilities. See proposed changes below:

The applicant for this amendment is the City of Palm Bay, Florida. The applicant seeks to provide additional requirements for consideration when a conditional use for a self-storage facility is requested, and to amend the zoning classifications where a self-storage facility can be developed as a permitted use.

Proposed language for this amendment is attached in legislative style with additions between >>arrow<< symbols and deletions in ~~strikethrough~~ format.

PURPOSE:

The city zoning code is based on, consistent with, related to and adopted to effectuate and implement the policies of the city comprehensive plan in order to protect, preserve and improve the public health, safety, order, appearance, convenience and welfare of the inhabitants of the city, including, but not limited to:

- (A) Lessening congestion in the streets;
- (B) Encouraging the most appropriate use of land, water and resources;
- (C) Providing adequate light and air;
- (D) Securing safety from fire and other dangers;
- (E) Preventing the overcrowding of land;
- (F) Presenting the character and stability of residential, commercial, industrial and other areas;
- (G) Facilitating the adequate provisions for transportation, water supply, sewerage, drainage, sanitation, recreation, schools, housing, and other services; and
- (H) Conserving and enhancing the standard of living within the city.

Each section being amended also has a specific intent and applicability.

The purpose of the Special Requirements and Conditions is:

For those conditional uses listed, special requirements shall apply in addition to those of Section 185.087.

The purpose of the LI – Light Industrial and Warehousing District is:

The provisions of this district are intended to apply to an area which can serve light manufacturing, warehousing, distribution, wholesaling and other light industrial functions for the city and the region. Lot sizes and other restrictions are intended to ensure sufficient open space and minimize adverse impacts of industrial uses off site and to nonindustrial uses.

The purpose of the HI – Heavy Industrial District is:

The provisions of this district are intended to apply to an area in close proximity to major transportation facilities and which can serve general manufacturing, storage and distribution needs of the city and region. Lot sizes and other restrictions are intended to minimize adverse impacts to adjacent properties.

The purpose of the GC – General Commercial District is:

The purpose of the General Commercial District shall be to locate and establish areas within the city which are uniquely suited for heavy commercial development. Such areas are to be developed in an intensive manner and are designed to provide opportunities for small businesses of a variety of types. The uses and development standards included in the district are intended to provide additional opportunities for businesses to locate within the city by providing a mix of service, warehousing, commercial, wholesaling, storage, and similar businesses and uses.

ANALYSIS:

Self-storage facilities can currently be developed as a permitted use in the General Commercial (GC) district, and as a conditional use in the Highway Commercial (HC), Community Commercial (CC), and the Planned Commercial Development (PCD) districts. Although self-storage facilities provide a service to the surrounding community, they do not provide many jobs or support the local economy when compared to other commercial uses such as restaurants, retail, or office space. Traditionally, self-storage facilities have also taken up larger plots of land.

The proposed changes, as textually written below, will add self-storage facilities as a permitted use in the Light Industrial and Warehousing (LI) and Heavy Industrial (HI) districts. In the General Commercial (GC) district, self-storage facilities will become a conditional use subject to Section 185.088(F), Special Requirements and Conditions. In addition, Section 185.088(F) is being revised to facilitate appropriate site selection and sizing of self-storage facilities seeking a conditional use in the commercial districts. These changes aim to enhance

economic activity and connectivity in the commercial districts while providing options for self-storage facilities within the community.

STAFF RECOMMENDATION:

Case T23-00003 is recommended for approval.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: ZONING CODE

§ 185.088 SPECIAL REQUIREMENTS AND CONDITIONS.

For those conditional uses listed below, the following special requirements shall apply in addition to those of § 185.087:

(A) Churches. A conditional use may be granted under the following conditions:

- (1) The site has direct access to a collector or arterial roadway.
- (2) Minimum setbacks shall be twenty (20) feet from all property lines or the minimum setback of the district, whichever are greater.
- (3) Proposed sites not having direct access to a collector or arterial roadway must prepare a traffic impact study, approved by the City Engineer, to support the compatibility of the church use with surrounding uses. In addition, day care centers and schools are not permitted as accessory uses on these sites.

(4) Minimum size: one (1) acre.

(B) Clubs, lodges and similar activities. A conditional use may be granted under the following conditions:

- (1) The site has direct access to a collector or arterial roadway.
- (2) Minimum setbacks shall be twenty (20) feet from all property lines or the minimum setbacks of the district, whichever are greater.
- (3) Minimum size: one (1) acre.

(C) Commercial dog kennels. A conditional may be granted under the following conditions:

- (1) No structures, pens, or runs shall be located within fifty (50) feet of any property line.
- (2) Open kennels must be visually screened from off-site view.
- (3) The site is a minimum of one (1) acre in size.

(D) Planned industrial development. Development of industrial use or group of industrial uses of five (5) or more acres intended to be developed according to a carefully drawn plan, may be permitted by the City Council as a conditional use, after review by the Planning and Zoning Board, in the LI and HI zoning districts. This provision is intended to encourage better organization and controlled development for land reserved primarily for industrial uses, to create a compatible environment for a variety of industrial activities, to protect the integrity of surrounding residential and commercial uses, to allow and encourage proper placement and design for those commercial and residential uses which augment the principal uses, and to discourage commercial and residential encroachment upon areas which should be reserved for industrial activities. In order to qualify for such conditional use, the following conditions must be met:

(1) Ownership. The site proposed shall be in one (1) ownership, or, if in several ownerships, the request for conditional use shall be filed by all owners of the properties included in the plan.

(2) Zoning provisions. All other portions of the respective zoning district regulations and all other applicable portions of this chapter.

(3) Street frontage. The site proposed shall have a minimum width of two hundred (200) feet along a major street frontage.

(4) Access limitations. The minimum distance between access points shall be at least one hundred and fifty (150) feet, and the minimum distance between any one (1) location and an intersection of two (2) or more street rights-of-way shall be one hundred (100) feet.

(5) Site plan.

(a) Concurrent with the request, a site plan, shall be submitted on which structures shall be located in relation to:

1. Each other and to major entrances into and off the site;
2. Internal circulation ways;
3. Parking and service areas; and
4. Landscaped areas.

(b) The site plan and supporting data shall also show proposed standards for development, including restrictions of the use of property; plans for the provisions of utilities, including water, sewer and drainage facilities; plans for protection of abutting properties; plans for cross access and/or shared parking areas; and such other plans, tabulations and other data that the City Council may require.

(6) Tree regulations. Full compliance with the city tree regulations set forth in this chapter, in Chapter 180 and in any other applicable ordinance of the city must be assured.

(7) Office/business parks. All office/business park proposals must provide a list of prohibited and permitted uses in the proposed business park. The applicant should also address how the development will be designed and regulated to ensure the compatibility of uses within the office/business park.

(E) Public and private schools. A conditional use may be granted under the following conditions:

- (1) The proposed site is located on a collector or arterial roadway;
- (2) Minimum setbacks shall be twenty (20) feet from all property lines or the minimum setbacks of the district, whichever are greater;
- (3) Minimum size, one (1) acre.

(F) Self storage facilities may be granted with the following conditions:

>>(1) *Design standards.* The following minimum design standards shall apply to the construction of new self-storage facilities or, to the maximum extent feasible, the expansion or redevelopment of existing self-storage facilities.<<

>>(a)<< (1) No door openings for any storage unit with the exception of emergency egress doors shall be constructed facing any residentially zoned property.

>>(b)<< (2) The submitted conditional use site plan shall include a landscape plan.

>>(c)<< (3) Interior traffic lanes shall be a minimum of thirty-five (35) feet wide for two-way traffic and a minimum of twenty-five (25) feet for one-way traffic, in order to accommodate loading and unloading as well as through and/or emergency traffic.

>>(d)<< (4) The maximum storage unit size is limited to 300 square feet.

>>(e)<< (5) There shall be no outside storage at the site.

~~(6) There shall be no storage of hazardous or flammable chemicals as determined by the Fire Marshal.~~

~~(7) Such facilities may only be utilized for storage. Occupancy for any other use is prohibited.~~

>>(f) No roll up door openings for any storage unit shall be constructed facing any right-of-way.

(g) Properties with the principal use as self-storage may locate along major collector or higher classified roads. For locations on lower classified roads, ground floor retail is required, or the building shall be setback from the roadway.

(h) Exterior surface materials of the primary/street facade shall be select high quality, human-scale building materials to reduce building massing and create visual interest.

(i) The base of a building (the first two to five feet above the sidewalks) shall be differentiated from the rest of the facade with treatments such as change in material and/or color.

(j) The primary/street facade of buildings shall incorporate no less than two (2) building materials including, but not limited to, tile, brick, stucco, cast stone, stone, formed concrete or other high-quality, long-lasting masonry material over a minimum seventy-five (75) percent of the surface area (excluding windows, doors and curtain walls.) The remainder of the wall area may incorporate other materials.

(k) Self-storage facilities resembling long, traditional warehouse buildings are prohibited. Self-storage facilities must be designed to emulate multi-family or office buildings compatible and in harmony with the surrounding area.

(2) *Operational requirements.* The following minimum operational standards shall apply to self-service storage facilities and tenants of individual storage units:

(a) Individual storage units shall not be used for activities such as residences, offices, workshops, studios, or hobby or rehearsal areas. Further, storage units shall not be used for manufacturing, fabrication or processing of goods, services or repair of vehicles, engines, appliances or other equipment, or any other industrial activity whatsoever. In addition, storage units shall not be used for commercial activity or places of business of any kind including, but not limited to, retail sales, garage or estate sales, or auctions, unless done so by the property management company.

(b) Storage of flammable, explosive, perishable or hazardous materials within individual storage units and on site is prohibited.

(c) Rental agreements shall provide tenants with written notice of the minimum operational standards set forth in this section and any other conditions imposed by the city.<<

(G) Communication towers and facilities. A conditional use may be granted under the following conditions:

(1) A map showing the closest existing communication towers shall be provided.

(2) The applicant has supplied a written affidavit that co-location of antennas or other communication facilities is not possible in any other zoning district where these facilities are permissible.

(3) If camouflaging is required, then tower or facilities must be camouflaged as required by City Council. An elevation view of this structure shall be provided.

(4) The applicant has obtained written confirmation that the communication facility meets FCC and FAA radio frequency emission and lighting standards.

(5) The submittal conditional use site plan includes a landscape plan that shows the landscape buffer and its irrigation as per Section 186.07(E) of the Palm Bay Code of Ordinances.

(6) No fence gates, equipment structure doors, or driveways shall be constructed facing any residentially zoned property, or the gates may be offset or otherwise buffered as to not be directly viewed from the residential property. This alternative must be approved by the City Planner.

(H) Eating and drinking establishments that allow patrons to dance to music. A conditional use may be granted under the following conditions:

(1) The applicant shall provide information and documentation that noise from the establishment will be abated so that the business will be in full compliance with Title IX: General Regulations, Chapter 92, Noise, Palm Bay Code of Ordinances.

(2) Methods of crowd control in both interior and exterior portions of the establishment shall be provided in the application.

(I) Security dwelling unit. A conditional use may be granted under the following conditions:

(1) The unit will only be permitted in conjunction with a site that has wholesale trade, warehousing, storage, contractor offices with storage, assembly, machine shops, commercial flex-space and/or similar uses.

(2) No one under the age of eighteen (18) may reside within the unit, and at no time may the unit be occupied by more than two (2) persons.

(3) The unit resident must be the owner of the property or an employee of the property owner. If the resident is not the owner, a signed and notarized contract between the property owner and the employee shall be provided to staff that addresses provisions for security.

(4) The unit may contain no more than one thousand (1,000) square feet of gross floor area and may not be located in a free-standing structure.

(5) There may be only one (1) security dwelling unit per property.

(6) There shall be at least one (1) parking space designated on-site for the resident of the unit.

(7) Applicants must demonstrate that approval of an onsite security dwelling minimizes the need for other security measures including but not limited to chain link fencing, strands of barbed wire atop fencing or walls and excessive security lighting thereby promoting a more aesthetically acceptable site development pattern.

(J) Wedding venues.

(1) The minimum size of a property for a wedding venue shall be five (5) acres.

(2) The subject property shall have direct access to a collector roadway or higher classification roadway.

(3) The structure used for wedding venues and the associated parking areas shall meet the setbacks established for principal structures of the RR District.

(4) The hours of operation shall be from sunrise to 11:00 P.M., not including venue setup and breakdown.

(5) Parking surfaces shall utilize stabilized materials and shall meet the provisions established in § 185.140(B)(1).

(6) A two-way driveway must be a minimum of twenty-four (24) feet in width at the right-of-way line and shall be paved from the right-of-way line to the edge of the roadway that the driveway connects to.

(7) A one-way driveway must be a minimum of fifteen (15) feet in width at the right-of-way line and shall be paved from the right-of-way line to the edge of the roadway that the driveway connects to.

(8) If a wedding venue chooses to have a sign, one detached sign shall be permitted for the venue site not to exceed six (6) feet in height, with a maximum sign area of sixteen (16) square feet, and setback a minimum of ten (10) feet from any property line.

(9) All site lighting is subject to the provisions established in § 185.143.

(10) All site noise is subject to the provisions established in Chapter 92.

(K) Event halls.

(1) The minimum size of a property for an event hall shall be five (5) acres.

(2) The subject property shall have direct access to a collector roadway or higher classification roadway.

(3) The structure used for event hall and the associated parking areas shall meet the setbacks established for the GC District.

(4) The hours of operation shall be from sunrise to 12:00 A.M. not including venue setup and breakdown.

(5) Parking surfaces shall utilize stabilized materials and shall meet the provisions established in § 185.140(C)(1).

(6) A two-way driveway must be a minimum of twenty-four (24) feet in width at the right-of-way line and shall be paved from the right-of-way line to the edge of pavement of the roadway that the driveway connects to.

(7) A one-way driveway must be a minimum of fifteen (15) feet in width at the right-of-way line and shall be paved from the right-of-way line to the edge of pavement of the roadway that the driveway connects to.

(8) All site lighting is subject to the provisions established in § 185.143.

(9) All site noise is subject to the provisions established in Chapter 92.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: ZONING CODE

§ 185.045 LI — LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT.

(A) *Intent.* The provisions of this district are intended to apply to an area which can serve light manufacturing, warehousing, distribution, wholesaling and other light industrial functions for the city and the region. Lot sizes and other restrictions are intended to ensure sufficient open space and minimize adverse impacts of industrial uses off site and to nonindustrial uses.

(B) *Principal uses and structures:*

- (1) Warehousing within an enclosed structure.
- (2) Wholesaling within an enclosed structure.
- (3) Dry cleaning and laundry plants, printing plants, welding shops, machine shops, taxidermists and similar service and repair establishments and uses.
- (4) Light manufacturing, processing and assembly including precision manufacturing, electrical machinery, instrumentation, bottling plants, dairy products plants, bakeries, fruit packing and similar uses.
- (5) Building materials supply and storage, provided that any outside display and/or storage area shall be screened on all sides to avoid any deleterious impact on adjacent properties; includes contractor storage yards.
- (6) Automotive, truck, major recreational equipment and mobile home sales, storage and repair establishment including, body shops, dry docking facilities, paint shops, upholstery shops and similar uses provided that outside storage of vehicles not for sale shall be effectively screened on four (4) sides so as to avoid off-site visual impacts.
- (7) Vocational and trade schools.
- (8) Veterinary hospitals and clinics including boarding of animals.
- (9) Radio or television transmitter, towers or broadcasting facilities.
- (10) Research and development facilities provided all activities are within an enclosed structure.
- (11) Public utility equipment and facilities.
- (12) Public uses.
- (13) Communication towers and facilities.
- (14) Medical Recycling Facility.
- >>(15) Self-storage facilities.<<

(C) *Accessory uses and structures:*

- (1) Customary accessory uses clearly incidental and subordinate to one (1) or more principal uses.

(2) Retail sales of products manufactured, processed or stored on the premises, provided the sales area constitutes no more than 15% of the total area of the space occupied by the business.

(3) Offices clearly accessory to one (1) or more principal uses.

(D) *Conditional uses.*

(1) Automotive fuel, propane, and natural gas dispensaries and refueling stations subject to the following provisions:

(a) Location of facilities: All pumps, storage tanks and other service island equipment shall be at least twenty (20) feet from all property lines, fifteen (15) feet from any building and one hundred (100) feet from the nearest residentially owned land. No pump, storage tank or other equipment shall be located closer than one thousand (1,000) feet from any municipal or public supply well.

(b) Liquid gasoline, liquid kerosene, or liquid diesel fuels may be stored onsite for use by the operator of the property and stored onsite for offsite delivery to the general public, and stored, dispensed, and sold onsite to the general public for onsite sales of such substances.

(c) Liquid and non-liquid propane, and liquid and non-liquid natural gas and other petroleum-based fuel products (including liquid gasoline, liquid kerosene, or liquid diesel fuel) may be stored onsite for the use of the operator of the property, stored and sold onsite for offsite delivery to the general public, and stored, dispensed, and sold onsite to the general property.

(d) The proposed use will not constitute a nuisance or hazard because of vehicular travel movement, delivery of fuel movement, noise or fume generation.

(e) Development and operation of the fuel pumps and attendant storage tanks shall be in compliance with §§ [176.01](#) *et seq.*

(2) Freight handling and transportation terminals.

(3) Planned industrial developments including office and business parks.

(4) Corrections facilities subject to the following:

(a) Minimum area required: 20 acres.

(b) Shall not be located within 1,000 feet of any residentially zoned property.

(5) Public and private schools.

(6) Tree and landscape recycling, subject to the following:

(a) A minimum lot size of five (5) acres.

(b) An eight (8) foot opaque fence or wall surrounding the site on all sides.

(c) A one hundred (100) foot setback between any property line and any operation of tree or landscape recycling machinery (with the exception of vehicle or product storage).

(d) A two hundred fifty (250) foot buffer between any residentially zoned land and any operation of tree or landscape recycling machinery (with the exception of vehicle or product storage).

(e) Tree and landscape recycling operations restricted to 8:00 a.m. to 6:00 p.m.

(f) Strict adherence to Maximum Permissible Sound Levels for Industrial Land, as set forth in Table 1 of § [92.06](#), Palm Bay Code of Ordinances.

(E) *Prohibited uses and structures:*

(1) All uses not specifically or provisionally permitted herein.

(F) *Lot and structure requirements:*

(1) Minimum lot area — twenty thousand (20,000) square feet.

(2) Minimum lot width — one hundred (100) feet.

(3) Minimum lot depth — two hundred (200) feet.

(4) Maximum building coverage — fifty percent (50%).

(5) Minimum floor area — None.

(6) Maximum height — one hundred (100) feet.

(7) Minimum yard requirements:

(a) Front — forty (40) feet minimum building setback, parking areas may be located in the front yard except within ten (10) feet of the front lot line.

(b) Side interior — twenty (20) feet minimum building setback. Parking areas may be located in the side yard except within ten (10) feet of the side lot line.

(c) Side corner — twenty-five (25) feet minimum building setback. Parking areas may be located in the side corner yard except within ten (10) feet of the side corner lot line.

(d) Rear — twenty-five (25) feet.

(8) An eight (8) foot high completely opaque masonry wall, or wood fence shall be provided along the entire length of any side or rear property line abutting property zoned residential. Landscaping shall be provided in accordance with the landscape requirements of this zoning code.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: ZONING CODE

§ 185.046 HI — HEAVY INDUSTRIAL DISTRICT.

(A) *Intent.* The provisions of this district are intended to apply to an area in close proximity to major transportation facilities and which can serve general manufacturing, storage and distribution needs of the city and region. Lot sizes and other restrictions are intended to minimize adverse impacts to adjacent properties.

(B) *Principal uses and structures:*

- (1) Warehousing.
- (2) Wholesaling.
- (3) Dry cleaning and laundry plants, printing plants, welding shops, machine shops, taxidermists and similar service and repair establishments and uses.
- (4) Light manufacturing, processing and assembly including precision manufacturing, electrical machinery, instrumentation, bottling plants, dairy products plants, bakeries, fruit packing, and similar uses.
- (5) Building materials supply and storage, provided that any outside display and/or storage area shall be screened on all sides to avoid any deleterious impact on adjacent properties; includes contractor storage yards.
- (6) Automotive, truck, major recreational equipment and mobile home sales, storage and repair establishment including, body shops, dry docking facilities, paint shops, upholstery shops and similar uses provided that outside storage of vehicles not for sale shall be effectively screened on four (4) sides so as to avoid off-site visual impacts.
- (7) Vocational and trade schools.
- (8) Veterinary hospitals and clinics, including boarding of animals.
- (9) Radio or television transmitter, towers or broadcasting facilities.
- (10) Research and development facilities.
- (11) Public utility equipment and facilities.
- (12) Freight handling and transportation terminals.
- (13) Printing, publishing and similar uses.
- (14) Textile and apparel manufacturing, processing and storage.
- (15) Lumber and wood products manufacturing, processing and storage.
- (16) Public uses.
- (17) Communication towers and facilities.
- (18) Salvage Yards.
- (19) Medical Recycling Facility.

>>(20) Self-storage facilities.<<

(C) *Accessory uses and structures:*

- (1) Customary accessory uses clearly incidental and subordinate to one (1) or more principal used.
- (2) Retail sales of products manufactured, processed or stored on the premises, provided the sales area constitutes no more than 15% of the total area of the space occupied by the business.
- (3) Offices clearly accessory to one (1) or more principal uses.

(D) *Conditional uses:*

(1) Manufacturing, assembly and processing uses or facilities not specifically provided as a principal use including block and concrete plants, furniture factories, food processing, citrus processing plants, salvage yards, and canneries and similar uses.

(2) Storage of liquefied petroleum products.

(3) Fabricated metal products.

(4) Chemicals and similar products.

(5) Automotive fuel tanks and pumps subject to the following provisions:

(a) Location of facilities. Gasoline/ fuel pumps, storage tanks and other service island equipment shall be at least twenty (20) feet from all property lines, fifteen (15) feet from any building and one hundred (100) feet from the nearest residentially zoned land. No gasoline/fuel pump, storage tank or ether equipment shall be located closer than one thousand (1,000) feet from any municipal or public supply well.

(b) The use of fuel pumps shall be strictly limited to the owner of the property. Sales to members of the public in general or to any private individual are hereby strictly prohibited.

(c) The proposed use will not constitute a nuisance or hazard because of vehicular traffic movement, delivery of fuel movement, noise or fume generation.

(d) Development and operation of the fuel pumps and attendant storage tanks shall be in compliance with §§ [176.01](#) et seq.

(6) Planned industrial developments.

(7) Crematoriums.

(8) Corrections facilities subject to the following:

(a) Minimum area required: 20 acres.

(b) Shall not be located within 1,000 feet of any residentially zoned property.

(9) Smoke-producing industries, such as paper mills, rubber mills or regional incinerators, provided the land where such facility is operated shall be located no less than one-half (½) mile from the closest right-of-way line of Interstate 95.

(E) *Prohibited uses and structures:* All uses not specifically or provisionally permitted herein.

(F) *Lot and structure requirements:*

- (1) Minimum lot area — thirty thousand (30,000) square feet.
- (2) Minimum lot width — one hundred and fifty (150) feet.
- (3) Minimum lot depth — two hundred (200) feet.
- (4) Maximum building coverage — fifty percent (50%).
- (5) Minimum floor area — None.
- (6) Maximum height — one hundred (100) feet.
- (7) Minimum yard requirements:

(a) Front — forty (40) feet minimum building setback. Parking areas may be located in the front yard except within ten (10) feet of the front lot line.

(b) Side interior — twenty (20) feet minimum building setback. Parking areas may be located in the side yard except within ten (10) feet of the side lot line.

(c) Side corner — twenty-five (25) feet minimum building setback. Parking areas may be located in the side corner yard except within ten (10) feet of the side corner lot line.

(d) Rear — twenty-five (25) feet.

(8) An eight (8) foot high completely opaque masonry wall, or wood fence shall be provided along the entire length of any side or rear property line abating property zoned residential. Landscaping shall be provided in accordance with the landscape requirements of this chapter.

(G) *Lot and structure requirements for Salvage Yards:*

- (1) Minimum lot area — five (5) acres.
- (2) Minimum lot width — two hundred (200) feet.
- (3) Minimum lot depth — three hundred (300) feet.
- (4) Maximum building coverage — fifty percent (50%).
- (5) Minimum floor area — None.
- (6) Maximum height — fifty (50) feet.
- (7) Minimum yard requirements:

(a) Front — forty (40) feet minimum building setback. Parking areas may be located in the front yard except within ten (10) feet of the front lot line.

(b) Side interior — twenty (20) feet minimum building setback. Parking areas may be located in the side yard except within ten (10) feet of the side lot line.

(c) Side corner — twenty-five (25) feet minimum building setback. Parking areas may be located in the side corner yard except within ten (10) feet of the side corner lot line.

(d) Rear — twenty-five (25) feet.

(8) A six (6) foot high completely opaque masonry wall, or wood fence shall be provided along the entire length of any side or rear property line abating property zoned residential. Landscaping shall be provided in accordance with the landscape requirements of this chapter.

TITLE XVII: LAND DEVELOPMENT CODE

CHAPTER 185: ZONING CODE

§ 185.054 GC - GENERAL COMMERCIAL DISTRICT.

(A) *Intent.* The purpose of the General Commercial District shall be to locate and establish areas within the city which are uniquely suited for heavy commercial development. Such areas are to be developed in an intensive manner and are designed to provide opportunities for small businesses of a variety of types. The uses and development standards included in the district are intended to provide additional opportunities for businesses to locate within the city by providing a mix of service, warehousing, commercial, wholesaling, storage, and similar businesses and uses.

(B) *Principal uses and structures.* The following uses and structures are permitted:

(1) Professional offices (accounting, architecture, engineering, dentistry, medical, insurance, legal, real estate, financial services (non-banking) and similar uses).

(2) General offices (administrative, corporate, business and similar uses).

(3) Personal services (beauty, barber, dry cleaning pick-up and similar uses).

(4) Business services (graphic design, interior design, advertising, photography, printing, employment services, telemarketing, business schools and similar uses).

(5) Financial institutions (banks, credit unions and savings and loans).

(6) Retail sales and service (clothing, jewelry, luggage, shoes, electronics, sporting goods, books, gift shops, florists, photographic supplies, art dealers, tobacco products, grocery stores, drug stores, cosmetic and beauty supply, optical, specialty food and similar uses).

(7) Veterinarians and veterinary clinics.

(8) Schools licensed by the state of Florida.

(9) Day care centers licensed by the state of Florida.

(10) Public uses (any federal, state, county, municipal, special district or similar use).

(11) Funeral homes.

(12) Eating establishments (restaurants, coffee shops, pastry shops, ice cream parlors, cafeterias, snack shops and similar uses).

(13) Major retail sales, rental and service (building supply, major appliances, furniture, paint, hardware, lawn and garden supplies, consumer goods rentals and similar uses).

(14) Plant nurseries and greenhouses.

(15) Public utility facilities.

(16) Clubs, lodges and fraternal organizations.

(17) Building services (pest control, carpet cleaning, janitorial, water treatment, vending and similar uses).

(18) Contractors' offices (plumbers, electricians, carpenters, masons, roofers, builders, cabinet makers, fence installers, gutter and siding installers, flooring and tile installers, drywall installers, painters, heating and air conditioning installers, glass repair and replacement and similar uses).

(19) Wholesale trade, warehousing and storage

(20) Towing services with associated storage.

(21) Upholstery and furniture repair/refinishing.

(22) Medical and dental manufacturing labs.

(23) Welding and machine shops.

(24) Technical and trade schools.

~~(25) Self-storage facilities.~~

~~(26)~~>>(25)<< Retail automotive sales, rental and service (car, boat, recreation vehicle, ATV, and motorcycle sales and service including paint, body and upholstery shops).

~~(27)~~>>(26)<< Assembly of components manufactured off-site.

~~(28)~~>>(27)<< State licensed tattoo parlors.

~~(29)~~>>(28)<< Drinking establishments.

~~(30)~~>>(29)<< Indoor commercial recreation (excluding dance clubs). In buildings with multiple tenants, indoor commercial recreational uses may occupy up to five thousand (5,000) square feet of gross floor area.

(C) Accessory uses and structures. Customary accessory uses of one (1) or more of the principal uses, clearly incidental and subordinate to the principal use, in keeping with the high intensity commercial nature of the district. All storage shall be within an enclosed structure or completely screened by an opaque fence or wall, of at least six (6) feet in height.

(D) Conditional uses.

(1) Permitted uses located on a parcel of ten (10) or more acres of area.

(2) Commercial towers.

(3) Security dwelling unit, subject to the provisions established in § [185.088\(I\)](#).

(4) Canine day care, and related services:

(a) There shall be no more than one (1) dog per thirty-five (35) square feet of the area within the facility that the dogs will be housed.

(b) The facility must have an outdoor area for exercise and bathroom relief. Said area shall be enclosed with a minimum six (6) foot tall fence.

(c) All kennels and housing areas shall be within an air-conditioned building. Outside kenneling will not be permitted.

(d) Fecal matter shall be disposed of on a daily basis.

(e) Dogs shall be indoors between the hours of 10:00 p.m. and 6:00 a.m.

(5) Dancing in eating and drinking establishments.

(6) Churches.

(7) Event halls, subject to the provisions established in § [185.088](#)(J).

(8) Indoor commercial recreation; occupying more than five thousand (5,000) square feet of gross floor area in buildings with multiple tenants.

>>(9) Self-storage facilities subject to the provisions established in § [185.088](#)(F).<<

(E) Prohibited uses and structures.

(1) All uses not specifically permitted herein.

(2) Pawn shops.

(3) Pain-management clinic.

(F) Lot and structure requirements.

(1) Minimum lot area - fifteen thousand (15,000) square feet.

(2) Minimum lot width - one hundred (100) feet.

(3) Minimum lot depth - one hundred fifty (150) feet.

(4) Maximum building coverage - fifty percent (50%).

(5) Minimum floor area - three hundred (300) square feet.

(6) Maximum height - forty (40) feet.

(7) Minimum yard requirements:

(a) Front: thirty (30) feet minimum building setback. Parking areas may be located in the front yard except within ten (10) feet on the front lot line.

(b) Side interior: ten (10) feet minimum building setback. Parking areas may be located in the side yard, except within five (5) feet of the side lot line.

(c) Side corner: twenty-five (25) feet minimum building setback. Parking areas may be located in the side corner yard, except within ten (10) feet of any street.

(d) Rear: ten (10) feet minimum building and parking setback.

(8) Shared access and parking areas.

(a) No side interior building and parking area setbacks are required provided all of the following are met:

1. Buildings on adjacent parcels, under separate ownership, are joined by a common wall;

2. Parking areas and aisles are joined with adjacent parcel(s) under separate ownership;

3. Curb cuts and driveways are shared in common parcels involved and a minimum spacing of one hundred (100) feet is maintained, or access is provided by an approved frontage road; and

4. Easements and/or written assurances of cross access and a sharing of common facilities (stormwater system, solid waste container(s), lighting, landscaping, etc.), as may be applicable, from all property owners involved must be approved prior to the issuance of a building permit.

(b) For adjacent developments meeting the requirements of divisions (F)(8)(a) 2. through 4. above, the total number of off-street parking spaces required for uses on all parcels involved may be reduced by ten percent (10%) where the location of shared parking areas provides convenient access to all principal buildings.

(9) Design requirements.

(a) An Architectural Style for each structure is required. This shall include adherence to all standards contained in § [185.134](#).



LAND DEVELOPMENT DIVISION

120 Malabar Road SE • Palm Bay, FL 32907 • Telephone: (321) 733-3042
Landdevelopment@palmbayflorida.org

CODE TEXTUAL AMENDMENT APPLICATION

This application must be deemed complete and legible, and must be returned by the first day of the month during division office hours, with all enclosures referred to herein, to the Land Development Division, Palm Bay, Florida, to be processed for consideration the following month at the earliest by the Planning and Zoning Board. The application will then be referred by the Planning and Zoning Board for study and recommendation to the City Council. You or your representative are required to attend the meeting(s) and will be notified by mail of the date and time of the meeting(s). The Planning and Zoning Board holds their regular meeting the first Wednesday of every month at 7:00 p.m. in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, unless otherwise stated.

ORDINANCE SECTION(S) PROPOSED TO BE CHANGED:

Section 185.088, Special Requirements and Conditions
Section 185.045, LI - Light Industrial and Warehousing District
Section 185.046, HI - Heavy Industrial District
Section 185.054, GC - General Commercial District

PROPOSED LANGUAGE (attach addendum if necessary):

See attached

JUSTIFICATION FOR PROPOSED CHANGE (attach other documents if necessary)

At the request of Councilman Johnson, updating requirements for self-storage facilities when a condition use permit is required. Also making self-storage a conditional use in the General Commercial District, and a permitted use in the Light Industrial and Warehousing and the Heavy Industrial Districts.

CITY OF PALM BAY, FLORIDA
CODE TEXTUAL AMENDMENT APPLICATION
PAGE 2 OF 2

THE APPLICATION FEE MUST BE SUBMITTED WITH APPLICATION TO PROCESS THIS REQUEST:

☐ *\$1,500.00 Application Fee. Make Check payable to "City of Palm Bay."

I, the undersigned understand that this application must be complete and accurate before consideration by the Planning and Zoning Board/Local Planning Agency and certify that all the answers the questions in said application, and all data and matter attached to and made a part of said application are honest and true to the best of my knowledge and belief.

Under penalties of perjury, I declare that I have read the foregoing code textual amendment application and that the facts stated in it are true.

Signature of Applicant



Date

3/1/23

Printed Name of Applicant City of Palm Bay, Growth Management Department

Full Address 120 Malabar Road SE, Palm Bay, FL 32907

Telephone 321-733-3042 Email alexandra.bernard@palmbayflorida.org

PERSON TO BE NOTIFIED (If different from above):

Printed Name

Full Address

Telephone Email

*NOTE: APPLICATION FEE IS NON-REFUNDABLE UPON PAYMENT TO THE CITY



Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CITY OF PALM BAY
Address: SUITE 201
PALM BAY FL 32907
USA

Ad No.: 0005638605
Pymt Method Invoice
Net Amount 85.58

Run Times: 1

No. of Affidavits: 1

Run Dates: 03/23/23

Text of Ad:

Ad#5638605 03/23/2023

**CITY OF PALM BAY, FLORIDA
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Planning and Zoning Board/Local Planning Agency on April 5, 2023, and by the City Council on April 6, 2023, both to be held at 6:00 p.m., in the City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida, for the purpose of considering the following case(s):

1. T23-00003 - City of Palm Bay (Growth Management Department - Requested by Councilman Kenny Johnson)

A textual amendment to the Code of Ordinances, Title XVII, Land Development Code, Chapter 185: Zoning Code, Section 185.088, Special Requirements and Conditions; Section 185.045 LI - Light Industrial and Warehousing District; Section 185.046 HI - Heavy Industrial District; and Section 185.054, GC - General Commercial District; to amend the locations, requirements, and conditions for self-storage facilities

If an individual decides to appeal any decision made by the Planning and Zoning Board/Local Planning Agency or 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.

Please contact the Palm Bay Land Development Division at (321) 733-3041 should you have any questions regarding the referenced cases.

Chandra Powell
Planning Specialist

ORDINANCE 2023-17

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 185, ZONING CODE, SUBCHAPTERS 'DISTRICT REGULATIONS' AND 'CONDITIONAL USES', BY MODIFYING PROVISIONS RELATED TO SELF-STORAGE FACILITIES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'District Regulations', Section 185.045, LI – Light Industrial and Warehousing District, is hereby amended and shall henceforth read as follows:

"Section 185.045 LI — LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT.

* * *

(B) *Principal uses and structures:*

* * *

>>(15) Self-storage facilities.<<

* * *

SECTION 2. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'District Regulations', Section 185.046, HI – Heavy Industrial District, is hereby amended and shall henceforth read as follows:

"Section 185.045 LI — LIGHT INDUSTRIAL AND WAREHOUSING DISTRICT.

* * *

(B) *Principal uses and structures:*

* * *

>>(20) Self-storage facilities.<<

* * *

SECTION 3. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 185, Zoning Code, Subchapter 'District Regulations', Section 185.054, GC – General Commercial District, is hereby amended and shall henceforth read as follows:

“Section 185.054 GC – GENERAL COMMERCIAL DISTRICT.

* * *

(B) *Principal uses and structures:* The following uses and structures are permitted:

* * *

~~(25) Self-storage facilities.~~

(26) >>(25)<< Retail automotive sales, rental and service (car, boat, recreation vehicle, ATV, and motorcycle sales and service including paint, body and upholstery shops).

(27) >>(26)<< Assembly of components manufactured off-site.

(28) >>(27)<< State licensed tattoo parlors.

(29) >>(28)<< Drinking establishments.

(30) >>(29)<< Indoor commercial recreation (excluding dance clubs). In buildings with multiple tenants, indoor commercial recreational uses may occupy up to five thousand (5,000) square feet of gross floor area.

* * *

(D) Conditional uses.

* * *

>>(9) Self-storage facilities subject to the provisions established in § 185.088(F).<<

* * *

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 5. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 6. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 7. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.



LEGISLATIVE MEMORANDUM

DATE: 4/6/2023

RE: Adoption of Minutes: Meeting 2023-04; February 16, 2023.

ATTACHMENTS:

Description

Minutes - Meeting 2023-04

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING 2023-04

Held on Thursday, the 16th day of February 2023, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 6:00 P.M.

Pastor Paul Fournier, Lifepoint Church, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

| | | |
|-----------------------|-----------------|---------|
| MAYOR: | Rob Medina | Present |
| DEPUTY MAYOR: | Donny Felix | Present |
| COUNCILMEMBER: | Kenny Johnson | Present |
| COUNCILMEMBER: | Randy Foster | Present |
| COUNCILMEMBER: | Peter Filiberto | Absent |
| CITY MANAGER: | Suzanne Sherman | Present |
| CITY ATTORNEY: | Patricia Smith | Present |
| CITY CLERK: | Terese Jones | Present |

CITY STAFF: Joan Junkala-Brown, Deputy City Manager; Juliet Misconi, Deputy City Manager; Alexandra Bernard, Growth Management Director; Nancy Bunt, Community and Economic Development Director; Mariano Augello, Police Chief; Frank Watanabe, City Engineer.

ANNOUNCEMENTS:

Deputy Mayor Felix announced the following vacancies and solicited applications for same:

- 1. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++**
- 2. One (1) vacancy on the Planning and Zoning Board (represents 'at-large' position).+**

AGENDA REVISION(S):

Ms. Sherman announced the following revisions:

- A. Item 1, under Proclamations and Recognitions, had been withdrawn.**

B. Items 1 and 2, under Presentations, had been withdrawn.

C. The applicant for Item 4, under Public Hearings (Case PD-36-2022), requested a continuance to the April 6, 2023, regular Council meeting.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to continue Case PD-36-2022 to the April 6, 2023, regular Council meeting. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

D. At the request of Councilman Johnson, discussion of directing the City Attorney to draft a letter to the Office of the Governor requesting the Governor suspend Councilman Peter Filiberto pursuant to Section 112.51, Florida Statutes, had been added as Item 3, under New Business.

E. At the request of Mayor Medina, discussion of immediate drug testing for councilmembers had been added as Item 4, under New Business.

F. Consideration of councilmembers attending the 2023 Legislative Action Days in Tallahassee had been added as Item 5, under New Business.

Motion by Mr. Johnson, seconded by Mayor Medina, to consider Items 3 and 4, under New Business, prior to the first Public Comments heading on the agenda. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

PROCLAMATIONS AND RECOGNITIONS:

The proclamation was read, and the individuals were recognized.

1. Proclamation: Black History Month - February 2023. (Deputy Mayor Felix)

The item, announced under Agenda Revisions, had been withdrawn.

2. Proclamation: Bleeding Disorder Awareness Month - March 2023.

3. Recognitions: One (1) year of service as a City board member on the Disaster Relief Committee - Stephen Hayes; Keith Miller; Eunhea Park.

PRESENTATIONS:

1. Kittelson & Associates, traffic engineering subconsultant to Consor Engineers – northwest and southeast traffic studies update.

The item, announced under Agenda Revisions, had been withdrawn.

2. Black History Month. (Councilman Foster)

The item, announced under Agenda Revisions, had been withdrawn.

Council concurred to consider Items 3 and 4, under New Business, at this time.

3. Discussion of directing the City Attorney to draft a letter to the Office of the Governor requesting the Governor suspend Councilman Peter Filiberto pursuant to Section 112.51, Florida Statutes. (Councilman Johnson) (AGENDA REVISION)

Ms. Smith presented the item to Council. She advised of Section 112.51, Florida Statutes, which provided the process by which a municipal officer may be suspended or removed from office by the Governor. City Council did not have the ability to remove another councilmember because they had been charged with a felony.

Mr. Johnson asked about absences from Council meetings. Mrs. Jones noted that pursuant to Section 3.063, of the Palm Bay City Charter, absence from four (4) consecutive regular meetings or a total of six (6) regular meetings within a 12-month period shall vacate the seat of the member.

Numerous individuals commented and felt that Mr. Filiberto should resign.

Motion by Mr. Johnson, seconded by Mr. Foster, to direct the City Attorney to draft a letter to the Office of the Governor requesting the Governor suspend Councilman Peter Filiberto pursuant to Section 112.51, Florida Statutes.

Mr. Foster said that Mr. Filiberto took an oath of office to uphold the Constitutions of the United States and Florida and he violated that oath. He requested Mr. Filiberto resign immediately.

Deputy Mayor Felix said Mr. Filiberto should do the right thing for himself, the city, and the residents and resign immediately.

Mayor Medina reiterated that the only authority Council had in this situation was to send a letter to the Governor requesting the suspension of their fellow councilman. He supported the motion.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

**4. Discussion of immediate drug testing for councilmembers. (Mayor Medina)
(AGENDA REVISION)**

Mayor Medina presented the item to Council. He had researched that a Council in Burbank, California, had implemented quarterly drug testing for the councilmembers, and he wanted Council to consider a similar policy. Mayor Medina said it could not be mandated but urged Council to be transparent and volunteer to do so.

Individuals made comments stating that no one would see the results; questioning if the policy was for all employees and what corrective actions would be posed; a policy should not be set based on bad behaviors or criminal actions of one person; and why background checks and credit checks were not performed on candidates by the city.

Mayor Medina relinquished the chair to the Deputy Mayor and made a motion that City Council be subjected to drug testing on a voluntary, quarterly basis. Mr. Johnson seconded the motion.

Mayor Medina asked about background checks for members of Council. Ms. Smith explained that neither the City Clerk nor any other city official had the ability or authority to prevent a person from being placed on the ballot or stop them from being sworn into office. If someone felt that a person should be disqualified, a court order would be needed. Random urinalysis could be performed in the private sector, but a governmental agency would need a reason to do so. Drug tests were considered searches under the law, and it would be unconstitutional to randomly test employees or officials without having some suspicion that the person actually engaged in some type of drug use.

Mayor Medina said he wanted this to be voluntary, possibly every quarter and the councilmember could just disclose whether the test was a pass or fail. Mr. Johnson understood the intent but other than the voters being aware of the results, there was no other recourse should a councilmember fail the test. Mr. Foster disagreed with the testing and said that he was not going to give up his constitutional right because of Mr. Filiberto's mistake. Deputy Mayor Felix did not support drug testing and felt it would set a negative precedent.

Motion failed with members voting as follows:

| | |
|--------------------|-----|
| Mayor Medina | Yea |
| Deputy Mayor Felix | Nay |
| Councilman Johnson | Yea |
| Councilman Foster | Nay |

Mayor Medina resumed as presiding officer.

PUBLIC COMMENT(S)/RESPONSE(S): (Non-agenda Items Only)

Individuals made general comments.

PUBLIC HEARING(S):

1. Ordinance 2023-07, vacating a portion of the rear public utility and drainage easement located within Lot 4, Block 1186, Port Malabar Unit 24 (Case VE-8-2022, Emily Flagge), first reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Johnson, seconded by Mr. Foster, to approve Ordinance 2023-07. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

2. Ordinance 2023-08, vacating a portion of the rear public utility and drainage easement located within Lot 6, Block 470, Port Malabar Unit 11 (Case VE-11-2022, Tami and David Lee), first reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-08. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

3. Ordinance 2022-116, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to St. Johns Heritage Parkway, in the vicinity east of Melbourne-Tillman Water Control District Canal 2R, from Residential Open Space Use, Single-Family Residential Use, Multiple-Family Residential Use, and Commercial Use to Multiple-Family Residential Use (1198.1 acres) (Case CP-30- 2022, Palm Vista Preserve, LLC), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. Ana Saunders, BSE Consultants and representative for the applicant, presented the request to Council.

Mayor Medina said there should be a balance of commercial property and the plans only reflected houses. He wanted to see something similar to Viera master plan and more institutional uses. Mr. Johnson agreed with Mayor Medina's comments. Ms. Saunders responded to questions posed by councilmembers. She noted that there was currently sixty (60) acres of commercially zoned property in that area.

Randall Olszewski, resident, said more commercial was not needed. He said the most appropriate use would be mixed use. Other residents commented that more homes were not needed in the city, and that public safety, traffic and infrastructure had to be addressed.

Ms. Saunders responded to public comments. She said a prospective fire station site was currently being discussed at the intersection of Malabar Road and St. Johns Heritage Parkway (Parkway). She considered this project a mixed-use plan as it included commercial, a mixture of single-family homes, duplex townhomes and villas, four- and six-plex townhomes and multifamily condominiums. There was further discussion regarding the traffic study, widening of the Parkway, and wetlands on the site. Greg Pettibon, Lennar Homes, provided further information regarding the project.

The public hearing was closed.

Motion Mr. Foster seconded Deputy Mayor Felix to adopt Ordinance 2022-116.

Motion failed with members voting as follows:

| | |
|--------------------|-----|
| Mayor Medina | Nay |
| Deputy Mayor Felix | Yea |
| Councilman Johnson | Nay |
| Councilman Foster | Yea |

4. Resolution 2022-60, granting approval of a Preliminary Development Plan for a proposed mixed residential development to be known as 'Palm Vista Everlands West PUD' in AU (Agricultural Residential) (Brevard County) zoning, which property is located west of and adjacent to St. Johns Heritage Parkway, in the vicinity east of Melbourne-Tillman Water Control District Canal 2R (1198.1 acres) (Case PD-36-2022, Palm Vista Preserve, LLC). (Quasi-Judicial Proceeding) (CONTINUED FROM 02/02/23 RCM)

The item, considered under Agenda Revisions, was continued to the April 6, 2023, regular Council meeting; however, due to the denial of Ordinance 2022-116, this item was rendered moot.

5. Ordinance 2023-06, amending the Code of Ordinances, Chapter 169, Land Development Code, by modifying provisions related to Citizen Participation Plans (Case T-7-2023, City of Palm Bay), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-06. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

6. Consideration of the Fiscal Year 2023-2024 Annual Action Plan, Community Development Block Grant, and recommendations of programs and activities, first hearing.

The Community Development Advisory Board recommended approval of Community Development Block Grant (CDBG) funding for the following five (5) entities:

- Aging Matters in Brevard (\$27,900)
- Grand Parents Raising Grandchildren (\$14,572.40)
- Greater Melbourne Police Athletic League (PAL) (\$21,250)
- South Brevard Women's Center (\$38,500)
- Space Coast Area Transit (SCAT) Bus Voucher Program (\$6,567)
- Palm Bay Parks and Facilities (\$461,086 for improvements at Goode Park)

This distribution would provide \$108,789.90 for public services, \$471,422.90 for public facility improvements, with the remaining \$145,053.20 (twenty percent (20%) of grant allocation) allocated to Planning and Administration activities related to administering the grant program.

The public hearing was opened. Ms. Bunt presented the item to Council. Agency representatives gave detailed information on the services provided to the community and responded to questions posed by councilmembers.

Isabel Wright, resident, disagreed with Melbourne PAL receiving funding when Palm Bay should be receiving such funding if it had a program of its own.

There was discussion of reallocating the funding (\$50,000) that was not given to The Source. Ms. Bunt advised of the thirty (30) day termination clause in the contract and

the City could possibly terminate the contract and reallocate the full \$50,000. Mayor Medina wanted to see that the children of Palm Bay were served as well, not just in Melbourne. Chief Augello advised that Police staff was currently in discussion with the Recreation Department regarding summer youth programs.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve the Fiscal Year 2023-2024 Annual Action Plan, Community Development Block Grant, and recommendations of programs and activities. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

7. Consideration of a Substantial Amendment to the Fiscal Year 2019-2020 Annual Action Plan and recommendations for CDBG-CV (CARES Act) funding, only one hearing required.

The Community Development Advisory Board recommended approval of CDBG-CV 1 and 3 funding for the following four (4) entities:

- Brevard Alzheimer's Foundation Inc (\$38,556.75)
- Catholic Charities of Central Florida (\$30,000)
- Greater Melbourne PAL (\$22,000)
- Helping Seniors of Brevard (\$37,000)

This distribution would provide \$127,556.75 in CDBG-CV 1 and 3 funding to Palm Bay residents for eligible programs and services.

The public hearing was opened. Mrs. Bunt presented the item to Council. The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve the recommendations of the Community Development Advisory Board, awarding \$127,556.75 in FY 2019-2020 CDBG-CV 1 and 3 funding to eligible entities. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

CONSENT AGENDA:

All items of business under the 'Consent Agenda' heading were enacted by the following motion:

Motion by Deputy Mayor Felix, seconded by Mr. Foster, that the Consent Agenda be approved as presented with the removal of Item 2 from consent. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

1. Adoption of Minutes: Meeting 2023-02; January 19, 2023.

The minutes, considered under Consent Agenda, were approved as presented.

2. Award of Bid: Valve Insertion Equipment, Team Brand Only – IFB 16-0-2023 – Utilities Department (Consolidated Pipe & Supply - \$120,925); and request to standardize the Team brand valve equipment.

Staff Recommendation: 1) standardize the Team brand valve equipment and 2) approve the award for Valve Insertion Equipment, Team Brand Only (rebid) to Consolidated Pipe & Supply (Mobile, Alabama). The term of the contract for the purchase of insertion valves will be for one (1) year with the option to renew for an additional four (4) twelve (12) month periods.

Bill Battin, resident, questioned the long-range plan of getting water and sewer to those neighborhoods that have none. Ms. Sherman said the first step would be to increase the capacity of the utilities plant and the second step would be funding, but there was an active appropriations request with the state to assist with the planning; however, funding was the biggest challenge.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve the award for valve insertion equipment as recommended by staff. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

3. Award of Bid: Lift Station 27 rehabilitation – IFB 17-0-2023 – Utilities Department (Danus Utilities, Inc. - \$127,600); and approve appropriation of funds on the next scheduled Budget Amendment (\$40,360).

Staff Recommendation: 1) Approve appropriation of \$40,360 on the next scheduled budget amendment; and 2) approve the award for Lift Station 27 Rehabilitation to Danus Utilities, Inc. (Sanford).

The item, considered under Consent Agenda, was approved as recommended by City staff.

4. Miscellaneous: ‘Cooperative Purchase’, two (2) Carrier chiller replacements, City Hall Annex Building and Police Department Headquarters (Sourcewell Cooperative Contract) – Parks and Facilities Department (Carrier - \$295,890).

Staff Recommendation: Approve procurement of two (2) chillers for Annex and PD HQ from Carrier utilizing Sourcewell Cooperative Contract.

The item, considered under Consent Agenda, was approved as recommended by City staff.

5. Consideration of submitting a grant application to the Florida Inland Navigation District (FIND) Waterway Assistance Program (WAP) for continued improvements to Castaway Point Park.

Staff Recommendation: Authorize staff to submit an application to the Florida Inland Navigation Program (FIND) Waterway Assistance Programs (WAP); and direct the City Manager to allocate no more than \$100,000 in matching funds during the Fiscal Year 2024 budget process.

The item, considered under Consent Agenda, was approved as recommended by City staff.

6. Consideration of travel and training for specified City employees (Building Department).

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

7. Acknowledgement of the City’s travel expenses for the first quarter of Fiscal Year 2023 (October 2022 – December 2022).

The item, considered under Consent Agenda, was acknowledged by City Council.

8. Acknowledgement of the City’s monthly financial report for December 2022 (Unaudited).

The item, considered under Consent Agenda, was acknowledged by City Council.

9. Acknowledgement of the City’s quarterly Budget Monitoring Report for the first quarter of Fiscal Year 2023 (Unaudited).

The item, considered under Consent Agenda, was acknowledged by City Council.

10. Acknowledgement of the February 2023 GO Road Bond Paving report update.

The item, considered under Consent Agenda, was acknowledged by City Council.

NEW BUSINESS:

1. Consideration of councilmembers attending the Florida Black Caucus of Local Elected Officials in Kissimmee, March 2-3, 2023.

Deputy Mayor Felix and Councilman Foster would attend the conference.

2. Consideration of councilmembers attending the National League of Cities 2023 Congressional City Conference in Washington, DC, March 24-28, 2023.

Mayor Medina wanted to attend the conference and if unable to do so, Deputy Mayor Felix would attend, along with Mrs. Junkala-Brown.

3. Discussion of directing the City Attorney to draft a letter to the Office of the Governor requesting the Governor suspend Councilman Peter Filiberto pursuant to Section 112.51, Florida Statutes. (Councilman Johnson) (AGENDA REVISION)

The item was discussed earlier prior to Public Comments.

4. Discussion of immediate drug testing for councilmembers. (Mayor Medina) (AGENDA REVISION)

The item was discussed earlier prior to Public Comments.

5. Consideration of councilmembers attending the 2023 Legislative Action Days in Tallahassee, April 3-5, 2023. (AGENDA REVISION)

Mayor Medina, Deputy Mayor Felix, and Mr. Foster would attend the conference.

COMMITTEE AND COUNCIL REPORTS:

Councilmembers addressed various subject matters and provided updates on activities of agencies and boards on which they served as members.

1. Mayor Medina made the following reports:

- A. Appointed Logan Luse to Recreation Advisory Board.

B. Requested consensus to replace Mr. Filiberto on the Economic Development Commission. Council concurred.

2. Deputy Mayor Felix reappointed Wudson Fenelon to the Recreation Advisory Board.

ADMINISTRATIVE AND LEGAL REPORTS:

There were no reports.

PUBLIC COMMENTS/RESPONSES:

Individuals made general comments.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 10:56 P.M.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

DATE: 4/6/2023

RE: Adoption of Minutes: Meeting 2023-05; February 23, 2023.

ATTACHMENTS:

Description

Minutes - Meeting 2023-05

CITY OF PALM BAY, FLORIDA
SPECIAL COUNCIL MEETING 2023-05

Held on Thursday, the 23rd day of February 2023, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 6:00 P.M.

ROLL CALL:

| | | |
|-----------------------|-----------------|---------|
| MAYOR: | Rob Medina | Present |
| DEPUTY MAYOR: | Donny Felix | Present |
| COUNCILMEMBER: | Kenny Johnson | Present |
| COUNCILMEMBER: | Randy Foster | Present |
| COUNCILMEMBER: | Vacant | |
| CITY MANAGER: | Suzanne Sherman | Present |
| CITY ATTORNEY: | Patricia Smith | Present |
| CITY CLERK: | Terese Jones | Present |

Councilman Foster attended the meeting via teleconference.

BUSINESS:

1. Resolution 2023-06, declaring the position of Seat 5 on the Palm Bay City Council vacated as of February 17, 2023.

The City Attorney read the resolution in caption only.

Individuals made general comments.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2023-06. Mayor Medina felt Council should be prudent in its selection for the vacancy and have background checks performed on the applicants, just as was done for city employees. He would address the background checks under Item 2, Business. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

2. Ordinance 2023-10, amending the Code of Ordinances, Chapter 50, Elections, Subchapter 'Filling of Vacancies', by modifying provisions contained therein pursuant to the Palm Bay City Charter, first reading.

The City Attorney read the ordinance in caption only.

Individuals made general comments about the background checks being considered for a temporary position on Council when the elected members were not required to do so.

Bill Battin, resident, questioned when the term for the temporary ended and how individuals could apply. Mayor Medina responded that the term would end in November 2024 with the general election. Mrs. Jones added that applications would be posted on the City's website upon approval of the first reading of the ordinance at tonight's meeting. The deadline to apply would be Wednesday, March 29th, by 5:00 P.M.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-10.

Mayor Medina reiterated his desire to include a background check for those submitting applications. Mr. Johnson had no issue with the background check but was concerned about any related legal issues. Ms. Smith said that to perform the same background check as an employee, it would take approximately thirty (30) days and Council could not afford that much time without triggering a special election. There was an abbreviated test through the Florida Department of Law Enforcement that had a turnaround of approximately two (2) days. Staff would have to create a consent form for same. The approximate cost to perform the background check was \$45.00. Mr. Johnson felt the cost should be borne by the applicant, similar to how candidates had to pay a qualifying fee.

Mr. Johnson withdrew his motion and Deputy Mayor Felix withdrew his second to the motion.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-10, to include a \$45.00 application fee for the background check and if an applicant did not consent to the background check, the individual would be disqualified.

Mr. Foster did not want to change the requirements, especially when Council did not currently have to meet those same requirements. Board members did not have to go through a background check, and he felt the background check should be optional.

Motion carried with members voting as follows:

| | |
|--------------------|-----|
| Mayor Medina | Yea |
| Deputy Mayor Felix | Yea |
| Councilman Johnson | Yea |
| Councilman Foster | Nay |

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 6:58 P.M.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director; George Barber, Chief Procurement Officer

DATE: 4/6/2023

RE: Award of Bid: Road bond paving (Units 13 and 14, Madden Avenue and Osmosis Drive) - IFB 21-0-2023 - Public Works Department (Timothy Rose Contracting, Inc. - \$10,954,848).

The Unit 13 & 14, Madden Avenue and Osmosis Drive Road Paving Project is part of the G.O. Road Bond Paving program. These streets are part of Phase 3, which was endorsed by the Infrastructure Advisory & Oversight Board on November 22, 2021, and subsequently approved by City Council on February 3, 2022. The project consists of Full Depth Reclamation (FDR), mill and pave, and thin lift asphalt overlays within Units 13, 14, Madden Avenue and Osmosis Drive.

Three (3) bids were received, and the Procurement Department staff have reviewed the bids for responsiveness. The Public Works (PW) Department evaluated the bids for responsibility and ability to perform the work scope and found both the bids to be responsive. The PW Department found the lowest responsive bid from Timothy Rose Contracting, Inc. to be acceptable.

The City's Engineers Estimate for the project was \$12,431,825.57. The bid from Timothy Rose Contracting, Inc. is \$10,954,848.18. The Public Works Engineering Division staff has reviewed the pay items, proposed subcontractors, equipment list, and is satisfied with the evidence provided by the contractor. Staff recommends that Council award IFB# 21-0-2023 – Road Bond Paving – Units 13, 14, Madden Avenue and Osmosis Drive to Timothy Rose Contracting, Inc. located at 825 8th Street, Vero Beach, FL 32962.

REQUESTING DEPARTMENT:

Public Works, Procurement

FISCAL IMPACT:

Total project award will be \$10,945,848.18. Funds are available in account 309-7090-541-63-03, Projects 22GO08 Unit 13 Road Paving (\$4,623,411.70), 22GO09 Unit 14 Road Paving (\$3,763,634.98), and 22GO16 Madden Ave and Osmosis Drive Road Paving (\$2,558,801.50). Funds will be appropriated on Budget Amendment #2.

RECOMMENDATION:

Motion to approve award of IFB# 21-0-2023 – Road Bond Paving – Units 13, 14, Madden Avenue and Osmosis Drive to Timothy Rose Contracting, Inc. located at 825 8th Street, Vero Beach, FL 32962.

ATTACHMENTS:

Description

Tabulation Sheet

Tabulation Sheet

| 21-0-2023 Road Bond Paving - Units 13, 14, Madden Ave, and Osmosis Dr. | | | | | Timothy Rose Contracting, Inc. 825 8th Street 772-564-7800 accounting@timothyrosecontracting.com | | Preferred Materials, Inc. 1806 33rd Street, Suite 150 407-343-7445 lonnie.schaub@preferredmaterials.com | | Ranger Construction Industries, Inc. 4510 Glades Cutoff Road 772-464-6460 elena.arango@rangerconstruction.com estimating@rangerconstruction.com | |
|--|------------------|--|---------|------|--|-----------------|--|-----------------|---|-----------------|
| ITEM NUMBER | FDOT Pay Item | ITEM DESCRIPTION | Qty | UOM | Unit Price | Price Extended | Unit Price | Price Extended | Unit Price | Price Extended |
| 1 | 101-1 | Mobilization | 1 | LS | \$ 582,200.00 | \$ 582,200.00 | \$ 538,000.00 | \$ 538,000.00 | \$ 501,000.00 | \$ 501,000.00 |
| 2 | 102-1 | Maintenance of Traffic | 1 | LS | \$ 192,835.00 | \$ 192,835.00 | \$ 435,000.00 | \$ 435,000.00 | \$ 616,480.00 | \$ 616,480.00 |
| 3 | 104-1 | Erosion Control | 1 | LS | \$ 19,275.00 | \$ 19,275.00 | \$ 19,380.00 | \$ 19,380.00 | \$ 25,000.00 | \$ 25,000.00 |
| 4 | 110-4-10 | Removal of Existing Concrete | 185 | SY | \$ 25.50 | \$ 4,717.50 | \$ 25.68 | \$ 4,750.80 | \$ 22.45 | \$ 4,153.25 |
| 5 | | Cut Back/Herbicide Spraying | 44,288 | LF | \$ 0.95 | \$ 42,073.60 | \$ 1.00 | \$ 44,288.00 | \$ 0.25 | \$ 11,072.00 |
| 6 | | Edge Grading | 177,152 | LF | \$ 1.50 | \$ 265,728.00 | \$ 1.50 | \$ 265,728.00 | \$ 0.45 | \$ 79,718.40 |
| 7 | | Patch Repair/Leveling Asphalt (10% of Thin Lift) | 1 | LS | \$ 275,000.00 | \$ 275,000.00 | \$ 272,000.00 | \$ 272,000.00 | \$ 172,000.00 | \$ 172,000.00 |
| 8 | | Full Depth Reclamation (FDR) and Pulverization - 8" Depth | 22,889 | SY | \$ 6.65 | \$ 152,211.85 | \$ 6.75 | \$ 154,500.75 | \$ 8.85 | \$ 202,567.65 |
| 9 | | Cement - Cement Treated Base (2%) | 282 | Ton | \$ 265.00 | \$ 74,730.00 | \$ 275.00 | \$ 77,550.00 | \$ 267.00 | \$ 75,294.00 |
| 10 | | Asphalt Emulsion (2%) | 36,622 | Gal | \$ 3.95 | \$ 144,656.90 | \$ 4.00 | \$ 146,488.00 | \$ 4.55 | \$ 166,630.10 |
| 11 | 327-70-1 | Milling Existing Asphalt Pavement, 1" Ave Depth (Driveway/Side St) | 5,052 | SY | \$ 4.50 | \$ 22,734.00 | \$ 5.25 | \$ 26,523.00 | \$ 7.45 | \$ 37,637.40 |
| 12 | 327-70-6 | Milling Existing Asphalt Pavement, 1.5" Ave Depth | 69,438 | SY | \$ 2.50 | \$ 173,595.00 | \$ 2.50 | \$ 173,595.00 | \$ 1.85 | \$ 128,460.30 |
| 13 | 334-1-13 | Superpave Asphalt Concrete, Traffic C, PG 76-22 SP 9.5, 1" Thin Lift Overlay | 6,385 | Ton | \$ 178.00 | \$ 1,136,530.00 | \$ 175.00 | \$ 1,117,375.00 | \$ 217.40 | \$ 1,388,099.00 |
| 14 | 334-1-13 | Superpave Asphalt Concrete, TrafficC, PG 76-22 SP9.5, 1.5" Overlay | 5,729 | Ton | \$ 169.00 | \$ 968,201.00 | \$ 167.00 | \$ 956,743.00 | \$ 187.80 | \$ 1,075,906.20 |
| 15 | 334-1-13 | Superpave Asphalt Concrete, TrafficC, PG 76-22 SP9.5, 2" Overlay | 2,518 | Ton | \$ 147.25 | \$ 370,775.50 | \$ 145.00 | \$ 365,110.00 | \$ 169.60 | \$ 427,052.80 |
| 16 | 522-1 | Concrete Sidewalk & Driveway, 4" Thick | 185 | SY | \$ 73.50 | \$ 13,597.50 | \$ 75.00 | \$ 13,875.00 | \$ 167.30 | \$ 30,950.50 |
| 17 | 527-2 | Detectable Warnings | 416 | SF | \$ 47.00 | \$ 19,552.00 | \$ 48.00 | \$ 19,968.00 | \$ 37.00 | \$ 15,392.00 |
| 18 | 570-1-2 | Performance Turf, Sod | 39,367 | SY | \$ 3.25 | \$ 127,942.75 | \$ 4.44 | \$ 174,789.48 | \$ 2.50 | \$ 98,417.50 |
| 19 | 706-1-3 | Raised Pavement Markers, Type B | 414 | Each | \$ 4.20 | \$ 1,738.80 | \$ 4.28 | \$ 1,771.92 | \$ 4.65 | \$ 1,925.10 |
| 20 | 711-11-123 | Thermoplastic, Standard, White Solid 12" Crosswalk | 1,124 | LF | \$ 2.00 | \$ 2,248.00 | \$ 2.10 | \$ 2,360.40 | \$ 2.30 | \$ 2,585.20 |
| 21 | 711-11-125 | Thermoplastic, Standard, White 24" Stop Line & Crosswalks | 337 | LF | \$ 5.20 | \$ 1,752.40 | \$ 5.30 | \$ 1,786.10 | \$ 5.75 | \$ 1,937.75 |
| 22 | 711-11-160 | Thermoplastic, Standard, White Message or Symbol | 4 | Each | \$ 472.50 | \$ 1,890.00 | \$ 481.50 | \$ 1,926.00 | \$ 523.50 | \$ 2,094.00 |
| 23 | 711-11-170 | Thermoplastic, Standard, White Arrow | 4 | Each | \$ 78.75 | \$ 315.00 | \$ 80.25 | \$ 321.00 | \$ 87.20 | \$ 348.80 |
| 24 | 711-11-101 | Thermoplastic, Standard, White Solid 6" Line | 14,220 | LF | \$ 0.89 | \$ 12,655.80 | \$ 0.91 | \$ 12,940.20 | \$ 1.00 | \$ 14,220.00 |
| 25 | 711-15-201 | Thermoplastic, Standard, Yellow Solid 6" Line | 18,490 | LF | \$ 0.89 | \$ 16,456.10 | \$ 0.91 | \$ 16,825.90 | \$ 1.00 | \$ 18,490.00 |
| UNIT 13 SUB-TOTAL | | | | | \$ 4,623,411.70 | | \$ 4,843,595.55 | | \$ 5,097,431.95 | |

Tabulation Sheet

| <p>21-0-2023</p> <p>Road Bond Paving - Units 13, 14, Madden Ave, and Osmosis Dr.</p> | | | | | <p>Timothy Rose Contracting, Inc. 825 8th Street Vero Beach, FL 32962 772-564-7800 accounting@timothyrosecontracting.com</p> | | <p>Preferred Materials, Inc. 1806 33rd Street, Suite 150 Orlando, FL 32839 407-343-7445 lonnie.schaub@preferredmaterials.com</p> | | <p>Ranger Construction Industries, Inc. 4510 Glades Cutoff Road Ft. Pierce, FL 34981 772-464-6460 elena.arango@rangerconstruction.com estimating@rangerconstruction.com</p> | |
|--|------------------|--|---------|------|---|-----------------|--|-----------------|---|-----------------|
| ITEM NUMBER | FDOT Pay Item | ITEM DESCRIPTION | Qty | UOM | Unit Price | Price Extended | Unit Price | Price Extended | Unit Price | Price Extended |
| 1 | 101-1 | Mobilization | 1 | LS | \$ 485,075.00 | \$ 485,075.00 | \$ 481,000.00 | \$ 481,000.00 | \$ 411,000.00 | \$ 411,000.00 |
| 2 | 102-1 | Maintenaace of Traffic | 1 | LS | \$ 166,950.00 | \$ 166,950.00 | \$ 373,000.00 | \$ 373,000.00 | \$ 545,750.00 | \$ 545,750.00 |
| 3 | 104-1 | Erosion Control | 1 | LS | \$ 15,600.00 | \$ 15,600.00 | \$ 15,616.76 | \$ 15,616.76 | \$ 25,000.00 | \$ 25,000.00 |
| 4 | 110-4-10 | Removal of Existing Concrete | 171 | SY | \$ 23.00 | \$ 3,933.00 | \$ 22.73 | \$ 3,886.83 | \$ 21.65 | \$ 3,702.15 |
| 5 | | Cut Back/Herbicide Spraying | 35,780 | LF | \$ 0.85 | \$ 30,413.00 | \$ 0.85 | \$ 30,413.00 | \$ 0.25 | \$ 8,945.00 |
| 6 | | Edge Grading | 143,118 | LF | \$ 1.45 | \$ 207,521.10 | \$ 1.42 | \$ 203,227.56 | \$ 0.25 | \$ 35,779.50 |
| 7 | | Patch Repair/Leveling Asphalt (10% of Thin Lift) | 1 | LS | \$ 249,000.00 | \$ 249,000.00 | \$ 242,000.00 | \$ 242,000.00 | \$ 150,000.00 | \$ 150,000.00 |
| 8 | | Full Depth Reclamation (FDR) and Pulverization - 8" Depth | 20,455 | SY | \$ 6.50 | \$ 132,957.50 | \$ 6.75 | \$ 138,071.25 | \$ 9.75 | \$ 199,436.25 |
| 9 | | Cement - Cement Treated Base (2%) | 252 | Ton | \$ 265.00 | \$ 66,780.00 | \$ 270.00 | \$ 68,040.00 | \$ 267.00 | \$ 67,284.00 |
| 10 | | Asphalt Emulsion (2%) | 32,728 | Gal | \$ 3.95 | \$ 129,275.60 | \$ 4.00 | \$ 130,912.00 | \$ 4.55 | \$ 148,912.40 |
| 11 | 327-70-1 | Milling Existing Asphalt Pavement, 1" Ave Depth | 4,692 | SY | \$ 4.75 | \$ 22,287.00 | \$ 5.50 | \$ 25,806.00 | \$ 10.10 | \$ 47,389.20 |
| 12 | 327-70-5 | Milling Existing Asphalt Pavement, 2" Ave Depth | 5,104 | SY | \$ 5.02 | \$ 25,622.08 | \$ 5.50 | \$ 28,072.00 | \$ 9.30 | \$ 47,467.20 |
| 13 | 327-70-6 | Milling Existing Asphalt Pavement, 1.5" Ave Depth | 40,333 | SY | \$ 2.65 | \$ 106,882.45 | \$ 3.00 | \$ 120,999.00 | \$ 1.95 | \$ 78,649.35 |
| 14 | 334-1-13 | Superpave Asphalt Concrete, Traffic C, PG 76-22 SP 9.5, 1" Thin Lift Overlay | 5,958 | Ton | \$ 177.00 | \$ 1,054,566.00 | \$ 174.00 | \$ 1,036,692.00 | \$ 203.40 | \$ 1,211,857.20 |
| 15 | 334-1-13 | Superpave Asphalt Concrete, Traffic C, PG 76-22 SP9.5, 1.5" Overlay | 3,328 | Ton | \$ 170.00 | \$ 565,760.00 | \$ 167.00 | \$ 555,776.00 | \$ 188.60 | \$ 627,660.80 |
| 16 | 334-1-13 | Superpave Asphalt Concrete, Traffic C, PG 76-22 SP9.5, 2" Overlay | 2,129 | Ton | \$ 153.00 | \$ 325,737.00 | \$ 150.00 | \$ 319,350.00 | \$ 168.20 | \$ 358,097.80 |
| 17 | 522-1 | Concrete Sidewalk & Driveway, 4" Thick | 171 | SY | \$ 73.00 | \$ 12,483.00 | \$ 75.00 | \$ 12,825.00 | \$ 112.90 | \$ 19,305.90 |
| 18 | 527-2 | Detectable Warnings | 416 | SF | \$ 47.00 | \$ 19,552.00 | \$ 48.00 | \$ 19,968.00 | \$ 37.00 | \$ 15,392.00 |
| 19 | 570-1-2 | Performance Turf, Sod | 31,804 | SY | \$ 3.50 | \$ 111,314.00 | \$ 4.59 | \$ 145,980.36 | \$ 2.50 | \$ 79,510.00 |
| 20 | 706-1-3 | Raised Pavement Markers, Type B | 614 | Each | \$ 4.23 | \$ 2,597.22 | \$ 4.31 | \$ 2,646.34 | \$ 4.65 | \$ 2,855.10 |
| 21 | 711-11-123 | Thermoplastic, Standard, White Solid 12" Crosswalk | 976 | LF | \$ 2.07 | \$ 2,020.32 | \$ 2.11 | \$ 2,059.36 | \$ 2.30 | \$ 2,244.80 |
| 22 | 711-11-125 | Thermoplastic, Standard, White 24" Stop Line & Crosswalks | 403 | LF | \$ 5.23 | \$ 2,107.69 | \$ 5.34 | \$ 2,152.02 | \$ 5.75 | \$ 2,317.25 |
| 23 | 711-11-170 | Thermoplastic,Standard, White Arrow | 4 | Each | \$ 79.23 | \$ 316.92 | \$ 80.84 | \$ 323.36 | \$ 87.20 | \$ 348.80 |
| 24 | 711-11-224 | Thermoplastic,Standard, Yellow Solid 18" diagonal | 156 | LF | \$ 2.85 | \$ 444.60 | \$ 2.91 | \$ 453.96 | \$ 3.15 | \$ 491.40 |
| 25 | 711-11-101 | Thermoplastic,Standard, White Solid 6" Line | 10,907 | LF | \$ 0.90 | \$ 9,816.30 | \$ 0.92 | \$ 10,034.44 | \$ 1.00 | \$ 10,907.00 |
| 26 | 711-15-201 | Thermoplastic,Standard, Yellow Solid 6" Line | 16,248 | LF | \$ 0.90 | \$ 14,623.20 | \$ 0.92 | \$ 14,948.16 | \$ 1.00 | \$ 16,248.00 |
| UNIT 14 SUB-TOTAL | | | | | \$ 3,763,634.98 | | \$ 3,984,253.40 | | \$ 4,116,551.10 | |

Tabulation Sheet

| 21-0-2023 Road Bond Paving - Units 13, 14, Madden Ave, and Osmosis Dr. | | | | | Timothy Rose Contracting, Inc. 825 8th Street Vero Beach, FL 32962 772-564-7800 accounting@timothyrosecontracting.com | | Preferred Materials, Inc. 1806 33rd Street, Suite 150 Orlando, FL 32839 407-343-7445 lonnie.schaub@preferredmaterials.com | | Ranger Construction Industries, Inc. 4510 Glades Cutoff Road Ft. Pierce, FL 34981 772-464-6460 elena.arango@rangerconstruction.com estimating@rangerconstruction.com | |
|---|------------------|---|--------|------|--|-----------------|---|----------------|---|-----------------|
| ITEM NUMBER | FDOT Pay Item | ITEM DESCRIPTION | Qty | UOM | Unit Price | Price Extended | Unit Price | Price Extended | Unit Price | Price Extended |
| 1 | 101-1 | Mobilization | 1 | LS | \$ 350,000.00 | \$ 350,000.00 | \$ 375,000.00 | \$ 375,000.00 | \$ 334,000.00 | \$ 334,000.00 |
| 2 | 102-1 | Maintenaace of Traffic | 1 | LS | \$ 96,300.00 | \$ 96,300.00 | \$ 224,000.00 | \$ 224,000.00 | \$ 425,265.00 | \$ 425,265.00 |
| 3 | 104-1 | Erosion Control | 1 | LS | \$ 6,250.00 | \$ 6,250.00 | \$ 62,270.00 | \$ 62,270.00 | \$ 15,000.00 | \$ 15,000.00 |
| 4 | | Cut Back/Herbicide Spraying | 10,108 | LF | \$ 0.90 | \$ 9,097.20 | \$ 1.00 | \$ 10,108.00 | \$ 0.25 | \$ 2,527.00 |
| 5 | | Edge Grading | 40,432 | LF | \$ 1.25 | \$ 50,540.00 | \$ 1.25 | \$ 50,540.00 | \$ 0.35 | \$ 14,151.20 |
| 6 | | Full Depth Reclamation (FDR) and Pulverization - 8" Depth | 59,341 | SY | \$ 6.00 | \$ 356,046.00 | \$ 6.25 | \$ 370,881.25 | \$ 5.30 | \$ 314,507.30 |
| 7 | | Cement - Cement Treated Base (2%) | 486 | Ton | \$ 266.00 | \$ 129,276.00 | \$ 275.00 | \$ 133,650.00 | \$ 267.00 | \$ 129,762.00 |
| 8 | | Asphalt Emulsion (2%) | 94,946 | Gal | \$ 4.00 | \$ 379,784.00 | \$ 4.00 | \$ 379,784.00 | \$ 4.55 | \$ 432,004.30 |
| 9 | 334-1-13 | Superpave Asphalt Concrete, Traffic C, PG 76-22 SP9.5, 2" Overlay | 5,985 | Ton | \$ 171.00 | \$ 1,023,435.00 | \$ 165.00 | \$ 987,525.00 | \$ 183.00 | \$ 1,095,255.00 |
| 10 | 570-1-2 | Performance Turf, Sod | 31,804 | SY | \$ 3.25 | \$ 103,363.00 | \$ 4.59 | \$ 145,980.36 | \$ 2.50 | \$ 79,510.00 |
| 11 | 706-1-3 | Raised Pavement Markers, Type B | 350 | Each | \$ 4.20 | \$ 1,470.00 | \$ 4.28 | \$ 1,498.00 | \$ 4.65 | \$ 1,627.50 |
| 12 | 711-11-125 | Thermoplastic, Standard, White 24" Stop Line & Crosswalks | 60 | LF | \$ 5.20 | \$ 312.00 | \$ 5.30 | \$ 318.00 | \$ 5.75 | \$ 345.00 |
| 13 | 711-11-101 | Thermoplastic,Standard, White Solid 6" Line | 31,490 | LF | \$ 0.89 | \$ 28,026.10 | \$ 0.91 | \$ 28,655.90 | \$ 1.00 | \$ 31,490.00 |
| 14 | 711-15-201 | Thermoplastic,Standard, Yellow Solid 6" Line | 27,980 | LF | \$ 0.89 | \$ 24,902.20 | \$ 0.91 | \$ 25,461.80 | \$ 1.00 | \$ 27,980.00 |
| MADDEN & OSMOSIS SUB-TOTAL | | | | | \$ 2,558,801.50 | | \$ 2,795,672.31 | | \$ 2,903,424.30 | |

| | | | |
|--|------------------------|------------------------|------------------------|
| UNIT 13 SUBTOTAL FROM PAGE 1 | \$ 4,623,411.70 | \$ 4,843,595.55 | \$ 5,097,431.95 |
| UNIT 14 SUBTOTAL FROM PAGE 2 | \$ 3,763,634.98 | \$ 3,984,253.40 | \$ 4,116,551.10 |
| MADDEN & OSMOSIS SUBTOTAL FROM PAGE 3 | \$ 2,558,801.50 | \$ 2,795,672.31 | \$ 2,903,424.30 |
| GRAND TOTAL OF UNITS 13, 14, MADDEN AVE, AND OSMOSIS DR | \$10,945,848.18 | \$11,623,521.26 | \$12,117,407.35 |



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director; George Barber, Chief Procurement Officer

DATE: 4/6/2023

RE: Award of Bid: Culvert replacement (Walden Boulevard at C-42) - IFB 23-0-2023 - Public Works Department (Timothy Rose Contracting, Inc. - \$476,556).

Procurement solicited bids on behalf of the Public Works Department for culvert replacement at Walden Boulevard at C-42. This project is comprised of the removal, disposal, replacement, and restoration of culvert crossings along the Melbourne Tillman (MT) Water Control District (WCD) Canal on Walden Boulevard at C-42. During the bid process, Staff relayed that time is of the essence, and required that road closures be limited to a maximum of 30 days for the location. A detailed schedule of the road closure shall be furnished at the Preconstruction Meeting and updated monthly throughout the project. Public Works will work with the PIO to communicate the closure to the public.

Two (2) bids and one (1) no bid were received, and the Procurement Department staff have reviewed the bids for responsiveness. Public Works evaluated the bids for responsibility and ability to perform the work scope and found both the bids to be responsive. The Department found the lowest responsive bid to be acceptable.

The City's Engineers Estimate for the project was \$499,483.00. The bid from Timothy Rose Contracting, Inc. is \$476,555.90. Public Works Engineering staff has reviewed the pay items, proposed subcontractors, equipment list and is satisfied with the evidence provided by the contractor. Staff recommends Timothy Rose Contracting, Inc. located at 825 8th Street, Vero Beach, FL 32962, the award of IFB# 23-0-2023 – Walden Boulevard at C-42 Culvert Replacement.

REQUESTING DEPARTMENT:
Public Works, Procurement

FISCAL IMPACT:
Total project award will be \$476,555.90 and funds are available in 461-7084-541-63-09, Project 22SU02 Walden @ C-42 Culvert Replacement with BA #2.

RECOMMENDATION:
Motion to approve award of IFB# 23-0-2023 – Walden Boulevard at C-42 Culvert Replacement to Timothy Rose Contracting, Inc. located at 825 8th Street, Vero Beach, FL 32962.

ATTACHMENTS:

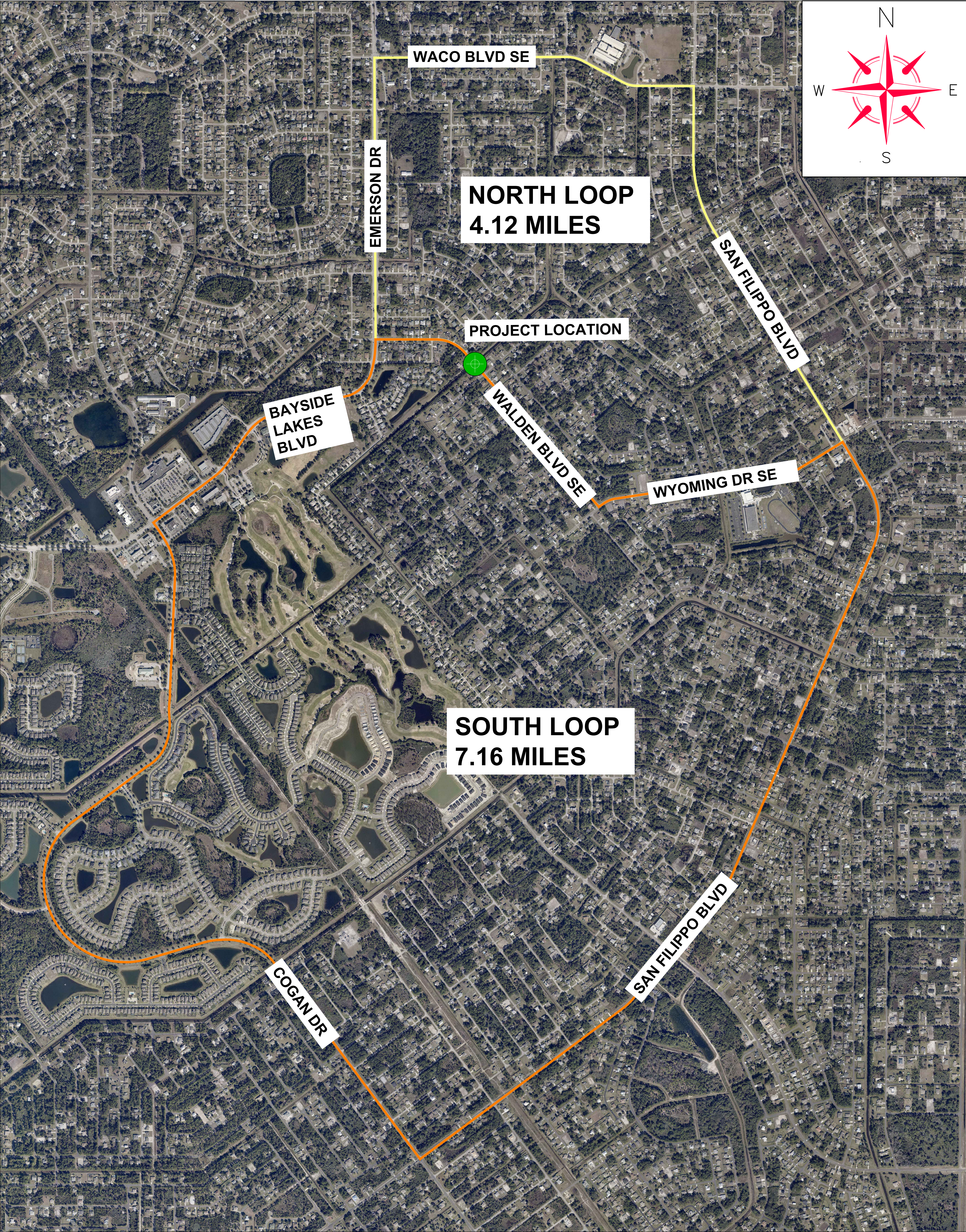
Description

Tabulation Sheet

Detour Map

| IFB #23-0-2023/NC WALDEN BLVD AT C-42 CULVERT REPLACEMENT | | | | | Timothy Rose Contracting, Inc. 825 8th Street Vero Beach, FL 32962 772.564.7800 accounting@timothyrosecontracting.com | | Gregori Construction Inc. 3067 US Highway 1 Mims, FL 32754 321.607.6160 agregori@gregori-inc.com | | JoBear Contracting Inc. 1950 Danr Dr. Palm Bay, FL 32905 321.723.3571 trey@jobearinc.com | |
|--|---------------|---|-----------------|-----|---|---------------|---|---------------|---|-------------|
| Red indicates extension error, corrected on this Tabulation | | | | | | | | | | |
| ITEM | FDOT Pay Item | ITEM DESCRIPTION | Est. Annual Qty | UOM | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price |
| 1 | 101-1 | MOBILIZATION | 1 | LS | \$ 59,850.00 | \$ 59,850.00 | \$ 10,000.00 | \$ 10,000.00 | NO BID | |
| 2 | 102-1 | MAINTENANCE OF TRAFFIC | 1 | LS | \$ 113.00 | \$ 113.00 | \$ 4,300.00 | \$ 4,300.00 | | |
| 3 | 104-1 | EROSION CONTROL | 1 | LS | \$ 56.50 | \$ 56.50 | \$ 4,500.00 | \$ 4,500.00 | | |
| 4 | 110-1-1 | CLEARING & GRUBBING | 0.22 | AC | \$ 45,136.36 | \$ 9,930.00 | \$ 7,000.00 | \$ 1,540.00 | | |
| 5 | 120-1 | REGULAR EXCAVATION (SWALES) | 47 | CY | \$ 25.85 | \$ 1,214.95 | \$ 120.00 | \$ 5,640.00 | | |
| 6 | 120-6 | EMBANKMENT | 87 | CY | \$ 35.85 | \$ 3,118.95 | \$ 27.00 | \$ 2,349.00 | | |
| 7 | 160-4 | TYPE B STABILIZATION | 160 | SY | \$ 20.25 | \$ 3,240.00 | \$ 32.00 | \$ 5,120.00 | | |
| 8 | 285-709 | OPTIONAL BASE, BASE GROUP 09 | 150 | SY | \$ 30.00 | \$ 4,500.00 | \$ 70.00 | \$ 10,500.00 | | |
| 9 | 327-70-6 | MILLING EXIST ASPH PAVT, 1-1/2" AVG DEPTH | 129 | SY | \$ 19.50 | \$ 2,515.50 | \$ 50.00 | \$ 6,450.00 | | |
| 10 | 334-1-53 | SUPERPAVE ASPHALTIC CONCRETE, TRAFFIC C, PG76-22 | 25 | TON | \$ 383.00 | \$ 9,575.00 | \$ 516.00 | \$ 12,900.00 | | |
| 11 | 400-2-8 | CONC CLASS II, ENDWALLS | 70 | CY | \$ 1,825.00 | \$ 127,750.00 | \$ 1,450.00 | \$ 101,500.00 | | |
| 12 | | 11'x 8' PRECAST CONCRETE BOX CULVERT | 72 | LF | \$ 2,530.00 | \$ 182,160.00 | \$ 4,420.00 | \$ 318,240.00 | | |
| 13 | | RE-ALIGN/RESET EXISTING 24" PIPE | 1 | LS | \$ 1,800.00 | \$ 1,800.00 | \$ 1,500.00 | \$ 1,500.00 | | |
| 14 | 425-1-521 | INLETS, DT BOT, TYPE C, <10' | 1 | EA | \$ 4,320.00 | \$ 4,320.00 | \$ 4,000.00 | \$ 4,000.00 | | |
| 15 | 430-175-115 | 15" HDPE PIPE CULV, OPT MATL, ROUND, 15" S/CD | 40 | LF | \$ 93.75 | \$ 3,750.00 | \$ 29.00 | \$ 1,160.00 | | |
| 16 | 515-2500 | REMOVE AND REINSTALL EXISTING HAND RAILS BOTH SIDES | 1 | LS | \$ 1,680.00 | \$ 1,680.00 | \$ 2,300.00 | \$ 2,300.00 | | |
| 17 | 522-2 | CONCRETE SIDEWALK AND DRIVEWAYS, 6" THICK | 89 | SY | \$ 93.00 | \$ 8,277.00 | \$ 120.00 | \$ 10,680.00 | | |
| 18 | 530-3-4 | RIPRAP, RUBBLE, F&I, DITCH LINING | 300 | TN | \$ 91.00 | \$ 27,300.00 | \$ 100.00 | \$ 30,000.00 | | |
| 19 | 530-74 | BEDDING STONE | 170 | TN | \$ 78.00 | \$ 13,260.00 | \$ 80.00 | \$ 13,600.00 | | |
| 20 | 570-1-2 | PERFORMANCE TURF, SOD | 800 | SY | \$ 5.65 | \$ 4,520.00 | \$ 18.00 | \$ 14,400.00 | | |
| 21 | 1000 - AA | UTILITY WORK (WATER ADJUSTMENTS) | 1 | LS | 7625 | \$ 7,625.00 | 17000 | \$ 17,000.00 | | |
| TOTAL ESTIMATED ANNUAL AMOUNT | | | | | \$476,555.90 | | \$577,679.00 | | | |

WALDEN DETOUR MAP





LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Laura Clawson, Human Resources Director; George Barber, Chief Procurement Officer

DATE: 4/6/2023

RE: **Contract: Voluntary supplemental insurance benefits, renewal - Human Resources Department (Life Insurance Corporation of North America (Cigna Group Insurance) - \$72,000 (employee-paid coverages)).**

The City Manager executed an agreement effective January 1, 2019, for two calendar years through December 31, 2020, for Voluntary Supplemental Insurance. On January 21, 2021, City Council approved the renewal Voluntary Supplemental Insurance for 24 months with the provision that the contract would be reevaluated for the 2023 benefit year. The total renewal period would also cover the 2023 calendar year, if the City determined it to be in the best interest to continue. The City has reevaluated and recommends continuing to utilize the renewal for the 2023 benefit year.

The Human Resources Department provides voluntary supplemental benefits for City employees. These are 100% employee paid coverages. The current provider is Life Insurance Corporation of North America (Cigna Group Insurance). The current coverage includes three plans:

- Hospital Care (HC): The plan pays for qualifiable hospital confinements. Available for employees and their dependents.
- Accident Injury (AI): The plan pays employees cash benefit for expenses resulting from on or off the job injuries. The plan is also available for dependents.
- Critical Illness (CI): The plan pays cash benefits in the event the employee is diagnosed with an illness covered under this plan. Dependent coverage is also available.

Staff recommends the renewal of one additional year, with rate guarantee, established by contract for Voluntary Supplemental Insurance, AI, CI, and HC with Cigna Group Insurance, through December 31, 2023. This contract will be reevaluated by the City in 2023 for the 2024 benefit year.

REQUESTING DEPARTMENT:
Procurement, Human Resources

FISCAL IMPACT:

Supplemental insurance benefits are budgeted through Other Employee Benefits (OEB) account # 513-2531-519-45-15 with an approximate cost per year of \$72,000 and are 100% employee paid. This City serves as a

“pass through” for this service, collecting premiums from employees and remitting to the carrier on their behalf.

RECOMMENDATION:

Motion to renew Voluntary Supplemental Insurance, AI, CI, and HC with Cigna Group Insurance for the 2023 benefit year.

ATTACHMENTS:

Description

Amendment

Rate Schedule

AI Rate Schedule

Life Insurance Company of North America
1601 Chestnut Street
Philadelphia, Pennsylvania 19192-2235

AMENDMENT

Policyholder: Trustee of the Group Insurance Trust for Employers in the Public Administration Industry

Subscriber: City of Palm Bay

Policy No.: HC - 960339

PLEASE READ

IMPORTANT: The attached amendment to your policy has been made at your request, and will be effective on the date shown within the amendment. Please review this amendment immediately and confirm that it accurately reflects your request and is consistent with your intentions. If amended certificates have been provided, please review these as well. If there are any errors or discrepancies, please notify your account manager or account service representative immediately. If you have not notified your account manager or account service representative of any errors or concerns, continued payment of premium more than 31 days after delivery of this amendment will be deemed acceptance of this amendment.

Life Insurance Company of North America
1601 Chestnut Street
Philadelphia, Pennsylvania 19192-2235

AMENDMENT

Policyholder: Trustee of the Group Insurance Trust for Employers in the Public Administration Industry

Subscriber: City of Palm Bay

Policy No.: HC - 960339

This Amendment is attached to and made part of the Policy specified above. It is subject to all of the policy provisions that do not conflict with its provisions.

Subscriber and We hereby agree that the Policy is amended as follows:

Effective January 1, 2021, the "Changes in Premium Rates" shown on the page entitled "ADMINISTRATIVE PROVISIONS" is amended as follows:

No change in rates will be made until 36 months after the Amendment Effective Date. An increase in rates will not be made more often than once in a 12 month period. However, the Insurance Company reserves the right to change the rates even during a period for which the rate is guaranteed, if any of the following events take place:

1. The Policy terms change.
2. A division, subsidiary, eligible company, or class is added or deleted.
3. There is a change of more than 10% in the number of eligible Employees.
4. Federal or state laws or regulations affecting benefit obligations change.
5. Other changes occur in the nature of the risk that would affect the Insurance Company's original risk assessment.
6. The Insurance Company determines the Employer fails to furnish necessary information.

Except for the above, this Amendment does not change the Policy in any way.

Life Insurance Company of North America



William J. Smith, President

Date: October 29, 2020

Amendment No. 01

GHIP-00-4000.00

Life Insurance Company of North America
1601 Chestnut Street
Philadelphia, Pennsylvania 19192-2235

AMENDMENT

Policyholder: Trustee of the Group Insurance Trust for Employers in the Public Administration Industry

Subscriber: City of Palm Bay

Policy No.: CI - 960854

This Amendment is attached to and made part of the Policy specified above. It is subject to all of the policy provisions that do not conflict with its provisions.

Subscriber and We hereby agree that the Policy is amended as follows:

Effective January 1, 2021, the rates shown on the attached Schedule of Rates will remain in force for coverage under the Policy.

No change in rates will be made until 36 months after the effective date of this Amendment. However, the Company reserves the right to change the rates at any time during a period for which the rates are guaranteed if the conditions described in the Changes in Premium Rates provision under the Administrative Provisions section of the Policy apply.

Except for the above, this Amendment does not change the Policy in any way.

Life Insurance Company of North America



William J. Smith, President

Date: November 2, 2020

Amendment No. 01

GCI-00-4000.00

SCHEDULE OF RATES

The following monthly rates apply to all Classes of Eligible Persons unless otherwise indicated.

| Employee Paid Monthly Age Banded Rates (Includes Rates for Optional Benefits) | | | | | |
|---|----------|-------------------|-----------------------|-------------------|--|
| Employee Paid Guaranteed Issue Level: \$5,000 | | | | | |
| Uni-Tobacco | | | | | |
| Attained Age | Employee | Employee & Spouse | Employee & Child(ren) | Employee & Family | |
| 0-29 | \$5.09 | \$7.78 | \$6.75 | \$9.44 | |
| 30-39 | \$6.06 | \$9.56 | \$7.72 | \$11.22 | |
| 40-49 | \$8.74 | \$13.91 | \$10.40 | \$15.57 | |
| 50-59 | \$14.79 | \$22.98 | \$16.45 | \$24.64 | |
| 60-69 | \$21.08 | \$32.74 | \$22.75 | \$34.40 | |
| 70-79 | \$30.60 | \$48.69 | \$32.26 | \$50.35 | |
| 80+ | \$70.59 | \$103.24 | \$72.26 | \$104.90 | |

| Employee Paid Monthly Age Banded Rates | | | | | |
|--|----------|-------------------|-----------------------|-------------------|--|
| Employee Paid Guaranteed Issue Level: \$10,000 | | | | | |
| Uni-Tobacco | | | | | |
| Attained Age | Employee | Employee & Spouse | Employee & Child(ren) | Employee & Family | |
| 0-29 | \$8.60 | \$12.01 | \$10.58 | \$13.99 | |
| 30-39 | \$10.54 | \$15.57 | \$12.53 | \$17.55 | |
| 40-49 | \$15.91 | \$24.28 | \$17.89 | \$26.25 | |
| 50-59 | \$28.00 | \$42.42 | \$29.98 | \$44.39 | |
| 60-69 | \$40.59 | \$61.94 | \$42.58 | \$63.92 | |
| 70-79 | \$59.62 | \$93.83 | \$61.60 | \$95.81 | |
| 80+ | \$139.61 | \$202.93 | \$141.60 | \$204.91 | |

Employee Paid Monthly Age Banded Rates

Employee Paid Guaranteed Issue Level: \$20,000

Uni-Tobacco

| Attained Age | Employee | Employee & Spouse | Employee & Child(ren) | Employee & Family |
|--------------|----------|-------------------|-----------------------|-------------------|
| 0-29 | \$15.63 | \$20.47 | \$18.25 | \$23.10 |
| 30-39 | \$19.51 | \$27.59 | \$22.15 | \$30.22 |
| 40-49 | \$30.25 | \$45.01 | \$32.87 | \$47.62 |
| 50-59 | \$54.43 | \$81.29 | \$57.05 | \$83.90 |
| 60-69 | \$79.61 | \$120.33 | \$82.25 | \$122.96 |
| 70-79 | \$117.67 | \$184.11 | \$120.29 | \$186.74 |
| 80+ | \$277.65 | \$402.31 | \$280.29 | \$404.94 |

GCI-00-2000.00

Life Insurance Company of North America
1601 Chestnut Street
Philadelphia, Pennsylvania 19192-2235

AMENDMENT

Policyholder: Trustee of the Group Insurance Trust for Employers in the Public Administration Industry

Subscriber: City of Palm Bay

Policy No.: AI - 960889

This Amendment is attached to and made part of the Policy specified above. It is subject to all of the policy provisions that do not conflict with its provisions.

Subscriber and We hereby agree that the Policy is amended as follows:

Effective January 1, 2021, the rates shown on the attached Schedule of Rates will remain in force for coverage under the Policy.

No change in rates will be made until 36 months after the effective date of this Amendment. However, the Company reserves the right to change the rates at any time during a period for which the rates are guaranteed if the conditions described in the Changes in Premium Rates provision under the Administrative Provisions section of the Policy apply.

Except for the above, this Amendment does not change the Policy in any way.

Life Insurance Company of North America



William J. Smith, President

Date: October 29, 2020

Amendment No. 01

GAI-00-4000.00

SCHEDULE OF RATES for Accident Indemnity

The following monthly rates apply to all Classes of Eligible Persons unless otherwise indicated.

Employee Paid

| | |
|-----------------------|---------|
| Employee | \$15.37 |
| Employee + Spouse | \$23.10 |
| Employee + Child(ren) | \$26.70 |
| Family | \$34.43 |

GAI-00-2000.00



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: George Barber, Chief Procurement Officer; Brian Robinson, Information Technology Director

DATE: 4/6/2023

RE: Contract: Citywide multi-function equipment, lease extension (Canon Financial Services Inc. (lease payments) - \$143,356; Dex Imaging LLC (maintenance costs) - \$69,305).

Staff is requesting to extend our five year copier lease for an additional three year (36 month) period. The City issued a Request for Proposal (RFP) #43-0-2018 for Citywide Multi-Function Products to reduce expenditures by having a set copier lease amount and a metered usage component. The RFP was broadcasted on May 24, 2018 and replaced the previous copier fleet. At the September 20, 2018 Regular Council Meeting, City Council approved a Notice of Award for Contract #43-0-2018, Multi-function Products for a five-year lease with Dex Imaging, LLC, based out of Tampa, Florida with a local Melbourne service office (formerly North American Office Solutions), which was set to expire on December 31, 2023.

The Canon copiers that the City currently leases are in good working condition; therefore, it is in the City's best interest to extend the lease and maintenance agreement for 36-months through February 28, 2026. The volatile market conditions occurring over the past several years continue to impact consumers with escalating costs. The City continues to experience difficulty receiving commodities, including those in technology sphere, in a timely fashion. Through research in to market conditions, Staff believes there is a risk the City could not secure a multi-function replacement fleet if the City resolicited at this time. Considering these pieces of equipment are used by all departments on a daily basis and that the current equipment is in good condition, an extension is in the City's best interests. The City will continue to pay the same rate for the lease and maintenance costs, essentially locking in our 2018 rates for a total eight year contract period.

Staff recommends approving the extension of the Canon lease payments and Dex Imaging maintenance costs for Contract #43-0-2018 Multi-function Products.

REQUESTING DEPARTMENT:
Procurement, Information Technology

FISCAL IMPACT:

The annual lease payments are \$47,785.44 for a total lease payment amount through the end of the 36-month extension of \$143,356.32. The maintenance costs per fiscal year, depending on usage, is estimated to be

\$23,101.76, totaling \$69,305.28 through the end of the 36-month extension. Both the lease payments and maintenance costs will be charged to various funds.

RECOMMENDATION:

Motion to approve a 36-month extension of lease payments and maintenance costs through February 28, 2026 to Canon Financial Services Inc. located in Chicago, IL, and Dex Imaging LLC located in Tampa, FL, respectively.

ATTACHMENTS:

Description

Executed Amendment to extend Contract# 43-0-2018

**CITY OF PALM BAY
AMENDMENT TO CONTRACT # 43-0-2018**

This amendment to contract is made and entered into this 16th day of February, 2023, by and between the City of Palm Bay, a municipal corporation organized and existing under the State of Florida, hereinafter referred to as the "City" and DEX IMAGING, LLC hereinafter referred to as the "Contractor."

WHEREAS, the City and the Contractor entered into a Contract under the date of December 1, 2018, whereby the contractor would perform certain services with respect to a City-wide Multi-function Products Lease.

WHEREAS, the City and Contractor desire to **extend** the term of said Agreement.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

- I. To **extend** the term of agreement through February 28, 2026.
- II. No price increases will be allowed.

In all other respects and, except as specifically modified and amended, the Contract dated, December 1, 2018, shall continue in full force and effect as written. The parties hereto execute this Amendment to become effective as of the date and year first above written.

CITY OF PALM BAY

DEX IMAGING, LLC

Juliet Misconi, NIGP-CPP, CPPO,
CPPB
Chief Procurement Officer

Susan Blair
Signature
2/15/2023
Date

By: CARY FRISENDA REGIONAL DIRECTOR
Name/Title
[Signature]
Signature
2/16/23
Date



Sent via email: kevin.hoffman@deximaging.com

February 15, 2023

Kevin Hoffman
Sr. Account Manager
Dex Imaging LLC
5109 W. Lemon St.
Tampa, FL 33609

Dear Mr. Hoffman:

Attached please find an Amendment for extension of Contract #43-0-2018, City-wide Multi-function Products.

The City desires to extend the lease agreement through February 28, 2026 with no price increase, under the same terms and conditions. As this contract was due to expire on 12/31/2023, the City would like to extend the agreement in light of the volatility of the market, as we are satisfied with the multi-function products and service we have received to date.

If your company is in concurrence, please sign the Amendment and return to Jennifer Smith (Jennifer.smith@pbfl.org), along with your updated insurance certificate(s) naming the City of Palm Bay as the additional insured which is required to be updated on an annual basis.

If you have any questions, please feel free to contact me at (321) 952-3424.

Sincerely,

CITY OF PALM BAY

Juliet Misconi, CPPO, CPPB
Chief Procurement Officer

Jennifer Smith

From: Jennifer Smith
Sent: Wednesday, February 15, 2023 12:46 PM
To: kevin.hoffman@deximaging.com
Cc: Susan Blair; James "Nick" Canjar
Subject: EXTENSION Contract # 43-0-2018, City-wide Multi-function Products
Attachments: 43-0-2018 Extension thru 02282026.pdf

| Tracking: | Recipient | Delivery |
|------------------|------------------------------|-------------------------------|
| | kevin.hoffman@deximaging.com | |
| | Susan Blair | Delivered: 2/15/2023 12:46 PM |
| | James "Nick" Canjar | Delivered: 2/15/2023 12:46 PM |

Good afternoon Mr. Hoffman:

Attached please find the Amendment for the extension of Contract # 43-0-2018 City-wide Multi-function Products through February 28, 2026. At your earliest convenience, please sign and return to our office. We would like to receive it by Wednesday, 2/22.

Thank you for your assistance. Have a good day.

Best regards,

Jennifer Smith
Procurement Agent I
321.952.3424
120 Malabar Road SE
Palm Bay, FL 32907
Jennifer.Smith@palmbayflorida.org

Jennifer Smith

From: Susan Blair
Sent: Thursday, February 16, 2023 8:47 AM
To: Stacy LaVanture
Cc: Brian Robinson; Jennifer Smith
Subject: RE: DEX Imaging Contract extension

Follow Up Flag: Follow up
Flag Status: Flagged

Because we are changing the original 60-month lease which would have expired 12/31/2023 and entering into a new 36-month lease beginning 3/1/2023 and ending 2/28/2026, it would be best to prepare a new PO for Canon Financial Services. Since PO 230196 is maintenance with DEX, you may be able to keep that one open until FY end. I'd check with Kevin on that.

Be sure to change the language on the PO to read something like:

Original term of lease was 60-months beginning 1/1/2019 and ending 12/31/2023. This lease has been re-negotiated and is now a 36-month lease beginning 3/1/2023 and ending 2/28/2026.

The rest of the language on your PO also needs to be there but doesn't need any wording changed EXCEPT I would amend the last sentence to read:

The City will not own the equipment at the end of the extended lease term.

Hope that helps!

SB
(Super Boss)

From: Stacy LaVanture <Stacy.LaVanture@palmbayflorida.org>
Sent: Thursday, February 16, 2023 8:36 AM
To: Susan Blair <Susan.Blair@palmbayflorida.org>
Cc: Brian Robinson <Brian.Robinson@palmbayflorida.org>
Subject: FW: DEX Imaging Contract extension

Kevin said to contact me to get a PO entered. We have 2 reverse POs for FY23 already for (Canon) lease and (Dex) usage. Will I be cancelling these and entering new POs or can we do a change order to reference updated contract? If I have to enter new ones I may have to keep old one open until February invoices have been paid.

PO 230196
PO 230189



Stacy LaVanture, IT Budget Officer
Office: (321) 409-7102 or extension 3102

City of Palm Bay Website

From: Kevin Hoffman <kevin.hoffman@deximaging.com>
Sent: Wednesday, February 15, 2023 1:08 PM
To: Stacy LaVanture <Stacy.LaVanture@palmabayflorida.org>
Subject: DEX Imaging Contract extension

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Stacy,

Hope your week is going well. I received the document from purchasing and will have this signed and returned tomorrow. Susan asked me to connect with you to facilitate the PO request. This is due to go into effect March 1. I have attached the original PO for reference. This PO must include in the description 36 month term and fair market value purchase option. Reach out to me and we can discuss further. Best to get me on my cell. I am on the road this afternoon.

Kindest Regards,

Kevin Hoffman | *DEXimaging*
Senior Account Manager

4450 West Eau Gallie Blvd. Suite 100
Melbourne, FL 32934
Phone: 321-725-3400 ext 3103
Mobile: 321-514-4429
<http://www.deximaging.com>
kevin.hoffman@deximaging.com

 **Staples**

Jennifer Smith

From: Stacy LaVanture
Sent: Tuesday, January 31, 2023 12:56 PM
To: Kevin Hoffman
Cc: Cary Frisenda; Susan Blair; Jennifer Smith; Brian Robinson
Subject: Canon/DEX Contract Extension

Follow Up Flag: Follow up
Flag Status: Completed

Kevin,

Brian and I met with procurement to discuss the options you presented back in December. The City would like to move forward with the option to keep our existing equipment and extend contract to expire on/around December 2025.

Jennifer Smith has been added to this thread as she will be the main Procurement point of contact to handle the contract extension as Susan Blair will be retiring in February!

Please let me know what the next step is to move forward with this.

Thanks!



Stacy LaVanture, IT Budget Officer
Office: (321) 409-7102 or extension 3102

[City of Palm Bay Website](#)

From: Kevin Hoffman <kevin.hoffman@deximaging.com>
Sent: Wednesday, January 4, 2023 12:01 PM
To: Stacy LaVanture <Stacy.LaVanture@palmbayflorida.org>
Subject: DEX Imaging

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Stacy,

Hope you enjoyed the holiday season. Circling back to see if you had any feedback on the options we presented.

Kindest Regards,

Kevin Hoffman | *DEXimaging*
Senior Account Manager

4450 West Eau Gallie Blvd, Suite 100
Melbourne, FL 32934
Phone: 321-725-3400 ext 3103
Mobile: 321-514-4429
<http://www.deximaging.com>
kevin.hoffman@deximaging.com





LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director; George Barber, Chief Procurement Officer

DATE: 4/6/2023

RE: Miscellaneous: 'Cooperative Purchase', tractor trade-in/tractor and slope mower purchase (Sourcewell contract) - Public Works Department (Everglades Equipment Group - \$230,825).

As part of Fiscal Year 23 Budget Submittal in May, staff included the Capital purchase request in the amount of \$209,273 for a tractor and slope mower. The current cost of the tractor and slope mower has since been quoted at \$262,825. Staff is asking to trade in tractors 6564, 6805 and 6806 bought in 2004 and 2007. These tractors have outlived their useful life with extensive repairs of approximately \$597,656 combined. They are determined to be beyond economical repairs.

Their current estimated values of these vehicles are not more \$15,000 each and the surplus process could bring substantially less. The vendor is offering \$12,000 for Asset #6564 and \$10,000 each for Assets #6805 and #6806, thus offsetting \$32,000 from the new tractor and slope mower cost.

Council approved \$54,509 in Fiscal Year 23 Budget account 461-7084-541-6401 Machinery and Equipment to procure a Thompson Pump. The cost of the pump was \$27,411 which is under the estimate. Staff is asking to use \$21,552 from the remaining funds of \$27,098 to offset the overage in the quote and trade-in for the tractor and slope mower.

The Sourcewell contract 080721-AGI is valid until August 9, 2025. The awarded vendor is Alamo, and Everglades Equipment Group is the authorized distributor. In accordance with the City's Code of Ordinance, Section 38.13(F)(4) Cooperative Purchases and Piggyback Purchases: The City may purchase from any cooperative contract, including but not limited to: term contracts by the State of Florida, Federal General Services Administration, and other governmental cooperatives and entities within and outside the State of Florida provided that the cooperative contract is established in compliance with the procurement procedures and requirements of the issuing body, entity, authority, or cooperative. If such other governmental or cooperative contract is utilized, the public notice requirements and the need to utilize the methods of selection processes are obviated. Any such contracts equal to or in excess of one hundred thousand dollars (\$100,000) shall go to the City Council for approval.

REQUESTING DEPARTMENT:

Public Works, Procurement

FISCAL IMPACT:

The net cost of \$230,825.00 is available in account 461-7084-541-6401 Machinery and Equipment.

RECOMMENDATION:

Motion to 1) approve the purchase from Everglades Equipment Group under Sourcewell contract AL080721-AGI and 2) approve the request to trade in the three tractors to utilize existing capital funds and offset price increase to procure the tractor and slope mower.

ATTACHMENTS:

Description

Quote & Trade In Forms



**Public Works
PURCHASE REQUEST**

Finance Team Only

REQ #: _____
PO #: _____

VENDOR: EVERGLADES EQUIPMENT GROUP VENDOR #: 8263
ADDRESS: 6150 ORANGE AVE PHONE #: (772) 201-7741
CONTACT: MITCH BURNEY Contract #: AL 070821-AGI

Reason for Purchase Order: PURCHASE: TRACTOR/SLOPE MOWER

☐ Out-To-Bid ☐ Blanket ☒ Purchase ☐ Reverse ☐ Change Order

| ITEM | DESCRIPTION | QTY | UNIT | UNIT PRICE | EXTENDED PRICE | Commodity Sub-Comm |
|------|--|------|------|------------|----------------|--------------------|
| 1 | JOHN DEERE 6145M CAB 4WD TRACTOR | 1.00 | EA | 262825.00 | 262,825.00 | 020/065 |
| 2 | 380/85R28 AND 460/85R38 TIRES | | | | 0.00 | |
| 3 | 30' MAVERICK 2 BOOM | | | | 0.00 | |
| 4 | 60" SEVERE DUTY ROTARY CUTTER | | | | 0.00 | |
| 5 | FACTORY MOUNTING | | | | 0.00 | |
| 6 | | | | | 0.00 | |
| 7 | TRADE ITEMS | | | | 0.00 | |
| 8 | (6805) 7220 [Tractor,Die,OffHiWay2,Gen,Nr,4X4] | 1.00 | EA | -10000.00 | -10,000.00 | 020/065 |
| 9 | (6806) BOOM 23FT 7220 [Tractor,Die,OffHiWay2,Gen,Nr,4X4] | 1.00 | EA | -10000.00 | -10,000.00 | 020/065 |
| 10 | (6564) 6420 DITCH [Tractor,Die,Gen,Nr,4X4] | 1.00 | EA | -12000.00 | -12,000.00 | 020/065 |
| 11 | | | | | 0.00 | |
| | SHIPPING CHARGES | | | | | |

TOTAL PRICE: \$ 230,825.00

DELIVER TO: PUBLIC WORKS

Date Requested: 02/09/2023 Date Required: 09/30/2023

Account No.: 461-7084-541-6401 Budget Amt: 605,625.00 Remaining Budget: 242,255.00

Account No.: _____ Budget Amt: _____ Remaining Budget: _____

Project No: _____

Budget Transfer Required: ☐ Yes ☒ NO If Yes, amount: _____ From: _____

Requestor: _____ Supervisor Approval: Nadeca McLaughlin
Digitally signed by Nadeca McLaughlin
Date: 2023.02.21 11:46:59 -05'00'

Three or more quotes or contract required for purchases over \$10,000



EQUIPMENT PROPOSAL

Everglades Equipment Group
6150 Orange Avenue
Ft. Pierce, FL 34947
772.461.5568

BUYER
CITY OF PALM BAY
ADDRESS
CITY STATE ZIP FAX

CONTACT
DAVE LECOUR
PHONE
FAX

DATE
4/8/2023
FILE #

| QTY | MAKE | MODEL | part# | DESCRIPTION | PRICE EACH | EXTENDED |
|----------|------------|------------|----------|---------------------------------------|------------|------------|
| 1 | JOHN DEERE | JOHN DEERE | 32123661 | 6145M C4, 380/85R and 460/85R38 TIRES | 180,869.00 | 153,738.65 |
| | | 30FT ALAMO | | STOCK SPECK | | 0.00 |
| | | MAVERICK 2 | | | | 0.00 |
| | | | 32122243 | 30'MOUNT KIT CAB 4WD 6145M TIER 4B | | 0.00 |
| | | | 2988177 | MOUNTED PULLEY KIT | 0.00 | 0.00 |
| | | | 4803040 | 30' MAVERICK 2 BOOM | 86,253.00 | 73,315.05 |
| | | | 32121495 | 60" SEVERE DUTY ROTARY CUTTER | 24,136.00 | 20,515.60 |
| | | | | BLADE BAR AND SWIVEL | 0.00 | 0.00 |
| | | | 2982002 | FACTORY MOUNT | 10,341.00 | 8,789.85 |
| | | | 888190 | FREIGHT | 6,466.00 | 6,466.00 |
| | | | | SOURCEWELL CONTRACT | | 0.00 |
| | | | | AL070821-AGI | | 0.00 |
| SUBTOTAL | | | | | | 262,825.15 |

TRADE DESCRIPTION

| QTY | MAKE | MODEL | SERIAL # | TRADE AMT | LIEN AMT | NET TRADE |
|--------------------------------------|------------|-------|----------|--------------|----------|------------|
| 1 | JOHN DEERE | 7220 | | 10000 | | 10,000.00 |
| 1 | JOHN DEERE | 7220 | | 10000 | | 10,000.00 |
| 1 | JOHN DEERE | 6420 | | 12000 | | 12,000.00 |
| | | | | | | 0.00 |
| | | | | | | 0.00 |
| COMMENTS OR SPECIAL INSTRUCTIONS | | | | TRADE TOTAL | | 32,000.00 |
| | | | | SUBTOTAL | | 230,825.15 |
| | | | | TAX | | 0.00 |
| | | | | SURTAX | | |
| | | | | DOWN PAYMENT | | |
| THIS PROPOSAL MAY BE WITHDRAWN BY US | | | | BALANCE DUE | | 230,825.15 |
| IF NOT ACCEPTED WITHIN 20 DAYS | | | | | | |

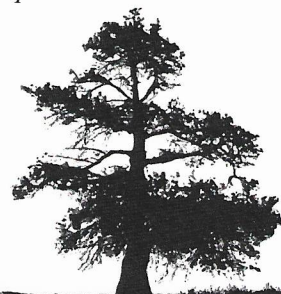
ALL MATERIAL IS GUARANTEED AS SPECIFIED. ALL WORK IS TO BE DONE IN A PROFESSIONAL MANNER ACCORDING TO STANDARD SPECIFICATIONS. ANY ALTERATION OR DEVIATION FROM THE ABOVE SPECIFICATIONS RESULTING IN EXTRA COSTS WILL BE EXECUTED ONLY UPON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS, OR DELAYS BEYOND OUR CONTROL.

*Thank you for the opportunity to quote you this equipment!
Please call me if I can be of further assistance.*

BUYER OR LESSEE SIGNATURE

SALESMAN: MITCHEL BURNEY
NEXTEL: 43323 OR CELL: 201-7741

EFE1963.com



SURPLUS PROPERTY DISPOSAL JUSTIFICATION FORM




This form should only be used for one of the following scenarios.

| Process | Approval |
|---|----------|
| Disposal via any method of any City-owned Vehicles, regardless of current value (Completion by FLEET) | C.P.O. |
| Disposal via any method of Surplus Capital with a CURRENT value which meets or exceeds \$100,000 | Council |

If Disposal Action does not meet any of the above criteria, use the Excel Surplus Property Spreadsheet.

SECTION A: Complete for ALL ITEMS, with AS MUCH DETAIL AS POSSIBLE. Attach a separate sheet, if needed.

From  CAPITAL ASSET ID #: 6564
Dept. Division Supervisor Signature PW (64 - PUBLIC WORKS) 03/06/2023
Date

Description of Property: 2004 JOHN DEERE 6420 DITCH [Tractor, Die, Gen, Nr, 4X4]
(Required)

Make JOHN DEERE Model: 6420 DITCH Serial # or VIN #: L06420H401234
(Required) (Required) (Required)

Date Purchased (estimate if unknown): 05/11/2004 Purchase Order # of Item (if known): 400740
(Required)

Original Cost (estimate if unknown): \$88,202.00 CURRENT Estimated Value: \$15,000.00
(Required) (Required)

Condition of Item (Required): ☐ Good ☒ Fair ☐ Poor ☐ Obsolete (very good/excellent but no longer useful for intended application)
(For definitions of condition categories, see the Excel Surplus Disposal Form)

Comments on Condition: BEYOND ECONOMIC REPAIR
(Required)

Current Location: PW - OPS
(Required)

Title: ☒ Not Applicable ☐ Yes Location of Title: TAG & REGISTRATION NOT NEEDED

The following Disposal Action for the above listed property is hereby requested:

☐ Transfer to Department/Division: _____
(Required)

Reason for Transfer: _____

☒ Trade-in towards new purchase:


(Note: Additional documentation MUST be attached. Additional approvals required for GROSS purchases which exceed \$100,000.)

Reason for Trade-in: Would like to trade tractor in to offset cost of the purchase a new tractor/slope mower.
(Required, or attach detailed justification with other required additional documentation)

☐ Auction/Sale ☐ Scrap/Recycle (can only be considered with items in POOR condition)

☐ Destruction (can only be considered with items in POOR condition) Why/How: _____
(Required)

☐ Cannibalized (can only be considered with items in POOR condition) Why/How: _____
(Required)

| | | |
|--|-----------------|----------|
| <u></u> | PW - OPS | 3-7-2023 |
| Department Director Signature | Department Name | Date |

Section B: INTERNAL PROCUREMENT USE ONLY

| | |
|------------------------------------|--|
| Date Received in Procurement | |
| Chief Procurement Officer Approval | |
| Date Approved in Procurement | |
| Date added to Master List | |

SURPLUS PROPERTY DISPOSAL JUSTIFICATION FORM




This form should only be used for one of the following scenarios.

| Process | Approval |
|---|----------|
| Disposal via any method of any City-owned Vehicles, regardless of current value (Completion by FLEET) | C.P.O. |
| Disposal via any method of Surplus Capital with a CURRENT value which meets or exceeds \$100,000 | Council |

If Disposal Action does not meet any of the above criteria, use the Excel Surplus Property Spreadsheet.

SECTION A: Complete for ALL ITEMS, with AS MUCH DETAIL AS POSSIBLE. Attach a separate sheet, if needed.

From  CAPITAL ASSET ID #: 6805
Dept. Division Supervisor Signature PW (64 - PUBLIC WORKS) 03/06/2023
Dept. Division Name Date

Description of Property: 2007 JOHN DEERE [Tractor, Die, OffHiWay2, Gen, Nr, 4X4]
(Required)

Make JOHN DEERE Model: 7220 Serial # or VIN #: RW7220M046525
(Required) (Required) (Required)

Date Purchased (estimate if unknown): 01/11/2007 Purchase Order # of Item (if known): 602401
(Required)

Original Cost (estimate if unknown): \$119,114.00 CURRENT Estimated Value: \$15,000.00
(Required) (Required)

Condition of Item (Required): ☐ Good ☒ Fair ☐ Poor ☐ Obsolete (very good/excellent but no longer useful for intended application)
(For definitions of condition categories, see the Excel Surplus Disposal Form)

Comments on Condition: BEYOND ECONOMIC REPAIR
(Required)

Current Location: PW - OPS
(Required)

Title: ☒ Not Applicable ☐ Yes Location of Title: TAG & REGISTRATION NOT NEEDED

The following Disposal Action for the above listed property is hereby requested:

☐ Transfer to Department/Division: _____
(Required)

Reason for Transfer: _____

☒ Trade-in towards new purchase:


(Note: Additional documentation MUST be attached. Additional approvals required for GROSS purchases which exceed \$100,000.)

Reason for Trade-in: Would like to trade tractor in to offset cost of the purchase a new tractor/slope mower.
(Required, or attach detailed justification with other required additional documentation)

☐ Auction/Sale ☐ Scrap/Recycle (can only be considered with items in POOR condition)

☐ Destruction (can only be considered with items in POOR condition) Why/How: _____
(Required)

☐ Cannibalized (can only be considered with items in POOR condition) Why/How: _____
(Required)

| | | |
|--|-----------------|----------|
| <u></u> | PW - OPS | 3-7-2023 |
| Department Director Signature | Department Name | Date |

Section B: INTERNAL PROCUREMENT USE ONLY

| | |
|------------------------------------|--|
| Date Received in Procurement | |
| Chief Procurement Officer Approval | |
| Date Approved in Procurement | |
| Date added to Master List | |

SURPLUS PROPERTY DISPOSAL JUSTIFICATION FORM



This form should only be used for one of the following scenarios.

| Process | Approval |
|---|----------|
| Disposal via any method of any City-owned Vehicles, regardless of current value (Completion by FLEET) | C.P.O. |
| Disposal via any method of Surplus Capital with a CURRENT value which meets or exceeds \$100,000 | Council |

If Disposal Action does not meet any of the above criteria, use the Excel Surplus Property Spreadsheet.

SECTION A: Complete for ALL ITEMS, with AS MUCH DETAIL AS POSSIBLE. Attach a separate sheet, if needed.

| | | | |
|--|---|--|---------------------------|
| From <u>[Signature]</u> Dept. Division Supervisor Signature | | CAPITAL ASSET ID #: <u>6806</u> PW (64 - PUBLIC WORKS) Dept. Division Name | <u>03/06/2023</u> Date |
| Description of Property: <u>2007 JOHN DEERE BOOM 23FT JOHN DEERE 7220 [Tractor, Die, Off HiWay 2, Gen, Nr, 4X4]</u> (Required) | | | |
| Make <u>JOHN DEERE</u> (Required) | Model: <u>7220 BOOM TRUCK 23FT</u> (Required) | Serial # or VIN #: <u>RW7220M046531</u> (Required) | |
| Date Purchased (estimate if unknown): <u>01/11/2007</u> (Required) | Purchase Order # of Item (if known): <u>602401</u> | | |
| Original Cost (estimate if unknown): <u>\$119,114.00</u> (Required) | CURRENT Estimated Value: <u>\$15,000.00</u> (Required) | | |
| Condition of Item (Required): <input type="checkbox"/> Good <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Obsolete (very good/excellent but no longer useful for intended application) (For definitions of condition categories, see the Excel Surplus Disposal Form) | | | |
| Comments on Condition: <u>BEYOND ECONOMIC REPAIR</u> (Required) | | | |
| Current Location: <u>PW - OPS</u> (Required) | | | |
| Title: <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Yes Location of Title: <u>TAG & REGISTRATION NOT NEEDED</u> | | | |
| The following Disposal Action for the above listed property is hereby requested: | | | |
| <input type="checkbox"/> Transfer to Department/Division: _____ (Required) | | | |
| Reason for Transfer: _____ | | | |
| <input checked="" type="checkbox"/> Trade-in towards new purchase: (Note: Additional documentation MUST be attached. Additional approvals required for GROSS purchases which exceed \$100,000.) | | | |
| Reason for Trade-in: <u>Would like to trade tractor in to offset cost of the purchase a new tractor/slope mower.</u> (Required, or attach detailed justification with other required additional documentation) | | | |
| <input type="checkbox"/> Auction/Sale <input type="checkbox"/> Scrap/Recycle (can only be considered with items in POOR condition) | | | |
| <input type="checkbox"/> Destruction (can only be considered with items in POOR condition) | | Why/How: _____ (Required) | |
| <input type="checkbox"/> Cannibalized (can only be considered with items in POOR condition) | | Why/How: _____ (Required) | |
| <u>[Signature]</u> Department Director Signature | | PW - OPS Department Name | <u>3-7-2023</u> Date |

Section B: INTERNAL PROCUREMENT USE ONLY

| | |
|------------------------------------|--|
| Date Received in Procurement | |
| Chief Procurement Officer Approval | |
| Date Approved in Procurement | |
| Date added to Master List | |



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director; George Barber, Chief Procurement Officer

DATE: 4/6/2023

RE: Miscellaneous: 'Piggyback Purchase', polyethylene pipe Volusia County Polyethylene Pipe contract) - Public Works Department (Ferguson Enterprises, Inc. - \$120,000).

Under the City's Stormwater Program, the Public Works Department is seeking approval to utilize Volusia County's contract for Polyethylene Pipe, contract #IFB 18-B-98KT awarded to Ferguson Enterprises, Inc., to furnish polyethylene pipes throughout Palm Bay. This contract is valid through June 18, 2023 and has a one-year renewal remaining. Initially the spend on this contract was less than \$100,000, however due to the 26% price increase on the products, beginning June 19, 2022, the City's spend is on track to exceed the threshold for City Council approval. Utilizing this contract provides the City with the opportunity to quickly move forward with replacing decaying pipes and adding new pipes needed for our growing infrastructure. Due to longer than normal delivery time, a stock is needed on hand for emergencies.

Public Works staff researched multiple vendors and determined that the City of Volusia contract best meets the polyethylene pipe demand for the City's Stormwater Program.

In accordance with the City's Code of Ordinance, Section 38.13(F)(4) Cooperative Purchases and Piggyback Purchases: The City may utilize (piggyback) a contract entered into by another governmental or public entity and a provider of supplies or services required by the City, if the Chief Procurement Officer determines that it is practicable and advantageous for the City to employ this method of purchase, and such contracts specify that they are cooperative procurements at the time of solicitation or the governmental entity Procurement official otherwise agrees to the use of such contract in writing. Any such contracts equal to or in excess of one hundred thousand dollars (\$100,000) shall go to the City Council for approval.

Staff is requesting to utilize the Volusia County Contract # 18-B-98KT, which expires June 18, 2023, for the purchase of a polyethylene pipe from Ferguson Enterprises, Inc in Orlando, Florida.

REQUESTING DEPARTMENT:

Public Works, Procurement

FISCAL IMPACT:

The total purchase cannot exceed the amount approved for the Volusia County contract of \$120,000.00. Public

Works has already spent \$97,048.00. Funding is currently available in account 461-7084-541-5302 and we do not intend to exceed the approved amount.


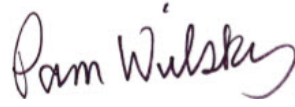




RECOMMENDATION:

Motion to approve the purchase of the polyethylene pipe from Ferguson Enterprises, Inc in Orlando, Florida utilizing Volusia County Contract #18-B-98KT.

ATTACHMENTS:

Description

18-B-98KT Agenda Item dated 6/21/22

| | | | | | |
|--|----------------------|---|-------------------------------|--|--------------------------|
| Date: 06/21/2022 | | AGENDA ITEM | | Item: U | |
| <input type="checkbox"/> Ordinance | | <input type="checkbox"/> Resolution | | <input type="checkbox"/> Budget Resolution | |
| <input checked="" type="checkbox"/> Other | | | | | |
| County Goals | | | | | |
| <input type="checkbox"/> | Thriving Communities | <input type="checkbox"/> | Economic & Financial Vitality | <input type="checkbox"/> | Excellence In Government |
| | | | | <input checked="" type="checkbox"/> | NA |
| Department: Public Works | | | | | |
| Division: Road and Bridge | | | | | |
| Subject: Renewal of agreement with Ferguson Waterworks, Sanford, FL for polyethylene pipe, 18-B-98KT | | | | | |
| Benjamin Bartlett  Department Approval | | Pamela Wilsky  Approved in Accordance with Purchasing Policies and Procedures | | Legal Heather Wallace Assistant County Attorney  Approved as to Form and Legality | |
| Lori Koontz Director Stormwater/Road and Bridge  Division Approval | | Aaron Van Kleeck  Approved as to Budget Requirements | | County Manager's Office Ryan Ossowski Chief Financial Officer  | |
| Council Action: Approved as Recommended. | | | | | |
| Modification: | | | | | |
| Fund Number(s): | | Description: | | Amount: | |
| 159 Stormwater Utility | | 159-751-9100-4611 (Estimated Annual Expenditure: Materials for Maintenance) | | \$60,000.00 | |
| 103 County Transportation Trust | | 103-750-3000-4611 (Estimated Annual Expenditure: Materials for Maintenance) | | \$60,000.00 | |
| Total Item Budget: \$120,000.00 | | | | | |
| Staff Contact(s): | | | | Phone: | Ext. |
| Benjamin Bartlett | | | | 386 736 5965 | 12712 |
| Lori Koontz | | | | 386 822 6422 | 20455 |
| Summary/Highlights: | | | | | |
| On June 19, 2018, the county council approved an agreement with Ferguson Waterworks, Sanford, FL, for polyethylene pipe. The award was for an initial three year term with two optional one-year renewals. Staff is satisfied with the service levels provided by the vendor | | | | | |

and recommends approval of the second one-year renewal.

Ferguson Waterworks requested an allowable price increase in accordance with section 2.11 of the agreement, which equates to a 26% increase. The using department has accepted this change.

The estimated annual expenditure for these services is approximately \$120,000. Historical expenditure data is attached.

Copies of the fully executed agreement and applicable exhibits are available for review in the purchasing and contracts division.

Recommended Motion: Approve.

MA 750 70139**ENTERPRISES INC**

| Department or Division | Amount Expended |
|-----------------------------------|---------------------|
| 750 - Road And Bridge | \$149,074.61 |
| 751 - Stormwater | \$92,793.25 |
| 780 - Water Resources & Utilities | \$11,032.26 |
| Total Expenditure | \$252,900.12 |

MA 750 70139A**ENTERPRISES INC**

| Department or Division | Amount Expended |
|--------------------------|--------------------|
| 750 - Road And Bridge | \$10,341.00 |
| 751 - Stormwater | \$68,929.26 |
| Total Expenditure | \$79,270.26 |

Expenditures: \$ 332,170.38



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Valentino Perez, Acting Public Works Director

DATE: 4/6/2023

RE: Miscellaneous: 'Piggyback Purchase', 2023 Ford Maverick Hybrid and excavator attachments (Volusia Schools contract) - Public Works Department (Step One Automotive Group (vehicle purchase); Ring Power (excavator attachments) - \$50,844).

The Public Works Director's vehicle was part of the City Manager's Office FY21-22 Unfunded Capital request that was approved 12/16/21 by council for \$45,000. The quote for the director's vehicle was \$28,122 leaving a balance of \$16,878.

The City received insurance proceeds for damage caused to a tractor, Vehicle 7193. Repair of the tractor was performed in house at a reduced rate leaving the amount of \$33,966 remaining which was reappropriated from the FY 22 budget to the Fleet Account.

Public Works is requesting to use the existing \$16,878 balance remaining from the purchase of the Director's vehicle as well as \$6,557.94 of the \$33,966 remaining from the insurance proceeds to procure a 2023 Ford Maverick Hybrid quoted at \$23,435.94. The quote is using the Volusia County School Board contract TR-2-009JH, which expires November 9, 2023, and which the City has used before to procure Police, Code, Building, and IT vehicles and finds it to be the most cost effective cooperative vehicle contract option. Because the total spend against this contract now exceeds \$100,000, Council approval is requested.

Public Works is requesting to use part of the remaining \$27,408.06 insurance proceeds to purchase bucket attachments for two excavators for Asset #6846 and #7052 totaling \$21,800. Per a sole source letter on file in Procurement, Ring Power is the sole authorized distributor for Caterpillar parts and equipment.

REQUESTING DEPARTMENT:

Public Works

FISCAL IMPACT:

Total funding of \$50,844 is available in account# 521-7070-519-6403 Light Vehicles. \$27,408.06 need to be transferred from account# 521-7070-519-6403 Light Vehicles into 521-7070-519-6401 Machinery and Equipment.

RECOMMENDATION:

Motion to approve the request to use existing capital funds to piggyback off Volusia Schools Contract #TR-23-009JH and procure a 2023 Ford Maverick from Step One Automotive Group and bucket attachments for two excavators from Ring Power.

ATTACHMENTS:

Description

Quote 1

Quote 2

Quote 3



**Public Works
PURCHASE REQUEST**

Finance Team Only

REQ #: 76819
PO #: _____

VENDOR: Step One Automotive Group VENDOR #: 15599
ADDRESS: 4060 Ferdon Blvd. Crestview, FL 32536 PHONE #: (407) 234-5116
CONTACT: Eric Jore Contract #: IR-23-009

Reason for Purchase Order: Ford Maverick for Public Works Department

☐ Out-To-Bid ☐ Blanket ☒ Purchase ☐ Reverse ☐ Change Order

| ITEM | DESCRIPTION | QTY | UNIT | UNIT PRICE | EXTENDED PRICE | Commodity Sub-Comm |
|------|------------------------------|-----|------|------------|----------------|--------------------|
| 1 | 2023 Ford Mavrick Hybrid FWD | 1 | | 23435.94 | 23,435.94 | <u>070-006</u> |
| 2 | | | | | 0.00 | |
| 3 | | | | | 0.00 | |
| 4 | | | | | 0.00 | |
| 5 | | | | | 0.00 | |
| 6 | | | | | 0.00 | |
| 7 | | | | | 0.00 | |
| 8 | | | | | 0.00 | |
| 9 | | | | | 0.00 | |
| 10 | | | | | 0.00 | |
| 11 | | | | | 0.00 | |
| | SHIPPING CHARGES | | | | | |

TOTAL PRICE: \$ 23,435.94

DELIVER TO: Fleet Department

Date Requested: 02/23/2023 Date Required: _____

Account No.: 521-7070-519-6403 Budget Amt: 23,435.94 Remaining Budget: _____

Account No.: _____ Budget Amt: _____ Remaining Budget: _____

Project No: _____

Budget Transfer Required: ☐ Yes ☒ NO If Yes, amount: _____

Requestor: Timothy Hutter Digitally signed by Timothy Hutter
Date: 2023.02.23 07:54:08
+05'00' Supervisor Approval: Timothy Hutter Digitally signed by Timothy Hutter
Date: 2023.02.23 07:54:20
+05'00'

Three or more quotes or contract required for purchases over \$10,000

FORD CRESTVIEW

FT WALTON BCH CDJR



PROPOSAL

STEP ONE AUTOMOTIVE GROUP
4060 FERDON BLVD
CRESTVIEW, FL 32536
ERIC JORE
GOVERNMENT SALES
CELL 407-234-5116
OFFICE 850-292-4580
E-MAIL
EJORE@STEPONEAUTO.COM

NAME CITY OF PALM BAY

EMAIL

ATTN

DATE 2-22-23

| | |
|--|-----------|
| 2023 FORD MAVRICK HYBRID FWD | 22,665.94 |
| 2.5 4 CYL, HYBRID ENGINE WITH ECVT TRANS | |
| POWER WINDOWS AND LOCKS | |
| CLOTH SEATS | |
| AM FM RADIO | |
| A/C | |
| 3 RD KEY | 345.00 |
| BACK UP ALARM | 175.00 |
| NEW TAG | 250.00 |
| | |
| DELIVERY 120-180 DAYS ARO | |
| UNIT TOTAL | 23,435.94 |
| | |
| BASED ON VOLUSIA CO SCHOOLS VEHICLE CONTRACT | |
| TR-2-009JH | |
| SEE ATTACHED PRICING | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

PURCHASER ACKNOWLEDGES:

STEP ONE AUTOMOTIVE IS UNABLE TO GUARANTEE DELIVERY DATES DUE TO MANY FACTORS, NOT LIMITED TO BUT INCLUDING: PRODUCTION SCHEDULES, WEATHER, AVAILABILITY OF RAIL CARS, ETC.

ALL PAYMENTS ARE DUE ON A NET 30 DAY BASIS UPON RECEIPT OF EACH VEHICLE AS INVOICED REGARDLESS OF THE NUMBER OF VEHICLES ON THE PURCHASE ORDER.

We thank you for the opportunity to make this proposal and will appreciate your acceptance. Acceptance of this proposal will not be binding until this proposal is approved here in writing by an official of Step One Automotive. **Return of one copy of this proposal and your purchase order number constitutes your official acceptance.**

Respectfully submitted,
Eric Jore
Government Sales

Ring Power

HOME OFFICE 500 World Commerce Parkway St. Augustine, FL 32092

FOR INQUIRIES PLEASE
REFERENCE THIS NUMBER**CUSTOMER QUOTE***** EXPIRES 04/21/23***** CHARGE*****DOCUMENT NO. 17Q021710**SOLD TO
CITY OF PALM BAY
ATTN ACCOUNTS PAYBLE
120 MALABAR RD SE
PALM BAY FL

32907

CUSTOMER NO.

005072

SHIP TO

STORE
17

FILLED BY

{17Q021710

W/C
LOCATIONW/C
PIECES

ORDERED BY

TELEPHONE

CUST. ORDER NO.

INSTRUCTIONS

DELIVERY LOCATION

SHIP VIA

JUSTIN

321-952-3400

17:QUOTE

17:QUOTE

WILL

| MAKE | MODEL | SERIAL NO. | EQUIP NO. | ARRANGEMENT NO. | DATE | TIME | ENT. BY | REFERENCE NO. | PAGE |
|------|-------|------------|-----------|-----------------|------|------|---------|---------------|------|
|------|-------|------------|-----------|-----------------|------|------|---------|---------------|------|

3/21/23 9:57:47 KDC

1

| ITEM NO. | QUANTITY | SHIP B/O | PART NUMBER/ DESCRIPTION | R | DESCRIPTION | TR | SOS | NET WEIGHT | UNIT PRICE | EXTD PRICE |
|----------|----------|----------|--------------------------|---|-------------|----|-----|------------|------------|------------|
|----------|----------|----------|--------------------------|---|-------------|----|-----|------------|------------|------------|

| | | | | | | | | | | |
|---|---|---|---------------|--|--|----|-----|----|---------|---------|
| 1 | 1 | 1 | BUC-TERAN-VEG | | | QN | UCB | .0 | 5500.00 | 5500.00 |
|---|---|---|---------------|--|--|----|-----|----|---------|---------|

60" TERAN VEG BKT

| | | | | | | | | | | |
|---|---|---|---------------|--|--|----|-----|----|--------|--------|
| 2 | 1 | 1 | TERAN-PIN SET | | | QN | UCB | .0 | 500.00 | 500.00 |
|---|---|---|---------------|--|--|----|-----|----|--------|--------|

PIN SET

| | | | | | | | | | | |
|---|---|---|---------|--|--|----|-----|----|---------|---------|
| 3 | 1 | 1 | 3886156 | | | QN | UCB | .0 | 6500.00 | 6500.00 |
|---|---|---|---------|--|--|----|-----|----|---------|---------|

COUPLER

| | | | | | | | | | | |
|-----|---|--|-----------------|--|--|--|--|----|--------|--------|
| MSC | 1 | | INBOUND FREIGHT | | | | | .0 | 900.00 | 900.00 |
|-----|---|--|-----------------|--|--|--|--|----|--------|--------|

EST. TOTAL NET WEIGHT OF SHIPPED ITEMS .0

PARTS.CAT.COM - AN EASY AND FAST WAY TO ORDER PARTS 24 HOURS A DAY!!!

TAX EXEMPT LIC # FL CONSUMER EXE

USD SELL TOTAL 13400.00

SIGNATURE REQUIRED

SEE REVERSE FOR
PARTS RETURN POLICY

RECEIVED BY

PRINT NAME

DATE RECEIVED

ORIGINAL

Ring Power

HOME OFFICE 500 World Commerce Parkway St. Augustine, FL 32092

FOR INQUIRIES PLEASE
REFERENCE THIS NUMBER**CUSTOMER QUOTE***** EXPIRES 04/21/23***** CHARGE*****DOCUMENT NO. 17Q021711**SOLD TO
CITY OF PALM BAY
ATTN ACCOUNTS PAYBLE
120 MALABAR RD SE
PALM BAY FL

32907

CUSTOMER NO.

005072

SHIP TO

STORE
17

FILLED BY

{17Q021711

W/C
LOCATIONW/C
PIECES

ORDERED BY

TELEPHONE

CUST. ORDER NO.

INSTRUCTIONS

DELIVERY LOCATION

SHIP VIA

JUSTIN

321-952-3400

17: QUOTE

17: QUOTE

WILL

MAKE

MODEL

SERIAL NO.

EQUIP NO.

ARRANGEMENT NO.

DATE

TIME

ENT. BY

REFERENCE NO.

PAGE

3/21/23 9:59:29 KDC

1

| ITEM | NO. | ORDER | SHIP | QUANTITY | B/O | PART NUMBER/ | DESCRIPTION | R | DESCRIPTION | TR | SOS | NET | UNIT | PRICE | EXTD | PRICE |
|------|-----|-------|------|----------|-----|--------------|-------------|---|-------------|----|-----|-----|------|-------|------|-------|
|------|-----|-------|------|----------|-----|--------------|-------------|---|-------------|----|-----|-----|------|-------|------|-------|

| | | | | | | | | | | | | | | | | |
|---|--|--|--|---|--|------------------|--|--|--|----|-----|----|--|---------|--|---------|
| 1 | | | | 1 | | BUC-TERAN-VEG-72 | | | | QN | UCB | .0 | | 8000.00 | | 8000.00 |
|---|--|--|--|---|--|------------------|--|--|--|----|-----|----|--|---------|--|---------|

72" TERAN BUCKET

| | | | | | | | | | | | | | | | | |
|-----|--|--|--|---|--|-----------------|--|--|--|--|--|----|--|--------|--|--------|
| MSC | | | | 1 | | INBOUND FREIGHT | | | | | | .0 | | 400.00 | | 400.00 |
|-----|--|--|--|---|--|-----------------|--|--|--|--|--|----|--|--------|--|--------|

EST. TOTAL NET WEIGHT OF SHIPPED ITEMS .0

PARTS.CAT.COM - AN EASY AND FAST WAY TO ORDER PARTS 24 HOURS A DAY!!!

TAX EXEMPT LIC # FL CONSUMER EXE

USD SELL TOTAL 8400.00

****SIGNATURE REQUIRED****SEE REVERSE FOR
PARTS RETURN POLICY

RECEIVED BY

PRINT NAME

DATE RECEIVED

ORIGINAL



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Terese Jones, City Clerk

DATE: 4/6/2023

RE: Ordinance 2023-18, redefining and establishing the territorial and corporate limits of the City of Palm Bay, first reading.

Attached is an ordinance establishing the current territorial and corporate limits of the City of Palm Bay. As several annexations have taken place since the last update in 2015, the legal descriptions for each have been integrated into the legal description for the City's territorial limits.

Upon enactment of the ordinance, the legal description herein will be incorporated into the City Charter and recorded with the Florida Department of State.

REQUESTING DEPARTMENT:

Legislative

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to approve the ordinance redefining and establishing the territorial and corporate limits of the city.

ATTACHMENTS:

Description

Ordinance 2023-18

ORDINANCE 2023-18

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, REDEFINING AND ESTABLISHING THE TERRITORIAL AND CORPORATE LIMITS OF THE CITY OF PALM BAY, FLORIDA; PROVIDING FOR THE CITY CLERK TO FILE SAID REDEFINITION OF THE CITY'S BOUNDARIES WITH THE STATE OF FLORIDA, SECRETARY OF STATE; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay has annexed several parcels of land in the corporate limits of the City of Palm Bay since the last annexation in 2015, and

WHEREAS, the annexation of these properties deems it necessary to redefine the boundaries of the City of Palm Bay to include such properties, and

WHEREAS, in accordance with Florida Statutes, Chapter 166.031(3), a municipality may, by ordinance and without referendum, redefine its boundaries to include the lands annexed.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The territorial boundaries and corporate limits of the City of Palm Bay, Florida, are hereby redefined and established as follows:

Begin at a point on the west channel of the Indian River which point of beginning is projected from and parallel with the north line of Section 31, Township 28 South, Range 38 East. From said point of beginning run west and along the north line of Section 31, said township and range, to its point of intersection with the western right of way of U.S. Highway No. 1 (Florida State Road No. 5, Road Section No. 70010-277 per right of way map dated 3-27-61); Thence run southerly along said western right of way a distance of 229.57 feet more or less to the point of intersection with the northerly boundary of Riverview Homes Subdivision as

recorded in Plat Book 13, Page 3, of the Public Records of Brevard County, Florida; Thence run westerly along said northerly line a distance of 290.57 feet to a point; Thence run northerly on a bearing of N8°34'13"W a distance of 233.87 feet to a point of intersection with the north line of said Section 31; Thence run west along the north line of said Section 31, Township 28 South, Range 38 East and continuing across the north line of Section 36 and Section 35, in Township 28 South, Range 37 East, to the northwest corner of the Northeast Quarter of the Northwest Quarter of Section 35, Township 28 South, Range 37 East; Thence south along the west line of the East Half of the Northwest Quarter of said Section 35 to the northwest corner of Lot 11, Plat of Florida Indian River Land Company as recorded in Plat Book 1, Page 164, Public Records of Brevard County, Florida; Thence continue south along the west line of said Lot 11 to the northeast corner of Lot 7 of said plat; Thence west to the northeast corner of Lot 3, Section 34 of said plat; Thence south to the southeast corner of Lot 3 of said Section 34; Thence west to the northwest corner of Lot 29, Plat of Florida Indian River Land Company as recorded in Plat Book 1, Page 165B, Public Records of Brevard County Florida, Section 3, Township 29 South, Range 37 East; Thence south to the southwest corner of Lot 20 of said plat; Thence west to the northwest corner of Lot 12 of said plat; Thence south to the southwest corner of Lot 12 of said plat; Thence west to the northwest corner of Lot 6 of said plat; Thence south to the southwest corner of Lot 6 of said plat; Thence west to the east right of way line of Babcock Street; Thence south along the east right of way line of Babcock Street through Section 10 to the north line of Section 15; Thence west to the northwest corner of Section 15, Township 29 South, Range 37 East; Thence south along the west line of Section 15 a distance of 1000 feet to the south line of the north 1000 feet of Lot 25, Florida Indian River Land Company as recorded in Plat Book 1, Page 165B, Public Records of Brevard County, Florida; Thence east along said south line to the east line of said Lot 25; Thence south along the east line of Lot 25 to the southeast corner of the east half of the south 200 feet of the north 1600 feet of Lot 25; Thence west along the south line of said east half of the south 200 feet, to the east line of the west half of Lot 25; Thence south along said east line to the south line of Lot 25; Thence west along the south line of Lot 25 to the southwest corner of Lot 25, also being the west line of Section 15. Less and except the east 25 feet, and the south 25 feet of Lot 25; Thence south along the west line of Section 15 to the north line of the south 435 feet of the west 350 feet of Lot 24 of said plat; Thence east along said north line to the east line of said south 435 feet of the west 350 feet; Thence south along said east line to the south line of Lot 24; Thence west along said south line to the west line of said Section 15. Less and except the south

35 feet of Lot 24; Thence south along the west line of Section 15 to the south line of the north 800 feet of the south $\frac{3}{4}$ of Lot 9, Florida Indian River Land Company Subdivision of Section 15, Township 29 South, Range 37 East as recorded in Plat Book 1, Page 165B of the Public Records of Brevard County, Florida; Thence east along said south line to the east line of said Lot 9; Thence south along said east line of Lot 9 and Lot 8 of said plat to the north right of way of Valkaria Road; Thence west along said north right of way to the east line of the west 230 feet of Lot 8. Less and except the east 25 feet of said Lots 8 and 9; Thence south along said east line and the east line of the west 230 feet of the north $\frac{1}{4}$ of Lot 25, Section 22, Township 29 South, Range 37 East, Florida Indian River Land Company as recorded in Plat Book 1, Page 165B, Public Records of Brevard County, Florida, to the north line of the north 200 feet of the south $\frac{3}{4}$ of Lot 25; Thence east along the north line of the north 200 feet of the south $\frac{3}{4}$ of Lot 25 and Lot 26 of said plat, to the east line of the west $\frac{1}{2}$ of the north 200 feet of the south $\frac{3}{4}$ of Lot 26; Thence south along said east line to the south line of said north 200 feet of the south $\frac{3}{4}$ of Lot 26; Thence west along said south line of the said north 200 feet of the south $\frac{3}{4}$ of Lots 26 and 25 to the west line of said Section 22; Thence south along the west line of Section 22, and Section 27 to the north line of the west $\frac{1}{2}$ of the south 200 feet of the north $\frac{3}{4}$ of Lot 24, Florida Indian River Land Company Subdivision of Section 27, Township 29 South, Range 37 East, as recorded in Plat Book 1, Page 165A of the Public Records of Brevard County, Florida; Thence east along said north line to the east line of the west $\frac{1}{2}$ of the south 200 feet of the north $\frac{3}{4}$ of Lot 24; Thence south along said east line to the north line of the south $\frac{1}{4}$ of Lot 24; Thence east along said north line to the east line of Lot 24; Thence south along said east line to the southeast corner of Lot 24; Thence west along said south line to the southwest corner of Lot 24 also being the west line of Section 27. Less and except the east 25 feet and the south 35 feet of Lot 24; Thence south along the west line of Section 27 to the north line of Lot 8, Florida Indian River Land Company Subdivision of Section 27, Township 29 South, Range 37 East as recorded in Plat Book 1, Page 165A of the Public Records of Brevard County Florida; Thence east along the north line of Lot 8 to the northeast corner of Lot 8; Thence south along the east line of Lot 8 to the north right of way of Grant Road; Thence west along the north right of way of Grant Road to the west line of Section 27; Thence south along the west line of Section 27 to the southwest corner of Section 27, also being the northwest corner of Section 34 ; Thence south along the west line of Section 34 to the northwest corner of the Southwest Quarter of Section 34; Thence east along the north line of the Southwest Quarter of Section 34 to the northeast corner of the Southwest Quarter of said Section 34, also being the northwest corner of

Lot 13, Florida Indian River Land Company Subdivision of Section 34, Township 29 South, Range 37 East, as recorded in Plat Book 1, Page 165A of the Public Records of Brevard County, Florida; Thence continue east along the north line of Lot 13 to the east line of the west $\frac{1}{2}$ of the north $\frac{1}{4}$ of Lot 13; Thence south along said east line to the south line of the west $\frac{1}{2}$ of the north $\frac{1}{4}$ of Lot 13; Thence west along said south line to the east line of the Southwest Quarter of Section 34. Less and except the north 35 feet of Lot 13; Thence south along the east line of the Southwest Quarter of said Section 34 to the south line of said Section 34, also being the north line of Section 3, Township 30 South, Range 37 East; Thence east along the north line of Section 3 to the northwest corner of a tract of land described as the West Half of the East Half of the Northwest Quarter of the Northeast Quarter of Section 3; Thence south along the west line of said tract to the southwest corner of said tract; Thence east along the south line of said tract to the southeast corner of said tract; Thence north along the east line of said tract to the northeast corner of said tract, also being the north line of Section 3; Thence east along the north line of Section 3, Section 2 and the West Half of Section 1 to the northeast corner of the Northwest Quarter of Section 1, Township 30 South, Range 37 East; Thence south along the east line of the West Half of Section 1 and the east line of the Northwest Quarter of Section 12 to the north line of the South Half of Section 12. Less and except a portion of the Northwest Quarter of Section 3 described in Official Record Book 4603, Page 3856 and Official Record Book 4657, Page 1881, Public Records of Brevard County, Florida. Also less and except the Southeast Quarter of the Southeast Quarter of Section 3. Also less and except the West Half of the Southwest Quarter of the Southwest Quarter of Section 2. Also less and except Borrow Pit No. 5 and the Haul Route from Borrow Pit No. 5 described in Official Record Book 5391, Page 5437. Also less and except a strip of land 200 feet in width constituting the main canal of the San Sebastian Drainage District and traversing the Northwest Quarter of Section 12, the North Half of Section 11 and the Northeast Quarter of Section 10 as described in Official Record Book 5391, Page 5437; Thence east along the north line of the South Half of Section 12 a distance of 294.46 feet to the northeast corner of the west 18 acres of the Southeast Quarter of said section 12; Thence south along the east line of the said west 18 acres to the north line of the Northeast Quarter of Section 13; Thence east along the north line of the Northeast Quarter of Section 13 to the northeast corner of the west 37 acres of the Northeast Quarter of Section 13; Thence south along the east line of said west 37 acres to the north right of way of Micco Road, a 100 foot right of way described in Official Record Book 620, Page 793 of the Public Records of Brevard County Florida; Thence continue south along said east line a

distance of 100 feet to the south right of way of Micco Road; Thence east along said south right of way through Section 13, Township 30 South, Range 37 East and Sections 18 and 17, Township 30 South, Range 38 East, to its intersection with the northwesterly boundary line of the George Fleming Grant, also being the centerline of Micco Road; Thence continue east to the southeasterly right of way of Micco Road; Thence northeasterly along the southeasterly right of way of Micco Road a distance of 3861.31 feet; Thence east along said right of way to the southerly extension of the west line of Section 9, Township 30 South, Range 38 East; Thence north along said west line of Section 9 to the northwest corner of the Southwest Quarter of said Section 9; Thence east along the north line of said Southwest Quarter of Section 9 to the northeast corner of said Southwest Quarter of Section 9; Thence south along the east line of said Southwest Quarter to the north right of way line of Micco Road; Thence west along said north right of way line to a point 305.44 feet east of the west line of said Southwest Quarter of Section 9; Thence south to the south right of way line of Micco Road; Less and except Tracts 31, 32, 33, 34, 35, and that portion of Tract 62 lying north of the north right of way of Micco Road as recorded in A.A. Berry's Plat of Fleming Grant, Plat Book 2, Page 25A, Public Records of Brevard County, Florida; Thence continue south along the centerline of a north-south drainage ditch a distance of 5560.76 feet to the north line of the lands described in Official Record Book 1012, Page 656, Public Records of Brevard County, Florida; Thence west along said north line a distance of 7,193.98 feet to its intersection with the northwesterly line of said George Fleming Grant; Thence southwesterly along said George Fleming Grant line a distance of 4,735.07 feet to the southwest corner of fractional Section 19; Thence north along the west line of fractional Section 19 to the northwest corner of said Section 19, also being the southeast corner of the Southeast Quarter of Section 13, Township 30 South, Range 37 East. Said corner was set by agreement as recorded in Official Record Book 5537, Page 2752 of the Public Records of Brevard County, Florida; Thence west along the south line of said Section 13 to the southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 13; Thence S89°32'47"W along said south line a distance of 292.06 feet; Thence N0°01'06"E a distance of 1,319.67 feet to the north line of said Southwest Quarter of the Southwest Quarter, also being the south line of the North Half of the Southwest Quarter of said Section 13; Thence west along said south line to the west line of the east 65 acres of the North Half of the Southwest Quarter of Section 13; Thence north along said west line of the east 65 acres to the south right of way of Micco Road; Thence continue north to the north right of way of Micco Road; Thence west along said north right of way to the west line of the Northwest Quarter

of Section 13; Thence north along said west line to the northwest corner of Section 13, also being the southwest corner of Section 12; Thence north along the west line of the Southwest Quarter of Section 12 to the west quarter corner of Section 12, also being the southeast corner of the North Half of Section 11; Thence west along the south line of the North Half of Section 11 and the south line of the Northeast Quarter of Section 10 to the southwest corner of the Northeast Quarter of Section 10; Thence north along the west line of said Northeast Quarter to the north line of Section 10; Thence north along the east line of the West Half of Section 3 to the south boundary line of Wheeler Farms as described in Official Record Book 5352, Page 1538, Public Records of Brevard County, Florida; Thence west along said south boundary line to the northerly extension of the east line of Lot 22 of Cape Kennedy Groves Unit 9 as recorded in Plat Book 21, Page 77 of the Public Records of Brevard County, Florida; Thence south along said northerly extension and the east line of said Lot 22 to the southeast corner of Lot 22; Thence west along the south line of Lots 22, 21 and 20 to the southwest corner of Lot 20, also being the northeast corner of Lot 65; Thence south along the east line of Lot 65 to the southeast corner of Lot 65; Thence west along the south line of Lots 65 through 72 to the southwest corner of Lot 72; Thence north along the west line of Lots 72 and 12 and the northerly extension of the west line of Lot 12 to the south line of said Wheeler Farms; Thence west along the south line of Wheeler Farms through the West Half of Section 3 and Section 4 to the east line of Section 5. Less and except the right of way of Babcock Street in Sections 3 and 4 described in Official Record Book 2304, Page 544, Public Records of Brevard County, Florida lying west of and adjoining the properties described in Official Record Book 2226, Page 1842, Official Record Book 2251. Page 1801, and Official Record Book 2624, Page 812; Thence south along the east line of Section 5 and Section 8 to the northeast corner of Lot 44, Plot Plans of Sunshine Groves, Unit 7 as recorded in Plat Book 21, Page 78 of the Public Records of Brevard County, Florida; Thence west along the north line of said lot 44 and the north line of said Unit 7 to the northwest corner of Lot 6 of said Unit 7; Thence south along the west line of Lot 6 to the southwest corner of Lot 6; Thence east along the south line of Lot 6 to the southeast corner of Lot 6, also being the northeast corner of Lot 84 of said Unit 7; Thence south along the east line of Lot 84 to the north right of way of Willowbrook Road; Thence west along the north right of way of Willowbrook Road to the west line of Lot 86 of said Unit 7; Thence north along the west line of Lot 86 and Lot 4 to the northwest corner of Lot 4, also being the northeast corner of Lot 1 of said Unit 7; Thence west along the north line of Lot 1 to the east line of the Northwest Quarter of said Section 8; Thence north along the east line of the

Northwest Quarter of Section 8 and the east line of the west one half of Section 5 to the north line of Section 5, also being the south line of Section 32, Township 29 South, Range 37 East; Thence west along the south line of Section 32 and Section 31 of said Township and Range and along the south line of Sections 36, 35, and 34 of Township 29 South, Range 36 East to the southwest corner of said Section 34; Thence north along the west line of Section 34, Section 27, Section 22, Section 15 and Section 10, all being in said Township 29 South, Range 36 East to the west Quarter Corner of Section 10, also being the southeast corner of the Northeast Quarter of Section 9; Thence west along the south line of the Northeast Quarter of Section 9 to the southwest corner of said Northeast Quarter; Thence north along the west line of said Northeast Quarter to the southeast corner of the North 5/8ths of the East Half of the Northwest Quarter of Section 9; Thence west along the south line of said North 5/8ths of the East Half of the Northwest Quarter to the southwest corner of said North 5/8ths of the East Half of the Northwest Quarter; Thence north along the west line of the East Half of the Northwest Quarter of Section 9 to the north line of Section 9. Less and except the west 48 feet of the south 3/8ths of the Northeast Quarter of Section 9; Thence west along the north line of Section 9 to the northwest corner of Section 9, also being the southwest corner of Section 4; Thence north along the west line of Section 4 to the south line of the North Half of the Northeast Quarter of Section 5. Less and except canal right of way along the west line of Section 4, along the east line of the west 1/2 of Section 4 and along the west line of the east 1/2 of Section 4. Also less and except the land described in Malabar Lakes West Subdivision Phase 1A recorded in Plat Book 43, Page 23 and Malabar Lakes West Subdivision Phase 2 recorded in Plat Book 51, Page 37 of the Public Records of Brevard County, Florida; Thence west along said south line to the west line of said Northeast Quarter; Thence north along said west line to the north line of Section 5. Less and except the east 60 feet and the west 57 feet for canal rights of way of said North Half of the Northeast Quarter of Section 5. Also less and except those certain parcels of land recorded in Official Record Book 3955, Page 1686 and Official Record Book 4537, Page 422, Public Records of Brevard County, Florida; Thence west along the north line of Section 5 also being the south line of Section 32, Township 28 South, Range 36 East to the southwest corner of Section 32; Thence north along the west line of Section 32, Section 29 and Section 20 to the northwest corner of said Section 20. Less and except the west 65 feet for canal right of way and less and except the south 33 feet for road right of way of West Half of said Section 32; Thence east along the north line of Section 20 and Section 21 to the northwest corner of the East Half of the Northeast Quarter of the Northwest Quarter of said Section 21; Thence south

along the west line of said East Half to the Southwest corner of said East Half; Thence East along south line of said East Half to the Southeast corner of said East Half; Thence north along the east line of the said East Half to the northeast corner of the Northwest Quarter of said Section 21; Thence east along the north line of Section 21, Section 22, and Section 23 of said Township and Range, to the northeast corner of said Section 23; Thence south along the east line of said Section 23 to the southeast corner of the Northeast Quarter of said Section 23, also being the southwest corner of the Northwest Quarter of Section 24 of said Township and Range; Thence east along the north line of the South Half of said Section 24 to the west line of Lot 4, Block 2 of Melbourne Poultry Colony Addition No. 1 as recorded in Plat Book 7, Page 12 of the Public Records of Brevard County, Florida; Thence north along the west line of Lot 4 and Lot 3 to the northwest corner of Lot 3 of said Block 2; Thence east along the north line of Lot 3 and the extension of said north line to the east line of Section 24; Thence south along the east line of Section 24 to the westerly extension of the north right of way of Palm Bay Road. Less and except the Minton Road right of way, lying north of the westerly extension of the north right of way of Palm Bay Road, in Section 24; Thence east along said westerly extension and the north right of way of Palm Bay Road through Sections 19 and 20, Township 28 South, Range 37 East, to the centerline of Dairy Road and the west line of Section 21; Thence south to the west Quarter Corner of Section 21; Thence east along the north line of the South Half of Section 21, Township 28 South, Range 37 East, to the southwest corner of Lot 17 of the Plat of Florida Indian River Land Company as recorded in Plat Book 1, Page 164 lying in Section 21, Township 28 South, Range 37 East; Thence north along the west line of said Lot 17 to the south line of the north 735 feet of said Lot 17; Thence east along said south line to the east line of Section 21, Township 28 South, Range 37 East; Thence north along the east line of said Section 21 to the southeast corner of the north 435 feet of said Lot 17; Thence west along the south line of the north 435 feet of said Lot 17 a distance of 280 feet; Thence north and parallel with the east line of Lot 17 a distance of 135 feet to the south line of the north 300 feet of said Lot 17; Thence east along the south line of the north 300 feet a distance of 280 feet to the east line of Section 21, Township 28 South, Range 37 East; Thence north along the east line of said Section 21 to the southeast corner of the north 225 feet of said Lot 17; Thence west along the south line of the north 225 feet of said Lot 17 to the southwest corner of the north 225 feet of said Lot 17; Thence north along the west line of said Lot 17 and Lot 32 to the north line of said Section 21; Thence east along the north line of said Section 21 and Section 22 to the southwest corner of Section 14 of said Township and Range; Thence north along

the west line of said Section 14 to the northwest corner of Section 14; Thence east along the north line of said Section 14 to the west right of way of the Florida East Coast Railway; Thence in a northerly direction and along the west right of way of the Florida East Coast Railway to a point on the south line of the North Half of the Northeast Quarter of the Southwest Quarter of Section 11 of said Township and Range; Thence east along the south line of the North Half of the Northeast Quarter of the Southwest Quarter of said Section 11 to a point on the west line of Government Lot 3 of said Section 11; Thence north along the west line of said Government Lot 3 to the north line of the South Half of said Section 11; Thence east along the north line of the South Half of said Section 11 and on a projection thereof to a point on the West Channel of the Indian River; Thence in a southerly direction along the West Channel of the Indian River to the point of beginning.

Less and except Section 25, Township 28 South, Range 36 East.

TOGETHER WITH

Begin at the northwest corner of Section 19, Township 30 South, Range 37 East; Thence east along the north line of Section 19, Section 20 and Section 21 to the west right of way of Babcock Street. Less and except Lots 71, 72, and 81, Hayward's Prosperity Farms, as recorded in Plat Book 4, Page 99, Public Records of Brevard County, Florida; Thence south along the west right of way of Babcock Street through Section 21 and Section 28 to the centerline of Centerlane Road; Thence N89°11'06"W along the centerline of Centerlane Road a distance of 6481.67 feet; Thence S1°08'05"W a distance of 7693.86 feet to the north right of way of C-54 Canal as described in Official Record Book 880, Page 739 of the Public Records of Brevard County, Florida; Thence along the north right of way of C-54 Canal run the following three courses: N89°40'58"W, 1534.97 feet; Thence N0°19'02"E, 80.0 feet; Thence N89°40'58"W, 50.0 feet; Thence leaving said right of way run N0°24'30"E along the approximate centerline of an existing canal and along the centerline of a 100 foot wide drainage easement recorded in Official Record Book 3099, Page 3780 of the Public Records of Brevard County, Florida, a distance of 7637.65 feet to the centerline of Centerlane Road; Thence N89°11'10"W along the centerline of Centerlane Road a distance of 1082.84 feet; Thence S0°24'30"W, 3591.02 feet; Thence N89°38'11"W along a wire fence a distance of 1765.85 feet; Thence N0°24'32"E, 3529.96 feet to the south right of way of Centerlane Road, a 150 foot wide right of way; Thence west along the south right of way of Centerlane Road a distance of 49.0 feet; Thence S0°24'37"W a distance of 7669.18 feet to the north right of way of C-54 Canal; Thence along the north right of way of C-54 Canal run the following 12 courses: N89°49'29"W,

2394.11 feet; Thence N0°10'31"E, 80.0 feet; Thence N89°49'29"W, 100.0 feet; Thence S0°10'31"W, 80.0 feet; Thence N89°47'35"W, 2260.90 feet; Thence N89°54'32"W, 3085.40 feet; Thence N0°05'28"E, 80.0 feet; Thence N89°54'32"W, 80.0 feet; Thence S0°05'32"W, 80.0 feet; Thence N89°54'32"W, 715.0 feet; Thence S89°16'52"W, 1414.35 feet; Thence N89°45'05"W, 722.57 feet to the east line of the lands described as the western portion of O.L.C., Inc. - Mary "A" Ranch Property recorded in Official Record Book 4914, Page 1678, Public Records of Brevard County, Florida; Thence run the following three courses along the said east line of the Mary "A" Ranch: N0°38'52"E, 12,666.88 feet; Thence N89°47'51"W, 2806.02 feet; Thence N0°27'00"E, 3154.03 feet to the approximate centerline of a canal running easterly and westerly; Thence run the next six courses along the approximate centerline of said canal; S89°19'40" E, 951.86 feet; S88°34'44"E, 1876.27 feet; S89°54'52"E, 1600.03; S88°00'54"E, 1598.58 Feet; S89°58'52"E, 1483.42 Feet; S89°40'03"E, 1031.05 to the east line of Township 30 South, Range 36 East and the west line of Section 18, Township 30 South, Range 37 East; Thence run south 318 feet along said west line to the southwest corner of said Section 18 also being the northwest corner of Section 19 and the Point of Beginning.

SECTION 2. The Office of the City Clerk is hereby directed to incorporate the new boundaries into the City Charter of the City of Palm Bay and pursuant to Section 166.031(3), Florida Statutes, file said Charter with the State of Florida, Secretary of State.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 4. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 5. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable,

inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 6. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly passed and enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Laura Clawson, Human Resources Director

DATE: 4/6/2023

RE: Ordinance 2023-19, amending the Code of Ordinances, Chapter 34, Human Resources, Subchapter 'General Provisions', by including provisions for a general background check requirement and a special criminal history background check, first reading.

The Human Resources Administrative Code G.25.2. 10.5E(b) Employment Process, includes fingerprinting as part of the background check for selected applicants. Recently, while providing updated forms, the Florida Department of Law Enforcement (FDLE) notified the City that we were not eligible for the Volunteer and Employee and Criminal History System (VECHS). The VECHS program is for entities who provide care or care placement services specifically to children, the elderly or disabled as defined in FSS 943.0542. Because the City provide services to the general population, and not just the specific classes that VECHS is authorized for, the City is not eligible. At this time, Human Resources can only conduct an FDLE name search through FDLE. The results provided are for the state of Florida only.

Public Law 92-544 authorizes the dissemination of national criminal history record information (CHRI) to agencies seeking to screen applicants who are otherwise ineligible to be screened under a separate regulatory authority or through FDLE's VECHS Program. The City of Palm Bay is required to enact an ordinance that authorizes the national screenings. The authority to fingerprint comes from Section 166.0442, Florida Statutes, which also states an ordinance is required.

Approval of this Ordinance will allow the City of Palm Bay to request an FL9 Originating Agency Identifier (ORI) number with the proper program to resume fingerprinting of selected applicants.

REQUESTING DEPARTMENT:
Human Resources

FISCAL IMPACT:
None.

RECOMMENDATION:
Motion to approve the Ordinance.

ATTACHMENTS:

Description

Ordinance 2023-19

ORDINANCE 2023-19

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE III, ADMINISTRATION, CHAPTER 34, HUMAN RESOURCES, SUBCHAPTER 'GENERAL PROVISIONS', BY INCLUDING PROVISIONS FOR A GENERAL BACKGROUND CHECK REQUIREMENT AND A SPECIAL CRIMINAL HISTORY BACKGROUND CHECK; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is common practice and both appropriate and proper to require general background checks of all prospective City employees, and

WHEREAS, the City has conducted such general background checks for some time without any specific requirement being set forth in the City Code of Ordinances; and,

WHEREAS, Florida Legislature, Chapter 169 set forth in Section 166.0442, Florida Statutes, which authorizes specific criminal history checks for certain municipal employees and appointees, whether paid, unpaid, or contractual, the Florida Legislature has attempted to assist municipal governments in their efforts to ensure that City applicants, personnel, and other appointees to positions it deems critical to security or public safety have appropriate backgrounds to work in those positions, and

WHEREAS, the City Council of the City of Palm Bay, has determined it is in the best interest of the City and its citizens to require all appropriate and applicable background checks for all prospective City employees.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The above recitals are true and correct and are hereby incorporated by reference.

SECTION 2. The City of Palm Bay Code of Ordinances, Title III, Administration, Chapter 34, Human Resources, Subchapter 'General Provisions', by creating Section 34.14, Recruitment and Examinations, which shall henceforth read as follows:

<>>Section 34.14 RECRUITMENT AND EXAMINATIONS.

(A) *Recruitment.* The Human Resources Director shall give public notice of recruitment for examinations which are to be held for filling positions in classified service. The notice shall contain the time, place, date and requirements for the examinations. Applications for all positions of the classified service are to be submitted to the Human Resources Director on prescribed forms. All prospective employees shall be required to authorize the City to conduct all appropriate background screening procedures as a condition of employment with the City.

(B) *Criminal History Records Check.* In addition to the foregoing, as authorized in Section 166.0442, Florida Statutes, the City may, in its sole discretion, require employment screening for any position of municipal employment or appointment which the City determines is critical to security or public safety, or for any private contractor, employee of a private contractor, vendor, repair person, or delivery person who has access to any public facility or publicly operated facility that the City determines is critical to security or public safety. Each person applying for, or continuing employment in, any such position or having access to any such facility shall also be required to be fingerprinted. The fingerprints shall be submitted to the Department of Law Enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check. The information obtained from the criminal history record checks conducted pursuant to this Ordinance may be used by the municipality to determine an applicant's eligibility for employment or appointment and to determine an employee's eligibility for continued employment. This section is not intended to preempt or prevent any other background screening, including, but not limited to, criminal history background checks, that a municipality may lawfully undertake.<<

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 4. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 5. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 6. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Alexandra Bernard, Growth Management Director

DATE: 4/6/2023

RE: Ordinance 2023-20, amending the Code of Ordinances, Chapter 51, Public Hearings, Subchapter 'Public Hearing Notices', by modifying provisions related to public hearing notices, first reading.

A textual amendment to the City of Palm Bay's Code of Ordinances, Title V, Legislative, Chapter 51: Public Hearings, Section 51.07 to add language on Public Hearing Notices.

In an effort to keep up to date with the required Florida Statutes, the proposed textual amendment is requested to modify section 51.07 (A) Public Hearing Notices to incorporate the following language 'or on a governmental agency website under section 50.0311 Florida Statutes if such website is available and the City has complied with the requirements of the section 50.0311 (6) Florida Statutes. (1) Public Hearings that have requested a continuance shall be required to readvertise to a date certain.'

REQUESTING DEPARTMENT:

Growth Management, City Attorney's Office, Legislative

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

Motion to approve an Ordinance providing for the textual amendment to the City of Palm Bay's Code of Ordinances, Title V, Legislative, Chapter 51: Public Hearings, Section 51.07 to add language on Public Hearing Notices.

ATTACHMENTS:

Description

Ordinance 2023-20

ORDINANCE 2023-20

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE V, LEGISLATIVE, CHAPTER 50, PUBLIC HEARINGS, BY MODIFYING PROVISIONS RELATED TO PUBLIC HEARING NOTICES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 51, Public Hearings, Section 51.03, Continuance by Council or Boards, is hereby amended and shall henceforth read as follows:

“51.03 CONTINUANCE BY COUNCIL OR BOARDS.

* * *

(B) Should a scheduled public hearing be continued by the City Council or a board upon the applicant's request, or upon request by the City Council or a board, the matter shall be rescheduled for a specific date and time as determined by the Council or board. If no date and time are specified by the Council or board, the matter shall automatically be rescheduled for the next regularly scheduled meeting of the Council or board. ~~No notice or publication shall be required, except as may be provided by law.~~

* * *”

SECTION 2. The City of Palm Bay Code of Ordinances, Title V, Legislative, Chapter 51, Public Hearings, Section 51.07, Public Hearing Notices, is hereby amended and shall henceforth read as follows:

“Section 51.07 PUBLIC HARING NOTICES.

(A) ~~Newspaper p~~ **>>P<<**ublication. Notice of all public hearings shall be advertised in a newspaper of general circulation within the city as required by

Florida Statutes >>or on a governmental agency website under section 50.0311, Florida Statutes, if such website is available and the City has complied with the requirements of section 50.0311(6), Florida Statutes.

(1) Public Hearings that have requested a continuance shall be required to readvertise to a date certain.<<

* * *

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 4. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 5. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 6. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Larry Wojciechowski, Finance Director

DATE: 4/6/2023

RE: Ordinance 2023-21, amending the Fiscal Year 2022-2023 budget by appropriating and allocating certain monies (second budget amendment), first reading.

Summary of the proposed budget amendment:

General Fund (001)

Revenues – Total \$80,949

- Recognize COVID-19 FEMA Public Assistance (PA) Reimbursement - General Fund portion – \$24,498.
- Record the Victims of Crime Act (VOCA) 2022-2023 grant award utilized to offset the personnel costs for two Victim Advocate positions in the Victims Services Unit - \$31,451.
- Record insurance claim revenue received for damages sustained to one (1) LifePak (Fire Department) - \$25,000.

Expenditures – Total \$2,946,335

- Transfer available Fire Department capital savings (\$58,200) from the purchase of budgeted air packs and regulators to acquire 50 air bottles \$58,200 to keep all air packs in service; approved by City Council 12/06/2022 – Net Impact \$0.
- Appropriate funding for the increase of City Council's monthly incidental expense allotment; approved by City Council 12/06/2022 – \$18,600.
- Transfer available operating expense funding (\$2,269) towards the purchase of two (2) Zero Turn Mowers \$2,269; approved by City Council 12/15/2022 – Net Impact \$0.
- Transfer available operating expense funding (\$18,200) towards the purchase of one (1) F-550 Flatbed Dump Truck \$18,200; approved by City Council 12/15/2022 – Net Impact \$0.
- Transfer funding to the Stormwater Utility Fund (461) to cover three (3) months of stormwater utility exemptions not included in the FY 2023 Approved Budget; approved by City Council 12/06/2022 - \$46,905.
- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$2,806,063.
- Appropriate insurance claim revenue received for damages sustained to one (1) LifePak to purchase a replacement for that Department – \$25,000.
- Transfer available Fire Department capital savings (\$30,000) from the purchase of budgeted air packs and

regulators to the Fleet Services Fund (421) to appropriate additional funding towards the completion of Brush Truck #2 (project 22FD06) \$30,000; approved by City Council 02/02/2023 – Net Impact \$0.

- Appropriate funding for design costs for shoreline stabilization system protection for Stearns Point Park (23PK01) \$25,293 and Castaway Point Park (23PK02) \$32,815; approved by City Council 03/02/2023 - \$58,108.

- Deputy City Manager's attendance to the 2023 National League of Cities Congressional Conference in Washington D.C.; appropriate funding to cover the cost of registration, travel (airfare/lodging), and per diem; approved by City Council 03/02/2023 - \$3,487.

- Budget Corrections to the following items – Net Impact (\$11,828)

 - Appropriate missing vehicle allowance for Finance Director - \$4,860

 - Reduce transfer to Environmental Fee Fund (161) for loan pay off; loan amount owed less than budgeted – (\$24,588)

 - Return funding for AutoCad & HCS7 computer software maintenance; funding deducted twice in approved budget – \$7,900.

Law Enforcement Trust Fund (101)

Expenditures – Total \$500

- Appropriate funding for Bank Service Fee expenditures related to the 2022-2023 Asset Forfeiture Program; approved by City Council 01/19/2023 – \$500.

SHIP Fund (111)

Expenditures – Total (\$59,249)

- Close the completed Castor/1620 Norman Street NE project (22CD27) – (\$59,249).

Community Development Block Grant/CDBG Fund (112)

Expenditures – Total \$214,748

- Budget Correction (Incorrect Department Code) – Palm Bay Senior Center (20CD01): transfer balance rolled to FY 2023 from the Growth Management Department (code 33) (\$209) to the Community & Economic Development Department (code 34) \$209 – Net Impact \$0.

- Appropriate funding to the following projects per the substantial amendment approved by City Council on 02/16/2023: Veterans Memorial Park (22CD37) \$150,925 and Liberty Park Upgrades (22CD38) \$63,823 – \$214,748.

HOME Investment Grant Fund (114)

Revenues – Total \$1,608,607

- Record FY 2022-2023 HOME Disbursement Agreement between the City of Palm Bay and Brevard County; approved by City Council 01/19/2023 – \$1,168,463.

- Record Program Income/Rehab carryforward - \$440,144.

Expenditures – Total \$1,377,831

- Appropriate the FY 2022-2023 HOME Disbursement Agreement and Program Income/Rehab carryforward as follows; approved by City Council 01/19/2023 – Total \$1,377,831.

 - Labor Distributions - \$93,620

 - Community Housing Development (project 22CD07) - \$1,164,211

 - Down Payment Assistance (project 22CD07) - \$120,000

NSP Fund (123)

Expenditures – Total \$0

- Budget Correction (Incorrect Department Code) – Homes Warriors (14CD01): transfer balance rolled to FY 2023 from the Growth Management Department (code 33) (\$271) to the Community & Economic Development Department (code 34) \$271 – Net Impact \$0.
- Budget Correction (Incorrect Department Code) – Homes/Warriors Hunt Street (17CD03): transfer balance rolled to FY 2023 from the Growth Management Department (code 33) (\$135) to the Community & Economic Development Department (code 34) \$135 – Net Impact \$0.

CDBG CV-Coronavirus Fund (126)

Expenditures – Total \$127,557

- Appropriate unallocated CDBG-CV and CDBG-CV3 Program Year 2019-2020 funding to the following organizations; approved by City Council 02/16/2023 – Total \$127,557.
 - FY 19/20 CDBG-CV3 CAT (project 22CD19) - \$30,000
 - FY 19/20 CDBG/CV3 BRE (project 22CD23) - \$38,557
 - FY 19/20 CDBG/CV3 GRT (project 22CD24) - \$22,000
 - FY 19/20 Help Seniors of Brevard (project 23CD21) - \$37,000

ARPA Fund (128)

Expenditures – Total \$938,601

- Appropriate funding to Community of Hope, Inc. to assist with the acquisition of affordable housing projects; approved by City Council 12/15/2022 – Total \$518,601.
- Appropriate funding to the Septic to Sewer project for properties within the Palm Bay city limits; approved by City Council 12/15/2022 – Total \$420,000.

Environmental Fee Fund (161)

Revenues – Total (\$24,588)

- Budget Correction – Reduce incoming transfer from the General Fund (001) for loan pay off; loan amount owed less than budgeted – (\$24,588).

Bayfront Community Redevelopment Fund (181)

Revenues – Total \$119,126

- Record additional revenue of \$119,126 - County portion of the FY 2023 Tax Increment revenues of \$719,126 exceeds the approved budget of \$600,000 – \$119,126.

Expenditures – Total \$3,000

- Budget Mid-Year True-Ups - Appropriate funding for Arbitrage Services – \$3,000.

Fire Impact Fee Fund – Nexus 32905 (187)

Expenditures – Total \$8,500

- Appropriate funding the Emergency Dispatch System, Phase 2, Mach Alerting System and Installation; approved by City Council 01/05/2023 – \$8,500.

Fire Impact Fee Fund – Nexus 32907 (188)

Expenditures – Total \$52,000

- Appropriate funding the Emergency Dispatch System, Phase 2, Mach Alerting System and Installation; approved by City Council 01/05/2023 – \$52,000.

Fire Impact Fee Fund – Nexus 32909 (190)

Expenditures – Total \$74,240

- Appropriate funding to complete work on retrofitting the High Water Rescue Vehicle, Brush 5 (project 22FD07); approved by City Council 12/06/2022 – \$15,000.
- Appropriate funding the Emergency Dispatch System, Phase 2, Mach Alerting System and Installation; approved by City Council 01/05/2023 – \$59,240.

Parks Impact Fee Fund – Nexus 32905 (191)

Expenditures – Total \$0

- Budget Correction (Incorrect Department Code) – Riviera Dog Park (21PR01): transfer balance rolled to FY 2023 from the dissolved Parks & Recreation Department (code 40) (\$110) to the Parks & Facilities Department (code 45) \$110 – Net Impact \$0.

Transportation Impact Fee Fund – Nexus 32907 (197)

Expenditures – Total \$242,028

- Appropriate funding to the Transportation Master Plan project (22PW08) for the amendment to Task Order 8 and Task Order 9 for the Northwest and Southeast traffic studies; approved by City Council 12/15/2022 – \$35,066.
- Appropriate funding to the Emerson @ SJHP Intersection project (23PW02) to improve traffic flow and enhance public safety; approved by City Council 12/15/2022 - \$206,962.

Transportation Impact Fee Fund – Nexus 32909 (199)

Expenditures – Total \$31,413

- Appropriate funding to the Transportation Master Plan project (22PW08) for the amendment to Task Order 8 and Task Order 9 for the Northwest and Southeast traffic studies; approved by City Council 12/15/2022 – \$31,413.

'04 Pension Bond Debt Service Fund (214)

Expenditures – Total \$5

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$5.

'13 TSO Refunding Bond Fund (221)

Expenditures – Total \$10

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$10.

'15 Franchise Fee Revenue Note Fund (223)

Expenditures – Total \$20

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$20.

'16 Franchise Fee Revenue Refinancing Note Fund (226)

Expenditures – Total \$5

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$5.

'18 LOGT Revenue Note Fund (227)

Expenditures – Total \$10

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$10.

'19 Tax Special Obligation Refinancing Bonds Fund (229)

Expenditures – Total \$10

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$10.

'20 Special Obligation Revenue Refinancing Note Fund (230)

Expenditures – Total \$5

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$5.

Community Investment Fund (301)

Revenues – Total \$1,200,000

- Record the State of Florida Department of Environmental Protection (DEP) LPA0355 grant to utilized towards the Palm Bay Turkey Creek Water Quality Baffle Box Projects; grant executed on 09/19/2022 – \$1,200,000.

Expenditures – Total \$1,200,000

- Appropriate DEP LPA0355 grant revenue towards the construction of five (5) baffle boxes (project 22PW10) to improve the Turkey Creek water quality – \$1,200,000.

2019 G.O. Road Program Fund (309)

Expenditures – Total \$10,026,036

- Appropriate funding to the following road program projects – Total Impact \$10,053,641.
 - NE Area Miscellaneous Road Paving (project 22GO06) - \$1,374,641
 - Unit 13 Road Paving (project 22GO08) - \$2,265,000
 - Unit 14 Road Paving (project 22GO09) - \$1,891,000
 - Unit 50 Road Paving (project 22GO15) - \$3,000,000
 - Madden & Osmosis Paving (project 22GO16) - \$1,523,000
- Close the following completed road program projects – Total Impact (\$27,605).
 - Kirby Industrial Park Paving (project 21GO14) – (\$19,535)
 - PB – Colony Road Paving (project 21GO15) - (\$8,070)

Utilities Operating Fund (421)

Revenues – Total \$11,365

- Recognize COVID-19 FEMA Public Assistance (PA) Reimbursement - General Fund portion – \$11,365.

Expenditures – Total \$2,559,496

- Recording outgoing transfer to the Utilities Renewal & Replacement Fund (424) to maintain required fund balance and cover increases to capital projects - \$1,657,000.
- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$902,496.

Utilities Renewal & Replacement Fund (424)

Revenues – Total \$1,657,000

- Recording incoming transfer from the Utilities Operating Fund (421) to maintain required fund balance and cover increases to capital projects - \$1,657,000.

Expenditures – Total \$153,760

- Appropriate funding to the Lift Station (LS) 93 generator, fuel tank and automatic transfer switch (ATS) replacement project (23WS16); approved by City Council 01/05/2023 – \$113,400.
- Appropriate additional funding to the Lift Station 27 Rehabilitation project (22WS23); approved by City Council 02/16/2023 - \$40,360.

'16 Utilities Revenue Financing Bond Fund (426)

Expenditures – Total \$1,000

- Budget Mid-year True-Ups – Appropriate funding for Arbitrage Services – \$1,000.

USA 1 Assessment Fund (431)

Expenditures – Total \$2,000

- Budget Mid-year True-Ups – Appropriate funding for Arbitrage Services – \$2,000.

Unit 31 Assessment Fund (432)

Revenues – Total (\$155,767)

- On 02/01/2022, the City of Palm Bay prepaid the entire balance of the Special Assessment Revenue Refunding Note, Series 16. Reduce assessment revenues and penalties accordingly – (\$155,767).

Building Fund (451)

Expenditures – Total \$287,991

- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$287,991.

Stormwater Utility Fund (461)

Revenues – Total \$46,905

- Record the incoming transfer from the General Fund (001) to cover three (3) months of stormwater utility exemptions not included in the FY 2023 Approved Budget; approved by City Council 12/06/2022 - \$46,905.

Expenditures – Total \$1,615,839

- Appropriate funding to the Weldon Street @ C-42-R culvert replacement project (18SU05); approved by City Council 01/05/2023 – \$450,000.

- Appropriate additional funding to the Waldon @ C-42 canal culvert replacement project (22SU02) for design and construction costs; approved by City Council 01/19/2023 – \$200,000.
- Utilize available capital funding (\$74,541), initially approved for the purchase of one (1) tractor and bush hog replacement, towards the purchase of two (2) Ford F-150 Super Cabs \$74,541; approved by City Council 12/15/2022 – Net Impact \$0.
- Close the following completed stormwater utility projects – Total Impact (\$117,012).
 - Country Club Units (project 21SU12) – (\$230)
 - Tranter at C-41 Pipe Replacement (project 21SU15) – (\$31,067)
 - Unit 48 Pipe Replacement (project 21SU16) – (\$85,715)
- Appropriate funding to the Citywide SW Masterplan project (23SU09) to evaluate and analyze the existing stormwater management system and future needs assessment; approved by City Council 12/06/2022 - \$175,000.
- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$207,851.
- Appropriate additional funding to the Unit 50 Culvert Replacement project (23SU05) due to an increase in material costs including concrete and asphalt; approved by City Council 03/02/2023 - \$700,000.

Solid Waste Fund (471)

Expenditures – Total \$100

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$100.

Employee Health Insurance Fund (511)

Expenditures – Total (\$2,112,710)

- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$116,377.
- Budget Correction: Remove the A.S.O. Fee charges from the 45-69/Insurance Claims operating expenditure account; A.S.O. Fees are already budgeted in 31-57/Professional Services operating account resulting in a double-entry. This reduction does not impact any health insurance premium costs or revenue generated within the Fund – (\$2,229,087).

Risk Management Fund (512)

Revenues – Total \$26,917

- Budget Mid-Year True-Ups – Record Workers Compensation Indemnity revenue - \$26,917.

Expenditures – Total \$131,174

- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$104,257.
- Budget Mid-Year True-Ups – Appropriate funding for Workers Compensation payments off-set by Workers Compensation Indemnity revenue - \$26,917.

Other Employee Benefits Fund (513)

Expenditures – Total \$116,477

- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National

Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$116,377.

- Budget Mid-year True-Ups – Appropriate funding for Bank Service Fees – \$100.

Fleet Services Fund (521)

Revenues – Total \$55,406

- Record insurance claim revenue received for damages sustained to a Code Compliance (Growth Management Department) vehicle - \$25,406.
- Recording incoming transfer from the General Fund (001) from available Fire Department capital savings towards the completion of Brush Truck #2 (project 22FD06); approved by City Council 02/02/2023 – \$30,000.

Expenditures – Total \$180,360

- Classification and Compensation Study: appropriate funding for the General Employee Pay Plan and National Association of Government Employees (NAGE) White and Blue; approved by City Council 12/06/2022 and 12/15/2022 - \$124,954.
- Appropriate insurance claim revenue received for damages sustained to a Code Compliance vehicle to purchase a replacement for that Department – \$25,406.
- Appropriate additional funding to the completion of Brush Truck #2 (project 22FD06); approved by City Council 02/02/2023 – \$30,000.

REQUESTING DEPARTMENT:

Finance

FISCAL IMPACT:

Please refer to Exhibit A for Fiscal Impact.

RECOMMENDATION:

Motion to adopt, by Ordinance, the FY 2023 Second Budget Amendment.

ATTACHMENTS:

Description

Ordinance 2023-21

Exhibit A - FY 23 BA #2 Appropriations

ORDINANCE 2023-21

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2023 BUDGET BY APPROPRIATING AND ALLOCATING FUNDS IDENTIFIED IN EXHIBIT 'A', CONSISTING OF SIX (6) PAGES AND INCORPORATED IN ITS ENTIRETY HEREIN; RECOGNIZING THAT SUCH APPROPRIATIONS MUST BE MADE PURSUANT TO THE CODE OF ORDINANCES OF THE CITY OF PALM BAY, CHAPTER 35; ADOPTING, RATIFYING, CONFIRMING, AND VALIDATING THE ALLOCATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay recognizes that non-budgeted items must be appropriated and that such appropriation must be allocated by Ordinance, and

WHEREAS, transfers between funds and departments must be approved by City Council, and

WHEREAS, Chapter 35, Finance, Budget, Section 35.035, of the City of Palm Bay Code of Ordinances provides for the transfer of funds and appropriation of unbudgeted funds.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council, in accordance with the City of Palm Bay, Code of Ordinances, Chapter 35, Finance, Budget, Section 35.035, hereby appropriates the funds as identified in Exhibit 'A'.

SECTION 2. The City Council adopts, ratifies, and approves the appropriations as identified in Exhibit 'A'.

SECTION 3. The provisions within this Ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only
and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

| | Revenues | Expenditures |
|---|------------------|------------------|
| General Fund (001) | | |
| COVID-19 FEMA Public Assistance (PA) Reimbursement | 24,498 | 24,498 |
| Victims of Crime Act (VOCA) 2022-2023 Grant | 31,451 | |
| Insurance Claims - Purchase One (1) LifePak | 25,000 | 25,000 |
| Utilize Capital Savings (\$58,200) to Purchase 50 Air Bottles | | |
| \$58,200 - Net \$0 | | 0 |
| Increase in City Council's Monthly Incidental Expense | | 18,600 |
| Utilize Operational Savings (\$2,269) towards two (2) Zero | | |
| Turn Mowers \$2,269 - Net \$0 | | 0 |
| Utilize Operational Savings (\$18,200) towards one (1) F-550 | | |
| Flatbed Dump Truck \$18,200 - Net \$0 | | 0 |
| Transfer to SWU (461) - 3-Month Stormwater Utility | | 46,905 |
| Classification & Compensation Study | | 2,806,063 |
| Transfer to Fleet Services Fund (521) - Capital Savings | | |
| (\$30,000) Towards the Completion of Brush Truck #2 | | |
| (22FD06) \$30,000 - Net \$0 | | 0 |
| Shoreline Stabilization @ Stearns Point Park (23PK01) & | | |
| Castaway Point Park (23PK02) | | 58,108 |
| DCM Travel 2023 National League of Cities Congressional | | |
| Conference in Washington D.C. | | 3,487 |
| Budget Correction: Finance Director Vehicle Allowance | | 4,860 |
| Budget Correction: Transfer Reduction to Environmental Fee | | |
| Fund (161) - Loan Payoff | | (24,588) |
| Budget Correction: Reappropriate AutoCad & HCS7 | | |
| Computer Software Maintenance | | 7,900 |
| Undesignated Fund Balance | 2,889,884 | |
| Fund Subtotal | 2,970,833 | 2,970,833 |
| Law Enforcement Trust Fund (101) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 500 |
| Undesignated Fund Balance | 500 | |
| Fund Subtotal | 500 | 500 |
| SHIP Fund (111) | | |
| Close Castor/1620 Norman Street NE (22CD27) | | (59,249) |
| Undesignated Fund Balance | (59,249) | |
| Fund Subtotal | (59,249) | (59,249) |
| CDBG Fund (112) | | |
| Budget Corrections: Incorrect Department Code | | 0 |
| Veterans Memorial Park (22CD37) & Liberty Park Upgrades | | |
| (22CD38) | | 214,748 |
| Undesignated Fund Balance | 214,748 | |
| Fund Subtotal | 214,748 | 214,748 |

| | Revenues | Expenditures |
|---|------------------|------------------|
| HOME Fund (114) | | |
| FY 2022-2023 HOME Disbursement Agreement & Assign to HOME Projects | 1,168,463 | 1,168,463 |
| Program Income/Rehab Carryforward & Assign to HOME Projects | 440,144 | 440,144 |
| Fund Subtotal | 1,608,607 | 1,608,607 |
| NSP Fund (123) | | |
| Budget Corrections: Incorrect Department Code | | 0 |
| Fund Subtotal | 0 | 0 |
| CDBG CV-Coronavirus Fund (126) | | |
| Assign CDBG-CV & CDBG-CV3 Program Year 2019-2020 to Organizations | | 127,557 |
| Undesignated Fund Balance | 127,557 | |
| Fund Subtotal | 127,557 | 127,557 |
| ARPA Fund (128) | | |
| Community of Hope, Inc. - Affordable Housing | | 518,601 |
| Septic to Sewer Projects | | 420,000 |
| Undesignated Fund Balance | 938,601 | |
| Fund Subtotal | 938,601 | 938,601 |
| Environmental Fee Fund (161) | | |
| Budget Correction: Transfer Reduction from General Fund (001) - Loan Payoff | (24,588) | |
| Undesignated Fund Balance | 24,588 | |
| Fund Subtotal | 0 | 0 |
| Bayfront Community Redevelopment Fund (181) | | |
| Increase in County portion of the FY 2023 Tax Increment Revenues | 119,126 | |
| Budget Mid-Year True-Ups: Arbitrage Services | | 3,000 |
| Reserves | | 116,126 |
| Fund Subtotal | 119,126 | 119,126 |
| Fire Impact Fee Fund – Nexus 32905 (187) | | |
| Emergency Dispatch System, Phase 2, Mach Alerting System & Installation | | 8,500 |
| Reserves | | (8,500) |
| Fund Subtotal | 0 | 0 |

| | Revenues | Expenditures |
|---|-----------|--------------|
| Fire Impact Fee Fund – Nexus 32907 (188) | | |
| Emergency Dispatch System, Phase 2, Mach Alerting System & Installation | | 52,000 |
| Reserves | | (52,000) |
| Fund Subtotal | 0 | 0 |
| Fire Impact Fee Fund – Nexus 32909 (190) | | |
| High Water Rescue Vehicle, Brush 5 (22FD07) | | 15,000 |
| Emergency Dispatch System, Phase 2, Mach Alerting System & Installation | | 59,240 |
| Reserves | | (74,240) |
| Fund Subtotal | 0 | 0 |
| Parks Impact Fee Fund – Nexus 32905 (191) | | |
| Budget Corrections: Riviera Dog Park (21PR01) | 0 | |
| Fund Subtotal | 0 | 0 |
| Transportation Impact Fee Fund – Nexus 32907 (197) | | |
| Transportation Master Plan (22PW08) | | 35,066 |
| Emerson @ SJHP Intersection (23PW02) | | 206,962 |
| Reserves | | (242,028) |
| Fund Subtotal | 0 | 0 |
| Transportation Impact Fee Fund – Nexus 32909 (199) | | |
| Transportation Master Plan (22PW08) | | 31,413 |
| Reserves | | (31,413) |
| Fund Subtotal | 0 | 0 |
| '04 Pension Bond Debt Service Fund (214) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 5 |
| Undesignated Fund Balance | 5 | |
| Fund Subtotal | 5 | 5 |
| '13 TSO Refunding Bond Fund (221) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 10 |
| Undesignated Fund Balance | 10 | |
| Fund Subtotal | 10 | 10 |
| '15 Franchise Fee Revenue Note Fund (223) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 20 |
| Undesignated Fund Balance | 20 | |
| Fund Subtotal | 20 | 20 |

| | Revenues | Expenditures |
|---|-------------------|-------------------|
| '16 Franchise Fee Revenue Refinancing Note Fund (226) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 5 |
| Undesignated Fund Balance | 5 | |
| Fund Subtotal | 5 | 5 |
| '18 LOGT Revenue Note Fund (227) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 10 |
| Undesignated Fund Balance | 10 | |
| Fund Subtotal | 10 | 10 |
| '19 Tax Special Obligation Refinancing Bonds Fund (229) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 10 |
| Undesignated Fund Balance | 10 | |
| Fund Subtotal | 10 | 10 |
| '20 Special Obligation Revenue Refinancing Note Fund (230) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 5 |
| Undesignated Fund Balance | 5 | |
| Fund Subtotal | 5 | 5 |
| Community Investment Fund (301) | | |
| State of Florida Department of Environmental Protection (DEP) LPA0355 Grant - Palm Bay Turkey Creek Water Quality Baffle Box Projects | 1,200,000 | 1,200,000 |
| Fund Subtotal | 1,200,000 | 1,200,000 |
| 2019 G.O. Road Program Fund (309) | | |
| Open NE Area Miscellaneous Road Paving (22GO06) | | 1,374,641 |
| Open Unit 13 Road Paving (22GO08) | | 2,265,000 |
| Open Unit 14 Road Paving (22GO09) | | 1,891,000 |
| Open Unit 50 Road Paving (22GO15) | | 3,000,000 |
| Open Madden & Osmosis Paving (22GO16) | | 1,523,000 |
| Close Kirby Industrial Park Paving (21GO14) | | (19,535) |
| Close PB – Colony Road Paving (21GO15) | | (8,070) |
| Undesignated Fund Balance | | |
| Fund Subtotal | 10,026,036 | 10,026,036 |
| Utilities Operating Fund (421) | | |
| COVID-19 FEMA Public Assistance (PA) Reimbursement | 11,365 | 11,365 |
| Transfer to Utilities Renewal & Replacement Fund (424) - Maintain Fund Balance | | 1,657,000 |
| Classification & Compensation Study | | 902,496 |
| Undesignated Fund Balance | 2,559,496 | |
| Fund Subtotal | 2,570,861 | 2,570,861 |

| | Revenues | Expenditures |
|--|------------------|------------------|
| Utilities Renewal & Replacement Fund (424) | | |
| Transfer from Utilities Operating Fund (421) - Maintain Fund Balance | 1,657,000 | |
| Lift Station (LS) 93 Generator, Fuel Tank & Automatic Transfer Switch (ATS) Replacement (23WS16) | | 113,400 |
| Lift Station 27 Rehabilitation (22WS23) | | 40,360 |
| Reserves | | 1,657,000 |
| Undesignated Fund Balance | 153,760 | |
| Fund Subtotal | 1,810,760 | 1,810,760 |
| '16 Utilities Revenue Financing Bond Fund (426) | | |
| Budget Mid-Year True-Ups: Arbitrage Services | | 1,000 |
| Undesignated Fund Balance | 1,000 | |
| Fund Subtotal | 1,000 | 1,000 |
| USA 1 Assessment Fund (431) | | |
| Budget Mid-Year True-Ups: Arbitrage Services | | 2,000 |
| Undesignated Fund Balance | 2,000 | |
| Fund Subtotal | 2,000 | 2,000 |
| Unit 31 Assessment Fund (432) | | |
| Reduce Assessment Revenues & Penalties According to the Prepayment of the Special Assessment Revenue Refunding Note, Series 16 | | (155,767) |
| Reserves | | 155,767 |
| Fund Subtotal | 0 | 0 |
| Building Fund (451) | | |
| Classification & Compensation Study | | 287,991 |
| Undesignated Fund Balance | 287,991 | |
| Fund Subtotal | 287,991 | 287,991 |
| Stormwater Utility Fund (461) | | |
| Transfer from General Fund (001) - 3-Month Stormwater Utility Exemptions | 46,905 | |
| Weldon Street @ C-42-R Culvert Replacement (18SU05) | | 200,000 |
| Weldon Street @ C-42 Canal Culvert Replacement (22SU02) | | 200,000 |
| Utilize Capital Savings (\$74,751) to Purchase Two (2) Ford F-150s \$74,451 - Net \$0 | | 0 |
| Close Country Club Units (21SU12) | | (230) |
| Close Tranter at C-41 Pipe Replacement (21SU15) | | (31,067) |
| Close Unit 48 Pipe Replacement (21SU16) | | (85,715) |
| Citywide SW Masterplan (23SU09) | | 175,000 |
| Classification & Compensation Study | | 207,851 |

| | Revenues | Expenditures |
|--|-------------------|-------------------|
| Additional Funding Unit 50 Culvert Replacement (23SU05) | | 700,000 |
| Undesignated Fund Balance | 1,318,934 | |
| Fund Subtotal | 1,365,839 | 1,365,839 |
| Solid Waste Fund (471) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 100 |
| Undesignated Fund Balance | 100 | |
| Fund Subtotal | 100 | 100 |
| Employee Health Insurance Fund (511) | | |
| Classification & Compensation Study | | 116,377 |
| Budget Corrections: A.S.O. Fee Charges | | (2,229,087) |
| Reserves | | 1,442,942 |
| Undesignated Fund Balance | (669,768) | |
| Fund Subtotal | (669,768) | (669,768) |
| Risk Management Fund (512) | | |
| Budget Mid-Year True-Ups: Workers Compensation | | |
| Indemnity Revenue & Payments | 26,917 | 26,917 |
| Classification & Compensation Study | | 104,257 |
| Undesignated Fund Balance | 104,257 | |
| Fund Subtotal | 131,174 | 131,174 |
| Other Employee Benefits Fund (513) | | |
| Budget Mid-Year True-Ups: Bank Service Fees | | 100 |
| Classification & Compensation Study | | 116,377 |
| Undesignated Fund Balance | 116,477 | |
| Fund Subtotal | 116,477 | 116,477 |
| Fleet Services Fund (521) | | |
| Insurance Claims - Purchase One (1) Code Compliance | | |
| Vehicle | 25,406 | 25,406 |
| Transfer from General Fund (001) - Brush Truck #2 (22FD06) | 30,000 | 30,000 |
| Classification & Compensation Study | | 124,954 |
| Undesignated Fund Balance | 124,954 | |
| Fund Subtotal | 180,360 | 180,360 |
| Total | 22,943,618 | 22,943,618 |



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Mariano Augello, Chief of Police

DATE: 4/6/2023

RE: Consideration of an in-kind services donation from The House Church beautify the Police Department employee picnic area.

Pastor Ken Delgado of the House Church, a place of worship in Palm Bay, has had a long productive partnership of volunteerism with the City of Palm Bay. In mid-2021, Pastor Delgado approached the Police Department with an offer to help boost the morale of the department personnel through a volunteer project by The House Church. The proposed community volunteer project is to improve the employee picnic area at the Police Headquarters to allow for department to host celebrations/morale events in line with its wellness program. Pastor Delgado met with the Police Department to discuss feasibility, process for approvals, and overall design plan. The proposed project includes a large Pavilion, with lights and fans, fencing, replacing the inoperable barbeque grill, landscaping and a small memorial area within the space.

The House Church will raise the funding for materials and a donation of in-kind services will be provided through church volunteers handling the labor for the renovations. There will be no city funding or paid city personnel utilized for the project. The Police Department coordinated with the Parks & Facilities Department for input and in drafting a finalized concept plan for the project (included as an attachment). Upon Council approval, The House Church will initiate its campaign to raise funds for the project and a projected timeline for the renovations will be established.

REQUESTING DEPARTMENT:

Police Department

FISCAL IMPACT:

There is no fiscal impact for the proposed project. Services will be donated and funding for materials and supplies will be raised and funded directly by the House Community Volunteer group.

RECOMMENDATION:

Motion to approve the donation of services in kind by The House Church for a beautification of the Police Department's employee picnic area.

ATTACHMENTS:

Description

THE HOUSE COMMUNITY PARTNERSHIP VOLUNTEER PROJECT

THE HOUSE COMMUNITY PARTNERSHIP VOLUNTEER PROJECT- POLICE HQ REAR PICNIC AREA

PALM BAY POLICE DEPARTMENT 130 MALABAR ROAD, PALM BAY FL. 32905

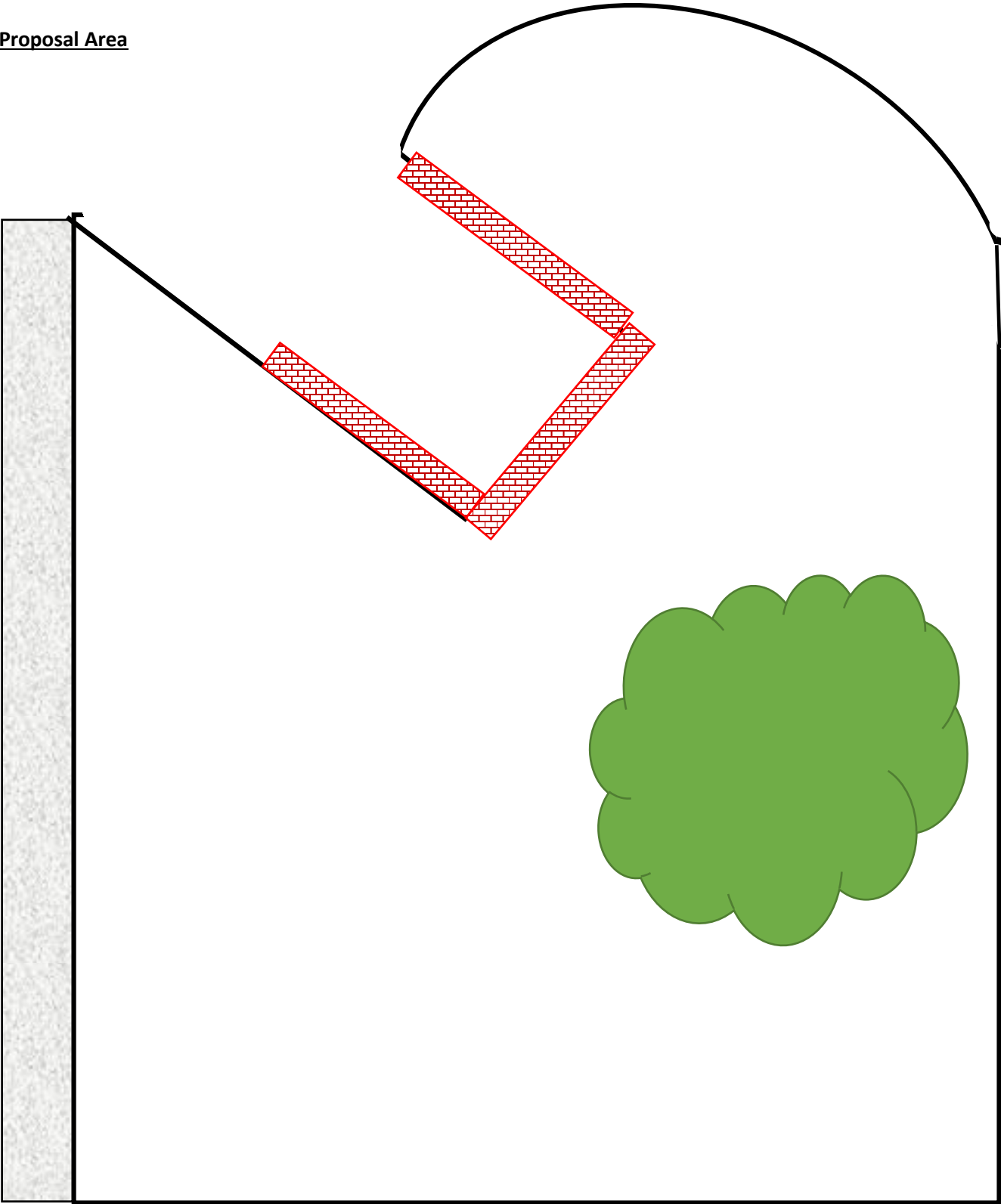


130 Malabar Road- PB Police HQ, Rear Parking Area, Picnic area



GPS COORDINATES: 27.997450760467782, -80.66918111963011

Project Proposal Area



PD HQ REAR PICNIC AREA REMODEL PROJECT OVERVIEW

PREP: NEED ACCURATE MEASUREMENTS OF AREA, NEED AREA PRINT IF AVAILABLE TO PRODUCE FINAL PLANS

PROJECT CONCEPT / WORKFLOW

FINALIZE PLANS FOR APPROVAL AND PERMITTING

SUBMIT PERMIT APPLICATION

REMOVE EXSISTING PAVILLION

REMOVE EXSISTING CONCRETE SLAB & WALKWAY

REMOVE EXSISTING BAR-B-QUE GRILL

FORM AND POUR 40% LARGER SLAB & NEW WALKWAY

RUN POWER & WATER FOR PAVILLION

FABRICATE 40% LARGER PAVILLION

-(PAVILLION LIGHTING, CEILING FANS, AND 2 EACH QUAD 120VAC OUTLETS & 1 HOSE FAUCET)

INSTALL 5/6 ft PERIMETER FENCE AND SINGLE ENTRANCE GATE (TYPE TBD)

PROCURE NEW GAS BAR-B-QUE GRILL

PROCURE 5/6 EACH PIC-NIC BENCHES

BOARDER FENCE WITH 24" FLOWER BED

CREATE ROCK GARDEN EAST TIP OF AREA

NOTES: PD HQ PICNIC AREA REMODEL: as of 21 Nov 2022

LEAVE EXSISTING TREE – TRIM BRANCHES

TARGET SCHEDULE 1st QTR 2023



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

DATE: 4/6/2023

RE: Consideration of submitting an application for Energy Efficiency and Conservation Block Grant Program funds.

Under the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG), the City of Palm Bay is entitled to a direct formula allocation in the amount of \$160,090. The EECBG program goes back to the American Recovery and Reinvestment Act of 2009, enacted in response to the "Great Recession" in the form of a stimulus package. Under the Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act 2021), Congress reauthorized the program at \$550 million, with allocations available to every state and local municipality. However, this is not a direct entitlement allocation, and the City must apply to utilize the funds.

The goal of the EECBG is to assist government entities in their efforts to reduce energy consumption and emissions through energy conservation. The City must apply for the for these funds by submitting a pre-award information sheet by April 28, 2023. Once submitted, the City has until January 31, 2024 at 8 AM to submit its final application.

Eligible uses of EECBG funds include the development of an energy efficiency and conservation strategy; retention of a technical consultant to assist in the development of such strategies; conducting of residential and commercial building energy audits; the provision of grants to nonprofit organizations and governmental agencies to perform energy efficiency retrofits; the development and implementation of programs to conserve energy used in Transportation; the development, implementation, and installation on or in any government building of on-site renewable energy technology; and more.

REQUESTING DEPARTMENT:

City Manager's Office

FISCAL IMPACT:

There is no match requirement.

RECOMMENDATION:

Motion to authorize staff to submit a pre-award information sheet and application to the U.S. Department of Energy for the Energy Efficiency and Conservation Block Grant.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Christopher A. Little, P.E.; Larry Wojciechowski, Finance Director

DATE: 4/6/2023

RE: Consideration of appropriating funds for an additional Electrician position within the Utilities Department (\$80,261).

The Utilities Department needs an additional Electrician. This position was going to be requested through the budget process for FY24, however, due to increasing needs of the Department the position is being requested now. The current staff for electrical maintenance is not sufficient to provide timely preventative and corrective maintenance on the electrical equipment and infrastructure. This is due to the ageing infrastructure, the addition of equipment and new construction projects. The additional electrician will allow for better oversight of work, and will allow for more dedication to the Utilities Supervisory Control and Data Acquisition (SCADA) system. The SCADA system enables the automated operation and monitoring of the plants well and lift stations. The expansion of the SCADA system and advancements in this technology require additional time and oversight.

The annual funding requirement for the position is projected at \$74,491; however, five (5) months of funding in the amount of \$30,261, plus a one-time expense of \$50,000 for a vehicle for the remainder of FY23 is requested for appropriation from the Utilities Operating Undesignated Fund Balance.

REQUESTING DEPARTMENT:

Utilities, Finance

FISCAL IMPACT:

Total estimated cost for the remainder of FY 23 is \$80,261 and a budget amendment will be submitted for appropriation on Budget Amendment #3. Pending approval of the budget amendment from Utilities Operating Undesignated Fund Balance (421-0000-392-3006), funds will be available in the Utilities Operating Funds (421-8014-536-1210 through 421-8014-536-6403) for the position.

RECOMMENDATION:

Motion to 1) approve the addition of an additional Electrician; and 2) approve the appropriation of funds on the next scheduled budget amendment in the amount of \$80,261 for the position.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Christopher A. Little, P.E.; Larry Wojciechowski, Finance Director

DATE: 4/6/2023

RE: Consideration of appropriating funds for an additional Operations Division Manager position within the Utilities Department (\$39,419).

The Utilities Department needs an additional Operations Division Manager (DM). This position was going to be requested through the budget process for FY24, however, due to increasing needs of the Department the position is being requested now. Prior to 2018, there were two DM's, one for the Plants and one for Distribution, Collections & Maintenance. Under previous leadership one DM was eliminated and the divisions were combined. It has been determined that the workload requires two DM's to provide the necessary oversight of the sections within the divisions. In addition, the Department has a significant number of projects that require guidance from skilled DM's.

The annual funding requirement for the position is projected at \$97,607; however, five (5) months of funding in the amount of \$39,419 for the remainder of FY 23 is requested for appropriation from the Utilities Operating Undesignated Fund Balance.

REQUESTING DEPARTMENT:

Utilities, Finance

FISCAL IMPACT:

Total estimated cost for the remainder of FY 23 is \$39,419 and a budget amendment will be submitted for appropriation on Budget Amendment #3. Pending approval of the budget amendment from Utilities Operating Undesignated Fund Balance (421-0000-392-3006), funds will be available in the Utilities Operating Funds (421-8014-536-1210 through 421-8014-536-2410) for the position.

RECOMMENDATION:

Motion to 1) approve the addition of an Operations Division Manager; and 2) approve the appropriation of funds on the next scheduled budget amendment in the amount of \$39,419 for the position.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Larry Wojciechowski, Finance Director

DATE: 4/6/2023

RE: Consideration of travel and training for specified City employees (Finance Department).

The following request was not included in the September 21, 2022 approved travel and training spreadsheet for the Finance Department.

The Finance Department is requesting that City Council approve travel for Marcia Patacer, Chief Accountant, to attend the 2023 Florida Government Finance Officer Association (FGFOA) Pre-Conference and Annual Conference being held in Orlando Florida, June 24 - 28, 2023. The pre-conference is an in-depth discussion on Florida economic performance and overall market updates. The conference will consist of updates such as Generally Accepted Accounting Principles, Governmental Accounting Standards Board changes, Single Audit issues and American Rescue Plan Act (ARPA) updates. The lodging cost is estimated at \$845.00, per diem is estimated at \$230.00 and registration cost is \$525.00 for a total estimated cost of \$1,600.00.

REQUESTING DEPARTMENT:

Finance

FISCAL IMPACT:

Funding is available in accounts 001-2011-513.4001 and 001-2011-513.5501

RECOMMENDATION:

Motion to Motion to acknowledge and approve travel as mentioned above.

ATTACHMENTS:

Description

2023 FGFOA Conference



CITY OF PALM BAY, FLORIDA

Travel Request/Advance Request

Contact/Ext

Request Date: 3/22/2023

7047

| | | | | | |
|---|--|---|--|------------------|--|
| Traveler: Marcia Patacer | | Destination: Rosen Shingle Creek, Orlando FL 32819 | | | |
| Department/Division: Finance/ Accounting | | Departure Date of: 6/23/2023 | | Return 6/28/2023 | |
| Account To Be Charged: 001-2011-513-4001 | | Time of: 1900 | | 1700 | |
| Account To Be Charged: 001-2011-513-5501 | | Estimated Cost: before mileage reimbursement \$1,600.00 | | | |
| Purpose of Travel (Specify Conference, School or Other Reason) - ATTACH ITINERARY | | | | | |
| Attend 2023 FGFOA Annual Conference and Pre-Conference | | | | | |
| Date Approved By Council: _____ | | | | | |
| Mode of Travel: Select One City Vehicle | | | | | |

| PREPAID EXPENSES | VENDOR/ADDRESS | EXPLANATION | AMOUNT | FINANCE USE ONLY | |
|---|---|---|----------|------------------|---------|
| Registration | FGFOA PO Box 10270 Tallahassee, FL 3232 | Early (discounted) fee for 2023 Annual Conference and Pre-Conference Seminar | | Vendor # | Check # |
| Due Date 5/22/2023 | | | | | Date |
| Hand Carry Y N | | | \$525.00 | | |
| Lodging | Rosen Shingle Creek 9939 Universal Blvd Orlando, FL 32819 | Rate \$169.00 # Nights 5 | | Vendor # | Check # |
| Due Date 5/22/2023 | | | | | Date |
| Hand Carry Y N | | | \$845.00 | | |
| Common Carrier (if applicable) | | | | Vendor # | Check # |
| Due Date | | | | | Date |
| Hand Carry Y N | | | \$0.00 | | |
| Other Expenses | Rosen Shingle Creek 9939 Universal Blvd Orlando, FL 32819 | Self parking 12 x 5 nights = \$60 | | Vendor # | Check # |
| Due Date | | | | | Date |
| Hand Carry Y N | | | \$60.00 | | |
| Other Expenses | | | | Vendor # | Check # |
| Due Date | | | | | Date |
| Hand Carry Y N | | | \$0.00 | | |
| PER DIEM: Select Option | | | | | |
| Access per diem rates and attach rate schedule www.gsa.gov | | | | Vendor # | Check # |
| Breakfast 2 | @ | \$16.00 = \$32.00 | | | Date |
| Lunch 3 | @ | \$17.00 = \$51.00 | | | |
| Dinner 2 | @ | \$31.00 = \$62.00 | | | |
| Incidentals 5 | @ | \$5.00 = \$25.00 | | | |
| | | | \$170.00 | | |

TRAVEL AUTHORIZATION

Department Head

Date

Finance

Date

(if applicable)

City Manager

Date

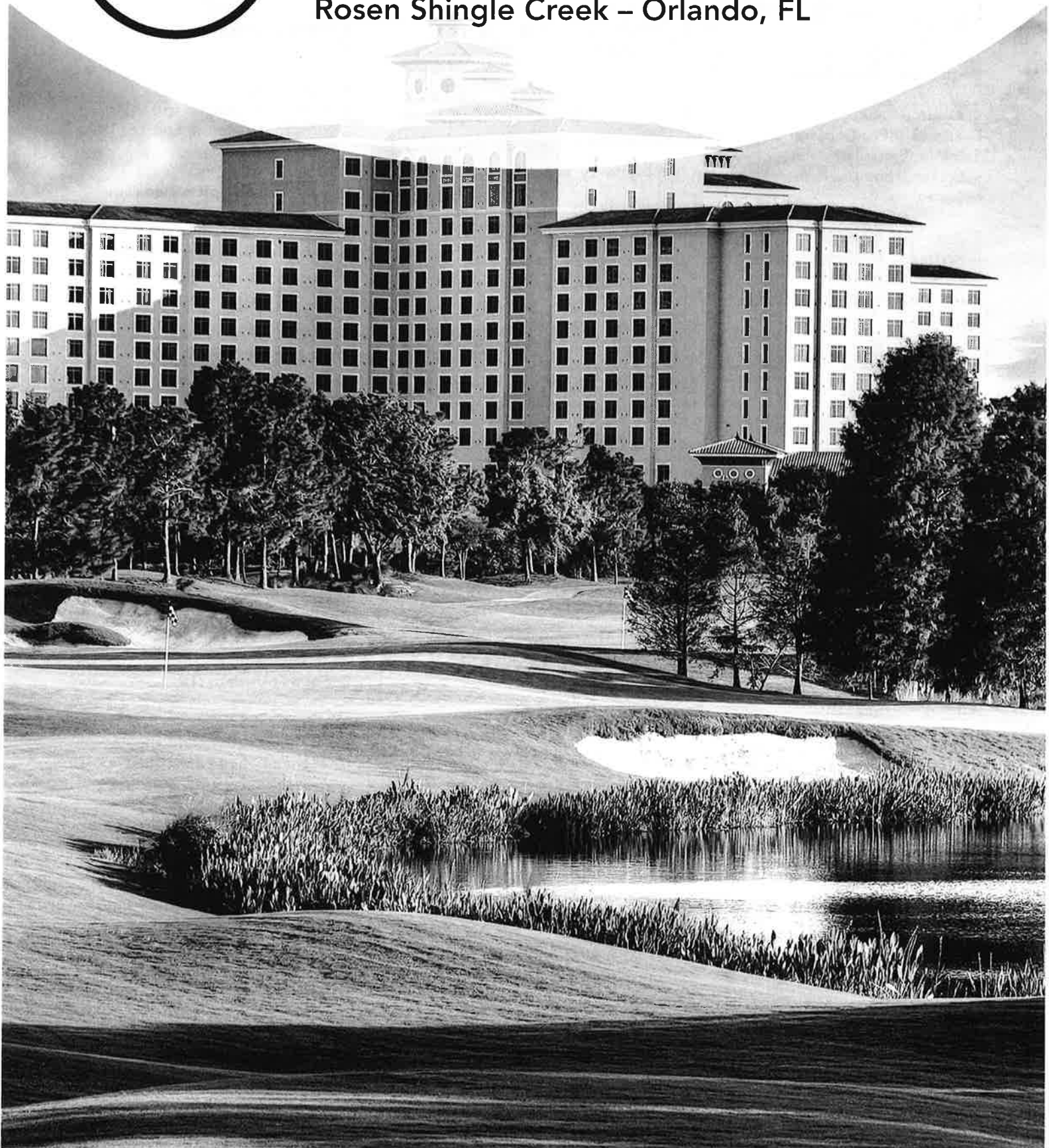


Florida Government Finance Officers Association

2023 FGFOA Annual Conference

June 24-28, 2023

Rosen Shingle Creek – Orlando, FL



Schedule at a Glance*

Saturday, June 24, 2023

7:00 a.m. - 5:00 p.m.
Registration Desk Open

8:00 a.m. - 4:40 p.m.
Leadership Pre-Conference Seminar (8 hrs. TB)
(Additional and pre-registration required)

8:00 a.m. - 4:40 p.m.
Investment Pre-Conference Seminar (8 hrs. TB)
(Additional and pre-registration required)

Sunday, June 25, 2023

9:00 a.m. - 7:00 p.m.
Registration Desk Open

11:00 a.m. - 11:45 a.m.
First-Time Attendees' Orientation

11:00 a.m. - 4:30 p.m.
Exhibit Hall Open

1:00 p.m. - 2:40 p.m.
GASB Update (AA)

1:00 p.m. - 2:40 p.m.
Beyond Public Hearings: How to Engage Stakeholders During the Budget Process (TB)

1:00 p.m. - 2:40 p.m.
People, Places and Purpose (BEH)

2:40 p.m. - 3:00 p.m.
Refreshment Break

3:00 p.m. - 4:40 p.m.
GASB Hot Topics (AA)

3:00 p.m. - 4:40 p.m.
Strategic Planning – Part 1 (TB)

3:00 p.m. - 4:40 p.m.
Building and Sustaining High-Functioning Teams (BEH)

5:30 p.m. - 7:00 p.m.
Association Night Reception

8:30 p.m. - 11:30 p.m.
Hospitality Suite Open

Monday, June 26, 2023

7:00 a.m. - 8:00 a.m.
Continental Breakfast

7:00 a.m. - 5:00 p.m.
Registration Desk Open

8:00 a.m. - 9:40 a.m.
Opening General Session

9:30 a.m. - 4:00 p.m.
Exhibit Hall Open

9:40 a.m. - 10:00 a.m.
Refreshment Break

10:00 a.m. - 11:40 a.m.
Auditor General and Department of Financial Services Update (AA)

10:00 a.m. - 11:40 a.m.
Embracing Change in Uncertain Times (BEH)

10:00 a.m. - 11:40 a.m.
Investment 101 (TB)

10:00 a.m. - 11:40 a.m.
To Cloud or Not to Cloud: Discussion on ERP (TB)

11:50 a.m. - 1:00 p.m.
FGFOA 2023-2024 Standing Committee Meetings

11:50 a.m. - 1:00 p.m.
Lunch in the Exhibit Hall

1:00 p.m. - 1:50 p.m.
ARPA and Single Audit Update (AA)

1:00 p.m. - 1:50 p.m.
Exploring Additional and Alternative Revenue Sources (AA)

1:00 p.m. - 1:50 p.m.
Developing a Capital Plan (TB)

1:00 p.m. - 1:50 p.m.
Benefits of Moving to the Cloud (TB)

2:00 p.m. - 3:20 p.m.
Internal Controls and Fraud in the Remote Environment (AA)

2:00 p.m. - 3:20 p.m.
Public Service Motivation (BEH)

2:00 p.m. - 3:20 p.m.
Investment 201 (TB)

2:00 p.m. - 3:20 p.m.
Latest Buzz on Drones (TB)

3:30 p.m. - 4:50 p.m.
Financial Reporting Complexities in Local Government (AA)

3:30 p.m. - 4:50 p.m.
Economic Update (TB)

3:30 p.m. - 4:50 p.m.
First-Time Leaders and the Challenges They Face (BEH)

3:30 p.m. - 4:50 p.m.
Securing and Handling Grant and SRF Loan Programs (AA)

5:00 p.m. - 6:30 p.m.
Emerging Leaders' Networking Event

8:30 p.m. - 11:30 p.m.
Hospitality Suite Open

Schedule at a Glance*

Tuesday, June 27, 2023

7:00 a.m. - 8:00 a.m.

Continental Breakfast

7:00 a.m. - 5:00 p.m.

Registration Desk Open

8:00 a.m. - 9:40 a.m.

Changes to the Financial Reporting Model and Revenue and Expense Recognition (AA)

8:00 a.m. - 9:40 a.m.

Legislative Update (TB)

8:00 a.m. - 9:40 a.m.

Budget Best Practices (TB)

8:00 a.m. - 9:40 a.m.

Thinking with Probabilities in Mind (TB)

9:40 a.m. - 10:00 a.m.

Refreshment Break

10:00 a.m. - 11:40 a.m.

Broadband and Infrastructure Programs: Compliance Hot Topics (AA)

10:00 a.m. - 11:40 a.m.

Truth in Millage: What is It and Why is It Important? (TB)

10:00 a.m. - 11:40 a.m.

Public Records Requests and the Sunshine Law (TB)

10:00 a.m. - 11:40 a.m.

Update on the Latest Banking Technologies (TB)

11:50 a.m. - 1:00 p.m.

Innovation Awards Luncheon

1:00 p.m. - 2:40 p.m.

ACFR 101: Where to Start (AA)

1:00 p.m. - 2:40 p.m.

Strategic Planning – Part 2 (TB)

1:00 p.m. - 2:40 p.m.

Financial Transparency: Spending in the Sunshine (TB)

1:00 p.m. - 2:40 p.m.

Putting Your Best Foot Forward: How to Prepare for a Bond Insurer, Rating Agency Presentation or Annual Surveillance Call (TB)

2:40 p.m. - 3:00 p.m.

Refreshment Break

3:00 p.m. - 4:40 p.m.

Common Audit Findings (AA)

3:00 p.m. - 4:40 p.m.

Collective Bargaining in the 2020s: Managing Employee Expectations and Transition without Breaking the Budget (TB)

3:00 p.m. - 4:40 p.m.

RFPs, RFIs and RFQs (AA)

3:00 p.m. - 4:40 p.m.

Capital Financing Options (TB)

6:30 p.m. - 10:00 p.m.

Tuesday Night Event

9:30 p.m. - 11:30 p.m.

Hospitality Suite Open

Wednesday, June 28, 2023

7:00 a.m. - 12:00 p.m.

Registration Desk Open

7:30 a.m. - 9:00 a.m.

Breakfast and Annual Business Meeting

9:00 a.m. - 10:40 a.m.

How to Pass Your Single Audit (AA)

9:00 a.m. - 10:40 a.m.

Free But Not Easy: How to Compete for and Manage Grants (TB)

9:00 a.m. - 10:40 a.m.

Cybersecurity in the Remote Environment: Best Practices (TB)

10:40 a.m. - 11:00 a.m.

Refreshment Break

11:00 a.m. - 11:50 a.m.

Capital Planning for the Future: What Happens When the Money Runs Out? (TB)

11:00 a.m. - 11:50 a.m.

Tips and Tricks in Excel (TB)

*This is a tentative conference schedule and subject to change.

Welcome to ORLANDO

We have planned several networking opportunities during the conference that will make your stay at the Rosen Shingle Creek more enjoyable.

EXHIBIT HALL

Be sure to visit the exhibit hall and meet with the companies that help make this conference possible. Refreshment breaks, Sunday's Association Night reception and Monday's lunch will be held in the exhibit hall.

HOSPITALITY SUITE

After a long day, join us in the hospitality suite to relax and network with friends, vendors and colleagues while enjoying refreshments. Plenty of activities will be going on, so be sure to check us out! The hospitality suite hours will be:

SUNDAY, JUNE 25 8:30 P.M. - 11:30 P.M.

MONDAY, JUNE 26 8:30 P.M. - 11:30 P.M.

TUESDAY, JUNE 27 9:30 P.M. - 11:30 P.M.

GOLF AT SHINGLE CREEK

Why not mix a little fun with your education at the Shingle Creek Golf Club? FGFOA has secured a reduced rate of **\$69** for anyone wishing to play golf during the conference. Grab your colleagues in your free time for a round on this championship course that challenges your entire game.

ASSOCIATION NIGHT RECEPTION

SUNDAY, JUNE 25 5:30 P.M. - 7:00 P.M.

Mingle with friends and colleagues and learn about innovative financial advances while enjoying delicious food and drink.

Association Night is open to registered adults only; no children, please.

EMERGING LEADERS' NETWORKING EVENT

MONDAY, JUNE 26 5:00 P.M. - 6:30 P.M.

Emerging leaders will have the opportunity to learn from veteran FGFOA members and network with colleagues. Plan to make new friends, reconnect with old friends and establish lifelong connections. If you will be joining us, be sure to mark the appropriate box when you register.

TUESDAY NIGHT EVENT

TUESDAY, JUNE 27 6:30 P.M. - 10:00 P.M.

Join us for an exciting evening at **SeaWorld**! Following a full buffet dinner, enjoy visiting with the animals, thrill-seeking on the park's world-class rollercoasters or watching fireworks over the lagoon. Your registration fee includes park admission and unlimited Quick Queue passes for front-of-the-line ride access.

One ticket to this event is included with regular registration and guest registrations may also be purchased. **A name badge is required to attend this event, so all guests must be registered.** See page 9 for more details.



Schedule*

Saturday, June 24, 2023

8:00 a.m. - 4:40 p.m.

Pre-Conference Seminars

(Additional and pre-registration required)

LEADERSHIP

CPE Credit: 8 Hours (TB)

8:00 a.m. - 11:40 a.m.

Communicating Well – Parts 1 and 2

Communication is about to get a whole lot easier! Communication is getting a message from one mind into another as it was intended to be received. Anything that gets in the way of that is an obstacle which must be demolished. Furthermore, communication is the stepping stone to advancement and succession planning. In this fast-paced, two-part workshop, leaders will learn how to make their communications satisfying for everyone. They'll discover how to position their messages in ways likely to obtain focused attention and interest. They'll also learn how to anticipate fears, concerns and possible misperceptions so they can be addressed proactively, giving their audience an immediate sense of rapport and understanding. Participants will learn a variety of question types to involve and engage their audience.

1:00 p.m. - 2:40 p.m.

Your Leadership Journey: Why You Lead the Way You Do and What You May Be Missing

Leadership is a journey, and the path is different for everyone. In this highly interactive workshop, we will discuss the seven distinct leadership styles, their pros and cons, how they work in real life and not just theoretically, and how EACH of them has a place in the repertoire of a great leader. Participants will uncover the blind spots their preferred leadership style causes them to have, and how to protect themselves from their own misperceptions and others' misunderstanding of their motives and plans. They will discover why they tend to lean on some leadership styles rather than others and what

possibilities open up by increasing their leadership range. A great program for leaders of all levels, and particularly those with considerable management experience, this presentation is essential for any leader who understands that in order to develop other people's skills, one must constantly upgrade their own!

3:00 p.m. - 4:40 p.m.

Finding Your Currency

Are your employees zombies? Do they lack energy? We'll discuss how to lead, encourage and get the best out of yourself and everyone you work with by discovering motivational currency – the things both you and your team value.

INVESTMENT

CPE Credit: 8 Hours (TB)

8:00 a.m. - 9:40 a.m.

Economic Update

This session will present an update on the global economy, as well delve into some Florida-specific economic issues.

10:00 a.m. - 11:40 a.m.

Best Practices

This session will discuss best practices for investing, including policies and strategies.

1:00 p.m. - 2:40 p.m.

Investing through Multiple Interest Rate Cycles

This session will explore the ups and downs in a volatile market and provide strategies for success.

3:00 p.m. - 4:40 p.m.

Pension Assets and Liabilities

Learn how to make the most of your pension investments.

Sunday, June 25, 2023

1:00 p.m. - 2:40 p.m.

GASB Update

CPE Credit: 2 Hours (AA)

This session will include the latest news from the Governmental

Accounting Standards Board and provide answers to address public confusion about current pronouncements.

Beyond Public Hearings: How to Engage Stakeholders During the Budget Process

CPE Credit: 2 Hours (TB)

This session focuses on how to engage and involve stakeholders in gathering useful information and providing them the opportunity to be part of the decision-making process.

People, Places and Purpose

CPE Credit: 2 Hours (BEH)

This session will discuss how we approach mental health from a position of our own biases. You'll learn ways to achieve a better work-life balance while considering the needs of others.

3:00 p.m. - 4:40 p.m.

GASB Hot Topics

CPE Credit: 2 Hours (AA)

This session will cover the major accounting and financial reporting issues associated with implementing GASB 87.

Strategic Planning – Part 1

CPE Credit: 2 Hours (TB)

The strategic plan is a useful tool to ensure resources are properly allocated based on the top priorities of a community. For any strategic plan to be effective, collaboration and communication between all stakeholders, a rigorous process of goal setting, a data-driven evaluation of priorities, finance collaboration to address baseline budget assessments, and a budget that communicates the financial steps are all necessary. This session will walk through a typical local government strategic planning process from beginning to end.

Building and Sustaining High-Functioning Teams

CPE Credit: 2 Hours (BEH)

This session will discuss building and sustaining effective teams by developing a culture and skills that

Sunday, June 25, 2023
continued

promote collaboration, cross-collaboration, effectiveness and efficiency.

Monday, June 26, 2023

8:00 a.m. - 9:40 a.m.

Opening General Session

10:00 a.m. - 11:40 a.m.

Auditor General and Department of Financial Services Update

CPE Credit: 2 Hours (AA)

Receive an update from the Florida Auditor General's Office and the Department of Financial Services on current issues pertaining to local governments.

Embracing Change in Uncertain Times

CPE Credit: 2 Hours (BEH)

This session will equip you with the right framework to deal with unprecedented challenges and circumstances, including change in upper management. This session will break down change management into effective, actionable tasks, identify how to maintain organizational culture, and build a solid communication plan.

Investment 101

CPE Credit: 2 Hours (TB)

This session will provide a market update and review key aspects of developing and implementing an investment policy and approach, including cash flow analysis and investment choices.

To Cloud or Not to Cloud: Discussion on ERP

CPE Credit: 2 Hours (TB)

This panel discussion will discuss the benefits of going to the cloud, as well as the challenges local governments have faced and solutions they've found when transferring their software to the cloud.

1:00 p.m. - 1:50 p.m.

ARPA and Single Audit Update

CPE Credit: 1 Hour (AA)

This session will briefly review the Final Rule and compliance requirements for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), and then dive into issues related to SLFRF funding and how to make sure your governmental entity optimizes the use of those funds. In addition, it will cover changes to the 2023 compliance supplement and other single audit updates.

Exploring Additional and Alternative Revenue Sources

CPE Credit: 1 Hour (AA)

Are your tax dollars stretched too thin, and are you seeking additional revenue sources to help fund competing priorities? This session will discuss several options to help fund capital projects and government services, including special assessments, impact fees, utility taxes and other less frequently used revenue sources authorized in Florida.

Developing a Capital Plan

CPE Credit: 1 Hour (TB)

This session will review how capital expenditures link to the strategic plan to attain future goals. Learn how to incorporate debt, uncertainties, ROI and fiscal policies into the program.

Benefits of Moving to the Cloud

CPE Credit: 1 Hour (TB)

Cloud computing has been around for approximately two decades. Despite the data pointing to the organizational efficiencies, cost-benefits and competitive advantages it holds, a large portion of the business community continues to operate without it. According to a study by the International Data Group, 69% of businesses are already using cloud technology in one capacity or another. As this data shows, an increasing number of tech-savvy leaders recognize the many benefits of the cloud-computing trend. But more than that, they are using this technology to run their organizations more efficiently and better serve

their customers. This presentation will outline the benefits of moving to the cloud.

2:00 p.m. - 3:20 p.m.

Internal Controls and Fraud in the Remote Environment

CPE Credit: 1.5 Hours (AA)

Even in traditional work environments, it's easy for processes to become flawed. With the shift to a remote work environment, another layer of controls needs to be evaluated. This session will provide guidance in designing and implementing internal controls to safeguard your organization.

Public Service Motivation

CPE Credit: 1.5 Hours (BEH)

This session will help you understand what motivates public service employees and how community leaders recruit, train, retain and inspire staff to elevate performance, retention and morale. We will discuss professional development and what really motivates by looking at what's important to the employee and organization and embracing the meaning in their work.

Investment 201

CPE Credit: 1.5 Hours (TB)

Given market and interest rate changes, learn how to review and adjust your investment approach while remembering investment best practices.

Latest Buzz on Drones

CPE Credit: 1.5 Hours (TB)

Manatee County Utilities Records is responsible for recording, mapping and locating underground public infrastructure. As technology is at the core of our operations, we have developed cost-saving procedures through GIS technology and drones. In this presentation, we will show how Geographic Information Systems (GIS) and Unmanned Aerial Systems (drones) have proven their effectiveness for everything from inspections of difficult facilities to information gathering on tort claims.

Monday, June 26, 2023

continued

3:30 p.m. - 4:50 p.m.

Financial Reporting Complexities in Local Government

CPE Credit: 1.5 Hours (AA)

This session will provide answers to a series of hypothetical questions that present complex accounting and financial reporting and technology issues to many Florida governments.

Economic Update

CPE Credit: 1.5 Hours (TB)

Economic conditions affect budgeting and financial planning functions in all governmental entities. This session will discuss the current state of the economy and provide national, state and regional trends.

First-Time Leaders and the Challenges They Face

CPE Credit: 1.5 Hours (BEH)

This session will discuss the fundamentals of management, key skills, leadership tools, best practices and how to build a support network, equipping first-time leaders with the knowledge for a successful start.

Securing and Handling Grant and SRF Loan Programs

CPE Credit: 1.5 Hours (AA)

In this session, you'll learn about the process for securing various grants for Florida local governments and accessing the State Revolving Loan (SRF) program. We'll discuss the application process and how to record and account for any awarded grants or SRF Loans.

Tuesday, June 27, 2023

8:00 a.m. - 9:40 a.m.

Changes to the Financial Reporting Model and Revenue and Expense Recognition

CPE Credit: 2 Hours (AA)

This session will highlight GASB's two most potentially impactful in-process projects. The Financial Reporting Model project will update the guidance initially established by

GASB 34. The Revenue and Expense Recognition project will provide conceptually-based, comprehensive guidance for recognition of revenues and expenses.

Legislative Update

CPE Credit: 2 Hours (TB)

This session will review the 2023 legislative session, the bills that passed and failed and discuss their implications for local governments.

Budget Best Practices

CPE Credit: 2 Hours (TB)

Looking for new and creative ways to approach the budget process? In this session, we'll walk through a local government budget process and learn some best practices that have proven to be effective. Learn best practices on all aspects of the budget process, including establishing a vision and priorities, engaging with the public, developing the annual budget, maintaining relationships and monitoring the budget throughout the year.

Thinking with Probabilities in Mind

CPE Credit: 2 Hours (TB)

Pension liabilities on our balance sheets are measured using an expected rate of future investment return. Investment forecasters and actuaries have thoughts about how likely your pension fund will achieve your pension return assumption. This session will explore our cognitive tendencies in how we think about the probabilities of success and failure. With examples from everyday life, you'll learn how to use probabilities to come to conclusions and make decisions.

10:00 a.m. - 11:40 a.m.

Broadband and Infrastructure Programs: Compliance Hot Topics

CPE Credit: 2 Hours (AA)

This session will provide a high-level overview of the various broadband and infrastructure programs funded by the multiple post-pandemic federal economic stimulus acts, focusing on the differences between them and compliance matters that need to be monitored. Single audit and

sub-recipient monitoring procedures and common audit issues will also be presented.

Truth in Millage: What Is It and Why Is It Important?

CPE Credit: 2 Hours (TB)

Chances are, if you work in government then you've heard the term "TRIM." But what is it really and how do we ensure compliance? This session discusses the Truth in Millage (TRIM) process and the compliance requirements for government agencies, as well as common errors to avoid.

Public Records Requests and the Sunshine Law

CPE Credit: 2 Hours (TB)

This session will focus on ethics, the public records act, electronic records management and how to comply with the Sunshine Law.

Update on the Latest Banking Technologies

CPE Credit: 2 Hours (TB)

This session will discuss some of the latest banking technologies and cost savings options.

1:00 p.m. - 2:40 p.m.

ACFR 101: Where to Start

CPE Credit: 2 Hours (AA)

This session will cover the basics of what goes into preparing the Annual Comprehensive Financial Report, including a discussion on required sections, what information you'll need to gather and where you can get it, and common findings in first-year ACFRs.

Strategic Planning – Part 2

CPE Credit: 2 Hours (TB)

So you just completed your strategic plan. Congratulations! Now what? After going through the process and developing your plan, it's time to roll it out and ensure accountability to the public. But how do you translate those strategic initiatives into actionable and measurable objectives, and most importantly, how do you tie it all into the budget process? This panel discussion addresses how to make that shift to where the strategic

Tuesday, June 27, 2023

continued

plan becomes the basis of the budget; how to determine overall measurable objectives; how to engage the public and employees to support the strategic plan; and how to ensure accountability.

Financial Transparency: Spending in the Sunshine

CPE Credit: 2 Hours (TB)

This session will model a state-of-the-art financial transparency website titled "Spending in the Sunshine." Pinellas County will highlight the legal, logistical and technology concerns they encountered when developing a transparency website. This user-friendly site provides citizens with a window into government spending.

Putting Your Best Foot Forward: How to Prepare for a Bond Insurer, Rating Agency Presentation or Annual Surveillance Call

CPE Credit: 2 Hours (TB)

This session will address key questions such as: What is the actual financial need? What financing method is best? What is the size of the need? When do I need the funds? What is the best structure for this transaction? You'll learn how to present all of this to a rating agency in the best light for a positive rating.

3:00 p.m. - 4:40 p.m.

Common Audit Findings

CPE Credit: 2 Hours (AA)

This session will include discussion of common audit findings at various local government entities related to financial reporting, internal controls and compliance, as well as best practices for addressing them.

Collective Bargaining in the 2020s: Managing Employee Expectations and Transition without Breaking the Budget

CPE Credit: 2 Hours (TB)

What are the current trends in public sector collective bargaining and employment? Under volatile economic conditions and coming out of pandemic-induced constraints, local gov-

ernments are facing many employment issues involving demands for wage and benefit increases, greater work-life balance, and retirement, transition and succession challenges. The panel will address recent developments in collective bargaining and retirement law and what governments can do to effectively prepare for and deal with employee demands in an inflationary cycle while balancing other community needs, all while preparing a sustainable and balanced budget.

RFPs, RFIs and RFQs

CPE Credit: 2 Hours (AA)

Join us for a panel discussion on the differences between requests for proposals, requests for information and requests for quotation, as well as maintaining compliance.

Capital Financing Options

CPE Credit: 2 Hours (TB)

This session will discuss how to formulate a capital improvement plan, and will also look at bank, bond finance and other options where external financing is needed.

Wednesday, June 28, 2023

9:00 a.m. - 10:40 a.m.

How to Pass Your Single Audit

CPE Credit: 2 Hours (AA)

Federal and state grants are critical funding sources for many governments and special districts, but they also come with different compliance requirements. This session will provide a single audit specialist's best tips on what finance officers and grant managers can do to prepare for their required annual single audits over federal and state grants. Learn what your auditors will be looking for so you can pass your audit easily and efficiently.

Free But Not Easy: How to Compete for and Manage Grants

CPE Credit: 2 Hours (TB)

Local governments often turn to grant opportunities to help fund new initiatives, provide for new capital projects or support important

initiatives that otherwise would be unaffordable. However, the effort required to find, manage and report on grants can be significant, especially for a small government. Attendees will learn how to distinguish between types of grants, write a better, more competitive grant proposal and learn how to implement and comply with complex grant requirements.

Cybersecurity in the Remote Environment: Best Practices

CPE Credit: 2 Hours (TB)

This session will address best practices for employers and employees when it comes to remote work or hybrid work schedules.

11:00 a.m. - 11:50 a.m.

Capital Planning for the Future: What Happens When the Money Runs Out?

CPE Credit: 1 Hour (TB)

The American Rescue Plan Act (ARPA) and various other federal and state funding opportunities have injected local governments with much needed funding to pay for capital infrastructure. However, when the money runs out, many communities will be faced with the headache of how to pay for future capital projects and ongoing maintenance. Attendees will learn how to plan for long-term capital costs, budget sustainably and enact smart financial policies to ensure governments are using one-time funds responsibly.

Tips and Tricks in Excel

CPE Credit: 1 Hour (TB)

With the proliferation of data available from various sources and with CSV files coming at you from all directions, take some time to learn some useful tools, tips and tricks in Excel to help you slice and dice, analyze, and report on this data. In this session, we will look at incorporating external data sources, combining workbooks, formatting tools to make reporting easier and go-to formulas to get the most out of the data. See how easy it is to turn text information into a data powerhouse in just a few clicks.

*This is a tentative conference schedule and subject to change.

General Conference Information

ADVANCE REGISTRATION PROCEDURE

All participants are encouraged to register in advance to avoid any delays at the conference registration desk **and to receive your housing information**. When your registration is received, a registration confirmation and housing information will be sent via email. Your badge, program, tickets and other information about the conference can be picked up upon arrival at the FGFOA Registration Desk.

ONLINE REGISTRATION

A convenient online registration option is available through the FGFOA website at fgfoa.org.

You can pay directly online with a Visa, Mastercard or American Express. Registrations submitted and paid online via credit card will automatically be marked as paid, and you will receive your conference confirmation and housing information immediately via email.

NOTE: If you need to pay by check, you can download a registration form from the website. Your payment must reach the FGFOA office postmarked no later than May 22, 2023, to qualify for the early registration fee.

REGISTRATION FEES

To qualify for the early registration fee, all conference registrations must be received on or prior to **May 22, 2023**. Registration forms postmarked after May 22, 2023, will be processed at the specified late fee. The registration fees for the FGFOA Annual Conference are:

| | EARLY FEE 5/22/2023 | LATE FEE AFTER 5/22/2023 |
|--------------------------------|------------------------|-----------------------------|
| REGISTRATION FEES | | |
| FGFOA Government Member | \$375.00 | \$415.00 |
| FGFOA Associate Member | \$435.00 | \$475.00 |
| FGFOA Non-Member | \$495.00 | \$535.00 |
| Lifetime Member | \$ 0.00 | \$ 0.00 |
| PRE-CONFERENCE SEMINAR | | |
| FGFOA Government Member | \$150.00 | \$190.00 |
| FGFOA Associate Member | \$190.00 | \$230.00 |
| FGFOA Non-Member | \$225.00 | \$265.00 |
| Lifetime Member | \$150.00 | \$150.00 |
| GUEST REGISTRATION | | |
| Adult Guest | \$ 75.00 | \$ 75.00 |
| Child Guest (3-18) | \$ 50.00 | \$ 50.00 |

Registrations are done on an individual basis. The FGFOA does not permit the sharing of a registration between two attendees. Each attendee must have a separate registration and pay the full amount.

General Conference Information

REGISTRATION PACKAGES

The member and non-member registration fees include admission to all regular conference sessions, refreshment breaks, exhibit hall, Sunday's Association Night Reception, Monday's lunch in the exhibit hall, Tuesday's Luncheon (no guests, please) and the Tuesday Night Event. These fees do not cover Saturday's pre-conference seminar, lodging or other meals.

GUEST REGISTRATION

Adult and child (3-18) guest registration includes admittance to the Tuesday Night Event **only**. All guests **must** have name badges to attend the Tuesday Night Event, so registration is required.

If a spouse or guest wants to attend sessions and be scanned for continuing education credits, they must register as a non-member.

EXHIBITORS

Exhibitors are required to register individually for the conference, if they will be seeking continuing education credits or planning to attend any conference events after **6:00 p.m. on Monday, June 26**. The registration fee covers all regular conference sessions, refreshment breaks, Sunday's Association Night Reception, Monday's lunch in the exhibit hall, Tuesday's Luncheon and the Tuesday Night Event. The fee does not include Saturday's pre-conference seminars. If you have not yet secured an exhibit booth, please contact Heidi Hogarth at 850.701.3605 or hhogarth@flcities.com.

REGISTRATION DEADLINE

All conference registration forms must be received by FGFOA postmarked no later than **Monday, May 22, 2023**, to qualify for advanced registration. After May 22, registrants will be subject to late registration fees.

REFUNDS

Conference registration cancellation requests must be sent via email to adelune@flcities.com. All cancellations received in the FGFOA office by 5:00 p.m., **Friday, June 9, 2023**, will receive refunds, minus a **\$40.00** cancellation fee. Refunds will be issued after the conference. **No refunds can be made after June 9 or for early departure from the conference.** Registrations may be transferred to another individual with advanced notification.

General Conference Information

HOTEL INFORMATION

Rising above the horizon stands **Rosen Shingle Creek**, a sight welcoming you to experience the personal touch of an independent, full-service luxury hotel with all the amenities you expect. The location is prime, on Universal Boulevard, east of the Orange County Convention Center North/South expansion and 10 minutes from the Orlando International Airport. Rosen Shingle Creek's third and best-known quality creates the perfect trifecta—award-winning customer service.

NOTE: The hotel will NOT accept any reservations by phone. See below for details. The reduced rate for conference registrants will be **\$169/night**, plus \$12/night for self-parking. The reservation cut-off date is **Wednesday, May 24, 2023**.

HOTEL POLICIES

Check-in time is after 3:00 p.m. Check-out time is before 11:00 a.m. A credit card is required to hold a reservation. Tax-exempt forms must be shown at check-in or sent in advance. See details in your registration confirmation email.

ROOM RESERVATIONS – IMPORTANT – PLEASE READ

In recent years, many of our registrants have experienced the inconvenience of having to stay outside of the host hotel. Our hotel room block has filled up sooner than expected with people making reservations they may not use, "just in case." These individuals end up not attending the event and canceling their reservations, but it is too late to help others who have booked into other properties and cannot cancel without a penalty.

As a result, our policy is that all hotel reservations will be made via an **online link**, which you **will receive when the FGFOA has received your registration** for the conference. The **Rosen Shingle Creek will NOT accept any reservations by phone**. Once your registration is received, you will be emailed an attendee-specific link to make your room reservation online.

Please note that the reservation cutoff date is **May 24, 2023**. It is important that you register for the conference early so that you have plenty of time to make your reservations. Note that the hotel could sell out **before** the cutoff date, and the FGFOA cannot guarantee rooms will be available at the time you make your reservations, **so please register for the conference and make your reservations as soon as possible**.

We apologize in advance for any confusion or inconvenience this may cause, but we sincerely hope that this procedure will enable more of our participants to stay in the host hotel. **Please register early**.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Christopher A. Little, P.E.

DATE: 4/6/2023

RE: Consideration of travel and training for specified City employees (Utilities Department).

The following request was not included in the September 21, 2022 approved travel and training spreadsheet for the Utilities Department; however, funding was approved in the Fiscal Year 2023 budget for this training opportunity. In FY 2023, the Utilities Department created a Compliance Inspector position. The Department is seeking to authorize training and travel specific to this position. The position is required to obtain a certificate in both Industrial Pretreatment and Fats, Oils, and Grease.

The Utilities Department is requesting Council's approval for the Compliance Inspector to attend the Florida Industrial Pretreatment Association (FIPA) Spring 2023 Training & Workshop from April 25-27 in Daytona Beach, Florida. The training offered at this workshop is catered towards individuals working in industrial pretreatment, laboratories, and/or utilities operations and provides them an opportunity to obtain an in-depth understanding of Fats, Oils & Grease (FOG) programs, Sanitary Sewer Overflows (SSO), and the associated State Regulations. By attending the course, the employee will earn up to 1.6 Continuing Education Units (CEUs) and will have the opportunity to obtain a FOG Management – Level I Inspector certificate.

The workshop registration fee is \$280. The employee will utilize the City vehicle, departing on April 25 and returning on April 27. The hotel/lodging is estimated to total \$298, at \$149 per night for two nights. Per diem is estimated to be a total of \$207, at \$69 per day. The total estimated cost is \$785.

REQUESTING DEPARTMENT:

Utilities

FISCAL IMPACT:

Funding is available in Utilities Operating Fund, accounts 421-8017-536-4001 and 421-8017-536-5501. The total estimated expenditure will be \$785.

RECOMMENDATION:

Motion to to acknowledge and approve travel as mentioned above.

ATTACHMENTS:

Description

Travel Backup

**TRAINING & TRAVEL
REQUEST/AUTHORIZATION FORM**
SUBMIT 60 DAYS PRIOR TO TRAVEL/TRAINING
****TO BE COMPLETED BY SUPERVISOR****

Name of the Event: FIPA Classes Spring 2023

(Attach Brochure and completed Registration Form)

1. **EVENT LOCATION** The Shores Resort & Spa 2637 South Atlantic Ave., Daytona Beach
Shores, FL 32118
2. **JUSTIFICATION OF TRAVEL (use separate sheet, if necessary)**
professional development to obtain Fats, Oils & Grease Management I certificate
3. **TYPE OF TRAINING: Mandatory or Optional** ☒
Safety or Educational/Technical ☒
4. **NUMBER OF TRAINING HOURS** 24
5. **REGISTRATION AMOUNT** 280.00
6. **OVERNIGHT STAY** Yes ☒ No ☐ If yes, how many nights?
7. **AIR TRAVEL** Yes ☐ No ☒
8. **CITY VEHICLE** Yes ☒ No ☐
If no, why _____
9. **DEPARTURE DATE/ TIME** April 25, 2023/ 6:30 AM
10. **RETURN DATE/TIME*** April 27, 2023/ 5:30 PM

***PLEASE NOTIFY YOUR SUPERVISOR IF YOU WILL BE ARRIVING ONE HOUR OR LONGER PAST YOUR EXPECTED RETURN TIME LISTED IN ITEM 9.**

PLEASE INCLUDE VERIFICATION OF TRAVEL TIME LISTED FOR ITEMS 8 AND 9 (I.E. MAPQUEST OR GOOGLE MAP PRINTOUT)

UPON RETURN, PLEASE SUBMIT TO ADMINISTRATION: ALL RECEIPTS, I.E., VEHICLE REPAIRS, HOTEL, PARKING, TOLLS, AND CERTIFICATE OR PROOF OF ATTENDANCE. ALSO NEED CONFIRMATION OF TRAVEL TIMES.

Michelle Clay-Knoepfel
EMPLOYEE (Please print)

[Signature]
SUPERVISOR SIGNATURE

[Signature] 2/23/23
EMPLOYEE SIGNATURE DATE

[Signature] 2/27/23
DIVISION MANAGER SIGNATURE DATE

[Signature]
UTILITIES DIRECTOR/DESIGNEE SIGNATURE

Florida Industrial Pretreatment Association

Class Registration



April 25 - 27, 2023
Daytona Beach, Florida

Apr 25



FIPA Classes Spring 2023

Part of the [FIPA Spring 2023 Training & Workshop](#) collection

[FIPA Classes Fall 2023](#)

By Florida Industrial Pretreatment Association

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\$0.00 - \$280.00

Reserve a spot



Location

The Shores Resort & Spa 2637 South Atlantic Avenue Daytona Beach Shores, FL 32118

Hide map ^



How to get there



Refund Policy

Refunds up to **7 days** before event
Eventbrite's fee is nonrefundable.

About this event



2 days 4 hours

\$0.00 - \$280.00

Courses are open to industrial pretreatment professionals, laboratory personnel, and water/wastewater operators. By completing a 2-day course, an individual may earn 1.6 Continuing Education Units (CEUs) issued through accredited organizations for their Florida wastewater or water operator license.

Courses offered:

- Industrial Pretreatment C (Basic)
- Industrial Pretreatment B (Intermediate)
- Industrial Pretreatment A (Advanced)
- Fats, Oils & Grease Program Management I (Inspector Training)
- Fats, Oils & Grease Program Management II (Program Development)
- Wastewater Sampling for Industrial Pretreatment (no exam)

Course agendas and minimum requirements: <https://tinyurl.com/ypk47f44>

Questions?

General registration or payment related questions: e-mail Monica Swearingen at secretary@fipaonline.com or call [407-595-1852](tel:407-595-1852)

Minimum qualifications or specific course related questions: email FIPA's Education Coordinator at education@fipaonline.com

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Florida Industrial Pretreatment Association

Required Minimum Qualifications Fats, Oils & Grease Management I *Inspector Training*

The Florida Industrial Pretreatment Association (FIPA) conducts training courses and exams for voluntary certifications in Industrial Pretreatment and Fats, Oils & Grease Program Management. Courses are open to industrial pretreatment professionals, laboratory personnel, and water/wastewater operators. By completing a 2-day course, an individual may earn 1.6 Continuing Education Units (CEUs) issued through accredited organizations.

Required minimum qualifications for FOG I Management (Inspector Training) Exam & Voluntary Certification:

1. Must have accumulated 6 months of experience in grease trap or oil/water separator device management, grease trap or oil/water separator device inspection, grease prevention program code enforcement, industrial pretreatment, wastewater collection or treatment, water/reclaimed water distribution or treatment, and/or laboratory sampling or analysis.
2. Must successfully complete the FOG I Management course through FIPA.
3. Must achieve a grade of 70% or greater on the FOG I course certification exam.

Questions? Contact FIPA's Education Chairman at education@fipaonline.com



**Florida Industrial Pretreatment Association
Fats, Oils, and Grease (FOG) Management I
Voluntary Certification Course**

Course Location:

The Shores Resort & Spa
2637 S. Atlantic Avenue
Daytona Beach Shores, FL 32118

Training Dates: April 25 – 27, 2023

Course Instructor: Daniel Friedline

Tuesday:

| | |
|------------------|--|
| 8:00 – 8:30 am | Registration |
| 8:30 – 9:00 am | Problems with F.O.G. |
| 9:00 – 10:15 am | Sanitary Sewer Overflows, Regulatory History and FOG Sources |
| 10:15 – 10:30 am | Break |
| 10:30 – 12:00 pm | F.O.G. Sources (continued) and Introduction to FOG Chemistry |
| 12:00 – 1:00 pm | Lunch (on your own) |
| 1:00 – 2:45 pm | The Sewer System |
| 2:45 – 3:00 pm | Break |
| 3:00 – 4:15 pm | SSO'S and Sewer Blockages |
| 4:15 – 5:00 pm | Course Review |

Wednesday:

| | |
|------------------|---|
| 8:00 – 9:00 am | FOG Separation |
| 9:00 – 10:00 am | Why have a F.O.G. Management Program |
| 10:00 – 10:15 am | Break |
| 10:15 – 12:00 pm | Facility Inspections and Monitoring |
| 12:00 – 1:00 pm | Lunch (on your own) |
| 1:00 – 2:45 pm | Reporting, Cost Recovery, Enforcement, Haulers |
| 2:45 – 3:00 pm | Break |
| 3:00 – 5:00 pm | F.O.G Pretreatment Device Repair, Rehabilitation, and Replacement Exercises and discussion |

Thursday:

| | |
|-----------------|--------------------|
| 8:00 – 9:15 am | Course Review |
| 9:30 – 12:00 pm | Certification Exam |



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Suzanne Sherman, City Manager

THRU: Larry Wojciechowski, Finance Director

DATE: 4/6/2023

RE: Acknowledgement of the City's monthly financial report for February 2023 (Unaudited).

Attached for your information is the monthly financial report which provides an overview of the City's financial activities for February 2023. February is the fifth month of the fiscal year and represents 42% of the annual budget year.

Citywide cash and investments increased by \$55.9 million or 19.12% in comparison to the prior year. This is primarily due to increased balances in Impact Fee funds, Utilities funds, General Fund and ARPA funds. This also contributed to the increase in Citywide revenues.

The General Fund is the City's primary operating fund. General Fund revenues received through February were \$57.6 million and are 54.1% of the annual budget. General Fund expenditures through the end of February were \$34.4 million and are 32.3% of the annual budget. General Fund total cash & investments on February 28, 2023, was \$59.9 million, which is \$12.1 million or 25.3% higher than one year ago.

General Fund revenues collected through February 28, 2023, overall were 20.6% higher than the revenues collected during the same period last year. The overall increase was mainly attributable to an increase in revenue collections from Ad Valorem Taxes and State shared revenues compared to the same period last year.

General Fund expenditures through February 28, 2023, overall were 11.5% higher than expenditures incurred during the same period last year. Pages 14 through 16 provide a summary of all funds' budget, revenues and expenditures posted for February 28, 2023.

REQUESTING DEPARTMENT:

Finance

FISCAL IMPACT:

None.

RECOMMENDATION:

Motion to acknowledge receipt of the February 2023 Financial Report.

ATTACHMENTS:**Description**

Monthly Finance Report - February 2023



MONTHLY FINANCIAL REPORT (UNAUDITED)

FEBRUARY 2023

City of Palm Bay, Florida

Report Summary



| | |
|---|---------|
| Financial Report Summary | Page 1 |
| General Fund | |
| ➤ Year-to-Date Revenue | Page 2 |
| ➤ Year-to-Date Expenditures | Page 3 |
| ➤ Cash & Investments | Page 4 |
| ➤ Operating Statement & Change in Fund Balance | Page 5 |
| ➤ Fund Balance History | Page 6 |
| Impact Fee Funds | |
| ➤ Cash & Investments | Page 7 |
| ➤ Fund Equity | Page 8 |
| Utilities Fund | |
| ➤ Cash & Investments | Page 9 |
| Stormwater Fund | |
| ➤ Cash & Fund Equity | Page 10 |
| Building Fund | |
| ➤ Cash & Fund Equity | Page 11 |
| General Obligation Road Program Funds | |
| ➤ Cash & Fund Equity | Page 12 |
| Financial Activity by Fund | |
| ➤ General Fund, Special Revenue Funds, and Impact Fee Funds | Page 14 |
| ➤ Debt Service Funds and Capital Projects Funds | Page 15 |
| ➤ Enterprise Funds and Internal Service Funds | Page 16 |

MONTHLY FINANCIAL REPORT (UNAUDITED)

FEBRUARY 2023

CITY OF PALM BAY, FLORIDA



The City of Palm Bay, Florida's (the "City") monthly financial report presents an overview and analysis of the City's financial activities during the month of February 2023. February is the fifth month of the fiscal year and represents 42% of the annual budget.

Financial Report Summary

- Citywide revenues^{1*} of \$120.6 million are at 29.2% of the annual budget. Citywide expenditures^{1*} of \$77.6 million are at 18.8% of the annual budget. Traditionally revenue collections are two months in arrears. For this reason, certain revenues for grants and other governmental resources are accrued at year end to reflect the period in which it represents.
- Citywide cash and investments increased by \$55.9 million, or 19.1%, in comparison to the prior year. This was primarily due to increased balances in Impact Fee funds (\$17.0m), Utilities funds (\$11.9m), General Fund (12.1m) and the ARPA Fund (\$7.8m).
- Citywide revenues^{1*} increased by \$17.9 million, or 17.5% in comparison to the prior year.

| Citywide - Cash & Investments ¹ | | Citywide - Revenues ^{1*} | | Citywide - Expenditures ^{1*} | |
|--|-------------------------------|-----------------------------------|-------------------------------|---------------------------------------|------------------------------|
| 2/28/2023 | \$ 348,780,399.35 | 2/28/2023 | \$ 120,599,120.18 | 2/28/2023 | \$ 77,576,226.81 |
| 2/28/2022 | 292,906,928.05 | 2/28/2022 | 102,670,741.98 | 2/28/2022 | 69,913,295.43 |
| Increase | 19.1% \$ 55,873,471.30 | Increase | 17.5% \$ 17,928,378.20 | Increase | 11.0% \$ 7,662,931.38 |

¹ Not including Cash, Revenues, or Expenditures from PB Municipal Foundation.

* Not including interfund transfers

- General Fund revenues of \$57.6 million are at 54.1% of the annual budget. This is an increase of \$9.8 million, or 20.6%, in comparison to the prior year.
- General Fund expenditures of \$34.4 million are at 32.3% of the annual budget. This is an increase of \$3.6 million, or 11.5%, in comparison to the prior year.
- General Fund cash and investments increased by \$12.1 million, or 25.3%, in comparison to the prior year. Of this increased General Fund cash, \$231,150 is reserved.

| General Fund - Cash & Investments | | General Fund - Revenues | | General Fund - Expenditures | |
|-----------------------------------|-------------------------------|-------------------------|------------------------------|-----------------------------|------------------------------|
| 2/28/2023 | \$ 59,898,138.73 | 2/28/2023 | \$ 57,615,030.94 | 2/28/2023 | \$ 34,379,958.52 |
| 2/28/2022 | 47,809,191.17 | 2/28/2022 | 47,770,168.62 | 2/28/2022 | 30,820,341.12 |
| Increase | 25.3% \$ 12,088,947.56 | Increase | 20.6% \$ 9,844,862.32 | Increase | 11.5% \$ 3,559,617.40 |

The General Fund is the City's primary operating fund and is used to account for all resources except those that are required to be accounted for in another fund.

This report contains unaudited information. If you have any questions or comments on the financial reports, please contact Larry Wojciechowski, Finance Director, or Ruth Chapman, Assistant Finance Director.

City Website: <http://www.palmbayflorida.org/>
Finance Website: www.palmbayflorida.org/finance

MONTHLY FINANCIAL REPORT (UNAUDITED)
FEBRUARY 2023
CITY OF PALM BAY, FLORIDA



General Fund (GF) Revenues - Summary

➤ **FY 2023 YTD Revenue Variance**
As Compared to Prior Year

| | Prior YTD | Current YTD | % Variance | Annual Budget |
|--|----------------------|----------------------|--------------|-----------------------|
| Ad Valorem Taxes (1) | \$ 34,478,081 | \$ 42,228,564 | 22.5% | \$ 46,501,681 |
| Local Option Fuel Tax (2) | 924,718 | 1,045,798 | 13.1% | 4,159,113 |
| Utility Service Taxes (3) | 2,616,986 | 2,967,346 | 13.4% | 9,699,000 |
| Communication Service Tax | 677,092 | 700,849 | 3.5% | 2,784,721 |
| Franchise Fees (4) | 1,481,578 | 1,761,939 | 18.9% | 6,248,250 |
| State Shared Revenues (5) | 1,259,324 | 1,455,092 | 15.5% | 5,950,921 |
| Half Cent Sales Tax | 2,080,406 | 2,284,163 | 9.8% | 7,868,633 |
| Licenses and Permits (6) | 145,240 | 509,104 | 250.5% | 746,300 |
| Grants and Other Entitlements (7) | 136,857 | 58,255 | -57.4% | 662,080 |
| Charges for Services | 2,371,266 | 2,472,633 | 4.3% | 5,876,418 |
| Fines and Forfeitures (8) | 235,346 | 161,368 | -31.4% | 493,500 |
| Interest, Rents & Other Revenues (9) | 201,426 | 1,086,008 | 439.2% | 961,900 |
| Interfund Transfers & Other Sources (10) | 1,161,849 | 883,911 | -23.9% | 2,411,759 |
| Fund Balance | - | - | 0.0% | 12,123,787 |
| | \$ 47,770,169 | \$ 57,615,031 | 20.6% | \$ 106,488,063 |

- (1) Increase primarily due to higher year-to-date collections of Ad Valorem Taxes in FY23.
(2) Increase primarily due to higher year-to-date collections of Local Option Fuel Taxes in FY23
(3) Increase primarily due to higher year-to-date collections of Utility Service Taxes in FY23.
(4) Increase primarily due to higher year-to-date collections of Franchise Fees in FY23.
(5) Increase primarily due to higher year-to-date collections of State Shared Revenues in FY23.
(6) Increase primarily due to higher year-to-date collections of driveway permits and BTR's in FY23.
(7) Decrease primarily due to lower year-to-date collections of Brevard Public Schools' grant in FY23.
(8) Decrease primarily due to lower year-to-date collections of Code Compliance fines in FY23.
(9) Increase primarily due to increased YTD interest income in FY23.
(10) Decrease primarily due to lower budgeted transfers in and no sales proceeds received in FY23.

MONTHLY FINANCIAL REPORT (UNAUDITED)

FEBRUARY 2023

CITY OF PALM BAY, FLORIDA



General Fund (GF) Expenditures - Summary

➤ FY 2023 YTD Expenditure Variance
As Compared to Prior Year

| | Prior YTD | Current YTD | % Variance | Annual Budget |
|----------------------------|----------------------|----------------------|--------------|-----------------------|
| Legislative (1) | \$ 307,501 | \$ 339,429 | 10.4% | \$ 854,287 |
| City Manager (2) | 423,850 | 527,055 | 24.3% | 1,701,322 |
| City Attorney (3) | 116,893 | 176,015 | 50.6% | 510,796 |
| Procurement (4) | 255,116 | 215,424 | -15.6% | 695,246 |
| Finance (5) | 516,767 | 571,285 | 10.5% | 1,488,553 |
| Information Technology (6) | 1,312,714 | 1,775,524 | 35.3% | 6,938,258 |
| Human Resources | 212,087 | 227,133 | 7.1% | 746,425 |
| Growth Management (7) | 612,659 | 840,753 | 37.2% | 2,242,808 |
| Comm & Economic Dev. (8) | 272,603 | 369,335 | 35.5% | 1,014,517 |
| Recreation (9) | 610,998 | 731,568 | 19.7% | 2,310,544 |
| Parks and Facilities | 2,210,810 | 2,101,325 | -5.0% | 7,660,079 |
| Police | 9,216,940 | 9,890,642 | 7.3% | 30,878,903 |
| Fire | 6,911,663 | 7,322,916 | 6.0% | 23,908,329 |
| Public Works | 2,422,401 | 2,550,377 | 5.3% | 8,872,023 |
| Non-Departmental | 2,359,406 | 2,480,285 | 5.1% | 8,498,776 |
| Transfers (10) | 3,057,933 | 4,260,892 | 39.3% | 8,167,197 |
| | \$ 30,820,341 | \$ 34,379,959 | 11.5% | \$ 106,488,063 |

(1) Increase primarily due to phase one implementation of wage study recommendations in December 2022.

(2) Increase primarily due to phase one implementation of wage study recommendations and hiring second Deputy City Manager in December 2022.

(3) Increase primarily due to phase one implementation of wage study recommendations in December 2022.

(4) Decrease primarily due to vacant position(s) in FY23, including Chief Procurement Officer position.

(5) Increase primarily due to phase one implementation of wage study recommendations in December 2022.

(6) Increase primarily due to more personnel, phase one implementation of wage study recommendations, and higher operating costs in FY23.

(7) Increase primarily due to more personnel in Admin & Land Development Divisions & phase one implementation of wage study in FY23.

(8) Increase primarily due to more personnel, including Asst. Director position, phase one implementation of wage study, & \$51,000 for Strategic Plan in FY23.

(9) Increase primarily due to higher personnel and operating costs in FY23.

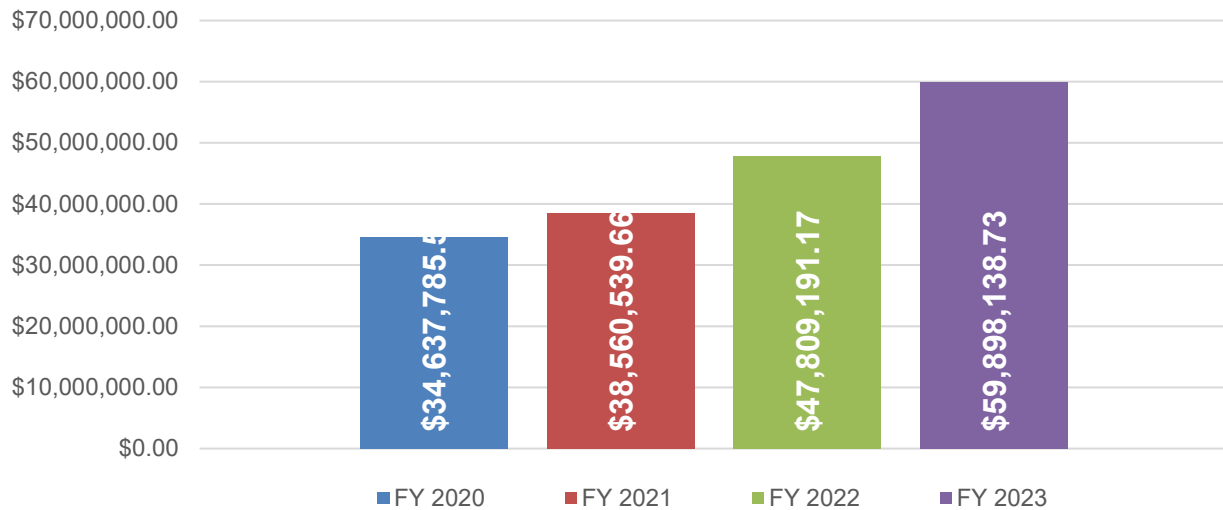
(10) Increase primarily due to higher budgeted transfers to Road Maintenance CIP, Debt Service, & Environmental Fee Fund in FY23.

| | YTD Actual | YTD Budget | Annual Budget | % Spent |
|---------------|-------------------------|----------------------|-----------------------|--------------|
| Debt Service | \$ 2,883,494.08 | \$ 2,829,083 | \$ 6,789,799 | 42.5% |
| Personnel | 23,805,424.47 | 25,964,560 | 62,314,945 | 38.2% |
| Operating | 6,145,143.32 | 9,429,300 | 22,630,320 | 27.2% |
| Capital | 168,498.65 | 5,573,167 | 13,375,601 | 1.3% |
| Contributions | - | - | - | 0.0% |
| Transfers | 1,377,398.00 | 573,916 | 1,377,398 | 100.0% |
| Reserves | - | - | - | 0.0% |
| | \$ 34,379,958.52 | \$ 44,370,026 | \$ 106,488,063 | 32.3% |

The total budgeted expenditures for FY23 are \$106,488,063 (including encumbrances from prior year and budget amendments). Of this amount, \$62,314,945, or 58.5%, is related to personnel costs.

General Fund (GF) Cash & Investments - Summary

➤ Year-to-Date (YTD) Cash & Investments Comparisons



| General Fund Cash & Investments | | General Fund Cash & Investments | |
|---------------------------------|-------------------------|---|-------------------------|
| Prior Month Ending Balance | \$ 61,988,432.89 | February 2023 Ending Balance | \$ 59,898,138.73 |
| Cash Increase (Decrease) | (2,090,294.16) | Cash Advanced to Other Funds: | |
| | | CDBG Fund #126 | (288,458.46) |
| Ending Balance 2/28/2023 | \$ 59,898,138.73 | Total Available Cash & Investments | \$ 59,609,680.27 |

MONTHLY FINANCIAL REPORT (UNAUDITED)
FEBRUARY 2023
CITY OF PALM BAY, FLORIDA



General Fund (GF) Balance - Summary

CITY OF PALM BAY, FLORIDA
OPERATING STATEMENT AND CHANGES IN FUND BALANCES
GENERAL FUND
For the Month Ended February 28, 2023

| | Prior YTD | Current YTD |
|--|----------------------|--------------------|
| <u>REVENUES</u> | | |
| Ad Valorem Taxes | \$ 34,478,081 | \$ 42,228,564 |
| Local Option Fuel Tax | 924,718 | 1,045,798 |
| Utility Service Taxes | 2,616,986 | 2,967,346 |
| Communication Service Tax | 677,092 | 700,849 |
| Franchise Fees | 1,481,578 | 1,761,939 |
| State Shared Revenues | 1,259,324 | 1,455,092 |
| Half Cent Sales Tax | 2,080,406 | 2,284,163 |
| Licenses and Permits | 145,240 | 509,104 |
| Grants and Other Entitlements | 136,857 | 58,255 |
| Charges for Services | 2,371,266 | 2,472,633 |
| Fines and Forfeitures | 235,346 | 161,368 |
| Interest, Rents and Other Revenues | 201,426 | 1,086,008 |
| Interfund Transfers and Other Sources | 1,161,849 | 883,911 |
| Total Revenues | 47,770,169 | 57,615,031 |
| <u>EXPENDITURES</u> | | |
| Legislative | 307,501 | 339,429 |
| City Manager | 423,850 | 527,055 |
| City Attorney | 116,893 | 176,015 |
| Procurement | 255,116 | 215,424 |
| Finance | 516,767 | 571,285 |
| Information Technology | 1,312,714 | 1,775,524 |
| Human Resources | 212,087 | 227,133 |
| Growth Management | 612,659 | 840,753 |
| Economic Development | 272,603 | 369,335 |
| Parks and Recreation | 610,998 | 731,568 |
| Facilities | 2,210,810 | 2,101,325 |
| Police | 9,216,940 | 9,890,642 |
| Fire | 6,911,663 | 7,322,916 |
| Public Works | 2,422,401 | 2,550,377 |
| Non-Departmental | 2,359,406 | 2,480,285 |
| Transfers | 3,057,933 | 4,260,892 |
| Total Expenditures | 30,820,341 | 34,379,959 |
| Excess (Deficiency) of Revenues Over Expenditures | 16,949,828 | 23,235,072 |
| Fund Balance - Beginning | 30,613,782 | 34,490,191 |
| Fund Balance - Ending | \$ 47,563,609 | 57,725,264 |

General Fund (GF) Balance - Summary

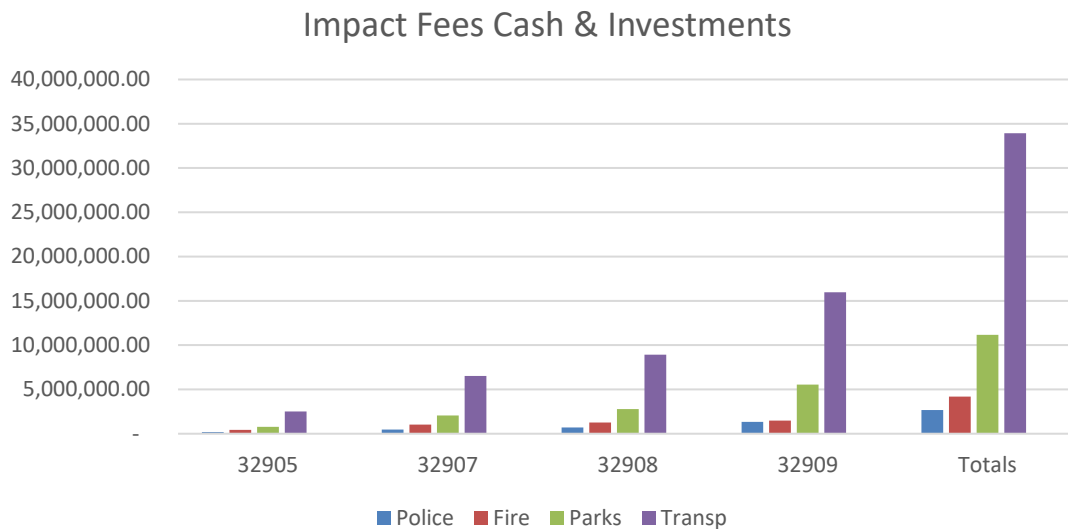
The minimum General Fund unrestricted fund balance, as established by Resolution 2021-03 (effective with the preparation of the City's September 30, 2022, Annual Comprehensive Financial Report and adoption of the City's Fiscal Year 2022 Budget), is two months of regular budgetary General Fund operating expenditures. The following is a history of the City's General Fund unrestricted fund balance.

| General Fund Balance - History | | | |
|--------------------------------|---------------------|------------------------------|--------------------------------|
| | Minimum Required | Unrestricted Fund Balance | Unrestricted Fund Balance % |
| FY 2022 | \$ 13,838,672 | \$ 33,185,274 | 40.0% |
| FY 2021 | 7,553,655 | 29,713,480 | 39.3% |
| FY 2020 | 6,758,163 | 23,658,524 | 35.0% |
| FY 2019 | 6,784,007 | 18,205,817 | 26.8% |
| FY 2018 | 6,478,266 | 14,940,492 | 23.1% |

Impact Fees by Nexus Zone - Cash & Investments – Summary*

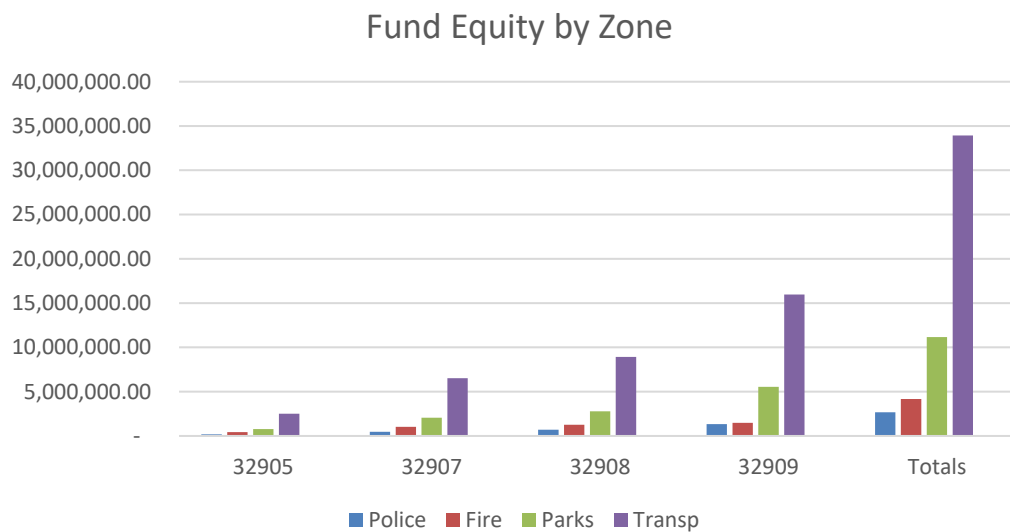
| 2/28/2023 | Zone 1 | Zone 2 | Zone 3 | Zone 4 | |
|-----------|--------------|---------------|---------------|---------------|---------------|
| | 32905 | 32907 | 32908 | 32909 | Totals |
| Police | 174,370.34 | 470,199.56 | 698,947.74 | 1,326,323.61 | 2,669,841.25 |
| Fire | 431,199.48 | 1,020,136.58 | 1,255,491.16 | 1,477,639.26 | 4,184,466.48 |
| Parks | 773,604.25 | 2,060,050.92 | 2,786,797.48 | 5,541,572.24 | 11,162,024.89 |
| Transp | 2,515,510.41 | 6,521,599.86 | 8,915,878.89 | 15,968,357.79 | 33,921,346.95 |
| Totals | 3,894,684.48 | 10,071,986.92 | 13,657,115.27 | 24,313,892.90 | 51,937,679.57 |

*Not including Transportation Impact Fees Zone 32909 segregated amount of \$72,186.41 per I.L.A. with Brevard County.



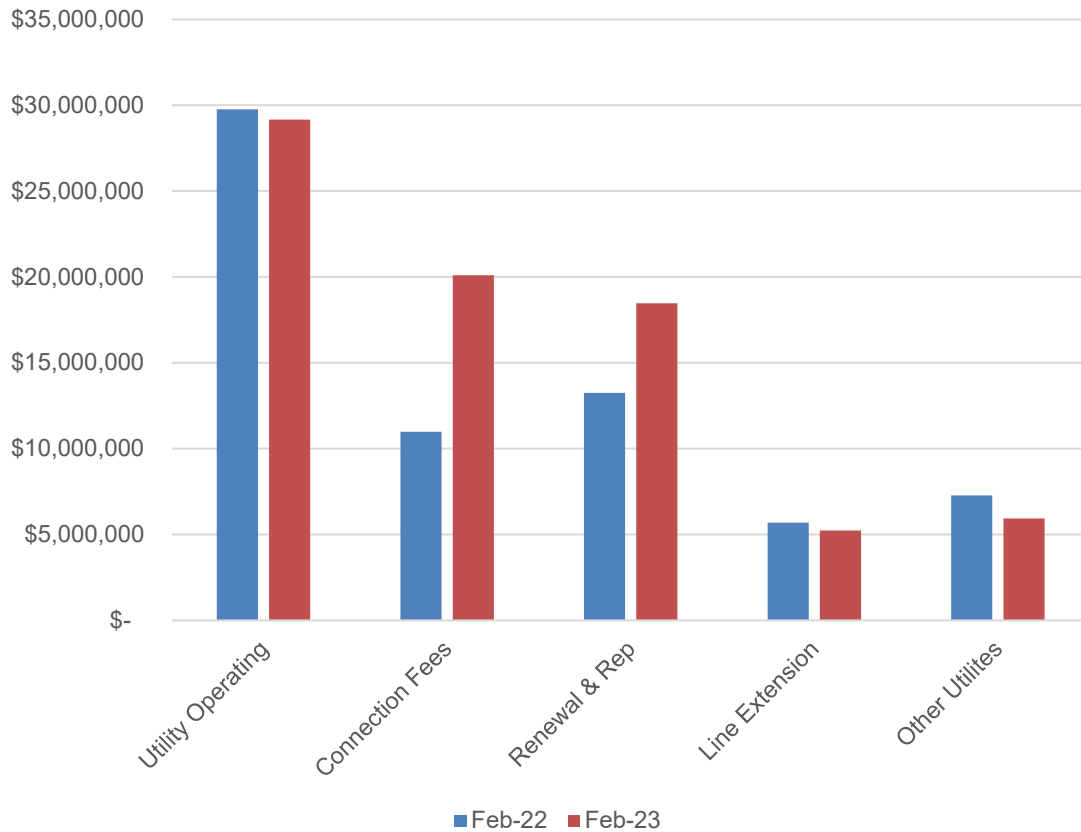
Impact Fees by Nexus Zone – Fund Balance - Summary

| 2/28/2023 | 32905 | 32907 | 32908 | 32909 | Totals |
|-----------|--------------|---------------|---------------|---------------|---------------|
| Police | 174,370.34 | 470,199.56 | 698,947.74 | 1,326,323.61 | 2,669,841.25 |
| Fire | 431,199.48 | 1,020,136.58 | 1,255,491.16 | 1,472,214.11 | 4,179,041.33 |
| Parks | 773,604.25 | 2,060,050.92 | 2,786,797.48 | 5,541,572.24 | 11,162,024.89 |
| Transp | 2,515,510.41 | 6,521,599.86 | 8,915,878.89 | 15,968,873.50 | 33,921,862.66 |
| Totals | 3,894,684.48 | 10,071,986.92 | 13,657,115.27 | 24,308,983.46 | 51,932,770.13 |



Utilities Fund Cash & Investments - Summary

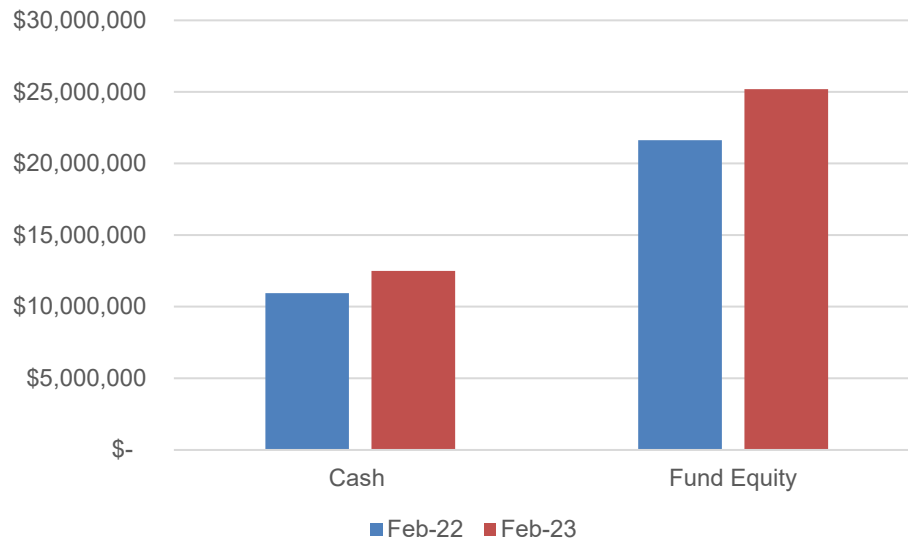
Year-to-Date (YTD) Comparison: Water & Sewer



Overall, the Water & Sewer Funds cash and investments increased by \$11.9 million, or 17.8%, year over year.

Stormwater Fund Cash & Equity - Summary

➤ Year-to-Date (YTD) Cash & Fund Equity

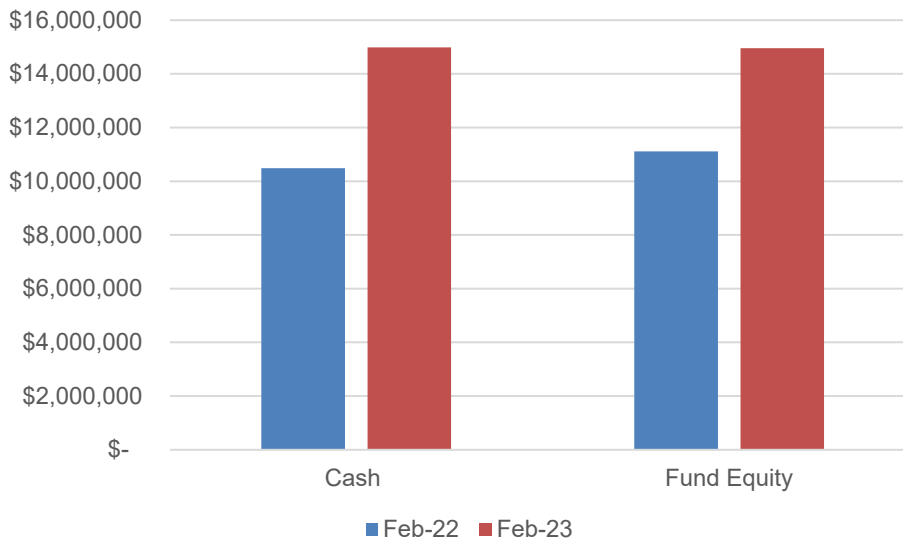


Overall, the Stormwater cash and investment balance increased by \$1,550,273, or 14.2%, year over year.

Overall, the Stormwater fund equity increased by \$3,563,919, or 16.5%, year over year.

Building Fund Cash & Equity - Summary

➤ Year-to-Date (YTD) Cash & Fund Equity

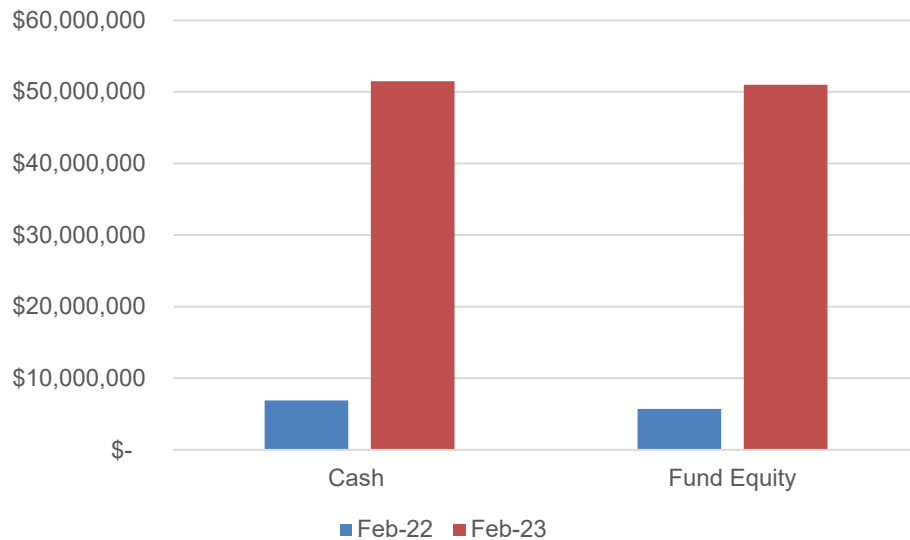


Overall, the Building cash and investment balance increased by \$4,502,529, or 42.9%, year over year.

Overall, the Building fund equity increased by \$3,846,250, or 34.6%, year over year.

General Obligation Road Program Fund Cash & Equity - Summary

➤ Year-to-Date (YTD) Cash & Fund Equity

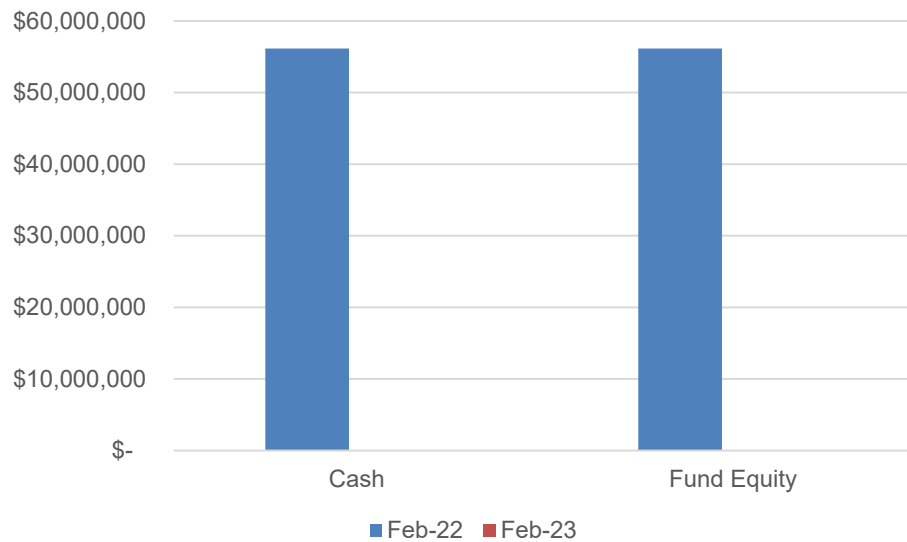


The 2019 General Obligation Road Program cash and investment balance increased by \$44,591,739, or 646.6%, year over year.

The 2019 G.O. Road Program Fund equity increased by \$45,281,711, or 791.3%, year over year.

General Obligation Road Program Fund Cash & Equity - Summary

➤ Year-to-Date (YTD) Cash & Fund Equity



The 2021 General Obligation Road Program cash and investment balance decreased by \$56,142,448, or 100.0%, year over year.

The 2021 G.O. Road Program Fund equity decreased by \$56,142,448, or 100.0%, year over year.

MONTHLY FINANCIAL REPORT (UNAUDITED)**FEBRUARY 2023**

CITY OF PALM BAY, FLORIDA

**Unaudited Financial Activity - All Funds**

City of Palm Bay, Florida

As of February 28, 2023 (unaudited)

42% of fiscal year completed

| | | Budget | | Revenues | | Expenditures | |
|-----------------------|-------------------------------|-----------------|----------------|----------------------|--------------------|----------------------|--------------------|
| Fund # | Description | Original Budget | Revised Budget | Current Year to Date | Percent of Revised | Current Year to Date | Percent of Revised |
| General Fund | | | | | | | |
| 001 | General Fund | \$93,375,216 | \$106,488,063 | \$57,615,031 | 54.1% | \$34,379,959 | 32.3% |
| Special Revenue Funds | | | | | | | |
| 101 | Law Enforcement Trust Fund | 0 | 13,158 | 14,202 | 107.9% | 9,212 | 70.0% |
| 103 | Palm Bay Municipal Foundation | 30,000 | 30,000 | 23,097 | 77.0% | 19,420 | 64.7% |
| 105 | Code Nuisance Fund | 400,000 | 400,000 | 75,887 | 19.0% | 62,986 | 15.7% |
| 111 | State Housing Grant Fund | 863,744 | 1,930,081 | 1,105,317 | 57.3% | 385,614 | 20.0% |
| 112 | Comm Devel Block Grant Fund | 1,013,936 | 2,307,893 | 8,007 | 0.3% | 51,437 | 2.2% |
| 114 | Home Invest Grant Fund | 853,835 | 1,041,859 | 32,683 | 3.1% | 77,358 | 7.4% |
| 123 | NSP Program Fund | 0 | 2,790 | 219,243 | 7858.2% | 26 | 0.9% |
| 124 | Coronavirus Relief Tr. Fund | 0 | 0 | 0 | 0.0% | - | 0.0% |
| 126 | CDBG Coronavirus Fund | 142,375 | 318,722 | 15,619 | 4.9% | 55,315 | 17.4% |
| 128 | ARPA Fund | 0 | 15,788,562 | 213,122 | 1.3% | 134,757 | 0.9% |
| 129 | Opioid Settlement Fund | 0 | 0 | 86,580 | 0.0% | - | 0.0% |
| 131 | Donations Fund | 0 | 0 | 12,497 | 0.0% | 12,340 | 0.0% |
| 161 | Environmental Fee Fund | 366,828 | 366,828 | 415,945 | 113.4% | 12 | 0.0% |
| 181 | Bayfront Comm Redev Fund | 2,277,904 | 2,277,904 | 2,421,720 | 106.3% | 3,206 | 0.1% |
| Impact Fee Funds | | | | | | | |
| 180 | Police Impact Fees - 32905 | 63,400 | 63,400 | 18,308 | 28.9% | 4 | 0.0% |
| 183 | Police Impact Fees - 32907 | 159,250 | 240,011 | 105,246 | 43.9% | 53,241 | 22.2% |
| 184 | Police Impact Fees - 32908 | 200,400 | 200,400 | 139,614 | 69.7% | 19 | 0.0% |
| 186 | Police Impact Fees - 32909 | 350,600 | 350,600 | 220,588 | 62.9% | 29 | 0.0% |
| 187 | Fire Impact Fees - 32905 | 95,400 | 111,650 | 30,201 | 27.0% | 107 | 0.1% |
| 188 | Fire Impact Fees - 32907 | 264,600 | 280,850 | 166,817 | 59.4% | 209 | 0.1% |
| 189 | Fire Impact Fees - 32908 | 350,800 | 530,800 | 220,662 | 41.6% | 18,444 | 3.5% |
| 190 | Fire Impact Fees - 32909 | 551,000 | 776,529 | 337,361 | 43.4% | 222,219 | 28.6% |
| 191 | Parks Impact Fees - 32905 | 191,100 | 355,680 | 20,867 | 5.9% | 10 | 0.0% |
| 192 | Parks Impact Fees - 32907 | 476,000 | 1,202,701 | 298,555 | 24.8% | 14,277 | 1.2% |
| 193 | Parks Impact Fees - 32908 | 751,500 | 1,214,137 | 468,775 | 38.6% | 48 | 0.0% |
| 194 | Parks Impact Fees - 32909 | 1,003,000 | 1,003,000 | 711,350 | 70.9% | 28 | 0.0% |
| 196 | Trans Impact Fees - 32905 | 852,000 | 852,000 | 66,827 | 7.8% | 39 | 0.0% |
| 197 | Trans Impact Fees - 32907 | 1,603,200 | 4,806,446 | 1,009,807 | 21.0% | 2,903 | 0.1% |
| 198 | Trans Impact Fees - 32908 | 2,504,500 | 7,053,425 | 1,571,361 | 22.3% | 1,902 | 0.0% |
| 199 | Trans Impact Fees - 32909 | 4,015,500 | 9,900,326 | 2,503,903 | 25.3% | 954,485 | 9.6% |

MONTHLY FINANCIAL REPORT (UNAUDITED)
FEBRUARY 2023
CITY OF PALM BAY, FLORIDA



Unaudited Financial Activity - All Funds
City of Palm Bay, Florida
As of February 28, 2023 (unaudited)
42% of fiscal year completed

| | | Budget | | Revenues | | Expenditures | |
|------------------------|----------------------------------|-----------------|----------------|----------------------|--------------------|----------------------|--------------------|
| Fund # | Description | Original Budget | Revised Budget | Current Year to Date | Percent of Revised | Current Year to Date | Percent of Revised |
| Debt Service Funds | | | | | | | |
| 201 | Debt Service Fund | 536,673 | 536,673 | 0 | 0.0% | 0 | 0.0% |
| 214 | 2004 Pension Bond Debt Svc Fd | 210,100 | 210,100 | 88,376 | 42.1% | 190,001 | 90.4% |
| 221 | 2013 Pension Bonds DS Fund | 1,445,911 | 1,445,911 | 603,995 | 41.8% | 1,376,227 | 95.2% |
| 223 | 2015 Franchise Fee Note DS Fd | 531,338 | 531,338 | 290,130 | 54.6% | 510,188 | 96.0% |
| 224 | 2015 Sales Tax Bonds DS Fd | 824,664 | 824,664 | 346,688 | 42.0% | 653,295 | 79.2% |
| 225 | 2015 Sales Tax Bonds DS Fd - TIF | 227,318 | 227,318 | 229,508 | 101.0% | 179,885 | 79.1% |
| 226 | 2016 Franchise Fee Note DS Fd | 347,807 | 347,807 | 146,239 | 42.0% | 272,173 | 78.3% |
| 227 | 2018 LOGT Note DS Fd | 769,088 | 769,088 | 776,299 | 100.9% | 669,846 | 87.1% |
| 228 | 2019 GO Bonds DS Fd | 6,980,575 | 6,980,575 | 6,428,768 | 92.1% | 4,014,447 | 57.5% |
| 229 | 2019 Pension Bonds DS Fund | 2,209,924 | 2,209,924 | 929,418 | 42.1% | 1,416,286 | 64.1% |
| 230 | 2020 Special Oblig Ref Note | 328,782 | 328,782 | 138,300 | 42.1% | 291,114 | 88.5% |
| 231 | 2021 Pension Bonds DS Fund | 3,450,450 | 3,450,450 | 3,189,452 | 92.4% | 785,375 | 22.8% |
| Capital Projects Funds | | | | | | | |
| 301 | Community Investment Fund | 2,500 | 3,817,193 | 169,610 | 4.4% | 56,354 | 1.5% |
| 306 | 2015 FF Nt Procds I-95 Intchg Fd | 50 | 385,397 | 297 | 0.1% | 204,999 | 53.2% |
| 307 | Road Maintenance CIP Fd | 1,000,000 | 2,402,000 | 1,110,557 | 46.2% | 345,391 | 14.4% |
| 308 | '18 LOGT Nt Procds-Rd I-95 Fd | 50 | 309,658 | 2,913 | 0.9% | 0 | 0.0% |
| 309 | '19 GO Bond Proceeds-Road Fd | 11,194,184 | 62,832,124 | 57,110,423 | 90.9% | 5,545,435 | 8.8% |
| 310 | '21 GO Bond Proceeds-Road Fd | 0 | 57,043,799 | 570,136 | 1.0% | 56,982,780 | 99.9% |

MONTHLY FINANCIAL REPORT (UNAUDITED)**FEBRUARY 2023**

CITY OF PALM BAY, FLORIDA

**Unaudited Financial Activity - All Funds****City of Palm Bay, Florida****As of February 28, 2023 (unaudited)****42% of fiscal year completed**

| | | Budget | | Revenues | | Expenditures | |
|------------------------|------------------------------|-----------------|----------------|----------------------|--------------------|----------------------|--------------------|
| Fund # | Description | Original Budget | Revised Budget | Current Year to Date | Percent of Revised | Current Year to Date | Percent of Revised |
| Proprietary Funds | | | | | | | |
| Utility Funds | | | | | | | |
| 421 | Utilities Operating Fund | 41,847,507 | 46,292,097 | 13,505,473 | 29.2% | 13,947,284 | 30.1% |
| 423 | Utility Connection Fee Fund | 8,261,085 | 8,785,578 | 1,350,447 | 15.4% | 733,714 | 8.4% |
| 424 | Utility Renewal / Replace Fd | 11,981,574 | 25,926,864 | 4,858,830 | 18.7% | 1,256,153 | 4.8% |
| 425 | Main Line Extension Fee Fund | 5,178,464 | 6,105,894 | 647,559 | 10.6% | 1,563,787 | 25.6% |
| 426 | 2016 Utility Bond Fund | 5,313,170 | 5,313,170 | 2,234,453 | 42.1% | 3,000 | 0.1% |
| 427 | 2001 Bond Fund | 1,930,600 | 1,930,600 | 909,285 | 47.1% | 0 | 0.0% |
| 431 | USA1 Assessment Fund | 0 | 0 | 1,233 | 0.0% | 2,001 | 0.0% |
| 432 | Unit 31 Assessment Fund | 297,731 | 155,807 | 875 | 0.6% | 4 | 0.0% |
| 433 | Utility SRF Loan Fund | 3,777 | 20,878,814 | 0 | 0.0% | 2,202,579 | 10.5% |
| 434 | 2020 Utility Note Fund | 221,755 | 1,333,759 | 118,413 | 8.9% | 393,664 | 29.5% |
| Other Enterprise Funds | | | | | | | |
| 451 | Building Fund | 5,516,984 | 12,276,842 | 3,264,721 | 26.6% | 1,761,888 | 14.4% |
| 461 | Stormwater Fund | 15,189,293 | 22,397,398 | 4,697,143 | 21.0% | 2,428,492 | 10.8% |
| 471 | Solid Waste Fund | 13,482,670 | 13,288,102 | 5,972,239 | 44.9% | 4,521,394 | 34.0% |
| Internal Service Funds | | | | | | | |
| 511 | Employee Health Insurance Fd | 16,786,307 | 16,786,307 | 6,981,004 | 41.6% | 5,270,353 | 31.4% |
| 512 | Risk Management Fund | 5,105,867 | 5,105,867 | 2,381,667 | 46.6% | 2,081,564 | 40.8% |
| 513 | Other Employee Benefits Fd | 4,280,960 | 4,280,960 | 1,796,189 | 42.0% | 1,661,942 | 38.8% |
| 521 | Fleet Services Fund | 4,590,687 | 7,545,090 | 1,994,032 | 26.4% | 2,186,071 | 29.0% |



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Terese Jones, City Clerk

DATE: 4/6/2023

RE: Consideration of initial ranking of applicants for the vacancy of Palm Bay City Council Seat 5.

Due to the resignation of Peter Filiberto, the position of Seat 5 on Palm Bay City Council was declared vacated as of February 17, 2023, via Resolution 2023-06.

Ordinance 2023-10 amended Chapter 50, Elections, Subchapter 'Filling of Vacancies', of the Palm Bay Code of Ordinances, pursuant to a referendum approved by the voters in November 2022 which allows City Council to fill the vacancy through an appointment process.

The vacancy has been announced at two regular Council meetings. The following applications have been received:

Alfred Agarie Khalilah "Kay" Maragh
Jimmy Backus Madsen Mileon
Dawn Bittar Alan H. Miles
Denise Ann Bowes Phil Moore
George Bozzetti Terry M. Muller
William Capote Randall Eric Olszewski
Jason Carrasquillo Aaron Thomas Parr
John Curry Jr. Robert Rogulski
Johnathan Bradley Ellis Eileen Sepp
Paul Galbreath II Mark Louis Stephens
Thomas L. Gaume Jr. Marvin Tador
Clay Tyler Gool Paul "Drew" Warren
Richard Michael Hammer Jr. Nathan White
Michael Loran Harrison Amber Yantz
Asheley Hepburn Anthony Yantz
Michael Spencer Jaffe Janice Zynko
Sylvester H. Julien

The ordinance also provides for an additional round of voting for the five (5) applicants receiving the lowest ranking at tonight's meeting. Council concurred to schedule a special Council meeting to be held on Thursday, April 13th, to re-rank the five (5) applicants. The applicant receiving the lowest total at the special meeting shall fill the vacancy.

REQUESTING DEPARTMENT:

Legislative

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to approve the initial ranking for advancement of five (5) applicants to the April 13th special Council meeting.

ATTACHMENTS:

Description

A. Agarie
J. Backus
D. Bittar
D. Bowes
G. Bozzetti
W. Capote
J. Carrasquillo
J. Curry Jr.
J. Ellis
P. Galbreath II
T. Gaume Jr.
C. Gool
R. Hammer Jr.
M. Harrison
A. Hepburn
M. Jaffe
S. Julien
K. Maragh
M. Mileon
A. Miles
P. Moore
T. Muller
R. Olszewski
A. Parr
R. Rogulski
E. Sepp
M. Stephens
M. Tador
P. Warren
N. White
Amber Yantz
Anthony Yantz
J. Zynko

MAR 7 - 2023

City Clerk



APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
 Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Alfred Ramsay Agarie
 Home Address: 1680 Main Street N.E.
 City: Palm Bay FL.
 Telephone Number: 321-508-9624 Zip Code: 32905
 Email Address: Alfyagarie@gmail.com Fax Number:

EMPLOYMENT

Employer: Alfy Trucking Inc. Self. Occupation: Director of operations
 Address: 4371 Dixie Hwy N.E.
 City: Palm Bay State: FL. Zip Code: 32905
 Telephone Number: 321-302-9934 Fax Number:
 Email Address: Alfy Trucking@gmail.com
 Job Responsibilities: Bidding & Negotiations of Jobs, Dispatch Trucks & Employee Daily.

EDUCATION

High School Name: Pennwood High School.
 Location: Kingston Years Completed: 1978 Major/Degree: General.
 College Business or Trade School: Reginald Aitken Jamaica Limited
 Location: Kingston Years Completed: 1980 Major/Degree: Auto Mec. AA
 Professional School: College of Art, Science & Technology
 Location: Kingston Years Completed: 1983 Major/Degree: Bachelor
 Other: In Business Administration & Management.
 Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

City Clerk

Have you ever held a business tax receipt? ☒ Yes ☐ No If yes, please provide the following:

23-00023937, 23-00011326, 23-00001833, 1834, 8001 A.R. A24-Seven

Title: Auto Repair & Service Inc. # 23-00018055 Alfys Trucking Inc.

Issue Date: 9-25-22 Issuing Authority: City of Palm Bay, Brevard County.

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: None. Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 37 Years 9 Months

How long have you been a resident of Brevard County? 37 Years 9 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☒ Yes ☐ No If yes, please list board(s):

Code Enforcement Board, Community Development Board, Park & Rec.

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: N/A. When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: W.I.C.C.S. West, Indian, Caribbean, Culture & Sports.

Greater Palm Bay Senior Center, City of Palm Bay Events.

Greater Palm Bay Chamber of Commerce.

What are your hobbies / interests? I love sports and Culture, I love to
cook and share with my fellow citizens, and I have a
great passion to fix and repair antique cars

Why do you want to serve on City Council? I would love to share my
experience of over 27 years, been a successful owner operating
several businesses in the city of Palm Bay, to assist our city
council make good decisions to make this great city of Palm
Bay a better place to live, work, and play, by promoting
growth, infrastructure and development in employment.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
 Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

H. Agorob

3-6-2023

Submit the application to:

City of Palm Bay
 Office of the City Clerk
 120 Malabar Road, SE
 Palm Bay, Florida 32907

Office of The

MAR 7 - 2023

City Clerk

City of Palm Bay, Florida

Office of The

MAR 7 - 2023

RESIDENCY OF CANDIDATE AFFIDAVIT

City Clerk

I, Alfred R. Agarie, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐ N/A.

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3-6-2023

Date

A. Agarie

Signature of Candidate

Address: 1680 Main street NE.

City: Palm Bay

State: FL

Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

ALFRED RAMSAY AGARIE.

Printed Name (First, Middle, Last)

A. Agor

Signature

3-6-2023

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Jimmy Backus
Home Address: 253 Gardner rd SW
City: Palm Bay
Telephone Number: 678-886-5570 Zip Code: 32908
Email Address: JimmyBackus49@gmail.com Fax Number:

EMPLOYMENT

Employer: USPS Postal Service Occupation: tech Carrier
Address: 640 E New Haven Ave
City: Melbourne State: FL Zip Code: 32901
Telephone Number: 321-723-6161 Fax Number:
Email Address:
Job Responsibilities: Sort and prepare mail + Delivering

EDUCATION

High School Name: Norview High School
Location: 6501 Chesapeake Blvd Years Completed: 2 Major/Degree: Business Law
College Business or Trade School: Bentley Heights University
Location: 892 Boone St SE Years Completed: 2 Major/Degree: Administration Theology
Professional School: Tidewater Community College
Location: 1700 College Crescent Va Beach Va Years Completed: 1 Major/Degree: Business Finance
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☐ No If yes, please provide the following:

Title:

Issue Date:

Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action:

Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years ☒ Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☒ Yes ☐ No

If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where:

When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list:

Kingdom Culture Church

What are your hobbies / interests?

Golf Tennis

Why do you want to serve on City Council?

My Position is to serve in Palm Bay and to assist in areas a Palm Bay develops and grow

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

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3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

James Baker

3-3-23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Jimmy Backus, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).

2) I am a registered voter of the City of Palm Bay, residing at a City address.

3) Have you ever been convicted of a felony? Yes ☐ No ☒

If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3-3-23 Jimmy Backus
Date Signature of Candidate

Address: 253 Gardner rd sw

City: Palm Bay State: FL Zip Code: 32908



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Timmy Backus

Printed Name (First, Middle, Last)

Timmy Backus

Signature

3-3-23

Date

*Payable by check, cash or money order



Office of The

MAR 13 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Dawn Marie Bittar

Home Address: 479 Fountain ST SW

City: Palm Bay

Telephone Number: 321-806-0384

Zip Code: 32908

Email Address: PalmBayDawnBittar@gmail.com

Fax Number: NA

EMPLOYMENT

Employer: The Greater Palm Bay Chamber of Commerce

Occupation: Partner Relations Coordinator

Address: 4100 Dixie Hwy NE

City: Palm Bay

State: FL

Zip Code:

Telephone Number:

Fax Number: 32905

Email Address: Dawn@GreaterPalmBayChamber.com

Job Responsibilities: Business Partner Relations and Development

EDUCATION

High School Name: Miami Killian SR High

Location: Miami, FL

Years Completed: 3

Major/Degree:

College Business or Trade School: EFSC

Location: Palm Bay, FL

Years Completed: 1

Major/Degree:

Professional School:

Location:

Years Completed:

Major/Degree:

Other:

Location:

Years Completed:

Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

321 Plumbing Inc.

Title: Co-Owner /Financial Qualifier

Issue Date: 2009 Issuing Authority: City of Palm Bay and DBPR

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: NA Disciplinary Date: NA

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 14 Years 1 Months

How long have you been a resident of Brevard County? 27 Years 4 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Community Development

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Citizen's Budget Advisory

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:* NA

Where: NA When: NA

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Rotary Club of Palm Bay

What are your hobbies / interests? Roller Skating, Cycling, Golfing, Cooking and Gardening

Why do you want to serve on City Council? Serving the City in the role of councilman stems from my passion for our community and to be a representative of the positive changes impacting our local governance. As a prior business owner in the City of Palm Bay, board member for the City's Citizen's Budget Advisory & Community Development Boards, as well as a 30 yr. professional in lending and real estate provides the leadership experience which will contribute in a meaningful and relevant manner. Thank you!

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

3/11/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Dawn Bittar, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/11/23

Date

Dawn Bittar

Signature of Candidate

Address: 479 FOUNTAIN ST SW

City: Palm Bay State: FL Zip Code: 32908



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Dawn Marie Bittar

Printed Name (First, Middle, Last)

Dawn Marie Bittar 3/11/23

Signature

Date

*Payable by check, cash or money order



Office of The

MAR 29 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Denise Ann Bowes
Home Address: 1298 Coral Reef Ave
City: Palm Bay
Telephone Number: 321-223-3999 Zip Code: 32907
Email Address: R2scholarships@gmail.com Fax Number:

EMPLOYMENT

Employer: Dept. of Children & families Occupation: Child Protective Inv. Supervisor
Address: 315 Commerce PKWY
City: Rockledge State: FL Zip Code:
Telephone Number: 321-480-8422 Fax Number:
Email Address: denise.bowes@myflfamilies.com
Job Responsibilities: Give guidance to child protective investigators who investigate child neglect

EDUCATION

High School Name: Clara Barton
Location: Brooklyn N.Y. Years Completed: 4 Major/Degree: Business
College Business or Trade School: John Jay College of Criminal Justice
Location: Manhattan Years Completed: 2 Major/Degree: Criminal Justice
College
Professional School: Everest University
Location: Melbourne FL Years Completed: 2 Major/Degree: Business
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☒ Yes ☐ No If yes, please list board(s):

Youth Advisory board & Recreation Board

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: SCABBO - Board member Road To Scholarships owner

What are your hobbies / interests? My hobbies are reading, planting and
Volunteering with Orphans to obtain scholarships for
college.

Why do you want to serve on City Council? As a state employee working
with the community and serving the most vulnerable has been
a passion that has been purposeful for provided the
motivation for me to strive to do more for my community

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Dennis J. Bowes

3/29/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Denise A. Bowes, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).

2) I am a registered voter of the City of Palm Bay, residing at a City address.

3) Have you ever been convicted of a felony? Yes ☐ No ☒

If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/29/23 Signature of Candidate Denise A. Bowes

Address: 1298 Coral Reef Ave

City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Denise A. Barnes

Printed Name (First, Middle, Last)

Denise A. Barnes

Signature

3/29/23

Date

*Payable by check, cash or money order



Office of The

MAR 23 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: GEORGE BOZZETTI
Home Address: 643 RANGWOOD DR SE
City: PALM BAY FLORIDA 32909
Telephone Number: 321-223-0518 Zip Code:
Email Address: GBOZZETTI01@GMAIL.COM Fax Number: N/A

EMPLOYMENT

Employer: RETIRED Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name: DUMONT HIGH SCHOOL
Location: DUMONT N.J. Years Completed: 4 Major/Degree: COLLEGE PREP
College Business or Trade School: SUNY OSWEGO
Location: OSWEGO N.Y. Years Completed: 4 Major/Degree: B.S. BUSINESS ADM.
Professional School: N/A
Location: N/A Years Completed: Major/Degree:
Other: N/A
Location: N/A Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No If yes, please provide the following:

Title: RESTAURANT

Issue Date: 3/2017

Issuing Authority: CITY OF MELBOURNE

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A

Disciplinary Date: N/A

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 6 Years ☐ Months

How long have you been a resident of Brevard County? 6 Years ☐ Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? Yes ☒ No If yes, what charge:

Where: N/A

When:

Disposition was: Convicted Pled Guilty Pled No Contest

Have your civil rights been restored? Yes ☐ No

Are you a member or participant of any community organizations? Yes ☒ No

If yes, please list:

What are your hobbies / interests?

BASEBALL, FOOTBALL, WEATHER FORECASTING.

Why do you want to serve on City Council?

I AM CONCERNED ABOUT THE LACK OF A STRONG RETAIL AND EMPLOYMENT OPPORTUNITY BASE IN THIS CITY. PALM BAY IS A POPULAR CITY FOR RELOCATIONS, BUT FOR THIS TO CONTINUE WE NEED TO DEVELOP AND ATTRACT BUSINESS. MY CAREER HAS INCLUDED OVER 20 YEARS OF MANAGEMENT EXPERIENCE AS WELL AS A SMALL BUSINESS OWNER.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

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Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, GEORGE BOZZETTI a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
- If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

MARCH 20, 2023 George Bozzetti
Date Signature of Candidate

Address: 643 RANGELWOOD DR SE

City: PALM BAY State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

GEORGE BOZZETT

Printed Name (First, Middle, Last)

George Bozzett 3/20/23

Signature

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: William Capote
Home Address: 1452 Glendale Ave NW
City: Palm Bay
Telephone Number: 3219140075 Zip Code: 32907
Email Address: wcdolphfan62@gmail.com Fax Number:

EMPLOYMENT

Employer: CapoteConsulting, LLC Occupation: Consultant
Address: 1452 Glendale Ave NW
City: Palm Bay State: Florida Zip Code: 32907
Telephone Number: 3212711937 Fax Number:
Email Address: capoteconsultingllc@gmail.com
Job Responsibilities: Provide professional advise/service to clients on City issues.

EDUCATION

High School Name: Hoboken High School
Location: Hoboken, New Jersey Years Completed: 4 Major/Degree: Academic Studies
College Business or Trade School: Warner University
Location: Lake Wales, Florida Years Completed: 2 Major/Degree: MSM
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 19 Years 9 Months

How long have you been a resident of Brevard County? 19 Years 9 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Park & Rec, Charter Review

Are you currently serving on a board, authority, or commission for another governmental agency?

☒ Yes ☐ No *If yes, what board(s):* Brevard County Planning & Zoning

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Politics, Sports, Reading etc....

Why do you want to serve on City Council?

As a former Mayor and Councilmember of the

City of Palm Bay, I would bring 12 years of experience and understading of the operation of the city. This would allow me to be able to jump right in and hit the ground running.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

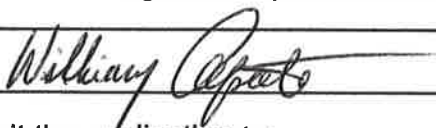
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
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3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/8/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, William Capote, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/8/2023 Signature of Candidate William Capote

Address: 1452 GLENDALE AVE N.W.

City: Palm Bay State: FL. Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

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Guillermo Capote

Printed Name (First, Middle, Last)

Guillermo Capote

Signature

3/8/2023

Date

*Payable by check, cash or money order



APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Jason Carrasquillo
Home Address: 1457 Meadowbrook Rd NE
City: Palm Bay
Telephone Number: 3212506464 Zip Code: 32905
Email Address: jason@hmiapply.com Fax Number:

EMPLOYMENT

Employer: Harmony Mortgage Inc. Occupation: CEO
Address: 6050 Babcock Street
City: Palm Bay State: FL Zip Code: 32909
Telephone Number: 321-250-6565 Fax Number:
Email Address: jason@hmiapply.com
Job Responsibilities: Public Relations and company performance

EDUCATION

High School Name: Cornerstone Christian School
Location: Georgia Years Completed: Yes Major/Degree: Graduate
College Business or Trade School: Gold Coast
Location: Boca Raton FL Years Completed: Yes Major/Degree: Finance/Mortgage
Professional School: Gold Coast
Location: Tanarac FL Years Completed: Yes Major/Degree: Real Estate License
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Harmony Mortgage Inc. and Realty & Resources LLC

Title: Mortgage & Real Estate

Issue Date: Every Year Issuing Authority: Palm Bay

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A Disciplinary Date: N/A

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 17 Years Months

How long have you been a resident of Brevard County? 17 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list: Currently I am not, however over the years I have volunteered my time in the community, contributing to many community beneficial events that support community satisfaction and promote love to all of our neighbors.

What are your hobbies / interests? Boxing, Personal Fitness, Learning, Community events and Theology

Spending time with family and friends.

Why do you want to serve on City Council?

The city needs someone with little to no debt or

stress, someone who will serve the people with a heart for whats best for all parties. City needs a team player

that is willing to respect those that may not have the same opinions. City needs a business minded person to help

the city grow with idea's of prosperity. City should choose me, I am available to commit my time and energy

to this task, until seat is filled by the people.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:


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Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3-28-22

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Jason A. Carrasquillo a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? No
If 'yes', have your civil rights been restored? N/A

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3-28-23
Date _____ Signature of Candidate _____

Address: 1457 Meadowbrook Rd NE _____

City: Palm Bay _____ State: FL _____ Zip Code: 32905 _____



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Jason Anthony Carrasquillo

Printed Name (First, Middle, Last)



Signature

3-28-23

Date

*Payable by check, cash or money order



Office of The
MAR 7 - 2023
City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: John J Curry JR
Home Address: 1710 Monrovia Street NW
City: Palm Bay
Telephone Number: 570 772 9411 Zip Code: 32907
Email Address: johncurry441@gmail.com Fax Number:

EMPLOYMENT

Employer: Northrop Grumman Occupation: Manufacturing Engineer
Address: 2000 W NASA Blvd
City: Melbourne State: FL Zip Code: 32904
Telephone Number: 321-586-8942 Fax Number:
Email Address: John.Curry3@ngc.com
Job Responsibilities: Manufacturing Engineering Lead

EDUCATION

High School Name: Walter Johnson H.S.
Location: Bethesda MD Years Completed: 4 Major/Degree: General
College Business or Trade School:
Location: Years Completed: Major/Degree:
Professional School: Pennsylvania State University Pennsylvania College of Technology
Location: Williamsport, PA Years Completed: 4 Major/Degree: Man Eng B.S.
Other: Washington State University
Location: Pullman,, Wa Years Completed: 5 Major/Degree: MET M.S.

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date:

Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action:

Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 3 Years 8 Months

How long have you been a resident of Brevard County? 3 Years 8 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐

Yes

☒

No

If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge?

☐

Yes

☒

No

If yes, what charge:

Where:

When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Camping, Golf, Darts, Swimming, Cycling

Why do you want to serve on City Council?

I plan to live in Palm Bay for a very long time.

I have a passion for service. I will work strategically to uncover and to discover , a common vision to move Palm Bay forward. I will focus on specific, measureable and achievable results and to excute the Mayors strategic plan. I will encourage growth in Palm Bay and financial sustainability.

APPLICATION CERTIFICATION

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2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
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Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

John J. Curry Jr

3/3/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, JOHN CURRY, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/3/2023 Signature of Candidate John J. Curry

Address: 1710 Monrovia Street NW
City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

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This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

John Joseph Curry Jr
Printed Name (First, Middle, Last)

John Joseph Curry Jr
Signature

3/3/2023
Date

*Payable by check, cash or money order

John J. Curry Jr

1710 Monrovia St NW

Palm Bay, FL 32907

Tel.: 570-772-9411

Email: johncurry441@gmail.com

Education *Washington State University; January 2009 – May 2014*
Major: M.S. Engineering and Technology Management
GPA: 3.82

Pennsylvania State University
Pennsylvania College of Technology; B.S. May 2008
Major: Manufacturing Engineering Technology
Bachelors Manufacturing Engineering Technology
Cum Laude
Dean's List Fall 2005- 2008 GPA: 3.5 of a possible 4.00.
Presidential Scholarship Award 2007- 2008
Ambassador Scholarship Award 2005- 2008

Employment

March 2020

Present

Northrop Grumman Corporation; Melbourne, FL
Position: Manufacturing Engineer II
Manager: Ray Bonavito
Duties: Liaison Manufacturing Engineer Machine Shop. Prepare documentation to include work instruction, non-conformances, advanced fabrication requests, tooling fabrication requests and work requests. Prepare drawings using Siemens NX as well as other software MES and SAP. Project manages new tooling concepts from design to completion required for production.

January 2015

March 2020

Northrop Grumman Corporation; Lake Charles, LA
Position: Manufacturing Engineer II
Manager: Joey Marsh / Mike Pietz
Duties: Layout detail job sequences in accordance with KC-10 and Joint Stars E-8C technical library and maintenance manual the requirements in stepped order to complete a repair on the aircraft or replace an aircraft component. Design and develop all tooling required such as tools, dies gauges, jigs, and fixtures required for production,

John J. Curry Jr

1710 Monrovia St NW

Palm Bay, FL 32907

Tel.: 570-772-9411

Email: johncurry441@gmail.com

August 2009

August 2015 *Dakota Boys and Girls Ranch; Minot, ND*

Position: Part Time Residential Treatment Advisor

Supervisor: Zoey Winkler

Duties: Provide direct supervision of adolescent youth in residential settings.

January 2009 *Fairchild Controls; Frederick Maryland*

July 2009 Position: Manufacturing Engineer

Supervisor: Anthony Pezza

Duties: Creates routers/travel orders for work performed. Created inspection data reports on all parts. Kept durable tool inventory for entire operation. Created all work instructions for all new projects/processes. Participated on internal audit team performing audits.

2000–2005 *Smithsonian Institution, National Air and Space Museum, Collections Division, Preservation and Restoration Unit, Washington, D.C.*

Position: Museum Specialist-Aeronautical

Supervisor: Karl Heinzl

Duties: Perform welding operations as part of aircraft engine restoration and preservation program. Designed, built, and assembled all engine stands needed for restoration projects.

1998-2000 *Smithsonian Institution, Horticulture Services Division, Washington, D.C.*

Position: Equipment Manager, Small Engine Mechanic

Supervisor: Nancy Bechtol

Duties: Performed all major and minor repair as well as routine maintenance of all equipment. Managed and coordinated with direct supervisor for all snow emergency events. Purchased all parts and resources necessary for maintenance operations.

John J. Curry Jr

1710 Monrovia St NW

Palm Bay, FL 32907

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Email: johncurry441@gmail.com

Graduate Courses

Management of Organizations

Legal Concepts for Engineering and Technology Managers

Supervision and Leadership for Engineering and Technology Managers

Integrated Supply Chain Management

Statistical Methods in Engineering

System Support & Logistics Management

Quality Management

Project Management

Technical Decision Analysis

Six Sigma Quality Management

Management of Organizations

Theory of Constraints

Related College Courses

Basic Metal Working I
&II

Lathe Applications I &II

Occupational Health and
Safety

Basic Machine Tool

Programming

Machining Processes

Metrology/ Quality
Control

CNC Programming

Tool Technology

Calculus I

Macroeconomics

Electrical Discharge
Machining

CAD/ CAM

Elementary Statistics
with Computer

Applications

Computer Solutions of

Engineering Problems

Manufacturing Process
and Organization

Introduction to

Metallurgy

Quality Assurance

Robot Applications

Engineering Economics

Engineering Ethics and

Legal Issues

Material Handling and

Fluid Power

Advanced

Manufacturing Systems

Senior Seminar

Lecture/Lab

Industrial Electronics

and Applications

CNC Applications

Interdisciplinary CIM

John J. Curry Jr

1710 Monrovia St NW

Palm Bay, FL 32907

Tel.: 570-772-9411

Email: johncurry441@gmail.com

Computer Skills

Microsoft Office 2010, 2007, 2003

Microsoft Word

Microsoft Excel

Microsoft Access

Microsoft PowerPoint

Microsoft Project

Autodesk

AutoCAD

MasterCam

Smart Cam

PRO E

MiniTab

Labview

VersiPro

ProModel

Inventor

Siemens NX12

SAP

MES

IHS

John J. Curry Jr

1710 Monrovia St NW

Palm Bay, FL 32907

Tel.: 570-772-9411

Email: johncurry441@gmail.com

References

Mr. Patrick Kelly

Melbourne, FL

(337) 304-1130

Mr. Joey Marsh

Moss Bluff, LA

(337) 421-2464

Joey.Marsh@ngc.com

Mr. Chris Holyfield

New York, New York

(636) 248-6182

holchr31@gmail.com



Office of The

MAR 20 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Johnathan Bradley Ellis
Home Address: 1239 Van Tassell Tr NE Palm Bay, FL
City: Palm Bay
Telephone Number: 321-480-4693 Zip Code: 32905
Email Address: Johnny@EllisMapping.com Fax Number:

EMPLOYMENT

Employer: Joanne Terry For Congress Occupation: Campaign Manager
Address: P.O. Box 372670
City: Satellite Beach State: FL Zip Code: 32937
Telephone Number: (321) 684-3295 Fax Number:
Email Address: joanne@joanneterry.com
Job Responsibilities: Managing Campaign Structure, Analyzing Campaign Data, Coaching Candidate, Etc.

EDUCATION

High School Name: Bayside High School
Location: Palm Bay Years Completed: 4 Major/Degree: AP Diploma, BETA
College Business or Trade School: University of Central Florida
Location: Orlando Years Completed: 3 Major/Degree: Political Science
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 22 Years 0 Months

How long have you been a resident of Brevard County? 22 Years 0 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Organizer for Brevard Dems, Regular at Palm Bay City Council Meetings,

Regular at Palm Bay Democratic Women's club, Regular at Brevard School Board Meetings

Regular at Brevard Young Dems Meetings

What are your hobbies / interests? Hobbies Include: Political Organization, Analyzing Data,
 Political Mapping, Zoning and Mapping, Urban Planning, Voter Education. Interests Include:
 Sustainable Development, Zoning and Mapping, Community Organization, Growth of Community Sports.

Why do you want to serve on City Council? I have lived in Palm Bay all my life and I know what
 our community needs to grow. Having experienced the issues that affect our residents, including flooding,
 lack of public transportation, and unsustainable development, I feel I can bring a new perspective to the council
 based on my years as part of Future Problem Solving, Tech Student Association, and the Burnett Honors
 College at UCF. I think it is important for younger people to have a voice in our community.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
 Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

John Ellis

3/8/23

Submit the application to:

City of Palm Bay
 Office of the City Clerk
 120 Malabar Road, SE
 Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Johnathan Ellis, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 8th, 2023

Date

John Ellis

Signature of Candidate

Address: 1239 Van Tassell Tr NE

City: Palm Bay

State: FL

Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Johnathan Bradley Ellis

Printed Name (First, Middle, Last)

John Ellis

Signature

3/8/23

Date

*Payable by check, cash or money order

Johnathan Ellis
321-480-4693
1239 Van Tassell Tr NE Palm Bay, FL 32905
Johnny@EllisMapping.com

Palm Bay City Council
120 Malabar Road SE, Palm Bay, FL 32907

March 8th, 2023

Dear Members of the Palm Bay City Council,

I am excited for the opportunity to apply for the vacant council seat 5. I appreciate the fact that this process will be done through an appointment, rather than a special election, as it has been shown previously to be a burden on taxpayers due to low participation. I believe my skills in data analysis and sustainable urban planning would make me a good addition to this council.

Why am I a great fit for this position? I have lived in the same house in Northeast Palm Bay my entire life and I have experienced the issues that affect our city's residents firsthand. As a proud product of Palm Bay public education, I have grown to become dedicated to public service. My personal mission is to help candidates run for local office for the betterment of our political system and help educate locals on how proper city planning alongside sustainable development is necessary for community growth. I can provide a fresh viewpoint on the future of our great city while on the council and encourage more of our growing younger population to take a greater interest in politics, especially at a local level. This is something that I see as necessary since the City of Palm Bay not only had the lowest percentage voter turnout in Brevard County among the youngest eligible voter population, but the lowest total voter percentage in the past two regular elections. A new voice on the council could be exactly what the city needs to maximize positive growth.

My background in Future Problem Solving and the Tech Student Association, and being a recent graduate of the Burnett Honors College at UCF has prepared me to face the challenges of today and tomorrow by working alongside diverse groups of people. Additionally, my interest and participation in local politics would enable me to hit the ground running to help with the good work the council has started to move forward with recently.

I appreciate the opportunity to speak with you all about how my strengths would benefit the city of Palm Bay. Thank You for your time and consideration.

Sincerely,
Johnny Ellis

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Paul D. Galbreath II
Home Address: 1286 Lingen Ave Nw.
City: Palm Bay
Telephone Number: 219-487-7650 Zip Code: 32907
Email Address: paul@paulgalbreath.com Fax Number:

EMPLOYMENT

Employer: Brevard Public Schools Occupation: Technology Network Support
Address: 2700 Judge Fran Jamieson Way
City: Viera State: FL Zip Code: 32940
Telephone Number: 321-674-6145 ext 53214 Fax Number:
Email Address: galbreath.paul@brevardschools.org
Job Responsibilities: Provide training to school staff one technology use. Manage & maintain technology.

EDUCATION

High School Name: Oliver P. Morton High School
Location: Hammond, IN. Years Completed: 4 Major/Degree: Diploma
College Business or Trade School: University of Phoenix
Location: Arizona (online) Years Completed: 4 Major/Degree: BA Info Tech
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 6 Years 7 Months

How long have you been a resident of Brevard County? 6 Years 7 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Technology, movies, politics, football.

Why do you want to serve on City Council?

We are in an exciting time for Palm Bay, and I would

like to be part of the team that will help usher in a new era for the city. My goal is to be a voice for the citizens of Palm Bay to help ensure all citizens are heard, while expanding upon the transparency of government business that has continued to grow under the current city council. Other goals would include improving city services, proactive city planning, & consistent communication with the public.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/9/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Paul D Galbreath II, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/9/23 Signature of Candidate Paul D Galbreath II

Address: 1286 Lingen Ave NW
City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Paul Douglas Galbreath II
Printed Name (First, Middle, Last)

Paul D Galbreath II 3/9/23
Signature Date

*Payable by check, cash or money order



Office of The

MAR 24 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Thomas L Gaume Jr.
Home Address: 1700 Lantana Ct. NW
City: Palm Bay
Telephone Number: 321-557-4700 Zip Code: 32907
Email Address: tgaume@gmail.com Fax Number:

EMPLOYMENT

Employer: Retired Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name: Northridge
Location: Middlebury, IN Years Completed: 12 Major/Degree:
College Business or Trade School: US Navy advanced electronics and weapons guidance
Location: Mostly at sea Years Completed: 13 Major/Degree: E6
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list:

What are your hobbies / interests? Technology, training service dogs, Special Olympics.

Why do you want to serve on City Council? Please see attached

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

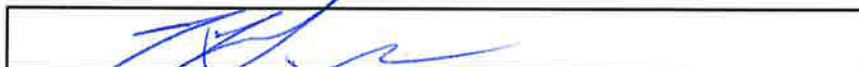
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/24/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Thomas L Gaume Jr., a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
- If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/24/2023
Date


Signature of Candidate

Address: 1700 Lantana Ct. NW

City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

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Thomas L. Gaume Jr.

Printed Name (First, Middle, Last)

Signature

Date

3/24/2023

*Payable by check, cash or money order

Honorable Mayor, and City Council Members,

As a 30 year resident and active community member of Palm Bay, I believe I would be the best selection for the vacant city council seat. My extensive experience in business, technology, and community involvement uniquely qualifies me to effectively serve the citizens of Palm Bay.

First and foremost, my experience as a successful entrepreneur and business owner would be a valuable asset to the council. I founded and operated two successful businesses, Airwire, which provided high-speed wireless internet to businesses in the area, and before that Hy-Tech Wholesale where my business supplied custom IT solutions to fortune 500 companies. This experience taught me the importance of innovation, customer service, and adapting to the constantly changing market. As a council member, I would use these skills to help attract new businesses and economic growth to our city.

My commitment to community service is a testament to my dedication to the betterment of the city of Palm Bay. As a board member of Palm Bay West Little League, I worked tirelessly to provide equal support for both girls and boys teams, petitioning Little League Baseball in Williamsport, VA to issue the State of Florida's first charter for a Little League fast pitch softball program for girls. I also formed the area's first Challenger division for athletes with disabilities, demonstrating my inclusivity and empathy for marginalized communities.

My involvement in community organizations like the Greater Palm Bay Chamber of Commerce and the Space Coast Transportation and Planning Organization further demonstrate my dedication to improving the lives of Palm Bay residents.

I have also worked closely with the city on important issues for our community. As

Chairman of The Greater Palm Bay Chamber of Commerce, under my direction the Chamber worked with the city to streamline the permitting process for new homes and businesses. While at the same time working to minimize the impact of a major construction project to widen and improve Palm Bay Rd. Right through the middle of our business district for 18 months.

Also during my term as Chairman of the Chamber, tragedy struck Palm Bay. 13,500 acres of our city burned. Within three days, 36 homes were destroyed, with 250 others damaged. Another 2,000, though, were saved by firefighters. The Chamber was stationed on the Air Force Annex providing backline support by leveraging our Chamber Partners to bring prepared meals, pallets of new socks, underwear, and hygiene items to support not only our firefighters, but firefighters from all over the US. Our community stood up strong and survived.

I led a group of Citizens to successfully remove the power to assess from a 2016 - 2018 Palm Bay city council that was rife with corruption and nepotism, demonstrating my willingness to stand up for what is right and just for our community. This was the first successful petition in the City's history not only to be put to referendum, but to pass.

My leadership role in securing approval of a \$150M bond referendum can not be overlooked. After decades of Palm Bay Citizens living and driving on substandard roads, we are now in the process of executing phase 3 of an 8 year plan to bring all of our infrastructure up to a maintainable standard. This has already produced a positive impact to Palm Bay's current economic development, and future viability.

Furthermore, my long-term residency in Palm Bay, spanning five generations, has given me a unique perspective and understanding of the city's history, strengths, and challenges. This deep connection to the community has instilled in me a sense of responsibility to serve and give back to my fellow citizens.

Before I moved to Palm Bay, my Grandparents, & Aunt and Uncle lived here. I was here visiting them one night in April, 1987. My Aunt was a dispatcher for Melbourne PD, and my cousin was an EMT. We were all together when it came over the radio. My Aunt, Cousin, and I raced up to help in any way we could, as we were all trained first responders. That was my first time witnessing Palm Bay PD in action as they dealt with the mass murderer William Cruse who was on a shooting spree. I didn't get close, but I did see the ambulances roll out of the Winn Dixie parking lot with bullet holes in them. The need to make Palm Bay a better place is rooted right there on that day in our city's history, and impossible to express in a couple short paragraphs when it comes to this document's question of "why?".

My long-term residency in Palm Bay, spanning five generations, has given me a unique perspective and understanding of the city's history, strengths, and challenges. I am deeply committed to serving and giving back to my fellow citizens. If selected for the vacant city council seat, I would prioritize transparency, accountability, and open communication with residents. I pledge to work tirelessly to ensure that residents are informed and engaged in the decision-making process and that their voices are heard.

As a 12-year US Navy veteran with combat experience, I understand the importance of honor, commitment, and courage. These values would guide my work as a council member, as I strive to use my skills and knowledge to serve the citizens of Palm Bay and work towards a brighter future for our city. I stand ready, willing, and able to serve our City to the absolute best of my ability beginning on day one.

Thomas L Gaume

MAR 24 2023

City Clerk

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Clay Tyler Gool
Home Address: 1360 Packer Rd SE
City: Palm Bay
Telephone Number: 305-240-5940 Zip Code: 32909
Email Address: clay.gool@gmail.com Fax Number: N/A

EMPLOYMENT

Employer: L3Harris Technologies Occupation: Chief of Staff
Address: 1395 Troutman Blvd NE
City: Palm Bay State: FL Zip Code: 32909
Telephone Number: 321-831-8726 Fax Number: N/A
Email Address: Clay.Gool@L3Harris.com
Job Responsibilities: Manage calendar, schedule meetings, conduct research, prepare content for one of three segment presidents at L3Harris Technologies.

EDUCATION

High School Name: Teays Valley High School
Location: Ashville, OH Years Completed: 4 Major/Degree: Honors Diploma
College Business or Trade School: Keiser University
Location: Melbourne, FL Years Completed: 4 Major/Degree: BA - Homeland Security + Emergency Management
Professional School:
Location: Years Completed: Major/Degree:
Other: Community College of the Air Force
Location: Maxwell AFB, AL Years Completed: 2 Major/Degree: AA - Intelligence Studies and Technologies

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 5 Years 10 Months

How long have you been a resident of Brevard County? 8 Years 3 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Combat Veterans Motorcycle Association (CVMA) 501(c)(19) - Secretary

2.) Supporting Emergency Responders and Veterans Engagement (SERVE) L3 Harris Employee Resource Group (ERG) - Florida Chapter Lead

What are your hobbies / interests? I enjoy spending time with my wife and our two year old son. I also enjoy riding my motorcycle, traveling, camping, fishing and trying new restaurants.

Why do you want to serve on City Council? I want to serve on city council because I am invested in this beautiful city. I own a house here and my precious family do their daily activities here. I want to ensure I am involved and a positive contributing member of this community. I feel by being on city council I can do this and help be a reason why Palm Bay is the GREATEST CITY ON THE FACE OF THE EARTH!

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

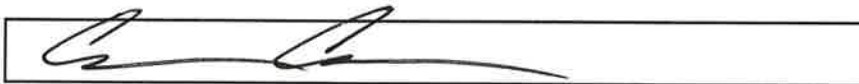
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



20230303

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Clay Gool, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

20230303 
Date Signature of Candidate

Address: 1360 Packer Rd SE

City: Palm Bay State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Clay Tyler Gool

Printed Name (First, Middle, Last)

A handwritten signature in black ink, appearing to read "Clay Tyler Gool", written over a horizontal line.

Signature

20230303

Date

*Payable by check, cash or money order



Office of The

MAR 23 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Richard Michael Hammer Jr.
Home Address: 874 Underhill Ave
City: Palm Bay
Telephone Number: 321-821-8889 Zip Code: 32909
Email Address: xxmikehammerxx@yahoo.com Fax Number:

EMPLOYMENT

Employer: Cumberland International Trucks Occupation: Outside Sales
Address: 1875 Robert J Conlan Blvd.
City: Palm Bay State: FL Zip Code: 32905
Telephone Number: 321-984-2899 Fax Number:
Email Address: mhammer@clt-te.com
Job Responsibilities: Customer service for whole territory.

EDUCATION

High School Name: Melbourne High School
Location: Melbourne, FL Years Completed: 3 Major/Degree: Diploma
College Business or Trade School: Indian River State College
Location: Fort Pierce, FL Years Completed: 1 Major/Degree: Fire Science 1&2
Professional School: Hillsborough Community College
Location: Ybor City, FL Years Completed: 1 Major/Degree: Criminal Justice
Other: Space Coast Medical Institute
Location: Melbourne, FL Years Completed: 1 Major/Degree: EMT

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years Months

How long have you been a resident of Brevard County? 43 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: West Melbourne Football, Bayside Football, Palm Bay Community

Action Group, volunteer for a number of charities.

What are your hobbies / interests? Being a father, learning new things, videography, sports (most all of them), fishing, camping, hiking, volunteering.

Why do you want to serve on City Council?

As an employee of the city for 13+ years, my father 30+, my grandmother 30+, I have acquired a deep knowledge of how the city operates. I believe someone with my knowledge of the logistics & operating procedures would bring a great decision making factor to the table. I also believe my family being one of the founders will bring a re-assurance of trust back to the community that we so gravely need. I have a reputation for being honest and fighting for what's right, and I think it's a great thing to have on our council.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

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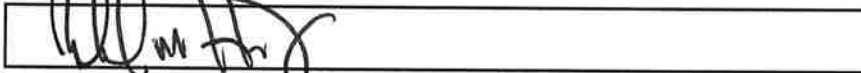
Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3-10-2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Richard M. Hammer JR., a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

03-10-2023 [Signature]
Date Signature of Candidate

Address: 874 Underhill Ave
City: Palm Bay State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Richard Michael Hammer

Printed Name (First, Middle, Last)

[Signature]

Signature

3-10-23

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Michael Loran Harrison
Home Address: 459 Hammond St. SW
City: Palm Bay
Telephone Number: 321-614-8796 Zip Code: 32908
Email Address: mlharrisoncsb@yahoo.com Fax Number:

EMPLOYMENT

Employer: Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name: Marfa High
Location: Marfa, Texas Years Completed: 4 Major/Degree: HS Grad
College Business or Trade School: Western New Mexico State University
Location: Silver City, New Mexico Years Completed: 4 Major/Degree: BS Business
Professional School: Federal Law Enforcement Training Academy
Location: Brunswick, GA Years Completed: Major/Degree: Certified
Other: New Mexico Law Enforcement Academy
Location: Hobbs, New Mexico Years Completed: Major/Degree: Certified

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 7 Years 3 Months

How long have you been a resident of Brevard County? 7 Years 3 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Masonic Lodge and Order of the Eastern Star

What are your hobbies / interests? Travel the United States, hunting and fishing. Community service through the Masonic lodge and the Eastern Star.

Why do you want to serve on City Council? To serve my City and the Citizens.

Having 38 years in law enforcement related to Immigration, Drug enforcement and general public safety

I have the ability to recognize community issues in a different way. Since living here for the past seven years

I feel that my knowledge would be an asset to the Council.

APPLICATION CERTIFICATION

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Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Michael L. Harrin

03/16/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Michael L. Harrison, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/14/2023 Signature of Candidate Michael L. Harrison

Address: 459 Hammond St SW

City: Palm Bay State: FL Zip Code: 32908



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

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This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Michael Loran Harrison

Printed Name (First, Middle, Last)

Michael L Harrison

Signature

03/14/2023

Date

*Payable by check, cash or money order

WORK EXPERIENCE

Current address:

459 Hammond Street SW
Palm Bay, Florida 32908
Cell # (321) 614-8796

- **Range Safety Officer** 10/03/2022 to 04/03/2023
NRA Certified Range Safety Officer
-
- **Range Safety Officer** 08/01/2021 to 02/10/2022
NRA Certified Range Safety Officer
- **Range Safety Officer** 12/20/2019 to 06/03/2021

Indian River County Public Shooting Range
10455 102nd Terrace
Sebastian, FL 32958

Ranger Manager Jerry Seldes (585) 764-6623

I worked part time as a Range Safety Officer. I mainly work on the rifle and pistol ranges but am cross trained to work at the shot gun range. My main duty is to provide a safe environment for customers to shoot their firearms. I assist customers with bore sighting, weapon malfunctions and clearing as well as assisting new shooters in becoming proficient with their firearm.

NRA Certified Pistol Instructor
NRA Certified Personal Protection in the Home Instructor

- **Security Officer** / Site Supervisor /Allied Universal 05/02/2019 to 11/21/2019

BRP US INC
1111 JA Bombardier Blvd
Palm Bay, FL 32908

Responsible for physical security of the property, and visitor access after hours.

- **Security Officer** /Allied Universal 07/13/2017 to 12/05/2018

Northrop Grumman
Bldg. 222
2000 W. Nasa Blvd.
Melbourne, FL 32901

Site Manager Ron Petrello (321) 951 5479

Resume

I worked at building lobbies and vehicle / pedestrian gates and control access to Northrop Grumman property. I also do physical security checks of the property, conduct random baggage / package / vehicle searches while on duty.

- **Range Safety Officer**

10/09/16 to 11/05/2017

Indian River County Public Shooting Range
10455 102nd Terrace
Sebastian, FL 32958

Ranger Manager Holden Kriss (772) 581 4944

I worked part time as a Range Safety Officer. I mainly work on the rifle and pistol ranges but am cross trained to work at the shot gun range. My main duty is to provide a safe environment for customers to shoot their firearms. I assist customers with bore sighting, weapon malfunctions and clearing as well as assisting new shooters in becoming proficient with their firearm.

NRA Certified Pistol Instructor
NRA Certified Personal Protection in the Home Instructor

- **Custom Protection Officer**

08/08/16 to 12/31/16

G4S Secure Solutions, USA
1350 S. Hickory St.
Melbourne, FL 32901

Captain Choice (Palm Bay Hospital) (321) 245 3105

As a Licensed armed Security Officer my duties included but were not limited to security patrols, watching for security concerns and safety hazards, monitor entrances and exits and screen for unauthorized items such as knives, firearms and pepper spray.

I currently hold a valid Florida Security Officer "D" and a Florida Statewide Firearm "G" license; I have a current CPI Blue card and my First aid training is up to date.

Resume

• **Task Force Agent**

10/08/12 to 09/01/15

Pecos Valley Drug Task Force
P.O. Box 2204
Carlsbad, NM 88221

Commander: James McCormick (575) 499-9066

As a certified Deputy of the Eddy County Sheriff's Office, I was assigned to the Pecos Valley Drug Task Force as an Agent / Investigator. The primary duties of the Task Force are to enforce all laws pertaining to the illegal distribution, sale and possession of controlled substances. Other duties include but were not limited to:

- Cultivate and maintain cooperative working relationships with 5th Judicial Attorney's Office, members of State, Federal, County and Municipal law enforcement agencies.
- Disseminate appropriate information to participating agencies.
- Write and execute Search Warrants, Criminal Complaints and Arrest Warrants.
- Cultivate, enlist and control informants.
- Perform surveillance on suspects, residences and vehicles.
- Properly seize property as evidence and keep a proper record of the chain of custody.
- Testify in State and Federal Court proceeding as a witness or a Case Agent
- Submit evidence to the Forensic Lab for analysis.

• **Deputy**

09/12/11 to 10/08/12

Eddy County Sheriff's Office
1502 Corrales Road
Carlsbad, NM 88220

Sergeant: Michael Chaverria (575) 887-7551

Drive a radio car while patrolling designated areas to detect criminal activity, protect life and property, and preserve the peace. Enforce federal, state laws and local ordinances. Respond to emergency scenes, calls for service to provide assistance and maintain law and order. Investigate emergent and non-emergent complaints of crimes, conduct follow-up investigations.

- Pursue suspects on foot or in a vehicle;
- Subdue resisting suspects utilizing necessary force including firearms to maintain law and order, ensure personal and others' safety;
- Detain, arrest, book, and transport suspects;
- Collecting, preserving, and recording evidence;
- Maintaining a log and writing arrest reports;
- Making traffic stops, issuing warnings, and writing traffic citations.
- Recovering lost or stolen property
- Interviewing victims, witnesses, suspects, and informants;

Resume

- Taking notes, writing complaint and investigative reports;
- Searching for, collecting, recording, and preserving evidence (including contraband).
- Appearing in court to testify in legal proceedings
- Serving civil and criminal process papers.

- **Evidence / Surveillance Technician;**

02/08/10 to 6/30/11

Pecos Valley Drug Task Force
P.O. Box 2204
Carlsbad, NM 88221

Commander: Carroll Caudill (575) 725-8800

Duties include collection of evidence during investigations, processing the evidence collected, maintaining the evidence locker, preservation and destruction of evidence, maintaining a chain of custody / recording the transfer of evidence. Providing technical, electronic surveillance expertise to support the Pecos Valley Drug Task Force and other Law Enforcement entities within Eddy County. Responsible for maintaining an inventory of functional and useable electronic surveillance equipment within the Task Force office, training agents in the uses and applications of electronic surveillance equipment, troubleshooting, repairing equipment and procurement of replacement or new equipment.

I worked on a back log of evidence at the Task Force. Wrote destruction orders through the District court and processed evidence for destruction. Processed new evidence for safekeeping and out-processed evidence for trials and return to owner.

- **Program Manager, Instructor, ICE GS-1811-14**

04/28/07 to 12/01/09

Immigration and Customs Enforcement Academy / OI
1131 Chapel Crossing Road
Bldg 68 RM 228
Glynco, GA 31524

- Supervisor: Section Chief Michael Hodzen (912) 554-4292

As a Program Manager/ Course Developer / Instructor in the Immigration and Customs Enforcement Academy, Federal Law Enforcement Training Center; I developed, designed, and coordinated workshops, courses and seminars in a variety of subject matter areas. Subject matters include but not limited to: immigration, customs, criminal, constitutional, and statutory law; methods of preparing, presenting and defending cases; defensive tactics/use of force. I specialized in investigative techniques, policies and procedures, technical surveillance, immigration laws, (non-immigrant, immigrant and US Citizen) fraud documents, security, anti- terrorism measures and search, arrest and seizure techniques.

I was the Program Manager for the Technical Surveillance School, (TSS), an advanced training for ICE Special Agents who are assigned as the Designated Technical Agent, (DTA), at their office.

I was the Care Taker for the Technical surveillance and Fraudulent Document Basic courses.

This basic, developmental, specialized training is offered to basic, journeyman and supervisory enforcement

Resume

personnel at the academy or at substitute or subsidiary areas for ICE training.

I was also tasked with evaluating the curriculum of on-going ICE programs and making recommendations for changes through the appropriate chain of command.

I acted as the first-line supervisor for five months increments for 24 basic students when assigned as class coordinator. I performed all the duties of a first line supervisor including preparing training schedules, duty rosters and assignments. I provide general and specific counseling to students. I received and attempted to resolve any grievances between subordinates. I assigned, directed and reviewed all work of subordinates. I evaluated student performances and recommend status changes, disciplinary actions and separations.

- Senior Special Agent, ICE GS-1811-13

06/28/03 to 04/28/07

Immigration and Customs Enforcement

RAC St. Thomas

8000 Nisky Center, Lower level south

Suite 1A

St. Thomas, VI 00802

Supervisor: RAC Hillary Hodge Jr. (340) 693 2270

In June 2003 I transferred to St. Thomas as a Special Agent with ICE, Immigration and Customs Enforcement, Department of Homeland Security. On St. Thomas, I enforced the laws of the Immigration and Nationality Act and criminal provisions of the United States Code under Title 8, 18 and 21. I initiated, planned and conducted comprehensive, complex criminal investigations that involved fraud, marriage fraud and conspiracies to defraud, violate immigration laws and violations of the Controlled Substance Act. I arrested, interviewed and interrogated illegal aliens, and United States citizens that violate these criminal statutes. I served as Case Agent for the investigation and prosecution. I have been called upon as Acting Group Supervisor and Acting Resident Agent in Charge on several occasions for the RAC St. Thomas office since my arrival. I frequently consult with the Assistant United States Attorney on technical and legal aspects of a case to ensure successful prosecution of all principals involved.

As the Acting Resident Agent In Charge for the RAC-St. Thomas office, my duties included basis supervisory oversight. Although during this time I was still responsible for maintaining my own case load, the majority of my time was spent supervising the day to day operations of the office. I reviewed and approved case openings and reports of investigation. I supervised lower grade employees in their investigations relating to violations of Immigration and Customs laws. These cases included alien smuggling, narcotic smuggling, child pornography, re-entry after Deportation, harboring and financial money laundering. I also reviewed and approved statistical entries and other entries in the TECS case manager program.

While serving as (A) RAC, I am responsible for the St. Thomas budget and to know restrictions placed upon the agency by any continuing resolution.

*Resume***RAC St Thomas Office of Investigation****Composition:** 1 Resident Agent in Charge

- 1 Group Supervisor (GS-13/14)
- 7 Senior Special Agents (GS-13)
- 6 Special Agents (GS-12, GS-11, GS-9, GS-7,)
- 2 Investigative Assistant (GS-7)

Responsibility: The RAC St Thomas area of responsibility covers the four US Virgin Islands, St Thomas, St Croix, St John and Water Island. The RAC St Thomas predominately initiates large-scale narcotics smuggling and alien smuggling investigations into the Virgin Islands. The RAC St Thomas Office main investigative categories are drug smuggling alien investigations through the Northeast of St Thomas and the Southeast coast of St Croix. These routes cover vessels arriving from Tortola, and the eastern Caribbean islands. Currently the RAIC St. Thomas is working jointly with DEA and HIDTA on a major cocaine smuggling organization that operate out of St. Thomas, VI and Tortola, British Virgin Islands. The RAC St. Thomas also has several money laundering, child pornography, and false document investigations.

The mission of the Office of the Resident Agent in Charge St. Thomas is to channel investigative efforts towards disrupting and dismantling alien smuggling, drug smuggling, and money laundering organizations in furtherance of obtaining successful criminal prosecutions.

Significant Details: ICE Headquarters, Washington, DC; Investigative Support Unit; S-Visa program
June 6, 2005 – Aug. 6, 2005

Supervisory Special Agent; Immigration and Benefit Fraud Group; San Juan Puerto Rico
February 1, 2007 – March 31, 2007

- **Special Agent / Criminal Investigator, US Border Patrol GS-1811-12** **06/07/97 to 06/28/03**

U.S. Border Patrol
P.O. Box 2266
Carlsbad, NM 88221

Supervisor: Patrol Agent in Charge Daniel Hiebert (505) 887 2127

I was selected and became a Criminal Investigator in Carlsbad, New Mexico in June 1997. Since that time I have worked with the Pecos Valley Drug Task Force, a HIDTA initiative. My primary duties were to locate and apprehend Criminal Aliens that are not incarcerated within our seven counties of operations. I was also on call one week each month to respond to Border Patrol call-outs related to alien smuggling. I have taken a Category 1 alien smuggling case from the apprehension to the sentencing in Federal District Court. I have apprehended and been the case agent on several re-entry after Deportation cases. I was called upon daily to use my knowledge of the Immigration and Nationality Act, laws, operational procedures and regulations dealing with aliens, both legal and illegal. I applied this knowledge to establish facts as to citizenship, legal residence status, and for prosecution of criminal violations.

Resume

With my knowledge of exclusion and removal, I searched court records and Probation list for Criminal aliens who have committed crimes that would violate their status. I would then locate, apprehend and process the aliens for a hearing at the Office of Immigration Review or set them up for Removal. I exercise considerable ingenuity in applying and interpreting operational instructions, service policy, sector guidelines and current court decisions in every field situation that I encounter. This includes knowledge of court procedures, evidence and testifying as a witness in court proceedings, criminal and administrative. As a Criminal Investigator in the Carlsbad, New Mexico, I communicate on a daily basis with U.S. Attorneys, Sector and District Counsel, Sector Prosecutions office, New Mexico District, Magistrate and Municipal Courts. I prepare Notices to Appear, Bond and Custody paperwork on Criminal Aliens. I have been the case agent on many re-entry after deportation cases and alien smuggling cases. I had to prepare the Criminal Complaints, affidavits, Warrants of Arrest, Service form G-166c and the Prosecution report for each case.

Because I worked with the Pecos Valley Drug Task Force on a daily basis, I assisted the Agents with surveillance, undercover operations, Search and Arrest Warrants. I am familiar with the use of different types of video and photographic equipment. I am able to operate video recorders in VHS and 8mm, as well as edit tapes. I can operate a manual 35mm or a fully automatic 35mm camera. I am able to use night vision equipment including, Night vision goggles, night scopes, FLIR (infra red). I am familiar with Electronic sensors as well as body wires and KEL KITs. I have attended 5 Technical Electronic Surveillance schools since March 2000.

Significant Details: Operation Safeguard / DISRUPT team, Douglas, AZ
30 days / 2002
Dallas Regional Office / Anti Terrorist /SAR office
30 days / 2002

- **Senior Border Patrol Agent, US Border Patrol GS-1896-11** **10/02/95 to 06/07/97**

U.S. Border Patrol
P.O. Box 230
Deming, NM 88031

Supervisor: SBPA David Smith (505) 546 9036

As a Senior Patrol Agent at the Deming, New Mexico Station, I served as Unit or Team leader every shift. Acting as such I coordinated and actively participated in a variety of duties including: line watch, sign cutting, farm and ranch check, freight train check, city patrol. However a great deal of time is spent Performing Criminal prosecutions, anti-smuggling, Employer Labor Relations, Sanctions, intelligence, Border Patrol Criminal Alien Program, investigations and other Border Patrol work of comparable difficulty. I served as Prosecution Officer by reviewing, preparing and presenting cases for administrative and criminal proceedings. Cases include illegal entry, re-entry, document fraud, assault on a Federal officer, illegal possession of firearms, vehicle seizure, criminal alien and alien and narcotic smuggling. I evaluated each case for adequacy of information relative to the charge and action to be taken.

When assigned as the Intelligence agent, 01/03/96 to June 5, 1997, I was responsible for all intelligence activities in an assigned area. (Deming Station) I collected, refined, and evaluated strategic and tactical intelligence concerning illegal entry by aliens and related activities. I prepared reports identifying trends and

Resume

patterns. When assigned to BORCAP (Border Patrol Criminal Alien Program): 11/11/95 through 08/31/96, I identified criminal aliens detained by the INS and other law enforcement agencies and obtained the necessary records to support their deportation. This includes obtaining certified Judgment and Sentencing by the court of record.

I enforced the Immigration Reform and Control Act. I was regularly detailed into the ELR (Employer Labor Relations) office and have had to educate businesses about the IRCA requirements. I have shown employers how to complete Form I-9 on employees. When a Sanctions case was initiated I had to serve Alien Removal Letter, review hire-fire list, check I-9s for completeness.

While being detailed to ELR I conducted a full range of investigative functions, including gathering information, using electronic surveillance equipment, videotaping and still photography. I obtained and executed search warrants, arrest violators, prepare in-depth investigative reports, filed criminal complaints, and served as the case agent during litigation.

Significant Details: Operation Gatekeeper, El Centro, CA 30 days / 1996
Intelligence Agent 1/96 – 6/97
BORCAP 11/95 – 8/96
Anti Smuggling Unit Team Leader 1/97 – 6/97
Acting Supervisor Border Patrol Agent 60 days / 1997

• **Border Patrol Agent, US Border Patrol GS-1896-9** **08/09/82 to 10/01/95**

U.S. Border Patrol
P.O. Box 230
Deming, NM 88031

Supervisor: Supervisory Border Patrol Agent Paul Ammerman (505) 546 9036

As a uniformed Border Patrol Agent in Deming, New Mexico, I performed law enforcement duties related to detecting and preventing the illegal entry of aliens and/or contraband into the United States and for apprehending persons suspect of such violations. I detected and apprehended persons making false claims to legal status in the U.S., persons who have violated the conditions of their admission; and other persons who have violated Immigration and Nationality or related laws. I apprehended many Alien Smuggling cases in which I arrested, interviewed and interrogated illegal aliens, served as case agent for investigations and prosecutions.

Significant Details: Operation Alliance, Tucson, Larado and Marfa Sectors, 45 days / 1987
D.A.R.E. Instructor 88 and 89 school years
Motorcycle Unit 6/87 to 9/89
Remote Sensor Technician 10/89 to 6/91
BORCAP / SUAS Special Unit Against Smuggling 7/88 to 9/88
BORCAP / ELR 5/94 to 7/94
Defensive Tactics / Baton Instructor 11/91 to 6/97

Resume

• **Immigration Detention Officer, US Border Patrol GS-6**

01/28/80 to 08/08/82

US Border Patrol
P.O. Box 1
Marfa, Texas 79843

Supervisor: SIDO Frank Yslas (432) 729 4353

I was an Immigration Detention Officer, assigned to Marfa Sector Headquarters from January 1980 until August 1982. My duties there consisted of a variety of functions dealing with the transportation and safeguarding of aliens in the Marfa Sector and on details throughout the United States.

I performed mainly transportation duties but on several details I was used inside Immigration Processing Centers, Federal Penitentiaries, and even Mental Hospitals.

As a Detention Officer for the Border Patrol, I had to accept custody, escort individuals or groups between a wide variety of points, including transportation rendezvous locations; airports; bus stations; courts; local jails and detention facilities; medical facilities; places of previous residence and business. Transport may involve criminal, mentally deficient, or otherwise hostile deportee and refugees, and may cover distances of up to several hundred miles round trip.

I had to perform several functions relating to the admission and release of aliens, including; positively identifying and searching prisoners and their luggage for contraband; issuing receipts for personal effects taken for safekeeping during detention and ensuring their safe return; compiling forms relating to admission and release from facilities of detention.

I had to exercise surveillance over aliens in custody. Maintain discipline over aliens and refugees. Guard detainee at Deportation Hearings. Serve Orders to Show Cause and Warrants of Arrest. Fingerprint and photograph aliens, detainee and refugees.

Significant Details:

El Paso Processing Center 7/23 - 8/22 1980
Ft. Chaffee, Ark. 9/10 - 10/10 1980
Krome North, Miami, FL 11/29/80 - 01/29/81
Atlanta Federal Penitentiary, 3/16 - 4/17 1981
St. Elizabeth Hospital, Washington D.C. 9/7 - 11/9 1981
Atlanta Federal Penitentiary, 1/4 - 2/7 1982
Krome North, Miami, FL 2/8 - 5/8 1982

• **Cobra Helicopter Armor, United States Army Specialist 4**

05/25/76 to 05/26/79

US Army
Co. F. 725 th Main. Bn.
Schofield Barracks, HI

Supervisor: SGT Andy Sykes

Resume

While in the United States Army, my MOS was titled, "Cobra Helicopter Missile Systems Specialist". I was sent through Basic Electronics School in Ft. Jackson, South Carolina and Ordinance School in Aberdeen, Maryland. I also received the TAMMS Course, (Technical Army Maintenance Manual School), while stationed at Schofield Barracks, Hawaii. I was also trained to drive a two and a half as well as a five ton truck, to carry personnel and maintenance equipment to and from the field.

My main duties were to locate and repair anything that malfunctioned on the Cobra helicopter gun ship weapons systems. This included: Making the system safe from misfires or accidents; Initial bore sighting; remove, install and assemble fire control systems; perform test procedures and electrical and electronic maintenance on the fire control systems and related equipment.

While performing my duties I had to troubleshoot and repair the entire fire control system; operate and maintain special tools and test equipment; move, service and secure helicopters on the ground; calibrate and maintain test equipment and use general shop and flight line safety practices and procedures.

EDUCATION

| | | |
|-------------------------------|---------------|-------------------|
| Sul Ross State University | 1975 and 1979 | 36 semester hours |
| University of Hawaii | 1977 - 1978 | 6 semester hours |
| Southern Pacific College | 1977 - 1978 | 30 semester hours |
| Western New Mexico University | 1983 - 1985 | 42 semester hours |

BACHELOR OF SCIENCE in Business Management, Western New Mexico State University, May 1985

ACADEMIC EXCELLENCE AWARDS: Dean's Honor Roll: Fall 1979, Fall 1983, Spring 1984, Fall 1984 and Presidential Honor Roll Spring 1984

JOB RELATED TRAINING

- Academies:

New Mexico Law Enforcement Certify by Weaver, November 2011; Hobbs, NM
BORDER PATROL ACADEMY, 150th Session, Graduated 12/16/82, Glyncro, GA
Journey Border Patrol Academy, Class #43; Artesia, NM, 11/26/90 to 12/13/90
Criminal Investigator Transitional Training, Class 007, 64 hours, Artesia, NM, 10/19 – 10/29/98
Journeyman Special Agent Training, Class 091, 64 hours, Artesia, NM, 01/24 – 02/03/00
Special Agent Refresher Training, Class 024, 64 hours, Artesia, NM, 02/07 – 02/16/00
ICE Cross Training, San Juan; 80 hours 03/08 – 19/04
Law Enforcement Instructor Training, 80 hours, FLECT, GA 6/4-6/15/07

- Cross Training:

D.E.A. Cross Training and Designation of Title 21, 8 hours, 02/04/87
FBI Basic Fingerprint Classification Course, 40 hours, El Paso Sector, 9/20/92 to 9/25/92

Resume

Commercial Vehicle Drug Interdiction Techniques, EPIC, USCS, US Dept. Of Transportation, Federal HWY ADM., 8 hours, 6/18/96

Anti-Smuggling Training, 24 hours, El Paso Sector, 5/14 – 5/16/97

Drug Enforcement Administration (DEA) Basic Training, Ruidoso, NM, 80 hours, 1/6 – 1/16/98

Clandestine Laboratory Training (DEA), 24 hours, Las Cruces, NM, 6/9 – 6/11/98

Officers Flying Armed; FAA Regulations, 8 hours, Carlsbad, Border Patrol, 11/13/01

Terrorist Awareness Training – Carlsbad, NM, 8 hours 02/14/03

Terrorist Awareness Training – Carlsbad, NM, 8 hours 01/25/03

Boat Operations Training – St. Thomas, CHA, INV, 8 hours 07/03/03

San Juan HIFCA, Money Laundering and Financial, Investigations Training; 16 hours, 9/11-12/03

Marine Enforcement Crewmember Training, St. Thomas; 16 hours 12/15 & 16/03

- State Law (New Mexico)

Wildland Fire First Responders, Carlsbad, NM 8 hours 01/20/12

Selective Traffic Enforcement Programs, NMDOT Albuquerque, NM, 8 hours 7/12/12

NDEX Training, ECSO 8/21/12, 2 hours

Defensive Driving and Blood Borne Pathogens, Carlsbad, NM, 8 hours 8/16/12

Patrol Driving class, Hobbs LE Academy, 8 hours 8/31/12

First Aid, Carlsbad Fire Dept, 8 hours 9/14/12

Survival Shooting Techniques; FLETC Artesia, NM 1/28/13-2/1/13 28 hours

Search and Seizure / Legal updates, Carlsbad, NM 6/12/13

New Mexico Forfeiture Training, 8 hours 10/13/12

- Federal Prosecutions and Immigration Law Training:

Employer Labor Relations (ELR) / US Attorney Training, 8 hours, 07/14/87

ELR; Employer Sanctions Training, 8 hours, Deming, NM, 06/22/89

IMMACT 90 Training, 24 hours, Deming, NM, 08/13/91 to 08/15/91

U. S. Border Patrol; Pursuit Policy Training Course, 8 hours, Deming, NM, 12/01/92

Sensitivity and Civil Liability Training, 12 hours, 04/27/93

Prosecutions Training, U.S. Attorney, 4 hours, Deming, NM, 09/10/93

Court Procedure Training, U.S. Attorney, 8 hours, 09/13/94

Sensitivity and Civil Liability Training, 8 hours, 7/25/95

Fraud Document Training, 8 hours, El Paso Sector, 1/17/96

Criminal Complaint and Affidavit Writing, 8 hours, District Attorney, Deming, NM, 1/31/96

Pipeline Training, 24 hours, EPIC and DEA, Las Cruces NM, 4/9-11/96

IMACT 96, 4 hours, El Paso Sector, 11/20/96

IMACT 96, 8 hours, Deming, NM, 03/27/97

Prosecutions Training; 8 hours, AUSA/Carlsbad, NM, 5/31/01

- Firearms Training

Undercover Weapons, 8 hours, South Padre Island, TX 08/2014

Florida Firearms Course (Chapter 493), 28 hours, Melbourne, FL 08/2016

Concealed Carry weapons and Safety Course, Melbourne, FL 08/2016

Resume

Basic firearms training, NRA 02/17

NRA Certified Pistol Instructor 02/17

NRA Certified Pistol * Personal Protection In The Home Instructor, 02/2017

- Computer Training

Intermediate Computer Training, 32 hours, Las Cruces, NM 9/3-6/96

Enforce Training, 4 hours, El Paso Sector, 10/22/96

Windows 95 Training, 8 hours, Carlsbad, NM, 09/26/97

PICS Officer Training (computer), 8 hours, El Paso Sector, 8/10/98

PICS Officer Training (computer), 8 hours, El Paso Sector, 11/16/98

CIRS Training-El Paso Sector, 8 hours 9/12/02

TECS Training, St. Thomas, 24 hours 11/18 – 20/03

National Files Tracking System, St. Thomas; 2 hours 02/02/04

- Defensive Tactics Training

OFFICER SURVIVAL TRAINING, 16 hours, Las Cruces, NM, 10/19 and 20/87

STRESS - Trauma Management Training, 8 hours, Las Cruces, NM, 05/27/88

Judgment Firearms Course; US Customs; Deming, 4 hours, 05/02/89

Manadnock Basic PR-24 Course, 8 hours, El Paso Sector, 11/08/91

Expandable Side-handle Baton Instructor's Course, 24 hours, El Paso Sector, 11/20/91

Border Patrol Side-handle Baton Basic, 12 hours, El Paso Sector, 12/9 and 10, 1993

Border Patrol Side-handle Baton Instructor Course, 40 hours, Las Cruces, NM, 12/13/93 through 12/17/93

Semi Auto Transitional Training, 32 hours, Deming, NM, 9/30-10/3/96

Defensive Tactics Instructor Course; ASP/OC, 24 hours, El Paso Sector, 6/13 – 6/15/00

Advanced Defensive Tactics, "Survival Series"; 16 hours, Artesia BP Instructors, El Paso Sector, 3/20 - 21/02

ICE Defensive Tactics Instructor, 40 hours, FLETC Glynco, 9/8-9/12, 2008

- Intelligence Officer Training

Basic Intelligence Agent Training, 8 hours, El Paso Sector, 1/3/96

Analytic Analysis Training, 24 hours, Hobbs, NM, 4/14 – 4/16/98

Intelligence Officer Training, 16 hours, El Paso sector, 04/27 – 04/29/99

- Electronic Tech Training:

COBHAM equipment updates, Houston, TX 6/18-20/13, 24 hours

Technical Surveillance School, 72 hours, ICE/OI Academy, 3/3-3/13/08

Electronic Technical Applications III – Benchwork for Techs, 40 hours, LETC; Coral Springs, FL, 3/25 – 29/02

Surveillance Operations & Intelligence Gathering; 40 hours, LETC; Ruidoso, NM, 12/11-12/15/00

Managing Title III Operations; 32 hours, LETC; Coral Springs, FL, 9/19-9/22/00

Electronic Technical Applications; 40 hours, LETC; Coral Springs, FL, 9/11-9/15/00

Technical Surveillance Countermeasures, 40 hours, LETC; Coral Springs, FL, 4/3 – 4/7/00

Surveillance Transmission Systems, 40 hours, LETC; Coral Springs, FL, 3/27-3/31/00



Office of The
MAR 29 2023
City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Asheley Hepburn
Home Address: 636 Remington Green Drive SE
City: Palm Bay
Telephone Number: 305-778-6019 Zip Code: 32909
Email Address: aa2.hepburn@gmail.com Fax Number: N/A

EMPLOYMENT

Employer: City of Lauderdale Lakes Occupation: Finance Director
Address: 4300 NW 36st Street
City: Lauderdale Lakes State: FL Zip Code: 33319
Telephone Number: 954-535-2818 Fax Number: N/A
Email Address: Asheleyh@lauderdalelakes.org
Job Responsibilities: Leads and directs the Financial Services Department of the City of Lauderdale Lakes.

EDUCATION

High School Name: Milwaukee James Madison High School
Location: Milwaukee, WI 53218 Years Completed: 4 Major/Degree: Diploma
College Business or Trade School: Tuskegee University
Location: Tuskegee, AL 36088 Years Completed: 5 Major/Degree: BS Accounting
Professional School: Nova Southeastern University
Location: Davie, FL 33314 Years Completed: 3 Major/Degree: MS Public Administ
Other: N/A
Location: N/A Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

N/A

Title: N/A

Issue Date: N/A Issuing Authority: N/A

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A Disciplinary Date: N/A

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 16 Years ☐ Months

How long have you been a resident of Brevard County? 16 Years ☐ Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?* N/A

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Budget Advisory Board

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):* N/A

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:* N/A

Where: N/A When: N/A

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: I am a former member of the Powell Neighborhood Watch Board. I am also a former member of the Florida Avenue Church of Christ Leadership Board.

What are your hobbies / interests?

Fishing

Why do you want to serve on City Council?

I see a need for a fiscally conservative member on the

City Council that understands intimately the fiscal impact that council policy has on the City of Palm Bay. I have

over 30 years of experience in municipal finances. I have worked in an executive capacity for County and City

governments throughout Florida and Wisconsin. It would be a honor to use the unique skill set I have to

serve the citizens of Palm Bay, the City I reside in.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

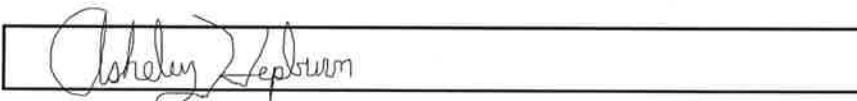
Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/28/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Asheley Hepburn, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/28/2023 Asheley Hepburn
Date Signature of Candidate

Address: 636 Remington Green Drive SE

City: Palm Bay State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Mr. Asheley Hepburn

Printed Name (First, Middle, Last)

Handwritten signature of Asheley Hepburn in cursive script.

Signature

3/28/2023

Date

*Payable by check, cash or money order

ASHELEY A. HEPBURN

636 Remington Green Drive SE
PALM BAY, FL 32909
(305) 778-6019 (Cell)

Objective: Seeking Financial Management Opportunities

PROFESSIONAL EXPERIENCE

City of Lauderdale Lakes

Lauderdale Lakes, Florida USA

DIRECTOR, FINANCIAL SERVICES

ASSISTANT DIRECTOR, FINANCIAL SERVICES

ADMINISTRATIVE MANAGER, FINANCIAL SERVICES

BUDGET OFFICER, FINANCIAL SERVICES

ACCOUNTING - Oversee the City's accounting functions to include Accounts Payable, Accounts Receivable, Payroll, Capital Assets and Financial Reporting; **PROCUREMENT** - Oversee the procurement of the City's goods and services. This function included the use of Invitation to Bid, Request for Proposals, and Request for Information. Also the administration of Purchasing Cards; **OPERATING & CAPITAL BUDGET PREPARATION** - Develop the City's Operating and Capital Budget and multi-year capital plan of \$48 million; utilized computer software (Microsoft Excel, Word, and MUNIS). Monitored the annual budget. Responsible for TRIM (Truth In Millage) compliance to Florida Statutes. **STRATEGIC PLANNING**- Developed the City's strategic plan and performance management process. **ACCOUNTING**- Managed the City's Accounts Payable, Accounts Receivable, Payroll, Debt Services, Cash Management and Financial Reporting. **PROCUREMENT MANAGEMENT**- Procure all goods and services in adherence to federal, state and local laws. **GRANTS MANAGEMENT** - Coordinate all City grants. **INFORMATION TECHNOLOGY** - responsible for planning, designing, and implementing effective and efficient use of technology.

St. Lucie County

Fort Pierce, Florida USA

DIRECTOR, OFFICE OF MANAGEMENT & BUDGET OFFICE

OPERATING & CAPITAL BUDGET PREPARATION - Coordinated the County's Operating and Capital Budget and multi-year capital plan of \$505 million; utilized computer software (Microsoft Excel, Word, Gov Max, Sharepoint and Banner). Monitored the annual budget.

PERFORMANCE MANAGEMENT-Coordinated the annual performance management process based on a balanced scorecard approach in all County departments; Process included developing organization strategic objectives and initiatives; Facilitating development of management/department scorecards, performance measures and initiatives; Providing ongoing training; Benchmark business processes with other Counties; Communicating performance results; utilizing software (Active StrategyOnline). TRIM (Truth In Millage) compliance to Florida Statutes.

Brevard County

Melbourne, Florida USA

ASSISTANT DIRECTOR, BUDGET OFFICE

CAPITAL BUDGET PREPARATION - Coordinated the County's Capital Budget and multi-year capital plan of \$251.8 million; utilized computer software (Microsoft Excel, Word, Sharepoint and SAP). Monitored the annual budget. **PERFORMANCE MANAGEMENT**-Coordinated the annual performance management process based on a balanced scorecard approach in all County departments; Process included developing organization strategic objectives and initiatives; Facilitating development of management/department scorecards, performance measures and initiatives; Providing ongoing training; Benchmark business processes with other Counties; Communicating performance results; utilizing software (Active StrategyOnline). **MANAGER'S INITIATIVES** - Coordinated research and planning, establishing a Property Assessed Clean Energy (PACE) Program. Drafted a Board resolution creating the Solar Energy Loan Fund (SELF). Assisted County Manager with pursuing municipal service partnerships with Patrick Airforce Base by participating in stakeholder meetings with base officials, consultants and other municipal partners. **TRIM MANAGEMENT** - Responsible for TRIM (Truth In Millage) compliance to Florida Statutes.

MGR. PERFORMANCE MANAGEMENT & CAPITAL PLANNING, BUDGET OFFICE

CAPITAL BUDGET PREPARATION - Coordinated the preparation of the County's Capital Budget and multi-year capital plan of \$251.8 million; utilized computer software (Microsoft Excel, Word, Sharepoint and SAP). Monitored the annual budget. **PERFORMANCE MANAGEMENT**-Assisted in the implementation of a performance management process based on a balanced scorecard approach in all County departments; utilized software (Active StrategyOnline). Aligned the organizations strategies, goals and objectives with actionable department performance indicators. Developed a manual and provided training to departments.

May 2017 –
Current

February 2015 –
May 2017

December 2012 –
February 2015

March 2010 –
December 2012

December 2008 -
March 2010

December 2007–
November 2008

October 2002–
December 2007

March 2000–
October 2002

November 1998
– March 2000

March 1997 –
November 1998

April 1990 –
February 1997

Sept. 2004 -
April 2005

December 2015 -
March 2016

January 2007 -
August 2009

June 2008-
June 2008

August 1983 -
May 1988

Page 2

BUSINESS SERVICES SECTION MANAGER. BREVARD COUNTY FIRE/RESCUE

BUDGET PREPARATION & ADMINISTRATION – Prepared and monitored the department's annual Operating Budget of \$76 million; utilized computer software (Microsoft Excel, Word, Sharepoint and SAP). **ACCOUNTING** – Managed the accounting function for the department. **PROCUREMENT** – Liaison to the Purchasing Office; Utilized SAP to assist in this area; and Prepare RFP documents.

Miami-Dade County

Miami, Florida USA

CAPITAL BUDGET COORDINATOR, WATER & SEWER DEPARTMENT

BUDGET PREPARATION & ADMINISTRATION – Prepared the department's annual Capital Budget and multi-year capital plan of \$4.8 billion; Utilized computer software (Microsoft Excel, Word, FAMIS and ABDS). Evaluated and determined the amount required for bond issuance; and monitored the annual budget on a monthly basis. Supervised a professional staff of 6 people.

MANAGER, PERSONNEL & ADMINISTRATION, GOVERNMENT INFO. CENTER.

BUDGET PREPARATION & ADMINISTRATION – Prepared and monitored the department's Operating Budget of \$ 5.5 million; utilized computer software (Microsoft Excel, Word, FAMIS and ABDS). **PERFORMANCE MANAGEMENT** -Developed the department's Business Plan including goals and performance measure; utilized software(Active StrategyOnline). **ACCOUNTING** – Managed the accounting function for the department. **PROCUREMENT** – Liaison between the department and the Office of Procurement Management **PERSONNEL** – Processed personnel matters for 60 employees. Supervised a staff of 20 people.

CHIEF, BCC ADMINISTRATIVE DIVISION, BUILDING CODE COMPLIANCE.

BUDGET PREPARATION & ADMINISTRATION – Prepared and monitored the department's annual Budget of \$10 million; utilized computer software (Microsoft Excel, Word, FAMIS). **PERFORMANCE MANAGEMENT** -Developed the department's Business Plan to include annual goals and performance measures. **ACCOUNTING** – Managed the accounting function for the department. **PROCUREMENT** – Liaison to the Office of Procurement Management; **PERSONNEL** – Processed all personnel related matters for 60 employees. Supervised a staff of 15 people.

BUDGET ANALYST, OFFICE OF BUDGET & MANAGEMENT. BUDGET

PREPARATION – Assisted in preparing the annual Operating Budget; Assisted in preparing the Capital Budget; Utilized computer software (Microsoft Excel, Word, FAMIS). **BUDGET ADMINISTRATION** – developed fiscal impacts for Commission documents; Monitored and analyzed performance against adopted budget.

ASSOCIATE AUDITOR, AUDIT MANAGEMENT SERVICES. SPECIAL ASSIGNMENTS

Executed assigned tasks as part of the approved audit program; Analyzed evidential data in support of audit objectives, conclusions and findings; Prepared work papers documenting the results of audit; Utilized computer software (Microsoft Access, Excel, and Word).

Milwaukee Metropolitan Sewerage District (MMSD)

Milwaukee, Wisconsin USA

SENIOR BUDGET ANALYST. BUDGET PREPARATION

- Prepared, with the assistance of staff, the annual O&M Budget of \$67 million; Assisted in preparation of the District's Capital Budget; Utilized computer software to improve quality of existing budgetary procedures.

ASSOCIATE AUDITOR. Assisted in the planning & performance of user charge audit of municipal wholesale customers; Conducted all audits in accordance with the MMSD Cost Recovery Procedures Manual. Assisted in performing construction audits of claimed costs incurred on modifications in accordance with Circular A-21; Assisted in performing audits of construction contractor's field site and/or home office overhead.

EDUCATION

Six Sigma Green Belt Training

Certificate of Attendance

Florida Benchmark Consortium

Nova Southeastern University

Davie, Florida USA

M.S Degree – Public Administration

Six Sigma Yellow Belt Training

Certificate of Attendance

Active Strategy Inc.

National Forum of Black Public Administrator's Executive Leadership Institute - Attended seven major Graduate Schools of Public Administration as part of this program.

Tuskegee University

Tuskegee, Alabama USA

B.S. Degree - Accounting



Office of The

MAR 14 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Michael Spencer Jaffe
Home Address: 987 Mina Ave NE
City: Palm Bay
Telephone Number: 3213135771 Zip Code: 32907
Email Address: mjaffe@thejaffegroupfl.com Fax Number: NA

EMPLOYMENT

Employer: Christopher Alan Homes Occupation: Home Builder
Address: 5240 Babcock St NE.
City: Palm Bay State: FL Zip Code: 32907
Telephone Number: 2392885905 Fax Number:
Email Address:
Job Responsibilities: Director of Operations

EDUCATION

High School Name: Melbourne Central Catholic HS
Location: Melbourne Years Completed: 4 Major/Degree: HS Diploma
College Business or Trade School: Florida Gulf Coast University
Location: Estero Years Completed: 4 Major/Degree: Resort and Hospital
Professional School:
Location: Years Completed: 1 Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

All Aluminum & Screening, LLC.

Title: Business Tax Receipt

Issue Date: 06/23/2022

Issuing Authority: City of West Melbourne

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action:

Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 9 Years 0 Months

How long have you been a resident of Brevard County? 30 Years 0 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Have you previously served on a City board(s)? ☒ Yes ☐ No

If yes, please list board(s):

Utilities Advisory Board

Are you currently serving on a board, authority, or commission for another governmental agency?

☒ Yes ☐ No *If yes, what board(s):* Brevard County Construction Advisory Committee

(Served in the past on the Ad Valorem Tax Abatement Council)

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☒ Yes ☐ No *If yes, what charge:* DUI Misdemeanor

Where: Brevard County

When: June 2003

Disposition was: ☐ Convicted ☐ Pled Guilty ☒ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: First Vice President Home Builders and Contractors Association. Elected Board Member

of the Melbourne Chamber of Commerce, Board Member of Neighborup Brevard, Little League Coach

for Palm Bay East Little League. Security for Centerpoint Church. (Past Board Member of the EDC)

What are your hobbies / interests? My hobbies are serving my family and community. For fun I enjoy golfing fishing and spending time outdoors.

Why do you want to serve on City Council? I have the natural ability and learned experience to be a "do it right" individual. I am a motivated team player who is open minded with a strong desire to serve the City of Palm Bay. My business experience and relationships can help drive the right kind of economic development in the City. I am interested in improving public safety, traffic, and the overall quality of life for the residents and staff. I want to serve on City Council because I want to serve the people.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

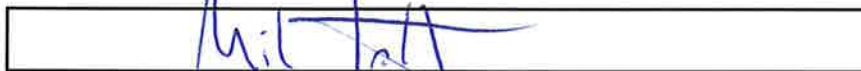
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/14/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Michael S. Jaffe, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☒ City Council Seat 4
☐ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date

3/14/2023

Signature of Candidate

[Signature]

Address:

987 Mine Ave NE

City:

Palm Bay

State:

FL

Zip Code:

32907



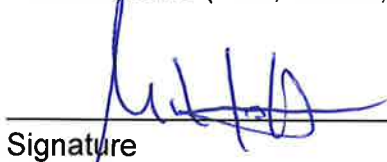
AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Michael Spencer Jaffe

Printed Name (First, Middle, Last)



Signature

3/14/2023

Date

*Payable by check, cash or money order



Office of The

MAR 27 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Sylvester H. Julien
Home Address: 1162 Buford Street, NW
City: Palm Bay, FL.
Telephone Number: 321-220-4100 Zip Code: 32907
Email Address: slyjul42@hotmail.com Fax Number: N/A

EMPLOYMENT

Employer: Retired Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name: Central High School
Location: St. Croix, Virgin Islands Years Completed: Major/Degree: GED
College Business or Trade School: College Of the Virgin Islands, St Croix
Location: St. Croix, Virgin Islands Years Completed: 3 Major/Degree: Police Science
Professional School: University of the Virgin Islands
Location: St. Croix, Virgin Islands Years Completed: 4 Major/Degree: Political Science
Other: Georgetown University Law Center
Location: Washington, DC Years Completed: 4 Major/Degree: Juris Doctorate

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Fishing, Gardening, Hunting, Shooting

Why do you want to serve on City Council?

I have over 35 yrs of legislative experience, from

working in the Virgin Islands Legislature to the U.S. House of Representatives. I have been a Deputy to the

Mayor for the City of Minneola for over two years. I live in Palm Bay, I can devote my time, effort, energy,

experience, knowledge and skills to better improve the way of life for the community as a whole.

I am committed, dedicated, sincere, honest, trustworthy.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/27/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, SYLVESTER H. JULIEN, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☒

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/27/23
Date


Signature of Candidate

Address: 1162 Buford Street, NW

City: Palm Bay State: Florida Zip Code: 32907




AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

SYLVESTER H. JULIEN
Printed Name (First, Middle, Last)

 3/27/23
Signature Date

*Payable by check, cash or money order





Office of The
MAR 24 2023
City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name:
Home Address:
City:
Telephone Number: Zip Code:
Email Address: Fax Number:

EMPLOYMENT

Employer: Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name:
Location: Years Completed: Major/Degree:
College Business or Trade School:
Location: Years Completed: Major/Degree:
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 11 Years 9 Months

How long have you been a resident of Brevard County? 13 Years 4 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Planning and Zoning , Community Development Advisory Board , Sustainability Board

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Brevard Caribbean American Sports and Cultural Association - BCASCA

Space Coast Black Chamber of Commerce

What are your hobbies / interests?

Reading, Coin Collecting, Traveling, Gardening

Why do you want to serve on City Council?

I have a passion for public service. I am committed to

making a positive impact on our city, contributing to its growth and development by bringing fresh perspectives and

ideas that serve the best interest of our city and its residents. I am ready to be a voice for our community,

especially for our youth, our seniors and small business owners. I want to ensure that our public services are

efficient and effective therefore, I will prioritize policies that protect our environment, promote economic

development, improve infrastructure and enhance public safety making our city a wonderful place to thrive, work and play.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
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3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



March 24, 2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Khalilah "Kay" Maragh, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 24, 2023 
Date Signature of Candidate

Address: 2911 Firwood Ave SE

City: Palm Bay State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Khalilah "Kay" Maragh

Printed Name (First, Middle, Last)



Signature

March 24, 2023

Date

*Payable by check, cash or money order



Office of The

MAR 16 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Madsen Mileon
Home Address: 229 Cownie Ave SE
City: Palm Bay
Telephone Number: 321-216-5414 Zip Code: 3212165414
Email Address: mmileon79@gmail.com Fax Number: 321-674-8191

EMPLOYMENT

Employer: AUBREMA TRUCKING LLC Occupation: Manager
Address: 229 COWNIE AVE SE
City: PALM BAY State: FL Zip Code: 32909
Telephone Number: 321-216-5414 Fax Number:
Email Address: AUBREMATRUCKING@YAHOO.COM
Job Responsibilities: DISPATCH AND DRIVER

EDUCATION

High School Name: LYCEE ANTENOR FIRMIN
Location: HAITI Years Completed: 6 Major/Degree: General
College Business or Trade School: PICKENS TECH
Location: AURORA COLORADO Years Completed: 2 Major/Degree: Computer Tech & Network communication
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 19 Years Months

How long have you been a resident of Brevard County? 19 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☒ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? I enjoy spending time with my family, helping those around me succeed, and inspiring others to create an impact whether it be big or small.

Why do you want to serve on City Council?

The reason I want to serve on the city council is because

I have a desire to serve the residents of the city of Palm Bay, I have a vision of greater growth for the city,

As a business owner in the construction, Realstate, Trucking, Transportation, and land clearing sector,

I have avid interest in the area infrastructure as well as affordable senior/disabled housing development also

as a husband and a father, my goal is to bring the guidance of unity and togetherness to my local community.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/16/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Madsen Miler, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address. yes
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

03/16/2023
Date

[Signature]
Signature of Candidate

Address: 229 Cowrie Ave SE

City: Palm Bay

State: FL

Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Madsen Miley
Printed Name (First, Middle, Last)

[Signature] 03/16/2023
Signature Date

*Payable by check, cash or money order

MAR 7 - 2023

City Clerk

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: ALAN H MILES
Home Address: 301 LISA RD NE
City: PALM BAY FLORIDA
Telephone Number: C-321-693-9011 Zip Code: 32907
Email Address: Lnmiles@aol.com Fax Number:

EMPLOYMENT

Employer: Retired Occupation: OPTOMETRIST
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities: PATIENT CARE, PURCHASING, ACCOUNTING, BUSINESS LAW

EDUCATION

High School Name: CROSSLAND SR HIGH
Location: CAMP SPRINGS, MD Years Completed: 4 Major/Degree: DIPLOMA
College Business or Trade School: UNIVERSITY OF MARYLAND
Location: COLLEGE PARK, MD Years Completed: 4 Major/Degree: B.S.
Professional School: PENNA COLLEGE OF OPTOMETRY
Location: PHILADELPHIA, PA Years Completed: 4 Major/Degree: O.D.
Other:
Location: Years Completed: Major/Degree:

What are your hobbies / interests? AUTOMOBILES, HAVE AN ALL ELECTRIC
CAR AND SOLAR ROOF PANELS, PAST PRESIDENT MUSTANG CLUB,
BOATING, FISHING, DINING, CRAFT FAIRS, FLEA MARKETS

Why do you want to serve on City Council? TO HELP MAKE THE CITY A
BETTER MORE VIBRANT PLACE TO LIVE AND WORK, AS
A RECENT RETIREE, TO UTILIZE MY PAST 35 YEARS LIVING
IN PALM BAY (PORT MALABAR) FROM THE G.D.C. ERA TO THE
PRESENT AND BE ABLE TO GUIDE AND PLAN FOR THE FUTURE.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Alan H Miles

3-6-2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

Office of The
MAR 7 - 2023
City Clerk

MAR 7 - 2023

APPLICANT INFORMATION

City Clerk

Have you ever held a business tax receipt? ☒ Yes ☐ No If yes, please provide the following:

Title: ALAN H Miles OD PA

Issue Date: 2000 ? Issuing Authority: STATE OF FLORIDA

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years Months

How long have you been a resident of Brevard County? 35 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: (NEXT TO LOCHMAR ESTATES) OAK View ESTATES Home owners ASSN, President

Member Senior Center, CUCUVA DRIVE.

SPACE COAST MUSTANG ASSN, PAST President

City of Palm Bay, Florida

Office of The

MAR 7 - 2023

City Clerk

RESIDENCY OF CANDIDATE AFFIDAVIT

I, ALAN H MILES, a candidate for the Office of City Council (check one);

☐ Mayor

☐ City Council Seat 2

☐ City Council Seat 3

☐ City Council Seat 4

☒ City Council Seat 5

do hereby solemnly swear or affirm:

1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).

2) I am a registered voter of the City of Palm Bay, residing at a City address.

3) Have you ever been convicted of a felony? Yes ☐ No ☒

If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3-6-2023

Date

ALAN H MILES

Signature of Candidate

Address: 301 LISA RD NE

City: PALM BAY State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

HOWARD
ALAN H Miles

Printed Name (First, Middle, Last)

Alan Howard Miles *3-6-2023*

Signature Date

*Payable by check, cash or money order

BIOGRAPHY

March 20, 2023

Office of The

MAR 20 2023

City Clerk

My name is Alan Miles and I've been a resident of Palm Bay (Port Malabar) for over 35 years. Prior to that, I resided in the sister GDC community of Port St. Lucie, for a period of 5 additional years.

I would like to be the next member of the City Council by obtaining three of the four votes as put forth in the charter 3.062 (filling of vacancies).

I was born at the Pine Castle (McCoy) Air Force Base in Orlando where my father was stationed. We moved to the suburbs of Washington, DC near the Joint Base Andrews. I received my Bachelors Degree in Psychology from the University of Maryland. I then furthered my education in Philadelphia, earning my Doctor of Optometry degree before returning back to Florida in 1982. I am currently retired, ready and willing to serve the community and fellow council members.

My three children attended Lochmar Elementary school, a favorite of many Harris engineer families, and a top-rated school at the time. As president of the Oakview Estates Homeowner's organization, A501(C) (3) entity (adjacent to Lochmar Estates). I petitioned the county to release the deed for the land platted as a park in its possession, and had it transferred to the city, which is the park on Culver and Emerson across from the Senior Center. I also helped with the allocation and distribution of city street lights, locating them at intersections and areas of safety deemed as a priority for the city. Likewise, I was instrumental in getting sidewalks on Emerson Road and other important areas, such as school zones.

I participated in all the formal decisions and changes at Palm Bay Road and I-95, from two lanes, to four lanes, to six lanes including adding the over change ramps where there were none. I am familiar with GDC (General Development Corporation) and their transfer of the roads, rights to the water treatment plant and drainage easements to the city.

When Riverside National Bank of Ft. Pierce wanted to expand into Brevard County, I assisted them in location sites throughout the county.

I've built five houses in the last four decades and currently manage a property in SW Palm Bay, so I'm very familiar with both sides of the rental and affordable housing market equation.

I'm past president of the Space Coast Mustang Club. Currently, I own an all-electric Mach E that charges off my solar roof panels, so I could be helpful with the future hybrid, and electric vehicles, and charging stations currently being purchased by the city.

My oldest son has a small business restoring classic vehicles in NE Palm Bay, so I'm aware of small business issues and concerns

I was president of the Treasure Coast Optometric Association and provided free eye glasses and exams to the needy of Brevard County for many years. I am currently a member of the Senior Center off Culver.

I am a boater, fisherman, automobile enthusiast and used to golf until all of the local courses became defunct. I can easily converse with someone at the flea market as well as the yacht club.

Thank you for your considerations. Please contact me if you have any further questions 321-693-9011.

A handwritten signature in blue ink that reads "Alan H. Miles". The signature is fluid and cursive, with the first name "Alan" and last name "Miles" clearly legible, and a middle initial "H" in between.

Dr. Alan Miles

"MILES ABOVE THE REST"



Office of The

MAR 9 - 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Phil Moore
Home Address: 1460 Malibu Cir. NE unit 107
City: Palm Bay
Telephone Number: 3218021824 Zip Code: 32905
Email Address: philforPB@gmail.com Fax Number:

EMPLOYMENT

Employer: Philips Occupation: Medical Device Instructor
Address: remote
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities: teach a class to certify competency in a portable medical device

EDUCATION

High School Name: Chaminade-Madonna College Prep
Location: Hollywood, FL Years Completed: 4 Major/Degree: H.S. diploma
College Business or Trade School: Barry University
Location: Miami Shores Years Completed: 4 Major/Degree: B.S. sports med
Professional School: Ohio University
Location: Athens, OH Years Completed: 1 Major/Degree: M.S. phys ed
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 11 Years Months

How long have you been a resident of Brevard County? 27 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

RAB, Utilities, Charter Review Commission

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Sierra Club, Audubon Society, ACLU, NAACP, Mom's Demand Action

What are your hobbies / interests? photography, politics

Why do you want to serve on City Council? see attached

APPLICATION CERTIFICATION

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2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

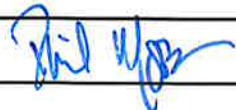
Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/06/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

I tender my application for your review and support for appointment to join you in the rank of office for Palm Bay city council.

My willingness to serve has not changed from my prior running for office.

Twenty seven years ago, I made Brevard County my home. I was drawn to the natural beauty and small-town feel. Brevard was then a great place to live, work, play and raise a family.

Over my 27 years here as a kayaker, cyclist and triathlete I have seen our waterways degrade. I used to swim in the Indian River Lagoon, but with the plastic pollution, algae blooms, and muck in our river now. I don't dare venture in the water anymore.

I've bicycled over tens of thousands miles of Brevard and Palm Bay and seen firsthand our aging infrastructure problem, which to the city's credit you all have made vast improvements.

I've worked with the Space Coast Transportation Planning Organization to help create safer roads, multimodal pathways and walkable communities. I understand the backlog of road maintenance projects on all levels—city, county and state; and will continue to coordinate efforts to build a safer Palm Bay. A strong infrastructure — transportation, utilities — is essential to our cities economic development and prosperity. I want to look to our future and work toward energy independence with our tax dollars through green energy projects that will support our utilities and emergency services.

In the city of Palm Bay I have served on the Utility Advisory and Recreational Advisory Boards. I have also proudly served on the Charter Review Commission to bring fiscal responsibility, as unpopular as it was to a minority, to any future special election.

Proven that I am not coerced by a small angry mob, but will do what is right for the city and citizens.

For Palm Bay to prosper, we need to support and grow our local businesses both large and small. When they prosper, there are more jobs, more opportunities for our residents to support themselves and their families. This can make all the difference for many of us who were hit hard by the economic downturn in 2006 and are still struggling through a recovery where wages have not kept up with housing costs.

More than ever we are seeing unprecedented government overreach from Tallahassee on local/small government and businesses. Year after year we see Legislation to limit

the authority of local government and micro manage to the detriment of the will of the citizens in specific communities. I will be a voice on the council who will stand up for Palm Bay and municipalities like it. To work with groups like the League of Cities to mitigate the damages that has been done by the Florida State Legislature with preemption laws in the environment, education, the economy, social and criminal justice and others.

Florida home prices has become untenable. Many families have to work two or more jobs to be able to pay either a rent or mortgage. The housing problem is not just supply and demand. It is in part the preemption laws from the State to a community to not be able to ensure housing is made available to all Floridians. The state also bears responsibility in the exponential increases in home insurance. Unfortunately, the solution isn't short-term and local government is bearing the responsibility of dealing with this problem that Tallahassee has created over decades of neglect. I will work to come up with creative ways to address the housing crisis for Palm Bay.

Palm Bay has had a history of selling off as much land as possible to increase the tax base. In that same time little to no action was taken on preservation or conservation of lands within city limits. I would bring my environmental advocacy for land preservation and conservation to the city of Palm Bay.

I understand that at the core of a well functioning city government is the employees, staff and workers. I will defend our city from attacks and accusations from other elected officials and stand up for what is in the best interest of the city of Palm Bay.

If chosen, I understand my fiduciary responsibility is to the city, to the rights of the taxpayers and to the Constitution of the United States. I will conduct myself with those interests in mind in my decision making.

It would be my honor to serve as an official of the city of Palm Bay and I appreciate your favored support.

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Phil Moore, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/6/23

Date


Signature of Candidate

Address: 1460 Malibu Cir. NE #107

City: Palm Bay State: FL Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Phil Moore

Printed Name (First, Middle, Last)


Signature

03/06/23

Date

*Payable by check, cash or money order



Office of The

MAR 7 - 2023

City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Terry M Muller
Home Address: 2796 Fiesta Ave Se
City: Palm Bay
Telephone Number: 407-279-2334 Zip Code: 32909
Email Address: terrymuller001@gmail.com Fax Number:

EMPLOYMENT

Employer: Team Green Energy Solutions Inc. Occupation: Bussiness Owner/ Contractor
Address: 6001 Babcock St Se
City: Palm Bay State: Fl Zip Code: 32909
Telephone Number: 321-361-1492 Fax Number:
Email Address: terry@teamgreenenergyfl.com
Job Responsibilities: Hire, Contract, read P&L, Fire, build policies, Motivate, be involved with the community

EDUCATION

High School Name: Thomas Jefferson
Location: Port Arthur Texas Years Completed: 12 Major/Degree:
College Business or Trade School: Still Well Tech School
Location: Port Arthur Years Completed: 2 Major/Degree:
Professional School: Houston Community College
Location: Houston Texas Years Completed: 2 Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Title: President

Issue Date: 10/01/2022 Issuing Authority: Brevard County Business Tax Receipt

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 10 Years 4 Months

How long have you been a resident of Brevard County? 10 Years 4 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Infrastructure Advisory and Oversight Board

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? Work, Family, Church

Love to Serve God, and People...Lov to Fish and be with Friends and Family

Why do you want to serve on City Council?

To help our community be a better and stronger City

I love Palm Bay and its people, if I can be used to bring more business to help contribute in a positive way

to its growth, and ideas that will help us in the future count me in.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

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4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

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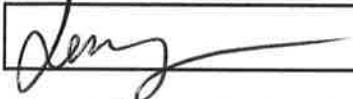
Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/7/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Terry M Muller, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/7/2023
Date

[Signature]
Signature of Candidate

Address: 2796 Fiesta Ave SE

City: Palm Bay

State: FL

Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Terry M Muller
Printed Name (First, Middle, Last)

[Signature] 3/7/2023
Signature Date

*Payable by check, cash or money order



APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name:
Home Address:
City:
Telephone Number: Zip Code:
Email Address: Fax Number:

EMPLOYMENT

Employer: Occupation:
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities:

EDUCATION

High School Name:
Location: Years Completed: Major/Degree:
College Business or Trade School:
Location: Years Completed: Major/Degree:
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

N/A

Title: N/A

Issue Date: N/A Issuing Authority: N/A

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A Disciplinary Date: N/A

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 10 Years 6 Months

How long have you been a resident of Brevard County? 12 Years 6 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?* N/A

Do you presently serve on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Planning & Zoning; Citizen's Budget Advisory; Recreation Advisory Board

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Sustainability Advisory Board; Charter Review Commission

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):* N/A

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:* N/A

Where: N/A When: N/A

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list: N/A

What are your hobbies / interests? Running; Hockey; Biking; Government; Civil Engineering;
Family; Woodwork; Cars; All mechanical things.

Why do you want to serve on City Council? Because, I love the city of Palm Bay. I feel it is my responsibility to share my abilities and experiences with my community. A strong sense of community around me through my youth allowed me to reach the places in life I have. I wish to pay it forward to our youth by ensuring that our city is a prosperous place to grow into productive, thriving participants in society. I am an advocate for the people and I would greatly appreciate the opportunity to influence the future state of Palm Bay

APPLICATION CERTIFICATION

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1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

R. Olszewski

3/7/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, RANDALL OLSZEWSKI, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/7/2023

Date

R. Olszewski

Signature of Candidate

Address: 348 BROOKEDGE ST NE

City: PAUM BAY State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

RANDALL E. OLSZEWSKI

Printed Name (First, Middle, Last)

R. Olszewski

Signature

3/7/2023

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Aaron Thomas Parr
Home Address: 1360 Keneb Ave NW
City: Palm Bay
Telephone Number: 321-474-1576 Zip Code: 32907
Email Address: parratc@gmail.com Fax Number:

EMPLOYMENT

Employer: BPS (Brevard Public Schools) Occupation: Teacher
Address: 2700 Judge Fran Jamieson Way
City: Viera State: FL Zip Code: 32940
Telephone Number: 321-633-1000 Fax Number:
Email Address:
Job Responsibilities: Teacher, Coach, ATC

EDUCATION

High School Name: West High School
Location: Knoxville, TN Years Completed: 4 Major/Degree: HS Diploma
College Business or Trade School: Carsen-Newman College
Location: Jefferson City, TN Years Completed: 4 Major/Degree: BS in Athletic Training
Professional School: Marshall University
Location: Huntington, WV Years Completed: 2 Major/Degree: MS in Athletic Admin.
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☒ Yes ☐ No If yes, please list board(s):

Citizens' Budget Advisory Board and Bayfront Community Redevelopment Agency

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Rotary Club of Palm Bay

What are your hobbies / interests?

Why do you want to serve on City Council?

To serve the community of

Palm Bay, I ran for this specific seat in 2018 and I am still here, ready to serve. The year has changed, but my desire to live and work and serve is still right here in Palm Bay.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flisenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/24/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Aaron Thomas Parr, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

3/24/2023
Date

[Signature]
Signature of Candidate

Address: 1360 Kandy Ave NW

City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Aaron Thomas Parr
Printed Name (First, Middle, Last)

[Signature] 3/24/2023
Signature Date

*Payable by check, cash or money order

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay 120 Malabar Road Palm Bay, FL 32907
Phone: 321-952-3414 www.palmbayflorida.org Fax: 321-953-8971

Full Name: Robert Rogulski
Home Address: 1571 La Maderia Dr SW
City: Palm Bay
Telephone Number: 321-728-2159 Zip Code: 32908
Email Address: rogulskipalmbay@gmail.com Fax Number:

Employer: Wright Flood Occupation: Development Manager
Address: 801 94th Ave N
City: St. Petersburg State: FL Zip Code: 33702
Telephone Number: 727-803-2040 Fax Number:
Email Address: rob.rogulski@weareflood.com
Job Responsibilities: Manage development of flood insurance software.

High School Name: Miramar High
Location: Miramar, FL Years Completed: 4 Major/Degree: All
College Business or Trade School: Florida Tech
Location: Melbourne, FL Years Completed: 4 Major/Degree: Computer Engineer
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 2

City of Palm Bay 120 West Palm Beach, Palm Bay, FL 32909
Phone: 321-935-5414 www.palmabayfla.gov Fax: 321-938-8911

Full Name:

Home Address:

City:

Telephone Number:

Zip Code:

Email Address:

Fax Number:

Employer:

Address:

City:

Telephone Number:

Zip Code:

Fax Number:

Email Address:

Job Responsibility:

High School Name:

Location:

Years Completed:

College Business or Trade School:

Location:

Years Completed:

Professional School:

Location:

Years Completed:

Other:

Location:

Years Completed:

Major Degree:

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 29 Years 6 Months

How long have you been a resident of Brevard County? 30 Years 6 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☒ Yes ☐ No *If yes, what charge:* Petty theft

Where: Melbourne, FL When: 1990

Disposition was: ☐ Convicted ☐ Pled Guilty ☒ Pled No Contest

Have your civil rights been restored? ☒ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Community coach @ Bayside High, Our Lady of Grace, former president Palm Bay Youth

Soccer

What are your hobbies / interests? Boating, Automotives, Golf

Why do you want to serve on City Council?

As a 30 year resident who raised 3 children in this

city, it seems imparitive that I get involved to leave a city that the next generation will want to call home. For many years have have had city council on the to do list and now that my children have grown, this item has made it to the top of the list. This city has many opportunities improvements and I have the desire to be a part of instigating those improvements.

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests.
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/20/23

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

Submit the application to:
 City of Palm Bay
 Office of the City Clerk
 150 Mahan Road, SE
 Palm Bay, Florida 32909

Signature _____

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

6. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

I acknowledge I understand Florida Statutes, Chapter 218
 Code of Ethics for Public Officials, Florida Statutes, Chapter 218 Part III

4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

3. I consent to giving the City Clerk or City Council:

2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the City Clerk.

1. This Application when received and filed with the Office of the City Clerk is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

| |
|---|
| of handling these responsibilities |
| made it to the top of the list. There is no more opportunity for appointments and I have decided to be a part |
| many residents have had difficulty and need to be child care now grown, but I am not |
| list it seems important that an involved in how many it is in the past years, when will want to all going to |
| Why do you want to serve on City Council? |
| and the past residents who listed children in this |
| Which are your hobbies? (Interests, Hobbies) |

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Robert Rogulski, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
- If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

03/20/23

Date


Signature of Candidate

Address: 1571 La Maderia Dr SW

City: Palm Bay

State: FL

Zip Code: 32908

02/23

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Robert Rodriguez, a candidate for the Office of City Council (check one)

- ☐ Mayor
☐ City Council Seat 1
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

1. I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 18, 2017).

2. I am a registered voter of the City of Palm Bay, working as a City Council member.

3. Have you ever been convicted of a felony? Yes ☐ No ☒
 If yes, have your civil rights been restored? Yes ☐ No ☒

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED WERE TRUE.

Dated: 03/07/17

Signature of Candidate

Address: 371 LaMantia Dr SW

City: Palm Bay

State: FL

Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Robert Joseph Rogulski

Printed Name (First, Middle, Last)

A handwritten signature in dark ink, appearing to be "R. Rogulski", written over a horizontal line.

Signature

03/20/23

Date

*Payable by check, cash or money order



AUTHORIZATION TO OBTAIN FOLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) on similar law enforcement/governmental agencies about the job purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill the vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may be hired, my nomination and that in such a case, no investigation will be done and the City Council will not consider my application to fill the vacant seat on the Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00).

Printed Name (Last, Middle, First)

Robert Joseph Rogness

Date

03/20/23

Signature

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Eileen Sepp
Home Address: 1230 Freil Road NE
City: Palm Bay
Telephone Number: (917) 975-8850 Zip Code: 32905
Email Address: esepp@msn.com Fax Number:

EMPLOYMENT

Employer: N/A Occupation: Retired
Address: N/A
City: N/A State: FL Zip Code: 32905
Telephone Number: N/A Fax Number:
Email Address:
Job Responsibilities: To make this world a better place and Palm Bay the best place to live, work and play.

EDUCATION

High School Name: Cardinal Spellman High School
Location: Bronx, NY 10466 Years Completed: 4 Major/Degree: Academic/Regents
College Business or Trade School: Herbert H. Lehman College (City University of New York)
Location: Bronx, NY 10468 Years Completed: 4 Major/Degree: Fine Arts/Phys. Ed.
Professional School:
Location: Years Completed: Major/Degree:
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Eileen Sepp, Technical Integration Solutions, LLC (Eileen Sepp TIS LLC) Tax ID: LO3000010314

Title: Manager

Issue Date: 09/23/2022

| | |
|--------------------|------------------------|
| Issuing Authority: | City of Palm Bay - BTR |
|--------------------|------------------------|

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 32 Years .1 Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s).*

| |
|--|
| |
|--|

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s).*

| |
|--|
| |
|--|

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

| |
|--|
| |
|--|

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest)

to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☒ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☒ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

What are your hobbies / interests? Volunteering, sustainable living, swimming, basketball, public speaking, pro-life, chastity education, ethics, compliance, honesty, Parliamentary procedure, technology, logistics, peace and fairness in negotiations, protecting the innocent, being a good and helpful neighbor.

Why do you want to serve on City Council? I believe that I would bring a wealth of experience to the City Council. I grew up in the construction business, drew up contracts and estimates as well as many approved blueprints. Held positions as CIO, CFO, and Director of Media/Technology. Worked for: Post Office, Merrill-Lynch, GE Business Development, PGA, AllMed, CureMD, GRI, Sherry-Netherland hotel, & a realtor. I left each better than when I found it by closing process gaps. I love Palm Bay & want to help make it better.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

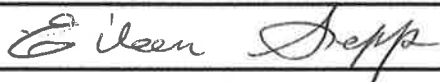
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/06/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Eileen Sepp, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 3, 2023

Date

Eileen Sepp
Signature of Candidate

Address: 1230 Freil Road NE

City: Palm Bay

State: FL

Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Eileen Mary Sepp

Printed Name (First, Middle, Last)


Signature

March 3, 2023
Date

*Payable by check, cash or money order



APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Mark Louis Stephens
Home Address: 1250 Bedrock Ave NE
City: Palm Bay
Telephone Number: 321-987-2962 Zip Code: 32907
Email Address: skramdad@yahoo.com Fax Number: —

EMPLOYMENT

Employer: — Occupation: Retired
Address: —
City: — State: — Zip Code: —
Telephone Number: — Fax Number: —
Email Address: —
Job Responsibilities: —

EDUCATION

High School Name: Melbourne High School
Location: Melbourne, Florida Years Completed: 3 Major/Degree: General
College Business or Trade School: Barry University
Location: Merritt Island, Florida Years Completed: 4 Major/Degree: BSIT
Professional School: —
Location: — Years Completed: — Major/Degree: —
Other: —
Location: — Years Completed: — Major/Degree: —

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No If yes, please provide the following:

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? My interests include Automobile racing
And Auctions, boating and offshore fishing and spending time with
family and friends

Why do you want to serve on City Council? I want to serve the people
of Palm Bay and make it a better place for business +
recreational activities. Palm Bay is a great place to live and
I would like to be a part of making it better.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Mark J. [Signature]

3/24/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Mark L. Stephens, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 29, 2023

Date

Mark L. Stephens

Signature of Candidate

Address: 1250 Bedrock Ave NE

City: Palm Bay

State: FL

Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Mark Louis Stephens

Printed Name (First, Middle, Last)


Signature

3/29/2023
Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: **MARVIN TADOR**
Home Address: **1326 WACKER AVE SE**
City: **PALM BAY**
Telephone Number: **202-961-8354** Zip Code: **32909**
Email Address: **marvintador@gmail.com** Fax Number:

EMPLOYMENT

Employer: **RELENTLESS LABS INC.** Occupation: **FOUNDER**
Address: **1326 WACKER AVE SE**
City: **PALM BAY** State: **FL** Zip Code: **32909**
Telephone Number: Fax Number:
Email Address:
Job Responsibilities: **DEVELOPMENT OF AGILE & INTELLIGENT E-GROCERY PLATFORM.**

EDUCATION

High School Name: **LIGHTHOUSE CHRISTIAN ACADEMY**
Location: **HOMESCHOOLED** Years Completed: **5** Major/Degree: **H.S. DIPLOMA**
College Business or Trade School: **UNIVERSITY OF SOUTH FLORIDA**
Location: **TAMPA, FL** Years Completed: **2** Major/Degree: **B.A.**
Professional School: **WASHBURN LAW SCHOOL**
Location: **TOPEKA, KS** Years Completed: **3** Major/Degree: **J.D.**
Other: **CHARLES UNIVERSITY**
Location: **PRAGUE, CZECH REPUBLIC** Years Completed: **18** Major/Degree: **LL.M.**
mas.

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 3 Years 10 Months

How long have you been a resident of Brevard County? 23 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☒ No

Are you a member or participant of any community organizations? ☐ Yes ☒ No

If yes, please list:

What are your hobbies / interests? ENJOY BEING WITH MY FAMILY, ENTREPRENEURSHIP,
READING; AND COMPETITIVE RUNNING

Why do you want to serve on City Council? A desire to live a purpose-driven
life; serve my community; and engage in fulfilling work. As
Palm Bay is my hometown; I believe that I may have some
input(s) that may be relevant to the city Council. It would be
an honor to serve on the City Council.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

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Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:

Marylin Lador

29 MAR 2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, MARVIN TADOR, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☒

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

29 MARCH 2023

Date

MARVIN TADOR
Signature of Candidate

Address: 1326 WACKER AVE SE

City: PALM BAY

State: FL

Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

MARVIN TADOR

Printed Name (First, Middle, Last)



Signature

29 MAR 2023

Date

*Payable by check, cash or money order

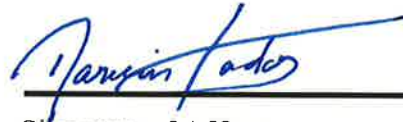
Supplementary Affidavit

I MARVIN TADOR am a qualified, registered voter and have been a resident of the Palm Bay, Florida for at least two (2) years immediately preceding the selection date (April 13, 2023).

Attached are 2 documents which demonstrate my residency in Palm Bay, Florida as depicted under U.S. case law, statutory rulings or germane IRS publications.

29 MARCH 2023

Date



Signature of Affiant



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
RELENTLESS LABS INC.

Filing Information

Document Number P20000028009
FEI/EIN Number 85-0690590
Date Filed 04/03/2020
Effective Date 04/03/2020
State FL
Status ACTIVE

Principal Address

1326 Wacker Ave SE
Palm Bay, FL 32909-5259

Changed: 05/01/2022

Mailing Address

1326 Wacker Ave SE
Palm Bay, FL 32909-5259

Changed: 05/01/2022

Registered Agent Name & Address

Menava
4551 Shirley Ave
Jacksonville, FL 32210

Name Changed: 03/21/2021

Address Changed: 03/21/2021

Officer/Director Detail

Name & Address

Title Chairman & CEO

TADOR, MARVIN
1326 WACKER AVE
PALM BAY, FL 32909

Annual Reports

| Report Year | Filed Date |
|-------------|------------|
| 2021 | 03/21/2021 |
| 2022 | 05/01/2022 |

Document Images

| | |
|---|--|
| 05/01/2022 -- ANNUAL REPORT | View image in PDF format |
| 03/21/2021 -- ANNUAL REPORT | View image in PDF format |
| 04/03/2020 -- Domestic Profit | View image in PDF format |



VOTER INFORMATION / Información del Votante
BREVARD COUNTY, FLORIDA

Voter Name and Address / Nombre y Dirección del Votante

MARVIN TADOR
1326 WACKER AVE SE
PALM BAY FL 32909

| <u>Date of Birth / Fecha de Nacimiento</u> | <u>Party / Partido</u> | <u>Precinct / Recinto</u> |
|---|-------------------------------|----------------------------------|
| 12/17/1986 | Republican | 322 |

Polling Place / Centro de Votación

Community of Christ
1901 Emerson Dr SE
Palm Bay, FL

Registration # / Inscripción Electoral #
100876828

Issue Date / Fecha de Emisión
06/15/2022

Registration Date / Fecha de Inscripción
05/26/2004

Voting Districts / Distritos de Votación

Congress / Congreso: 8

State Senate / Senado Estatal: 19

State House / Cámara de Representantes Estatal: 33

County Commission / Comisión del Condado: 3

School Board / Junta Escolar: 5

City/County / Ciudad/Condado: Palm Bay



Office of The
MAR 7 - 2023
City Clerk

APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Paul DREW Warren
Home Address: 1615 Gardenton Street NW
City: Palm Bay
Telephone Number: 4077829128 Zip Code: 32907
Email Address: pdrewwarren@gmail.com Fax Number: 321-577-0799

EMPLOYMENT

Employer: Community of Hope Occupation: Chief Executive Officer
Address: 4515 South Babcock St. NE
City: Palm Bay State: FL Zip Code: 32905
Telephone Number: 321-474-0966 Fax Number: 321-577-0799
Email Address: drew@hopeofbrevard.com
Job Responsibilities: Leading our efforts to provide affordable housing to families in need.

EDUCATION

High School Name: Melbourne High School
Location: Melbourne, Florida Years Completed: 4 Major/Degree:
College Business or Trade School: Stetson University
Location: Deland, Florida Years Completed: 4 Major/Degree: B.S. Psychology
Professional School: Florida Institute of Technology
Location: Melbourne, FL Years Completed: 3 Major/Degree: M.S. Psychology
Other:
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Not personally.

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 6 Years Months

How long have you been a resident of Brevard County? 53 Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

Have you previously served on a City board(s)? ☐ Yes ☒ No *If yes, please list board(s):*

I served on and chaired the City Education Advisory Board from 2001 to 2003

Are you currently serving on a board, authority, or commission for another governmental agency?

☒ Yes ☐ No *If yes, what board(s):* The Continuum of Care Board coordinating Homeless Services and

helping target HUD funding for these services in Brevard.

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Space Coast League of Cities Associate Member, Brevard Homeless Coalition Member,

Palm Bay Rotary Member and Officer, North Brevard Charities Coalition Officer, Member of Palm Bay

Chamber of Commerce.

What are your hobbies / interests? Outdoor family Adventures, Gym/Basketball, and Bike Riding.

I love family movie nights and am a voracious reader.

Why do you want to serve on City Council?

I am a practical problem solver. While I am a

registered republican, I hold some conservative views and am more liberal in other areas. In every professional

and personal role I have held, I have established collaboration and brought people together. I think I can

help do that in for Palm Bay. I know many involved in Brevard political issues in Palm Bay and beyond and

can use insights from these relationships to benefit the people of Palm Bay. I think I can make a difference.

APPLICATION CERTIFICATION

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Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



3/7/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Paul Drew Warren, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).

2) I am a registered voter of the City of Palm Bay, residing at a City address.

3) Have you ever been convicted of a felony? Yes ☐ No ☒

If 'yes', have your civil rights been restored? N/A Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

Date 3/7/2023 Signature of Candidate [Signature]

Address: 1615 Gardenton St. NW

City: Palm Bay State: FL Zip Code: 32907



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Paul DREW Warren
Printed Name (First, Middle, Last)

[Signature] 3/7/2023
Signature Date

*Payable by check, cash or money order

03/07/2023

City of Palm Bay Staff and Council
120 Malabar Road
Palm Bay, FL 32907

Dear Honorable Mayor Medina, Deputy Mayor Felix, Councilmen Johnson and Foster, and City Staff:

I know each of you already but as I apply to become a City Council Member, I would like to formally introduce myself. The way this seat became vacant is terrible for the former councilman, for the City Government, and for the citizens of the great city of Palm Bay. That has left you burdened with a great responsibility of replace that seat and I know this is not a responsibility you take lightly. It is also a great responsibility for whoever steps into that role. That person carries an extra weight of reestablishing the trust of the voters without having had the chance to campaign and let voters know who they are electing. With this in mind, I have prayerfully considered whether to proffer my application. I have consulted my family, my coworkers, my employer, and other community members who would be impacted by my decision. After much consideration I decided that I am being called to this position and that my personal experiences, professional background, and deeply held values make me the best candidate for this role at this time.

I grew up here in Brevard County and have seen Palm Bay and the rest of the County grow for the past 50 years. I graduated from Melbourne High School when Palm Bay High School, which is really in Melbourne, was the only High School in "Palm Bay." After going to Stetson University for my Bachelor's degree and earning my Master's Degree at Florida Institute of Technology. I bought my first house here in Palm Bay and served on the Education Advisory Board for the City. I lived and worked in Palm Bay for several years before taking a job in higher education administration out of the area. When the opportunity came to move back to the area, I settled again in Palm Bay where I bought another home and went to work for a non-profit organization, giving back to the City and its residents. In short, I have seen the growth of Palm Bay and have invested my time, talent, and treasure in the City.

Professionally, I have always been in a role of helping others to grow. I have done this as a mental health counselor working with children and families and as an educator who excelled in the classroom and academic administration, and assumed the leadership role as Campus President. In 2012 I started as a Board Member with Community of Hope after seeing too many of the adult students and children I served struggling with homelessness. When the role as the Director of this amazing organization opened up, I was honored to be given the chance to assume leadership. In my tenure with Community of Hope, we have expanded from serving a couple of dozen families per year in our transitional housing program to now serving over three hundred families a year in shelter, transitional, and permanent housing. We went from owning one housing unit in the City of Palm Bay to now owning 23 units in the city and are now the largest provider of housing related services to homeless families in Brevard County. This is not done in a vacuum or a silo but through connection. I serve on various boards, I help steer HUD funding and services for the County, serve as Palm Bay Rotary officer, am a member of the Palm Bay Area Chamber of Commerce, and am an Associate Member of the Space Coast League of Cities.

Now that you know a bit more about who I am, where I am from, and what I have done, you need to know why I do it and how that aligns with the needs of Palm Bay. First and foremost, I believe we all have a purpose and that our Creator puts us here to discern our purpose and grow closer to Him. Loving my family and my neighbor are a prerequisite to achieving this purpose. Finally, while I am a

registered Republican, I feel that politics is, more often than not, a way to divide people and hinders our ability to accomplish our purpose. In order to love our neighbor and make our community stronger, we have to put aside our labels of Republican or Democrat, Liberal or Conservative, or Red or Blue. Instead we have to implement practical solutions to the needs of our community and practicality does not fit neatly into a political box. If you let me be one of your team members, I will always work with you to best serve our community and resolve the practical issues that keep Palm Bay from becoming even GREATER.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Drew Warren', with a stylized, flowing script.

P. Drew Warren

P. Drew Warren, MS, BA

1615 Gardenton Street, Palm Bay, FL 32907

Phone: (407) 782-9128

email: pdrewwarren@gmail.com

Summary of Qualifications

- Strong understanding of local resources and systems in place for families in need
- Master's degree in psychology and over 15 years of mental health counseling experience
- Experience in acquisition, development, maintenance, and management of property for affordable housing
- Success in writing and attaining social service, education, and housing related grants
- Strong computer skills in Microsoft Office products, online platforms, and educational and healthcare databases
- Successful leadership in social service and education sectors
- Skilled in Strategic and Institutional Effectiveness Planning
- Documented history of increasing profitability in the post-secondary education sector
- Provided training to both healthcare and education professionals

Work History

Community of Hope, Melbourne, FL

Executive Director, May 2017 to Current

- Lead and supervise staff and volunteers
- Coordinate fundraising, public relations, and outreach efforts
- Development, acquisition and management of properties for affordable housing
- Maintain clean, safe, and attractive housing units
- Oversee the development and compliance with strategic plan
- Budgetary planning and P&L responsibility
- Oversee and participate in securing federal, state, local or private grant funding opportunities
- Coordinate and collaborate with other agencies and organizations in the community
- Work with clients to build upon strengths, overcome challenges, and achieve family stability

Kinderkonsulting and Parents Too, Cocoa, FL

Primary Clinician, February 2012 to 2022

- Providing effective and efficient mental health services to outpatient clients
- Coordinating services with other agencies and providers
- Maintaining organized and accurate documentation and meeting billing requirements

Geo Care/Montgomery County Mental Health Treatment Facility, Conroe, TX

Lead Recovery Plan Coordinator, January 2011 to February 2012

- Leading the treatment planning teams at an inpatient forensic psychiatric unit
- Training staff on electronic medical record system and treatment planning process
- Supervision of other plan coordinators
- Development of reports to track various hospital operational functions
- Development and tracking of behavioral motivation system for patients
- Conducting therapeutic groups including anger management, men's issues, and mock court

ATI Career Training Center, Albuquerque, NM

Director of Education, 2009 – 2010

- Hiring, supervision, training and leadership of all faculty and education staff
- Ensuring effective scheduling of classes
- Ensuring compliance with accreditation standards with zero findings in ACCSC visit

ITT-Technical Institute, Pinellas Park, FL

Dean of Education, 2008 – 2009

- Leadership and management of academic team with over 30 employees
- Work closely with other department managers to provide overall campus leadership
- Fifty percent reduction in attrition from 2008 to 2009
- Ensure compliance with academic and legal standards

Career Training Institute, Orlando Florida

Director, 2007 – 2008

- Operational and academic leadership of the campus
- Budgetary planning and full P&L responsibility
- Ensure compliance with accreditation standards and state and federal requirements
- Lead the management team and admissions department
- Counseling and discipline of students
- Hiring, supervision, and training of all staff

Herzing College, Winter Park, FL

Campus President, 2004 - 2007

- Lead management team, faculty, and staff of the college
- Provide leadership in establishing strategic plan, annual Institutional Effectiveness plans, assessment plans
- Budgetary planning and full P&L responsibility
- Ensure compliance with accreditation standards and state and federal requirements
- Attained 44% growth in average monthly revenues in less than 2 years
- Attained the highest profit margin in the 10 year history of the campus
- Lead the effort to attain regional accreditation for this campus
- Maintained the highest student satisfaction rate in the Herzing College system
- Spearheaded the development of a registered nursing program at the Winter Park campus and the Herzing System

Academic Dean, 2003 - 2004

- Supervise and train faculty members and educational staff
- Create and coordinate curriculum to ensure positive learning outcomes and maintain compliance with accreditation standards
- Schedule courses and hire/assign appropriate faculty for the courses taught
- Supervise student registration and maintenance of student records/academic database
- Provide academic counseling to students
- Coordinate with online division to ensure effective delivery of distance education courses
- Developed course scheduling method adopted by the Herzing College system in order to streamline course offerings and increase students per class

Summit Quest Charter Academy, Melbourne, FL

President, Principal, 2002 - 2003

- Obtained financing through grants
- Marketed and opened the school at full capacity (200 students)
- Developed policies and procedures
- Developed student information management database
- Planned and coordinated curriculum implementation

Keiser College, Melbourne, FL

Associate Dean and Instructor 1997 - 2002

- Supervised instructional staff in the Business and Allied Health Departments of the College
- Implemented, supervised off-site programs at 4 branches; supervised online education programs
- Conducted student orientation for online and campus based students
- Maintained records database
- Initiated the implementation of a Registered Nursing Program
- Taught psychology, strategies for success, and other related classes to undergraduate students; planned lessons; completed syllabi; grading
- Consistently among the top performing instructors on student satisfaction surveys

Devereux Outpatient Services, Rockledge, FL

Outpatient Therapist 1996 – 1998

- Counseled children, adolescents, and families
- Worked with psychiatrist and treatment team to provide effective medical intervention
- Consulted with school personnel to address effective educational and behavioral practices
- Consulted with Court System and Department of Children and Families on legal issues

Circles of Care, Melbourne, FL

Outpatient Therapist 1993 – 1996

- Counseled children and families in an outreach program based primarily an elementary school
- Evaluated and diagnosed specific mental health issues
- Supervised assistants based in the kindergarten classrooms
- Coordinated with school personnel and medical professionals

Children's Home Society, Melbourne, FL

Family Counselor 1991 – 1992

- Counseled with children and families
- Coordinated with state and court personnel to ensure positive outcomes for families

Circles of Care, Melbourne, FL

Mental Health Technician 1991 – 1993

- Provided direct care for patients on a crisis stabilization unit of a psychiatric hospital
- Ran groups and supervised activities with an acutely ill psychiatric population

Education

Florida Institute of Technology, Melbourne, FL

Master of Science, Psychology

Stetson University, Deland, FL

Bachelor of Arts: Major - Psychology, Minor - Sociology, concentration in education

~ Cum Laude; Presidential Award Merit Scholarship; Psi Chi, member; Theta Alpha Phi, member

Everglades College, Herzing College, Central Florida

Completed Bachelor/Masters level courses in business

Volunteer Experience

- 2021 to Present Associate Member of Space Coast League of Cities
- 2022 to Present Member of HUD Continuum of Care Advisory Board\
- 2022 to Present Board Member for North Brevard Charities Coalition
- 2021 to present Member/officer of Rotary Club of Palm Bay
- 2020 to Present Chair of Affordable Housing Committee
- 2020 to 2022 Chair of Homeless Services Provider Board
- 2019 to 2020: Brevard Homeless Coalition Vice Chair of Board of Directors
- 2017 to 2020: Brevard Homeless Coalition Provider Chair and Executive Board Member
- 2012 to 2017: Community of Hope Board of Directors Melbourne, FL
- 2008 to 2009: American Red Cross Orlando, FL
- 2001 – 2003: Chair of Educational Advisory Board Palm Bay, FL

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Nathan White
Home Address: 1301 Seabreeze Street Southwest
City: Palm Bay
Telephone Number: 321-325-5911 Zip Code: 32908
Email Address: nathan@votenathanwhite.com Fax Number: N/A

EMPLOYMENT

Employer: Wild Manta, LLC Occupation: Business Development Lead
Address: 1071 Port Malabar Blvd, Suite 109
City: Palm Bay State: FL Zip Code: 32905
Telephone Number: 321-270-0703 Fax Number: N/A
Email Address: nathan@wildmanta.com
Job Responsibilities: Develop/maintain relationships with current/potential clients. Community relations.

EDUCATION

High School Name: Allendale Academy
Location: 2655 Ulmerton Road, Suite 402 Years Completed: 12 Major/Degree: High School
College Business or Trade School: Eastern Florida State College
Location: 3865 N Wickham Road Years Completed: 1 Major/Degree: Political Science
Professional School: NA
Location: Years Completed: Major/Degree:
Other: NA
Location: Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 31 Years 9 Months

How long have you been a resident of Brevard County? 31 Years 9 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Citizens Budget Advisory Board, Vice Chair

Have you previously served on a City board(s)? ☒ Yes ☐ No *If yes, please list board(s):*

Citizens Budget Advisory Board, Member

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Greater Palm Bay Chamber of Commerce

American Conservation Coalition, Space Coast Chapter

What are your hobbies / interests? Biblical studies, serving in ministry in my church, singing, playing guitar, and seeing local theater productions.

Why do you want to serve on City Council?

I have lived in Palm Bay my entire life and my wife

and I plan to stay and raise our family here. We are deeply invested in the future of our community and believe

we have a responsibility to ensure its future is a bright one. Only 4 months ago 17,460 Palm Bay residents said

through their ballot that they trusted me to represent them on City Council, I want to serve on City Council

because I want to honor their voice, I want to serve them, as well as every family and individual in Palm Bay.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

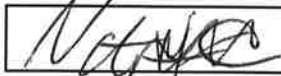
Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/09/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Nathan White, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
- 2) I am a registered voter of the City of Palm Bay, residing at a City address.
- 3) Have you ever been convicted of a felony? Yes ☐ No ☒
- If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

03/09/2023

Date



Signature of Candidate

Address: 1301 Seabreeze Street SW

City: Palm Bay

State: FL

Zip Code: 32908



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Nathan Timothy White

Printed Name (First, Middle, Last)

A handwritten signature in black ink, appearing to read "N. White", written over a horizontal line.

Signature

03/09/2023

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Amber Yantz
Home Address: 2614 Sabrina St Ne
City: Palm Bay
Telephone Number: 321-312-9131 Zip Code: 32905
Email Address: Standwithyantz@gmail.com Fax Number:

EMPLOYMENT

Employer: All Real Estate INC. Self Employed Occupation: Realtor
Address: 1980 N Atlantic Ave
City: Cocoa Beach State: FL Zip Code: 32931
Telephone Number: 321-799-4141 Fax Number:
Email Address: Standwithyantz@gmail.com
Job Responsibilities: Assist with home buying and selling.

EDUCATION

High School Name: Burlington High School
Location: Burlington Vermont Years Completed: ☐ Major/Degree: Diploma
College Business or Trade School: Community College of Vermont
Location: Vermont Years Completed: 2 Major/Degree: Didn't complete
Professional School:
Location: Years Completed: ☐ Major/Degree:
Other:
Location: Years Completed: ☐ Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☐ Yes ☒ No *If yes, please provide the following:*

Title:

Issue Date: Issuing Authority:

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A

Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* Years Months

How long have you been a resident of Brevard County? Years Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where: *When:*

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Space Coast Realtors Association - Space Coast LGBTQ Organizations -

What are your hobbies / interests? Gardening, crafting, and enjoying activities with my family

Why do you want to serve on City Council?

As a mother to five children I understand the importance of a budget.

want our community to grow and develop in the most effective ways as well as brining new perspectives to the board.

think it's also important that we get a woman on city council and I can help create a better more diverse board

APPLICATION CERTIFICATION

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3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



March 29th 2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Amber Yantz, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 29th 2023 
Date Signature of Candidate

Address: 2614 Sabrina St Ne

City: Palm Bay State: FL Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Amber Jean Yantz

Printed Name (First, Middle, Last)

Signature

03/29/23

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Anthony Yantz
Home Address: 2614 Sabrina St Ne
City: Palm Bay
Telephone Number: 321-312-9189 Zip Code: 32905
Email Address: Standwithyantz@gmail.com Fax Number:

EMPLOYMENT

Employer: All Real Estate INC. Self Employed Occupation: Realtor
Address: 1980 N Atlantic Ave
City: Cocoa Beach State: FL Zip Code: 32931
Telephone Number: 321-799-4141 Fax Number:
Email Address: Standwithyantz@gmail.com
Job Responsibilities: Assist with home buying and selling.

EDUCATION

High School Name: The Gailer School
Location: Shelburne Vermont Years Completed: ☐ Major/Degree: Diploma
College Business or Trade School: Johnson State College, Prescott College, Community College of VT
Location: Vermont, Arizona Years Completed: 5 Major/Degree: Didn't complete
Professional School: Licensed Nursing Assistant Tech Program
Location: Vermont Years Completed: ☐ Major/Degree: LNA Licensure
Other:
Location: Years Completed: ☐ Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No If yes, please provide the following:

Candidate for state house -

Title: Anthony Yantz Campaign

Issue Date: 2022 Issuing Authority: Sunbiz

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No If yes, how long? 7 Years Months

How long have you been a resident of Brevard County? 8 Years 10 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No If yes, what department?

Do you presently serve on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No If yes, what board(s):

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No If yes, what charge:

Where: When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: Space Coast Realtors Association - Space Coast LGBTQ Organizations -

What are your hobbies / interests? My interests are reading, writing, soccer, biking, having fun with family.

My interests are strengthening our community through common sense legislation and fair communications with

Constituents.

Why do you want to serve on City Council?

The city of Palm Bay needs leadership and direction. I am that leader

My reasoning skills along with my passion to further the diversity, equity, and inclusion of our city will create a strong Palm Bay.

I've been increasingly more dissatisfied with the attacks our legislators launch to our community without anger from our mayor.

I want to give the power back to the people of Palm Bay.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
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Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)

Florida Sunshine Law (Florida Statutes, Chapter 286)

<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



March 29th 2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Anthony Yantz, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023).
2) I am a registered voter of the City of Palm Bay, residing at a City address.
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☐

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

March 29th 2023 Anthony Yantz
Date Signature of Candidate

Address: 2614 Sabrina St Ne

City: Palm Bay State: FL Zip Code: 32905



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Anthony J yantz

Printed Name (First, Middle, Last)

Anthony J yantz

Signature

03.29-23

Date

*Payable by check, cash or money order

**APPLICATION FOR APPOINTMENT - CITY COUNCIL SEAT 5**

City of Palm Bay • 120 Malabar Road • Palm Bay, FL 32907
Phone: 321-952-3414 • www.palmbayflorida.org • Fax: 321-953-8971

Full Name: Janice Zynko
Home Address: 570 Sherman St SE
City: Palm Bay
Telephone Number: (321) 989- 7293 Zip Code: 32909
Email Address: palmbay1janicezynko@gmail.com Fax Number:

EMPLOYMENT

Employer: retired Occupation: Analyst/Manager
Address:
City: State: Zip Code:
Telephone Number: Fax Number:
Email Address:
Job Responsibilities: Interpreting statutes/regulations; drilling down to pertinent facts/figures; team building

EDUCATION

High School Name: Carteret High School - Carteret NJ / Miami Norland Sr High School
Location: Carteret NJ & Miami FL Years Completed: 4 Major/Degree: Business
College Business or Trade School: Gwinette Tech
Location: Lawrenceville GA Years Completed: 1 Major/Degree: Management
Professional School:
Location: Years Completed: Major/Degree:
Other: Numerous courses in ethics in government; management training; sustainability
Location: Florida; Georgia; Washington DC Years Completed: Major/Degree:

APPLICANT INFORMATION

Have you ever held a business tax receipt? ☒ Yes ☐ No *If yes, please provide the following:*

Budget Marketing Solutions, LLC

Title: Mgr

Issue Date: 08/21/2012

Issuing Authority: Indian Harbour Beach FL

If any disciplinary action has been taken, please state the type and date of the action taken:

Disciplinary Action: N/A

Disciplinary Date:

Are you a resident of the City? ☒ Yes ☐ No *If yes, how long?* 4 Years 0 Months

How long have you been a resident of Brevard County? 18 Years 0 Months

Are you a United States citizen? ☒ Yes ☐ No

Are you a registered voter of the City? ☒ Yes ☐ No

Are you employed by the City? ☐ Yes ☒ No *If yes, what department?*

Do you presently serve on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Have you previously served on a City board(s)? ☐ Yes ☒ No

If yes, please list board(s):

Are you currently serving on a board, authority, or commission for another governmental agency?

☐ Yes ☒ No *If yes, what board(s):*

Have you ever been convicted or pled guilty to a criminal charge or pled nolo contendere (no contest) to a criminal charge? ☐ Yes ☒ No *If yes, what charge:*

Where:

When:

Disposition was: ☐ Convicted ☐ Pled Guilty ☐ Pled No Contest

Have your civil rights been restored? ☐ Yes ☐ No

Are you a member or participant of any community organizations? ☒ Yes ☐ No

If yes, please list: FIT Lifelong Scholar; Brevard Zoo, Oyster Reef Restoration; Marine Resources Council;

Indian Harbour Beach Garden Club (Environmental Chairman 3 years), volunteer Zon Assisted Living

interactive programs; Greater Palm Bay Senior Ctr; UF/IFAS continuing education County Extension Service

What are your hobbies / interests? Environmental issues - Indian River Lagoon and the role local cities and individuals have on stormwater, septic/sewer systems, native vegetation to slow stormwater runoff; low impact development. Water Quality, Recycling, Florida Friendly Landscaping, and visiting the sick/elderly.

Why do you want to serve on City Council? As a retired civil servant with 36+ yrs experience I bring a fresh perspective to serve the city. Serving in a government agency with a diverse workforce built my character & taught me to empathize with people of differing cultures. We have a unique opportunity to unite the city & shake off a tainted reputation due to the actions of a few individuals. I will be proud to assist the city moving forward with the important work entailed in implementing Vision 2040 for us to live, work, & play.

APPLICATION CERTIFICATION

By filing this application with the City of Palm Bay and placing my signature below, I do hereby acknowledge the following:

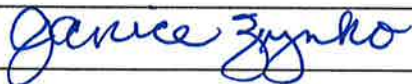
1. This Application, when completed and filed with the Office of the City Clerk, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and is open to public inspection.
2. I am responsible for keeping the information on this form current and that any changes or updates will be provided to the Office of the City Clerk.
3. I consent to filing the Statement of Financial Interests. <http://www.ethics.state.fl.us>
4. If appointed, I acknowledge that it is my obligation and duty to comply with the following:

Code of Ethics for Public Officials (Florida Statutes, Chapter 112, Part III)
Florida Sunshine Law (Florida Statutes, Chapter 286)
<http://www.flsenate.gov/Statutes>

5. I understand the responsibilities associated with being a council member, and will have adequate time to serve on City Council.

The information provided on this form is true and correct, and consent is hereby given to the City Council or its designated representative to verify any and/or all information provided.

Signature:



03/27/2023

Submit the application to:

City of Palm Bay
Office of the City Clerk
120 Malabar Road, SE
Palm Bay, Florida 32907

City of Palm Bay, Florida

RESIDENCY OF CANDIDATE AFFIDAVIT

I, Janice Zynko, a candidate for the Office of City Council (check one);

- ☐ Mayor
☐ City Council Seat 2
☐ City Council Seat 3
☐ City Council Seat 4
☒ City Council Seat 5

do hereby solemnly swear or affirm:

- 1) I have been a resident of the City of Palm Bay for at least two (2) years immediately preceding the selection date (April 13, 2023). 83
2) I am a registered voter of the City of Palm Bay, residing at a City address. 83
3) Have you ever been convicted of a felony? Yes ☐ No ☒
If 'yes', have your civil rights been restored? Yes ☐ No ☒ N/A

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IT ARE TRUE.

03/27/2023 Janice Zynko
Date Signature of Candidate

Address: 570 Sherman St SE
City: Palm Bay State: FL Zip Code: 32909



AUTHORIZATION TO OBTAIN FDLE BACKGROUND REPORT(S)

I hereby authorize the City of Palm Bay (the "City") to request and receive criminal history record information from the Florida Department of Law Enforcement (FDLE) or similar law enforcement/governmental agencies about me for purposes of City Council considering my application to be appointed to a current vacancy on the City Council, including but not limited to, for purposes of confirming my fitness for initial appointment to fill this vacancy, and any other use not prohibited by law. I acknowledge the criminal history report will be provided to City Council to aid in their decision making. I understand that I may withhold my permission and that in such a case, no investigation will be done, and the City Council will not consider my application to fill the vacant seat on City Council.

This Authorization is valid for current reports, and I specifically understand that the City intends for this Authorization to cover only my application for the current vacancy. I further understand that I am responsible for the costs associated with the criminal background check (\$24.00*).

Janice Zynko
Printed Name (First, Middle, Last)

Janice Zynko March 27, 2023
Signature Date

*Payable by check, cash or money order



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Terese Jones, City Clerk

DATE: 4/6/2023

RE: Acknowledgement of the temporary vacancy of City Council Seat 3 due to the illness of Councilman Randy Foster.

As you are aware, Councilman Foster has been absent from several meetings due to medical reasons.

Pursuant to Section 3.06(2) of the City Charter, "Absences created by illness, mental or physical disability, written suspension by court order, or other lawful written order or action shall not be considered absences for purposes of this subsection. However, the existence of an illness or mental or physical disability must be established by written medical evidence setting forth in detail the nature and cause of the illness or mental or physical disability and the prognosis thereof."

In addition, Section 50.57 of the Code of Ordinances states:

(A) When a temporary vacancy occurs in the office of councilmember as a result of an illness or mental or physical disability, such vacancy shall be filled in accordance with the following procedures:

- (1) The councilmember is required to notify the city council of such illness or disability pursuant to section 3.063 of the city charter. The determination of such illness or disability shall be made by an affirmative vote of at least three (3) councilmembers.
- (2) After the determination of such illness or disability by the city council, should the councilmember be absent from twelve (12) consecutive regular council meetings, the office shall be deemed vacated.

REQUESTING DEPARTMENT:

Legislative

FISCAL IMPACT:

None

RECOMMENDATION:

Motion to acknowledge the temporary vacancy of City Council Seat 3 due to the illness of Councilman Randy Foster.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Terese Jones, City Clerk

DATE: 4/6/2023

RE: Consideration of scheduling a workshop meeting for April 2023.

Staff is requesting to schedule the following workshop meeting:

- Republic Services update - Tuesday, April 25th, 6:00 P.M.

REQUESTING DEPARTMENT:

Legislative

FISCAL IMPACT:

None

RECOMMENDATION:

Request for scheduling the workshop meeting as recommended by staff.