



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)
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Mayor
WILLIAM CAPOTE
Deputy Mayor
BRIAN ANDERSON
Councilmembers
HARRY SANTIAGO, JR.
JEFF BAILEY
KENNY JOHNSON

AGENDA

REGULAR COUNCIL MEETING NO. 2019-03

THURSDAY

January 17, 2019 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Two (2) vacancies on the Community Development Advisory Board (represents 'for-profit provider' and 'actively engage in home building' positions).++
2. Two (2) terms expiring on the Planning and Zoning Board (represents 'at-large' positions).+
3. Two (2) terms expiring on the Code Enforcement Board (represents 'at-large' positions).+
4. Four (4) vacancies on the Youth Advisory Board (represents students in grades 9 to 12).+
5. Three (3) vacancies on the Youth Advisory Board (represents adults 30 years old or older).+
6. Four (4) vacancies on the Business Improvement District (must be located within the District) representing one (1) 'institution of higher education (college or university)'; one (1) 'bank or financial institution; and two (2) 'representing businesses located within the District (at least one (1) representing a small business with less than 50 employees)'.+

AGENDA REVISIONS:

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.

RECOGNITION:

1. Recognizing Sam Palacio for his heroic efforts in saving the life of Michael Dubois.

PRESENTATION:

1. Conroy Jacobs, Traffic Engineer/Planner – St. Johns Heritage Parkway – update.

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

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2019-01; January 3, 2019.

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

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

PUBLIC HEARINGS:

1. Ordinance No. 2019-01, vacating a portion of the rear public utility and drainage easement located within Lot 20, Block 185, Port Malabar Unit 7 (Case No. VE-7-2018, Diana Tual and Carl Bragg), final reading.
- ♣2. Ordinance No. 2019-02, granting approval of a final development plan to be known as 'Cypress Bay Preserve' on property located east of and adjacent to Babcock Street, in the vicinity north and south of the proposed St. Johns Heritage Parkway extension to Interstate 95 (182.23 acres)(Case No. FD-28-2018, Cypress Bay Farms, LLC), final reading.
- ♣3. Ordinance No. 2019-04, rezoning property located north of and adjacent to Commerce Park Drive, in the vicinity between Lipscomb Street and Robert J. Conlan Boulevard, from LI (Light Industrial and Warehousing District) to RM-20 (Multiple-Family Residential District) (23.63 acres)(Case No. CPZ-21-2018, Northshore Development), final reading.
4. Ordinance No. 2019-06, amending Ordinance No. 2018-62, naming streets surrounding the Fred Poppe Campground, final reading.
5. Ordinance No. 2019-07, dissolving the Community Development District known as "Chaparral CDD" (246.40 acres), first reading.
6. Ordinance No. 2019-08, establishing a Community Development District to be known as "Chaparral of Palm Bay CDD" (246.40 acres), first reading.
- ♣7. Request by Devlin Munion for a variance to allow an existing dumpster enclosure and parking area to encroach five-feet into the 10-foot front setback (2.00 acres)(Case No. V-27-2018).
8. Ordinance No. 2019-03, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Commerce Park Drive, in the vicinity between Lipscomb Street and Robert J. Conlan Boulevard, from Industrial Use to Multiple Family Residential Use (23.63 acres)(Case No. CP-21-2018, Northshore Development), final reading. **(RESCHEDULED TO RCM – TBD, PENDING STATE REVIEW)**

PROCUREMENT:

Miscellaneous:

- * 1. Flygt pumps, parts and warranty repairs – Utilities Department (Xylem Water Solutions USA, Inc. – estimated annual amount of \$150,000 (sole source)).

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Disaster Relief Committee.
2. Appointment of one (1) member to the Sustainability Board.

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS: (Ordinance is for first reading.)

1. Ordinance No. 2019-09, amending the Code of Ordinances, Chapter 119, Special Events, by revising provisions contained therein.
2. Consideration of City's co-sponsorship of the Bayside High School Court Kingz event. (Deputy Mayor Anderson)
- * 3. Consideration of the Local Agency Program Certification Qualification Tool for the Malabar Road Project Development and Environment (PD&E) Study, and the St. Johns Heritage Parkway Alternative Corridor Evaluation (ACE) Feasibility Study.
- * 4. Acknowledgement of the City's monthly financial reports for October and November 2018.
- * 5. Consideration of travel and training for specified City employees.
6. Discussion of performance evaluations for Charter Officers. (Councilman Bailey)

ADMINISTRATIVE AND LEGAL REPORTS:

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

ADJOURNMENT:

♣Quasi-judicial proceeding.

Councilmembers who are members of the Space Coast Transportation Planning Organization (TPO) may discuss TPO issues which may subsequently be addressed by the TPO.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the City Clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the Clerk no later than five (5) business days at the close of business, which is 5:00 p.m., before the hearing. (§ 59.03, Palm Bay Code of Ordinances).

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

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

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