



120 Malabar Road, SE - Palm Bay, FL 32907  
(321-952-3400)  
[www.palmbayflorida.org](http://www.palmbayflorida.org)

Mayor  
WILLIAM CAPOTE

Deputy Mayor  
KENNY JOHNSON

Councilmembers  
HARRY SANTIAGO, JR.  
JEFF BAILEY  
BRIAN ANDERSON

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# AGENDA

## REGULAR COUNCIL MEETING 2019-30

THURSDAY

December 5, 2019 - 7:00 P.M.  
City Hall Council Chambers

**CALL TO ORDER:**

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ANNOUNCEMENT(S):**

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. One (1) vacancy on the Business Improvement District (must be located within the District) representing 'institution of higher education (college or university)'.++
3. One (1) term expiring on the Bayfront Community Redevelopment Agency (represents 'at-large' position).+

**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.

**PROCLAMATION(S):**

1. World AIDS Day – December 1, 2019.
2. Family Christmas Extravaganza Day – December 21, 2019.

**ADOPTION OF MINUTES:**

- \*1. Regular Council Meeting 2019-29; November 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 three (3) minutes each.**

**PUBLIC HEARING(S):**

1. Ordinance 2019-66, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Dixie Highway, in the vicinity south of Port Malabar Boulevard, from Commercial Use to Bayfront Mixed Use (4.33 acres)(Case CP-13-2019, Palm Bay Partners Holdings, LLC), only one reading required.
- ♣2. Ordinance 2019-67, rezoning property located west of and adjacent to Dixie Highway, in the vicinity south of Port Malabar Boulevard, from HC (Highway Commercial District) to BMU (Bayfront Mixed Use District) (4.33 acres)(Case CPZ-13-2019, Palm Bay Partners Holdings, LLC), first reading.
3. Ordinance 2019-68, amending the Code of Ordinances, Chapter 178, Signs, by providing additional provisions related to temporary signs, bench signs and signs in residential zoning districts (Case T-27-2019, City of Palm Bay), first reading.
- ♣4. Resolution 2019-48, granting a conditional use to allow a self-storage facility in CC (Community Commercial District) zoning on property located south of and adjacent to Malabar Road, in the vicinity east of Cassia Avenue (4.90 acres)(Case CU-26-2019, Ansl & Sons, LLC).
- ♣5. Request by Joan Johnson for a variance to allow a replacement carport and Florida room to encroach two feet into the 10-foot side corner setback (0.11 acres)(Case V-22-2019).

**PROCUREMENT(S):**

**Award of Bid(s):**

- \*1. Deep injection well acidization, North Regional Water Treatment Plant – IFB 02-0-2020 – Utilities Department (All Webbs Enterprises Inc. - \$120,950).

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**Award of Proposal(s):**

- \*1. Brokerage services – RFP 56-0-2019 – Community and Economic Development Department (Redevelopment Management Association, LLC).

**Miscellaneous:**

- \*1. Neptune water meters and parts – Utilities Department (Sunstate Meter and Supply – \$480,000 (sole source)).

**COUNCIL REPORTS:**

**NEW BUSINESS:**

- \*1. Resolution No. 2019-49, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding design services for sidewalks and surrounding crosswalks for Christa McAuliffe Elementary School as part of the Safe-Routes-To-School program.
- \*2. Resolution No. 2019-50, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding design services for sidewalks and surrounding crosswalks for Columbia Elementary School as part of the Safe-Routes-To-School program.
- \*3. Resolution No. 2019-51, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding design services for sidewalks and surrounding crosswalks for Discovery Elementary School as part of the Safe-Routes-To-School program.
- \*4. Resolution No. 2019-52, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding design services for sidewalks and surrounding crosswalks for Jupiter Elementary School as part of the Safe-Routes-To-School program.
- \*5. Resolution No. 2019-53, authorizing the execution of a Local Agency Program Agreement with the Florida Department of Transportation regarding design services for sidewalks and surrounding crosswalks for Port Malabar Elementary School as part of the Safe-Routes-To-School program.
- \*6. Resolution 2019-54, authorizing the submission of an application for financial assistance as it relates to the State Revolving Fund Program.
- 7. Consideration of utilizing City funds for the land acquisition and ditch construction of a stormwater outfall from Northshore Development, LLC and the surrounding area.

- \*8. Consideration of expenditures from the City's State Housing Initiatives Partnership (SHIP) Program for Down Payment Assistance (\$60,000) and Single Family Rehab (\$275,058).
- \*9. Consideration of utilizing General Fund Undesignated Fund Balance to fund repairs to the Palm Bay Aquatic Center.
- \*10. Consideration of request from The House Family Ministries for the City to co-sponsor its 10<sup>th</sup> Annual Christmas Extravaganza.
- \*11. Consideration of travel and training for specified City employees.
- 13. Consideration of State and Federal lobbyist services for the City.
- 12. Consideration of councilmembers attending the Joint Legislative Auditing Committee (JLAC) meeting regarding the City's operational audit in Tallahassee on December 12, 2019.

**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 (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**

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**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.**



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Terese M. Jones, City Clerk

**DATE:** December 5, 2019

**RE:** One (1) Term Expiring – Bayfront Community Redevelopment Agency

***SUMMARY:***

The term of James Ritter on the above board will expire on December 20, 2019.

***REQUESTING DEPARTMENT(S):***

Legislative Department

***FISCAL IMPACT:***

None.

***RECOMMENDATION:***

The vacancy needs to be announced and applications solicited at tonight's meeting. An appointment will be made at the regular Council meeting to be held on January 2, 2020.

/jcd