



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. 2019-06

THURSDAY

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

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Three (3) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building' and 'essential services personnel' positions).++
2. Two (2) vacancies on the Business Improvement District (must be located within the District) representing one (1) 'institution of higher education (college or university)' and one (1) 'bank or financial institution'.++

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.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2019-05; February 21, 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.

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

PUBLIC HEARINGS:

1. 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.
- ♣2. 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.
3. Ordinance No. 2019-14, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Centerlane Road, in the vicinity west of Babcock Street, from County R1:2.5 Use to City Utilities Use (484.69 acres)(Case No. CP-1-2019, Construction Engineering Group, LLC and Florida Power and Light Company), first reading.
- ♣4. Ordinance No. 2019-15, rezoning property located north of and adjacent to Centerlane Road, in the vicinity west of Babcock Street, from GU (General Use District)(Brevard County) to GU (General Use Holding District) (484.69 acres)(Case No. CPZ-1-2019, Construction Engineering Group, LLC and Florida Power and Light Company), first reading.
5. Ordinance No. 2019-16, amending the Code of Ordinances, Chapter 185, Zoning Code, to permit event hall venues within the GC (General Commercial District) zoning by conditional use (Case No. T-5-2019, Raymond Fischer), first reading.

PROCUREMENT:

Contract:

- * 1. Neptune water meters and parts, purchasing authority – Utilities Department (Sunstate Meter and Supply, Inc. – up to \$450,000 (sole source)).

UNFINISHED AND OLD BUSINESS:

1. Appointment of two (2) 'at-large' members to the Planning and Zoning Board.
(RESUBMITTED FROM RCM – 02/21/19)

COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first reading.)

- * 1. Resolution No. 2019-07, amending Resolution No. 2019-02, by modifying the provisions related to the commencement period of the conditional use granted for a mining/excavation operation in GU (General Use Holding District) on property located west of and adjacent to Babcock Street, in the vicinity north of Centerlane Road (Case No. CU-1-2019, Babcock, LLC).

- * 2. Ordinance No. 2019-17, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Enterprise Zone Development Agency', by repealing the subchapter in its entirety.
- * 3. Ordinance No. 2019-18, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Municipal Charter School Authority', by repealing the subchapter in its entirety.
- * 4. Ordinance No. 2019-19, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'General Liability Risk Management Program', by modifying provisions related to the supervision of the Risk Management Program.
- * 5. Ordinance No. 2019-20, amending the Code of Ordinances, Chapter 64, Business Improvement District, by modifying provisions related to the governing body of the District. (Councilman Santiago)
- * 6. Ordinance No. 2019-21, amending the Fiscal Year 2018-2019 budget by appropriating and allocating certain monies (second budget amendment).
- * 7. Consideration of authorizing the use of unbudgeted Stormwater Utility Funds for the design and construction of certain Stormwater Utility projects.
- 8. Consideration of the Road Paving Program for Year 1 units, collectors and the use of in-house engineering. **(CONTINUED FROM RCM – 02/21/19)**
- * 9. Acknowledgement of the City's monthly financial report for January 2019.
- *10. Consideration of participation in Florida Power and Light Company's LED street light conversion plan.
- *11. Consideration of travel and training for specified City employees.

ADMINISTRATIVE AND LEGAL REPORTS:

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

ADJOURNMENT:

♣Quasi-judicial proceeding.

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

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

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

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

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.