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# AGENDA

## REGULAR COUNCIL MEETING 2020-01

THURSDAY

January 2, 2020 - 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).++
4. Three (3) terms expiring on the Youth Advisory Board (represents youth board members at-large positions).+
5. Three (3) terms expiring on the Youth Advisory Board (represents adult over 30 years of age positions).+

**AGENDA REVISION(S):**

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TELEVIEWED 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.**

**PRESENTATION(S):**

1. Honeywell Energy Services Group – energy savings performance contract review.

**ADOPTION OF MINUTES:**

- \*1. Regular Council Meeting 2019-31; December 19, 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 2019-43, 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 between Kingswood Drive and Robert J. Conlan Boulevard, from Industrial Use and Commercial Use to Bayfront Mixed Use (21.83 acres)(Case CP-10-2019, MLEF2-1, LLC), final reading.
- ♣2. Ordinance 2019-44, rezoning property located west of and adjacent to Dixie Highway, in the vicinity between Kingswood Drive and Robert J. Conlan Boulevard, from HC (Highway Commercial District) and HI (Heavy Industrial District) to BMU (Bayfront Mixed Use District) (21.83 acres)(Case CPZ-10-2019, MLEF2-1, LLC), final 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), final reading.
- ♣4. 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), final reading.

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5. 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), final reading.
6. 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, final hearing.
7. Ordinance 2020-01, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Gran Avenue, in the vicinity east of Dixie Highway, from Single-Family Residential Use to Multiple-Family Residential Use (0.08 acres)(Case CP-14-2019, Steven Ciancio), only one reading required.
- ♣8. Ordinance 2020-02, rezoning property located north of and adjacent to Gran Avenue, in the vicinity east of Dixie Highway, from RS-3 (Single-Family Residential District) to RM-20 (Multiple-Family Residential District) (0.08 acres)(Case CPZ-14-2019, Steven Ciancio), first reading.
- ♣9. Ordinance 2020-03, granting approval of a Final Development Plan for a planned unit development (PUD) to allow a proposed single-family residential development to be known as "Palm Vista Everlands" on property located at the southeast corner of St. Johns Heritage Parkway and Pace Drive (50.4 acres)(Case FD-28-2019, Lennar Homes, Inc./Pace Drive Holdings, LLC), first reading.
- ♣10. Ordinance 2020-04, granting approval of a Final Development Plan for the proposed parking and playfield expansion of Odyssey Charter School on property located at the southeast corner of Eldron Boulevard and Raleigh Road (13.27 acres)(Case FD-30-2019, Odyssey Charter School, Inc.), first reading.
- ♣11. Ordinance 2020-05, rezoning property located north of and adjacent to Tishman Road, in the vicinity north of San Filippo Drive, from RS-2 (Single-Family Residential District) to IU (Institutional Use District) (1.26 acres) (Case Z-29-2019, M. David Moallem), first reading.

## **PROCUREMENT(S):**

### **Award of Bid(s):**

- \*1. Culvert pipe replacement, Unit 18 – IFB 08-0-2020 – Public Works Department (Timothy Rose Contracting - \$150,127).

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**Miscellaneous:**

- \*1. Culvert pipe replacement, Unit 42, Phase III – Change Order 3 – Public Works Department (Ferreira Construction, Southern Division – \$12,208).

**COUNCIL REPORT(S):**

**NEW BUSINESS: (Ordinances are for first reading.)**

- \*1. Resolution 2020-01, recognizing the importance of the 2020 Census and supporting participation in helping to ensure a complete, fair and accurate count.
- \*2. Resolution 2020-02, amending Resolution 2019-34, adopting rates, charges, and fees, for Fiscal Year 2019-2020, pursuant to the Code of Ordinances, Title XVII, Land Development Code.
- \*3. Ordinance 2020-06, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions' by modifying provisions contained therein.
- \*4. Ordinance 2020-07, amending the Code of Ordinances, Chapter 118, Liens Levied Against Private Property, by modifying provisions related to the collection of liens.
- \*5. Ordinance 2020-08, amending the Fiscal Year 2019-2020 budget by appropriating and allocating certain monies (first budget amendment).
- \*6. Consideration of utilizing Fiscal Year 2019/2020 budget funds to lease/purchase eighteen (18) pursuit vehicles in lieu of the twenty-three (23) vehicles identified during the budget process.
- \*7. Consideration of transferring funds from Building Division Undesignated Fund Balance to contracted services of the Operating Budget to process permits, conduct inspections and plan review (\$299,102).
- \*8. Consideration of acceptance of the Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2018-2019.
- \*9. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended September 30, 2019.
- \*10. Acknowledgement of the City's monthly financial report for September 2019.
- \*11. Acknowledgement of the City's monthly financial report for October 2019.
- 12. Consideration of councilmembers attending the Florida League of Cities Legislative Action Days in Tallahassee, Florida, from February 11-12, 2020.
- 13. Consideration of Council appointment to Economic Development Commission of Florida's Space Coast

**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 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.**

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