



120 Malabar Road SE
Palm Bay, FL 32907
(321) 952-3400
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Mayor
ROB MEDINA
Deputy Mayor
DONNY FELIX
Councilmembers
KENNY JOHNSON
RANDY FOSTER
VACANT

AGENDA

Regular Council Meeting 2024-06
Thursday

March 21, 2024 – 6:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Four (4) vacancies on the Youth Advisory Board (represents 'student member' positions).++
2. Three (3) vacancies on the Youth Advisory Board (represents 'adult member' positions).++
3. Two (2) vacancies on the Disaster Relief Committee Executive Board.++

AGENDA REVISIONS:

PROCLAMATIONS AND RECOGNITIONS:

1. Proclamation: Mayor's Business Spotlight recipient – Amazing Glaze.

PRESENTATIONS:

1. Chris Evers, Pavement Technology, Inc. - Photocatalytic Rejuvenation, Environmental Protection Agency (EPA) Climate Pollution Reduction Grant (CPRG).
2. Claudia Miro, Director of Business Development and Government Affairs - Freebee Rideshare.

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.

APPROVAL OF 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 under the agenda heading Consideration of Items Removed from Consent Agenda.

1. Adoption of Minutes: Regular Council Meeting 2024-04; February 15, 2024.
2. Award of Bid: South pier replacement and repairs, Castaways Point Park – IFB 18-0-2024 – Parks and Facilities Department (Underwater Engineering Services, Inc. - \$146,165).
3. Award of Bid: Pier replacement and repairs, Goode Park – IFB 26-0-2024 – Parks and Facilities Department (Shoreline Marine Contractors, LLC - \$121,012).
4. Contract: Engineering and design services, bridge and roadway entrance to Fred Poppe Regional Park from St. Johns Heritage Parkway, Amendment 1 - Public Works Department (Kimley-Horn and Associates - \$21,155); and consideration of utilizing Parks Impact Fees (32907 and 32908 Nexus).
5. Contract: Sulfuric Acid, purchasing authority - Utilities Department (Sulfuric Acid Trading Company - \$150,000).
6. Contract: Conversion to submersible wet well, Lift Stations 12 and 13, final design and permitting - Task Order 24-04-IS – Utilities Department (Infrastructure Solution Services, \$129,200); and consideration of appropriating funds on the next scheduled Budget Amendment (\$53,200).
7. Contract: Malabar Road Water Main Extension Phase 2 design, permitting, land acquisition support and bidding services – Task Order 24-05-IS – Utilities Department (Infrastructure Solution Services - \$345,160).
8. Miscellaneous: 'Cooperative Purchase', sewer cleaner (Sourcewell Contract) - Utilities Department (Environmental Products Group - \$521,989).
9. Miscellaneous: 'Piggyback Purchase', Pavement Management (Preservation and Surfacing) Continuing Services (City of Gainesville contract) – Public Works Department (Asphalt Paving Systems - \$999,374).
10. Resolution 2024-08, supporting House Bill 3 (HB3), protecting children from online exploitation. (Councilman Johnson)
11. Resolution 2024-09, rescinding Resolution 2021-09, which authorized the closure of Osmosis Drive SE.

12. Resolution 2024-10, amending Resolution 2015-55, adopting the City of Palm Bay's Public Works Manual.
13. Ordinance 2024-12, amending the Code of Ordinances, Chapter 110, Business Taxes, Subchapter 'Business Taxes; Tax Receipts; Receipts', by including a zoning compliance requirement prior to the issuance of a Business Tax Receipt, first reading.
14. Ordinance 2024-13, amending the Code of Ordinances, Chapter 39, Community and Economic Development, by revising provisions contained therein, first reading.
15. Ordinance 2024-14, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Bayfront Community Redevelopment Agency', by repealing the subchapter in its entirety, first reading.
16. Consideration of the Bayfront Community Redevelopment Agency 2023 Annual Report.
17. Consideration of transferring all property owned by the Bayfront Community Redevelopment Agency to the City at the time of sunset (May 4th, 2024).
18. Consideration of accepting the 2023 Annual Reports from L3Harris Technologies Inc., Project LEO, Project SAMT, and Rogue Valley Microdevices, Inc. for the City's Ad Valorem Tax Abatement Program.
19. Consideration of an amendment to the American Rescue Plan Act (ARPA) Subrecipients Agreements.
20. Consideration of utilizing Undesignated Fund Balance to include the Social Media eXstream Plus Package to the Swag-IT/Granicus Contract (\$4,360).
21. Consideration of utilizing Undesignated Fund Balance to reimburse costs for the emergency replacement of the pool heater at the Palm Bay Aquatic Center (\$43,740).
22. Consideration of an agreement with Grace Bible Church of Palm Bay, Florida, Inc. relating to applicability of impact fees for construction of an additional building to the existing church.
23. Consideration of allocating Transportation Impact Fee funds for the construction of a span wire traffic signal at the intersection of St. Johns Heritage Parkway and Malabar Road.
24. Consideration of pursuing funding for photocatalytic rejuvenation through the East Center Florida Regional Planning Council's Environmental Protection Agency Climate Pollution Reduction Grant.
25. Consideration of appropriating funds for two (2) additional Line Locator Technicians within the Utilities Department (\$260,678).
26. Consideration of travel and training for specified City employees (Procurement Department).
27. Acknowledgment of the February 2024 GO Road Bond Paving report update.

PUBLIC HEARINGS:

1. Ordinance 2024-10, granting approval of a Final Development Plan for a proposed mixed-use development to be known as 'Palm Bay Pointe West' on property located west of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (84.75 acres) (Case FD23-00012, Kimaya, LLC), final reading. (Quasi-Judicial Proceeding)
2. Ordinance 2024-11, granting approval of a Final Development Plan for a proposed commercial subdivision to be known as 'Palm Bay Pointe East' on property located east of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (42.95 acres) (Case FD23-00010, Kimaya, LLC), final reading. (Quasi-Judicial Proceeding)
3. Ordinance 2024-15, vacating a portion of the rear public utility and drainage easement located within Lot 10, Block 2396, Port Malabar Unit 45 (Case VE-14-2023, Michael Lagratta Jr. and Gladys Hidalgo Lagratta), first reading.
4. Request by John and Colleen Pechulis for a variance to allow an existing shed to encroach 5.3 feet into the 10-foot rear setback for an accessory structure, as established by Section 185.118, Palm Bay Code of Ordinances (0.22 acres) (V23-00001). (Quasi-Judicial Proceeding)
5. Request by DRP FL 6, LLC, for final subdivision plat approval to allow for a proposed 114-lot residential subdivision to be known as 'Riverwood at Everlands Phase 2', which property is located east of and adjacent to St. Johns Heritage Parkway, in the vicinity north of Emerson Drive, in PUD (Planned Unit Development) zoning (33.42 acres) (Case FS23-00015). (Quasi-Judicial Proceeding)
6. Ordinance 2024-16, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'District Regulations', by removing restrictions on permitted uses within the Bayfront Community Redevelopment District (Case T24-00002, City of Palm Bay), first reading.
7. Consideration of the Program Year 2024 Annual Action Plan and recommendations of programs and activities to be funded by Community Development Block Grant (CDBG), first hearing.
8. Request by Kimaya, LLC, for preliminary subdivision approval of a proposed 14-lot commercial subdivision to be known as 'Palm Bay Pointe East', which property is located east of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (42.95 acres) (Case PS23-00009). (CONTINUED TO 05/01/24 P&Z AND 05/16/24 RCM)
9. Request by Kimaya, LLC, for preliminary subdivision approval of a mixed-use subdivision, consisting of 668 multiple-family residential units and 16 commercial parcels, to be known as 'Palm Bay Pointe West', which property is located west of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (84.75 acres) (Case PS23-00011). (CONTINUED TO 05/01/24 P&Z AND 05/16/24 RCM)

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:

UNFINISHED AND OLD BUSINESS:

1. Appointment of two (2) members to the Police and Firefighters' Pension Plan, Board of Trustees.

NEW BUSINESS:

1. Ordinance 2024-17, repealing Ordinance 2019-40, which granted an Economic Development Ad Valorem Tax Abatement to Midwest Dental Arts, Inc., 1490 Treeland Boulevard SE, first reading.

COMMITTEE AND COUNCIL REPORTS:

1. Committee/Council Reports

ADMINISTRATIVE AND LEGAL REPORTS:

PUBLIC COMMENTS/RESPONSES:

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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.