



Mayor
WILLIAM CAPOTE

Deputy Mayor
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Councilmembers
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AGENDA

REGULAR COUNCIL MEETING 2019-19

TUESDAY

August 13, 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 'employer within the City' 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'.++
3. One (1) vacancy on the Youth Advisory Board (represents an adult advisory member thirty (30) years and older).++
4. One (1) vacancy on the Recreation Advisory Board (represents at-large member).++
5. One (1) term expiring on the Melbourne-Tillman Water Control District (represents resident of the District).+

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.

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

RECOGNITION:

1. Ceremony to administer the oath of office to Chief of Police, Nelson Moya.

ADOPTION OF MINUTES:

- *1. Regular Council Meeting 2019-18; August 1, 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 three (3) minutes each.

PUBLIC HEARINGS:

1. Ordinance 2019-45, granting approval of a final development plan for a single-family residential development to be known as 'St. Johns Preserve' in PMU (Parkway Mixed Use District) zoning on property located west of and adjacent to the St. Johns Heritage Parkway, in the vicinity between Malabar Road and the Melbourne-Tillman Canal C-1 (193.00)(Case FD-16-2019, Forte Macaulay Development Consultants), final reading.
2. Ordinance 2019-46, vacating a portion of the rear public utility and drainage easement located within Lots 21 and 22, Block 854, Port Malabar Unit 17 (Case VE-4-2019, Laura Gullo), first reading.
3. Ordinance 2019-47, vacating a portion of the rear public utility and drainage easement located within Lot 8, Block 61, Port Malabar Unit 4 (Case VE-5-2019, Christine Stevens and Juan Delgado), first reading.
4. Ordinance 2019-48, vacating a portion of the rear public utility and drainage easement located within Lots 13 and 14, Block 806, Port Malabar Unit 16 (Case VE-6-2019, Christopher Carroll), first reading.
5. Resolution 2019-25, authorizing submission of the Community Development Block Grant – Disaster Relief (CDBG-DR) Voluntary Home Buyout grant application to the Florida Department of Economic Opportunity.

PROCUREMENTS:

Award of Bid:

1. Road bond paving, Unit 41/Eldron Boulevard – IFB 54-0-2019 – Public Works Department (VA Paving - \$3,145,839).

Miscellaneous:

- *1. Wind mitigation, Fire Station 5 – Fire Department (Brevard Constructors, Inc. - \$114,411 (sole source)).

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- *2. Vehicle purchase (Florida Sheriff's contract) – Utilities Department (Public Works Department (\$268,178 (multiple vendors)).

COMMITTEE AND COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first reading.)

- *1. Resolution 2019-26, adopting the Brevard County Comprehensive Emergency Management Plan.
- *2. Resolution 2019-27, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding the Project Development Environmental (PD&E) Study for the widening of Malabar Road from Minton Road to St. Johns Heritage Parkway.
- *3. Ordinance 2019-49, amending the Code of Ordinances, Chapter 55, Police and Firefighters Retirement Pension Plan, by amending provisions related to death and disability benefits.
- *4. Ordinance 2019-50, amending the Code of Ordinances, Chapter 64, Business Improvement District, Subchapter 'Creation of City of Palm Bay Business Improvement District', by modifying provisions related to the governing body (**Councilman Santiago**).
- *5. Consideration of utilizing Fire Impact Fees for wind mitigation and a motor gate at Fire Station 5 (\$124,411).
- *6. Consideration of certification of the non-ad valorem assessment roll for calendar year 2019 for:
 - a) USA 1 (PM Units 38 and 40);
 - b) PM Unit 31.
- *7. Consideration of travel and training for specified City employees.
- 8. Consideration of agreements with Odyssey Charter School, Inc.; Palm Bay Academy School; and Pineapple Cove Academy for the School Resource Officers Program.

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.

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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 (Section 286.0105, Florida Statutes). 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.

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.