



Mayor  
WILLIAM CAPOTE

Deputy Mayor  
KENNY JOHNSON

Councilmembers  
HARRY SANTIAGO, JR.  
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# AGENDA



**HOLIDAY SEASON MERRIMENT**  
**6:30 P.M. – Heritage High School Show Choir**



## REGULAR COUNCIL MEETING 2019-31

THURSDAY

December 19, 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) term expiring on the Bayfront Community Redevelopment Agency (represents 'at-large' position).++
3. One (1) vacancy on the Planning and Zoning Board (represents at-large position).+

### AGENDA REVISION(S):

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

**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 2019-30; December 5, 2019.

**PUBLIC COMMENT(S)/RESPONSE(S): (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 2019-67, 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), final reading.
- 2. 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.  
**(CONTINUED FROM RCM – 12/05/19)**
- ♣3. Ordinance 2019-69, granting approval of a Final Development Plan for a proposed single-family residential Planned Unit Development (PUD) to be known as "The Courtyards at Waterstone" on property located south of and adjacent to Mara Loma Boulevard, in the vicinity west of Babcock Street (79.181 acres)(Case FD-19-2019, Waterstone Farms, LLC/Waterstone Holdings, LLC), first reading.
- 4. Ordinance 2019-70, vacating a portion of the rear public utility and drainage easement located within Lot 17, Block 2364, Port Malabar Unit 45 (Case VE-8-2019, Larry and Stephanie Mirador), first reading.
- 5. Consideration of the Comprehensive Development Agreement/Northshore Palm Bay Mixed-Use Development Agreement with Palm City Investments, F.H., LLC for Phase One of the Aqua mixed-use development project, first reading.

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**PROCUREMENT(S):**

**Award of Bid(s):**

- \*1. Elevated walkway rehabilitation, North Regional Water Treatment Plant – IFB 13-0-2020 – Utilities Department (L7 Construction, Inc. - \$377,000).

**Miscellaneous:**

- \*1. Nutrient removal facilities, North Regional Water Reclamation Facility, Amendment 3 (engineering services during solicitation process and construction) – TO 18-11 – Utilities Department (Wade Trim - \$154,034).

**Waive of Bid Process and Award:**

- \*1. Mobile belt filter press (BFP) services, dewatered biosolids, North Regional Wastewater Treatment Plant (emergency purchase) – Utilities Department (Synagro South, LLC - \$116,400, estimated).

**UNFINISHED AND OLD BUSINESS:**

- 1. Appointment of one (1) member to the Business Improvement District.

**COMMITTEE AND COUNCIL REPORT(S):**

**NEW BUSINESS: (Ordinance is for first reading)**

- 1. Ordinance 2019-71, amending the Code of Ordinances, by creating Chapter 203, “Mandatory Connection to Potable Water and Sewer Utilities”.
- 2. Request by Northshore Development, LLC for a Conditional Certificate of Occupancy for the leasing office/clubhouse and one residential apartment building.
- 3. Request by Northshore Development, LLC for Parks Impact Fee credits in exchange for donation of certain property to be developed as a public dog park as part of Phase One of the Aqua mixed-use development project.
- \*4. Consideration of an interlocal agreement with Brevard County for public safety answering points (PSAPs).
- \*5. Consideration of an agreement with CardKnox, NYM Services, LLC dba Fidelity Payment Services and their banking provider, First Data Merchant Services, for credit card merchant fees to be paid as a convenience fee directly from the cardholder.
- \*6. Consideration of utilizing Police Impact Fees for the purchase of a new unmarked police vehicle assigned to the Crime Suppression Unit (\$26,020).
- \*7. Consideration of travel and training for specified City employees.

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8. Consideration of appointment of 2020 Voting Delegate – Space Coast League of Cities/Outside Agency appointments.
9. Discussion concerning the use of City vehicle for the Mayor. (Councilman Santiago)

**ADMINISTRATIVE AND LEGAL REPORT(S):**

**PUBLIC COMMENT(S)/RESPONSE(S):** 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 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.**

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**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.**