



Mayor
WILLIAM CAPOTE

Deputy Mayor
KENNY JOHNSON

Councilmembers
HARRY SANTIAGO, JR.
JEFF BAILEY
BRIAN ANDERSON

120 Malabar Road, SE - Palm Bay, FL 32907
(321-952-3400)
www.palmbayflorida.org

AGENDA

SPECIAL COUNCIL MEETING 2020-18

THURSDAY

May 14, 2020 – 6:00 P.M.

City Hall Council Chambers

CALL TO ORDER:

ROLL CALL:

PUBLIC COMMENTS:

BUSINESS:

1. Resolution 2020-22, amending Resolution 2020-09, as amended, extending the State of Local Emergency as declared by Legislative Order D-2020-01.
2. Discussion of assistance to businesses and residents affected by COVID-19.
3. Resolution 2020-23, amending Resolution 2019-34, as amended, adopting rates, charges, and fees, for Fiscal Year 2019-2020, pursuant to the Code of Ordinances, Title XVII, Land Development Code. **(Councilman Bailey)**

ADJOURNMENT:

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, notice is hereby given that the City of Palm Bay shall hold the above public meeting on May 14, 2020, beginning at 6:00 P.M. and lasting until the meeting is complete. The meeting will be conducted via communications media technology (teleconference/video conference).

THIS VIRTUAL MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE

Public comments may be submitted via email at publiccomments@palmbayflorida.org. Members of the public may also call (321) 726-2740 to provide comments via a dedicated City of Palm Bay public comment voicemail. All comments submitted will be included as part of the public record for this virtual meeting and will be considered by the City Council prior to any action taken. Comments must be received at least twenty-four (24) hours prior to the meeting and shall have a time limit of three (3) minutes.

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.

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

RESOLUTION 2020-22

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 2020-09, AS AMENDED BY RESOLUTIONS 2020-10, 2020-11, 2020-13, 2020-15, 2020-16, 2020-17 AND 2020-18, BY EXTENDING THE STATE OF LOCAL EMERGENCY DECLARED BY LEGISLATIVE ORDER D-2020-01; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the past weeks, a severe acute respiratory illness known as Coronavirus Disease 2019 (COVID-19) has spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza with the elderly and persons with underlying medical issues particularly at risk, and

WHEREAS, Governor Ron Desantis declared that a state of emergency existed within the State of Florida and issued Executive Order 20-52 on March 9, 2020, and

WHEREAS, the state of emergency declared in Executive Order 20-52 was extended for sixty (60) days under Executive Order 20-114 on May 8, 2020, and

WHEREAS, Mayor Capote declared a State of Local Emergency and issued Legislative Order D-2020-01 on March 19, 2020, and

WHEREAS, City Council approved extensions to the State of Local Emergency via Resolutions 2020-09, 2020-10, 2020-11, 2020-13, 2020-15, 2020-16, 2020-17 and 2020-18, and

WHEREAS, the City's State of Local Emergency terminates at the end of a period of seven (7) days (May 15, 2020) unless prior to the end of the time frame, the City Council extends or terminates same by resolution, and

WHEREAS, the City Manager has certified that the emergency continues to exist.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The State of Local Emergency, declared by Legislative Order D-2020-01, is hereby extended by seven (7) days (May 22, 2020).

SECTION 2. All provisions contained within Legislative Order D-2020-01 shall remain in full force and effect.

SECTION 3. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2020.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Joan Junkala-Brown, Community & Economic Development

DATE: May 14, 2020

RE: Assistance to Businesses & Residents affected by COVID-19

SUMMARY:

On April 29, 2020, Governor DeSantis issued Executive Order (EO) 20-112 entitled Phase 1: Safe, Smart, Step-by-Step Plan for Florida's Recovery which limits the personal interactions of residents outside the home (avoiding congregating in groups greater than 10 and non-essential travel) and permits restaurant and food establishments licensed under Chapters 500 or 509, Florida Statutes, to resume on-premise consumption of food and beverage as well as permits in-store retail sales establishments to reopen so long appropriate social distancing measures are adopted and indoor occupancy is limited to no more than 25 percent occupancy of their building capacity. In addition, outdoor seating for restaurants is permissible with appropriate social distancing, maintaining a minimum of six-foot separation between tables and only seating parties of 10 or fewer.

Following the issuance of EO 20-112, City staff from various departments have considered several local waivers, flexibilities, and temporary relief programs relating to business resumption as well as housing and public services assistance for residents within the city limits of Palm Bay.

Outdoor Dining Guidelines

Starting May 4, 2020, the Growth Management Department released guidelines for Outdoor Dining in response to the EO 20-112. The City has historically not had formal outdoor dining regulations. In the past, requests for outdoor dining have been reviewed on an informal basis by Land Development Division staff. In order to expedite such requests and respond to COVID-19, staff has implemented guidelines for restaurants to provide outdoor dining. Restaurants will be required to submit layout and location of site (preferably on a survey) for informal plan review by Land Development staff. Restaurants will be required to maintain a six-foot separation between tables and meet certain provisions relating to hours of operation, canopies, tents, or awnings and maintaining fire safety (examples: access to entrances or exits, fire extinguishers, fire lanes, hydrants or sprinkler connection points), traffic safety (examples: blocking or impairing drive aisle or back-up areas, pedestrian or handicap access, etc.). Outdoor seating must be on a paved surface and seating capacity will be reviewed on a case-by-case basis.

Staff is proposing the following waivers and accommodations:

Temporary Waiver of Penalties on Delinquent Business Tax Receipts (BTR)

For small businesses employing 100 or fewer employees at each licensed location, penalties for BTRs not renewed by October 1, 2020 will be waived through December 31, 2020. Penalties will be applied to delinquent BTR renewals starting January 1, 2021.

Temporary Waiver of Building Permit Fees

Building permit fees for all projects, both residential and commercial, valued at \$50,000 or less will be waived from June 1 thru September 30, 2020, to encourage growth in the construction industry and for hurricane preparedness improvements.

Code Compliance Amnesty Program

Currently, the Code Compliance Division has over 400 code cases over the past 10 years with outstanding residential and commercial property liens. Code liens applied to properties are a result of unpaid code fines due to non-compliance, some of which have since become compliant. While compliant, some property owners are unable to pay code fines, which range from \$50 to \$300 per day; if unsatisfied the fines become a lien on a property. Such code cases could be addressed by an amnesty program. It should be noted that liens expire after 10 years unless refiled by the City and liens over 20 years expire by operation of law.

The City realizes that these liens are potentially a burden for property owners and should be given some relief in order to use the equity in their property to help sustain themselves during the COVID-19 pandemic. Staff recommends an Amnesty Program available starting June 1, 2020 thru December 31, 2020. Eligible property owners would need to formally request amnesty no later than December 31, 2020.

Only cases which are compliant and properties free of known criminal activity will be eligible. The goal of the amnesty program is compliance, not revenue generation; however, the program will seek to cover the City's administrative costs. Staff proposed flat fees be sought to cover the City's past expenses related to existing code fines and recommends payments between \$250 and \$1,500 depending on the age of the fines using the following schedule. For settlement amounts of \$500 or less, property owners would be required to make a single payment in-full within 90 days. Settlements of \$1,000 and \$1,500 would be eligible for a payment plan over a 12-month period. Payments not made according to these timelines would revert to the original lien amount.

Total Amount Owed	Number of Cases	Fine to be Paid	Eligible for 12-month payment plan
Less than \$250	2	Face Value	No
\$251 to \$2,000	240	\$250	No
\$2,001 to \$5,000	72	\$500	No

\$5,001 to \$10,000	45	\$1,000	Yes
Over \$10,001	106	\$1,500	Yes

Federal & State Community Assistance Funding

The City received official notification by the U.S. Department of Housing & Urban Development (HUD) dated April 2, 2020 of allocations through the CARES Act in the amount of \$458,099 in CDBG-CV (Community Development Block Grant – Coronavirus) funds and \$67,066 in HOPWA (Housing Opportunities for Person with Aids) funds. The City receives HOPWA funding as a pass-through entity; however, the program is administered through the Florida Department of Health. Staff is currently preparing the necessary amendments to the Fiscal Year 2020/Program Year 2019 Annual Action Plan to allocate CDBG-CV funding to eligible activities that prevent, prepare for, and respond to coronavirus as required by HUD. Staff is also preparing an amendment to the Citizen Participation Plan to include procedures for expedited public notice and other waivers related to CDBG-CV and approved by HUD. Both amendments are expected to come before City Council at the Regular Council Meeting scheduled for May 21, 2020. The City is still awaiting the release of the Federal Register, which will provide further guidance from HUD regarding specific programs and activities eligible under CDBG-CV, to include potential business assistance.

On April 15, 2020, City staff, at the recommendation of the Florida Housing Finance Corporation (FHFC), submitted a technical revision to the City's Local Housing Assistance Plan (LHAP) to amend the Disaster Strategy to allow the City to implement programs in response to COVID-19, to include rental assistance/eviction prevention, mortgage assistance/foreclosure prevention, and utility payment assistance. The technical revision was approved by FHFC. On April 29, 2020, the City was notified by FHFC of additional SHIP funds in the amount of \$61,092 to be used in accordance with the Disaster Strategy of the City's adopted LHAP 2017-2019. City staff is currently developing policies and program guidelines for such programs. While not requiring City Council approval, and update on these programs is expected to come before City Council at the Regular Council Meeting scheduled for May 21, 2020.

REQUESTING DEPARTMENTS:

Community & Economic Development; Growth Management; Finance

FISCAL IMPACT:

Delinquent Collections on penalties for delinquent BTRs have historically been \$8,009.22 (FY 20), \$6,282.11 (FY 19), and \$7,811.65 (FY 18). The City can expect a negative fiscal impact within this range.

The Building Division received approximately \$245,159.09 in building permit fees for projects valued at \$50,000 or less between the months of June 1 thru September 30, 2019. The City can

expect a negative fiscal impact within this range. The Building Division Enterprise Fund has a sufficient fund balance to absorb this impact.

The Code Compliance Amnesty Program is expected to generate between \$50,000 and \$150,000 in unrealized revenue to the General Fund, depending on the level of participation.

RECOMMENDATION:

Motion to acknowledge Outdoor Dining Guidelines and approve a temporary waiver to small businesses of penalties for delinquent Business Tax Receipts through December 31, 2020, a temporary waiver of building permit fees for projects valued at \$50,000 or less from June 1 thru September 30, 2020 and the Code Compliance Amnesty Program from June 1 thru December 31, 2020.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Laurence Bradley, Growth Management

DATE: May 14, 2020

RE: Building Re-inspection Fees Reduction

SUMMARY:

City staff is proposing modifications for City Council consideration to amend The Palm Bay Code of Ordinances, Chapter 170, Construction Codes and Regulations, Reinspection fees, per the request of Councilman Bailey. The current fee schedule for residential and commercial reinspection's is \$100.00 each occurrence. The commercial reinspection fee schedule includes a \$400 fee for a fourth reinspection. The current reinspection fee schedule was adopted September 18, 2018, during the FY19 Budget Hearing to include Land Development Fee schedule in Resolution 2018-45.

To promote a more developer and permitting friendly experience with constituents and contractors, staff is proposing the following reinspection fee tiers:

Type	First Reinspection	Second Reinspection	Third Reinspection	Fourth Reinspection
Residential	\$0	\$30	\$100	\$100
Commercial	\$0	\$30	\$100	\$100

For informational purposes a sample of other local agencies has been provided in the table below.

Agency	Type	First Reinspection	Second Reinspection	Third Reinspection	Fourth Reinspection
Palm Bay	Residential	\$100	\$100	\$100	\$100
	Commercial	\$100	\$100	\$100	\$400
Brevard County	-	\$75	\$75	\$75	-
Cocoa	-	\$0	\$100	\$100	\$100
Melbourne	-	\$25	\$50	\$100	-
Satellite Beach	-	\$30	\$30 + \$50	\$30 + \$100	\$30+ \$200
Titusville	-	\$105	\$105	\$105	-
West Melbourne	-	\$25	\$50	\$75	-

REQUESTING DEPARTMENTS:

Growth Management

FISCAL IMPACT:

A reduction in the Building Fund due for reinspection services. The Building Department provides monthly activity reports including permit and reinspection fees, the table below derives fiscal years 2017, 2018, 2019, and year to date of 2020.

Fee Type	2017	2018	2019	Oct- Mar 2020
Building Permit Fees	\$1,416,264.37	\$1,966,970.18	\$2,467,448.25	\$1,299,051.55
Building Reinspection Fees	\$16,100	\$89,370	\$271,550	\$134,325

RECOMMENDATION:

Motion to approve resolution to recue reinspection fees as proposed or as desired by City Council.

Attachment available upon request: FY19 9/18/18 Memo, August 20, 2009 Memo; and Resoluion No 2018-45

LEGISLATIVE MEMORANDUM



TO: Honorable Mayor and Members of the City Council

FROM: Lee R. Feldman, City Manager *Lee R. Feldman*

DATE: August 20, 2009

RE: Re-inspection Fees

Pursuant to the request of Council, the staff has proposed modification to the re-inspection fee for building projects. Four options are provided for the Council's consideration:

1. Maintain the current \$100.00 re-inspection fee for all permit types.
2. Return the re-inspection fee to \$25.00 for all permit types.
3. Adopt a tiered re-inspection fee based on permit type and frequency of re-inspection.
4. Other modifications as desired by Council.

As Council is aware, the re-inspection fee is designed for two primary purposes. First, the fee recoups a portion if not all of the costs incurred for making additional visits to a construction site beyond those required by the building permit. The costs for the standard inspections required by the Florida Building Code are covered by the permit fee itself. Second, re-inspection fees serve as a deterrent to shoddy workmanship or utilizing Building Division staff to prepare the punch list for the general contractor. If the fee is too low or not in place, the costs of the re-inspections are ultimately borne by all permit holders rather than only those requiring the additional work.

The staff is recommending Option #3 above, detailed on the attached page, since it appears to provide a more equitable distribution based on permit types and initial permit costs. The proposed fee lowers the re-inspection fee to \$15.00 for any permit costing less than \$50.00. The proposed fee for all residential re-inspections is set at \$25.00 for the first and second re-inspection and doubles to \$50.00 for each re-inspection after the first two. Commercial re-inspections for projects with a building permit fee of \$50.00 or above are proposed to start at \$50.00 and double after the second re-inspection.

Please be aware that the Building Construction Advisory Committee (BCAC) requested that the re-inspection fee be returned to \$25.00 while they consider other alternatives, such as the tiered system recommended by staff. If Council desires to obtain a recommendation from the BCAC, their next meeting is scheduled for September 14th. That would permit the fee to be modified through resolution during the final Budget Public Hearing in September. If Council desires to effect the desired change as soon as possible, a resolution can be placed on the September 3rd Council agenda and will take effect immediately upon adoption at that meeting.

FISCAL IMPACT:

Because this issue was pending, the proposed FY 10 budget includes projected revenue based on the \$25 re-inspection fee (Option 2). Based on about 5,000 permits annually (a variety including residential, commercial, electrical, plumbing, fences, remodeling, etc.), the current fee (\$100 – Option 1) would annually generate about \$4,000 more than budgeted. The annualized fiscal impact of the tiered approach (Option 3) is approximately \$2,000 - \$3,000 more than is currently budgeted.

RECOMMENDATION:

Motion to approve Option #3 and prepare the required resolution for consideration at the September 3, 2009 Council meeting.

DW/tjl

Attachment: 1) Re-inspection Fee Options

RE-INSPECTION FEE OPTIONS

OPTION #1

Maintain the current \$100.00 re-inspection fee.

OPTION #2

Modify the re-inspection fee to \$25.00.

OPTION #3

Permits under \$50.00 \$15.00

Residential Permits \$50.00 or more
 \$25.00 for the first two re-inspections
 \$50.00 for each re-inspection after the first two

Commercial Permits \$50.00 or more
 \$50.00 for the first two re-inspections
 \$100.00 for each re-inspection after the first two

OPTION #4

Other modifications as desired by Council.

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING NO. 2009-28

Held on Thursday, the 20th day of August 2009, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:05 P.M.

Pastor Jefferson Thomas, New Way Baptist Church, Palm Bay, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

MAYOR:	John J. Mazziotti	Present
DEPUTY MAYOR:	Milo Zonka	Present
COUNCILMEMBER:	Kristine Isnardi	Present
COUNCILMEMBER:	Michele Paccione	Present
COUNCILMEMBER:	William Capote	Present
CITY MANAGER:	Lee Feldman	Present
CITY ATTORNEY:	James Stokes	Present
CITY CLERK:	Alice Passmore	Present

CITY STAFF: Present were Sue Hann and Jon Lewis, Deputy City Managers.

ANNOUNCEMENTS:

Deputy Mayor Zonka announced the following vacancies and term expiring and solicited applications for same:

1. Two (2) vacancies on the Board of Adjustments and Appeals (represents 'architect' and 'fire safety' positions).
2. One (1) vacancy on the Bayfront Community Redevelopment Agency (represents 'at-large' position).
3. One (1) term expiring on the Melbourne-Tillman Water Control District Board (must be 'resident of the District').

RECOGNITION:

1. **Florida Green Building Coalition – Green Local Government designation.** Terry Janssen, member of the Board of Directors of the Florida Green Building Coalition, explained the purpose of the program and presented a certificate designating the City as a Florida Green Government.

Staff Recommendation: Authorize the City Manager to enter into final negotiations and execute contracts with applicable owners of property to be used for the South Parkway Interchange and the Parkway between Babcock Street and Micco Road, subject to review and approval of the City Attorney.

The item, considered under Consent Agenda, was approved as recommended by City staff.

*** 4. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended June 30, 2009.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

5. Consideration of councilmembers attending the National League of Cities emergency training program in Tampa, October 16-17, 2009.

There would be no councilmembers attending the program.

6. Consideration of including a City Business Restriction travel policy in the City's Administrative Code.

Mrs. Isnardi felt that the proposed policy should be shortened to state that any travel that was not contractual should be approved by Council. Deputy Mayor Zonka, Mrs. Paccione, and Mr. Capote favored the policy proposed by the City Manager, but asked that a report be submitted to Council on a quarterly basis.

Motion by Deputy Mayor Zonka, seconded by Mr. Capote to adopt the policy as written with quarterly reports submitted to Council. It was clarified that travel for the City Attorney's Office and City Clerk's Office would be approved by the respective individual and included in the quarterly report. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Zonka, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Capote, Yea.

7. Consideration of adjusting the City's re-inspection fee for building projects.

Mr. Feldman provided three (3) options for consideration by the City Council. Council selected Option No. 3 with a revision to permits under \$50.00 being charged \$25.00 for a re-inspection versus \$15.00.

Motion by Deputy Mayor Zonka, seconded by Mr. Capote, to approve Option No. 3 with the re-inspection fee for permits under \$50.00 revised to \$25.00. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Zonka, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Capote, Yea.

Mr. Feldman stated a resolution would be prepared for the regular Council meeting for September 3, 2009, to adopt the option.

8. Consideration of the City Council's role pertaining to the 501(c)(3) Corporation and Limited Liability Company as they relate to the Palm Bay Community Charter School.

Mr. Stokes stated the Council had never approved the structure for the existence of the 501(c)(3) or Limited Liability Company. He felt Council needed to approve the structure or restructure it. He expressed concern in regards to the depletion of the education dollars and the City, either through pressure or liability, being responsible for outstanding debts.

Mr. Stokes stated Academica had said it was agreeable to serving as the LLC. Council concurred to have Mr. Stokes contact Academica and verify same. He would also contact Greenberg Traurig in regards to any requirement of the LLC to be owned by the 501(c)(3) for tax purposes on the bonds.

Mr. Stokes would provide Council with an oral report.

9. Discussion on special assessment protocol (Zonka).

Deputy Mayor Zonka asked for Council's concurrence on how to proceed with special assessments for roads, street lights, etc. He asked if the section of the Code pertaining to special assessments was functional from the legal aspect based on subsequent court proceedings and applicable law.

The City Attorney would review the Code and report to Council prior to the next regular Council meeting.

ADMINISTRATIVE AND LEGAL REPORTS:

1. The City Attorney stated the Town of Malabar had filed a Complaint pertaining to the utility rates. The Complaint was to preserve the statute of limitations. The City would file a Motion to Stay litigation until the dispute resolution process was completed. Since it had been filed, an executive session could be held on same.

The City Attorney asked that executive sessions be scheduled for four cases: 1) Town of Malabar; 2) Wells Fargo; 3) National Advertising; and 4) Lamar Advertising. A meeting was scheduled for Tuesday, September 8th, at 6:30 P.M.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: Gregg Lynk, City Manager
DATE: September 18, 2018
RE: Budget Hearing

The City Council is required by Florida Statute to hold a public hearing on the final millage rate and the FY 2019 budget.

Staff will begin the meeting by reading a statement regarding the tax rate and providing a brief summary of the final budget.

Following the initial staff commentary, the public hearing should commence.

At the close of the public hearing, the Council will consider:

- Adoption of changes to fees, rates, and charges pursuant to the Code of Ordinances;
- Adoption of Classification and Pay Plans and the Position Control Plan;
- Adoption of the Five-Year Capital Improvement Plan;
- Adoption of the final millage rate;
- Second reading of Utility Rate Ordinances amending Chapters 200, 201 and 202 to codify the rate adjustments previously approved.
- Second reading of the Budget Adoption Ordinance.

RECOMMENDATION:

Motion to adopt departmental fee resolutions (6);

Motion to adopt resolution approving the Classification and Pay Plans and the Position Control Plan;

Motion to adopt resolution approving the Five-Year Capital Improvements Plan;

Motion to adopt resolution approving final millage rate;

Motion to approve the second reading of Utility Rate Ordinances (3); and

Motion to approve the second reading of ordinance adopting FY 18/19 Final Budget.

Attachments: 1) Resolutions (9)
2) Ordinances (3)

AC/ab

RESOLUTION NO. 2018-45

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, ADOPTING RATES, CHARGES, AND FEES, FOR FISCAL YEAR 2018-2019, PURSUANT TO THE CITY OF PALM BAY, CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE; RESCINDING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, provides for certain fees, rates, and charges to be established by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City Council of the City of Palm Bay hereby adopts fees, rates, and charges, for Fiscal Year 2018-2019, pursuant to the City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, which are, by reference, incorporated herein as Exhibit A.

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby superseded and rescinded.

SECTION 3. The provisions within this resolution shall take effect on October 1, 2018.

This resolution was duly enacted at Meeting No. 2018- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2018.

ATTEST:

William Capote, MAYOR

Terese M. Jones, CITY CLERK

Language, incorporated into Exhibit A, which is ~~stricken~~ through shall be deleted; underscored language shall be included. Deletions and additions constitute the proposed amendment. Language remaining is now in effect and shall remain unchanged.

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

FY 18

FY 19

GROWTH MANAGEMENT DEPARTMENT:

CoO, Chapter 170, Construction Codes and Regulations:

Building Permit Issuance	25.00	<u>30.00</u>
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Building ~~Inspection~~ Permit Fee (unless specifically listed below)

Value \$1,000 or less	25.00	<u>30.00</u>
Value \$1,001 to \$50,000 (first \$1,000)	25.00	<u>30.00</u>
Plus for every \$1,000 or fraction	6.00	6.00
Value \$50,001 to \$100,000 (first \$50,000)	319.00	319.00
Plus for every \$1,000 or fraction	5.00	5.00
Value \$100,001 to \$500,000 (first 100,000)	569.00	569.00
Plus for every \$1,000 or fraction	4.00	<u>5.00</u>
Value \$500,001 and up (first 500,000)	2,169.00	2,169.00
Plus for every \$1,000 or fraction	3.00	3.00
Building Inspection <u>Permit</u> Fee - Mobile Homes	250.00	250.00
Moving of a Building or Structure	150.00	150.00

Environmental Monitoring Fee 25.00

Demolition of Building or Structure (first 100,000 cubic feet)	125.00	125.00
Plus for every 10,000 c.f. or fraction	1.00	1.00

Plan Check Review Fees (1/2 inspection <u>building permit</u> fee)	50%	50%
Plus for For every revision <u>add</u>	50.00	50.00
<u>Residential</u>		<u>50.00</u>
<u>Commercial (per sheet)</u>		<u>40.00</u>

Building Inspection Fee

<u>Residential</u>	<u>100.00</u>
<u>Commercial</u>	<u>100.00</u>

Reinspection Fee (after failed inspection)

Residential Permits

First <u>Re</u> -inspection	25.00	<u>100.00</u>
Second re-inspection	50.00	
Third re-inspection and after	100.00	

Commercial Permits

First <u>Re</u> -inspection	50.00	<u>100.00</u>
Second re-inspection	75.00	
Third re-inspection and after	100.00	

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

	FY 18	FY 19
Roofing or Siding Repair - Single Family	50.00	<u>100.00</u>
New Roofing or Replacement Roofing or Siding - Single Family	100.00	<u>150.00</u>
Work Commenced without Permits (<u>Note: double all fees or 450.00 whichever is greater</u>)	-	<u>See Note</u>
Failure to Call for Final Inspection	75.00	75.00
Change of Contractor (each change)	40.00	40.00
Refund of Inspection Fees (if no inspections have occurred)	25.00	25.00
Subcontractor Fee (per subcontractor type)	40.00	40.00
After Hours Inspection (per hour, 2 hour minimum)	100.00	
Fire Inspection Fee (1/2 of Building Inspection Fee)	50%	50%
Fire Plan Review Fee (1/2 of Building Plan Review Fee)	50%	50%
<u>Fire Inspection Fee - Mobile Vending</u>		<u>90.00</u>
Emergency Light Inspection and Testing	50.00	50.00
Temporary CO request	100.00	
Permit and TCO -Extension	50.00	50.00
Master Plan per Model - Single Family	300.00	300.00
CoO, Chapter 174, Floodplain and Stormwater Management:		
Floodplain Permit Fee	60.00	60.00
Stormwater Review Fee (new or modified development, up to five (5) acres	650.00	650.00
Over 5 acres in Size (additional per acre)	15.00	15.00
4th to Final Review (per acre)	7.50	7.50

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

	FY 18	FY 19
Inspection Fee (1.5% of the value of the site improvement)(due prior to construction)	1.5% of the value	1.5% of the value
Re-inspection fee	50.00	50.00
Single Family Residential Construction Drainage Permit	40.00	40.00
Hold Harmless Processing (new construction)	15.00	15.00
Lot Line Improvements Permits		
Review	43.00	43.00
Final Inspection	83.00	83.00
CoO, Chapter 178, Signs:		
Billboard Permit Fee	3,500.00	3,500.00
Annual Billboard Sign Inspection Fee	250.00	250.00
Annual Billboard Sign Plan Check Fees	25.00	25.00
After Third Revision	75.00	75.00
Failure to Call for Final Inspection	75.00	75.00
Change of Contractor	15.00	15.00
Refunds if No Inspections (Fee)	50.00	50.00
Sign Permit	25.00	25.00
Sign Inspection Fees		
Value of Less Than \$1,001	25.00	
Value of \$1,001 or- Inspection Fee)		
Sign Plan Check Fees	15.00	
After Third Revision	50.00	
Failure to Call for Final Inspection	75.00	
Change of Contractor	15.00	
Refunds if No Inspections (Fee)	50.00	

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

	FY 18	FY 19
CoO, Chapter 179, Streets and Other Rights of Way:		
Creating or Vacating Easements or Drainage Rights of Way	182.00	182.00
Creating or Vacating Road Rights of Way	312.00	312.00
Driveway Permit		
Residential (construction in scattered lots subdivisions)	206.00	206.00
Residential (closed drainage (curb and gutter))	124.00	124.00
Commercial (all construction)	206.00	206.00
Revising Driveway or Temporary Driveways	75.00	75.00
Re-Inspections		
Open drainage (swale and pipe)	90.00	90.00
Closed drainage (curb and gutter)	57.00	57.00
Right of Way Use Permit	346.00	346.00
Single family residential irrigation permit	33.00	33.00
Water service connection permit		
No boring required	31.00	31.00
Boring required	140.00	140.00
Hold Harmless recording (irrigation/docks)	15.00	15.00
Each Street Cut	147.00	147.00
Projects under Section 179.096(E) (additional As-built fee (greater than or equal to 6" line installed)	264.00	264.00
Right of Way Restoration Inspection Public Works	20.00	20.00
Final Plat Review Surveyor (maximum 3 reviews per fee)	620.00	620.00
Off-site Directional Sign Permit		
Processing and Design Fee (Up to two signs on a multiple directional sign assembly)	50.00	50.00
Processing and Design Fee (Up to four signs (maximum allowed) on a multiple directional sign assembly. Valid for 5 years per ROW Use permit)	75.00	75.00

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

	FY 18	FY 19
Recreational and Cultural Sign		
Single Mounted Sign	150.00	150.00
Multiple Direction Sign	115.00	115.00
CoO, Chapter 180, Trees and Shrubbery Landscaping:		
Tree <u>Site Work</u> Permit		
Minimum Fee	20.00	
Maximum Fee (per acre <u>or fraction thereof</u>)	250.00	250.00
<u>Fee</u> Per Tree Removed	10.00	<u>20.00</u>
Tree <u>Mitigation</u> - Replacement Fee per Tree	300.00	<u>350.00</u>
CoO, Chapter 184, Subdivisions:		
Subdivisions		
<u>Pre-Application Conference</u>		<u>250.00</u>
Preliminary Plat Application	500.00	500.00
<u>Minor Subdivision Application Plan Review (Administrative)</u>		<u>800.00</u>
<u>Major Subdivision Application Plan Review (Administrative)</u>		<u>1,200.00</u>
Final Plat Application	800.00	800.00
Vacation of Plat Application	250.00	250.00
Final -Plat Review, <u>City</u> Surveyor	600.00	600.00
Inspection of Public Improvements (value)	0.5%	0.5%
CoO, Chapter 185, Zoning Code:		
Zoning/Rezoning Application	600.00	<u>650.00</u>
Variance Application	350.00	350.00
Conditional Use Application	600.00	<u>650.00</u>
Code Text Amendment Application	1,000.00	<u>1,500.00</u>
Off-Site Parking Site Plan Application	300.00	300.00
Development Agreement Review	600.00	
Preliminary Planned Unit Development <u>Plan</u> Application	750.00	<u>1,000.00</u>
Final Planned Unit Development <u>Plan</u> Application	1,500.00	1,500.00
Preliminary Planned Community Development Application	1,000.00	
Final Planned Community Development Application	1,500.00	

EXHIBIT 'A'

FY 2018-2019 Growth Management Department Fees Schedule

	FY 18	FY 19
Comprehensive Plan Amendment or Future Land Use		
Map Amendment Application		
Large Scale (ten (10) acres or more)	1,600.00	<u>2,000.00</u>
Small Scale (less than ten (10) acres)	1,000.00	<u>1,200.00</u>
Text Amendment	1,600.00	<u>2,000.00</u>
Voluntary Annexation Request	1,600.00	<u>2,000.00</u>
Site Plan Application		
3 acres or less	500.00	<u>850.00</u>
Greater than 3 acres	800.00	<u>1,000.00</u>
Revision to Approved Plan (RTAP)	200.00	<u>450.00</u>
Expedited Review	-	
Appeal of Administrative Decisions	200.00	<u>650.00</u>
Zoning Verification Letter	35.00	<u>50.00</u>

Chapter 190, Florida Statutes

Community Development Districts		
Initial Application	7,500.00	7,500.00
Amended Application	3,750.00	3,750.00

NOTES:

Impact Fees are set by Ordinance and are contained in the Palm Bay Code of Ordinances and updated on the website.

RESOLUTION 2020-23

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTIONS 2019-34, 2020-02 AND 2020-08, ADOPTING RATES, CHARGES, AND FEES, FOR FISCAL YEAR 2019-2020, PURSUANT TO THE CITY OF PALM BAY, CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE; RESCINDING RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, provides for certain fees, rates, and charges to be established by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. Resolution 2019-34, as amended by Resolutions 2020-02 and 2020-08, is hereby amended by including adjustments to the fees, rates, and charges, for Fiscal Year 2019-2020, pursuant to the City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, which are, by reference, incorporated herein as Exhibit A.

SECTION 2. All resolutions or part of resolutions in conflict herewith are hereby superseded and rescinded.

SECTION 3. The provisions within this resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2020.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

EXHIBIT 'A'

Fiscal Year 2019-2020 Growth Management Department Fees Schedule

CHAPTER 170: CONSTRUCTION CODES AND REGULATIONS

	FY 19	FY 20
Building Permit Issuance	30.00	30.00
Building Permit Fee (unless specifically listed below)		
Value \$1,000 or less	30.00	30.00
Value \$1,001 to \$50,000 (first \$1,000)	30.00	30.00
Plus for every \$1,000 or fraction	6.00	6.00
Value \$50,001 to \$100,000 (first \$50,000)	319.00	319.00
Plus for every \$1,000 or fraction	5.00	5.00
Value \$100,001 to \$500,000 (first 100,000)	569.00	569.00
Plus for every \$1,000 or fraction	5.00	5.00
Value \$500,001 and up (first 500,000)	2169.00	2169.00
Plus for every \$1,000 or fraction	3.00	3.00
Building Permit Fee - Mobile Homes	250.00	250.00
Moving of a Building or Structure	150.00	150.00
Environmental Monitoring Fee	25.00	25.00
Demolition of Building or Structure	125.00	125.00
Plan Check Review Fees (1/2 building permit fee)	50%	50%
For every revision add	50.00	50.00
Residential	50.00	50.00
Commercial (per sheet)	40.00	40.00
Building Inspection Fee		
Residential	100.00	100.00
Commercial	100.00	100.00
Reinspection Fee (after failed inspection)		
Residential Permits		
>>First<< Reinspection	100.00	100.00 >>0<<
>>Second Reinspection<<		>>30.00<<
>>Third Reinspection<<		>>100.00<<
>>Fourth Reinspection<<		>>100.00<<

City of Palm Bay, Florida
Resolution 2020-23

	FY 19	FY 20
Commercial Permits		
Reinspection	100.00	100.00
After 4 th failed inspection		400.00
>>First Reinspection<<	100.00	100.00 >>0<<
>>Second Reinspection<<		>>30.00<<
>>Third Reinspection<<		>>100.00<<
>>Fourth Reinspection<<		>>100.00<<
Roofing or Siding Repair - Single Family	100.00	100.00
New Roofing or Replacement Roofing or Siding - Single Family	150.00	150.00
Work Commenced without Permits (Note: double all fees or \$450.00 whichever is greater)	See Note	See Note
Non-Compliance Fine for Failure to Call for Final Inspection	75.00	75.00
Change of Contractor (each change)	40.00	40.00
City Construction and Demolition Surcharge		0.25%
Florida State Surcharge		2.5%
Refund of Permit Fees (if no inspections have occurred)	25.00	25.00
Subcontractor Fee (per subcontractor type)	40.00	40.00
Fire Permit Fee (1/2 of Building Permit Fee)	50%	50%
Fire Plan Review Fee (1/2 of Building Plan Review Fee)	50%	50%
Fire Inspection Fee - Mobile Vending	90.00	90.00
Fire Protection Systems		
Inspection of new sprinkler, standpipe, combination systems or any fire protection system for first 1,000 of contract value		15.00
Plus, for each additional \$1,000 or fraction thereof		5.00
Inspection of new fire pump installations		100.00
Underground Inspection		150.00

City of Palm Bay, Florida
Resolution 2020-23

	FY 19	FY 20
Underground Permit (if separated from sprinkler plan)		100.00
Inspection of repairs or alterations to existing fire pump installations		50.00
Plan-checking fees – new installation		200.00
Plan-checking fees – modification to existing systems		100.00
Fire Alarm Systems		
Inspection first \$1,000 of contracted value		15.00
Plus for each additional \$1,000 or fraction thereof		5.00
Automatic Extinguishing System inspection/functional test		75.00
Plan-Checking Fees-New Installation		200.00
Plan-Checking Fees-Modifications to existing systems		100.00
Automatic extinguishing system plan check and permit		75.00
After second revision, plan checking fee for each revision		50.00
Reinspection paid before next inspection		100.00
Emergency Light Inspection and Testing	50.00	50.00
Permit Extension	50.00	50.00
Master Plan per Model - Single Family	300.00	300.00
Return Check Charge (NSF, Stop Check)		
Minimum		25.00
Face value is more than \$50.00, but does not exceed \$300.00		30.00
Face value is more than \$300.00		40.00 or 5% whichever is greater

CHAPTER 174: FLOODPLAIN AND STORMWATER MANAGEMENT

	FY 19	FY 20
Floodplain Permit Fee	60.00	60.00
Stormwater Review Fee (new or modified development, up to 5 acres	650.00	650.00

City of Palm Bay, Florida
Resolution 2020-23

Over 5 acres in size (additional per acre)	15.00	15.00
4th to Final Review (per acre)	7.50	7.50
Inspection Fee (1.5% of the value of the site improvement)(due prior to construction)	1.5% of the value	1.5% of the value
Reinspection fee	50.00	50.00
Single Family Residential Construction Drainage Permit	40.00	40.00
Hold Harmless Processing (new construction)	15.00	15.00
Lot Line Improvements Permits		
Review	43.00	43.00
Final Inspection	83.00	83.00

CHAPTER 178: SIGNS

	FY 19	FY 20
Billboard Permit Fee	3500.00	3500.00
Annual Billboard Sign Inspection Fee	250.00	250.00
Annual Billboard Sign Plan Check Fees	25.00	25.00
After Third Revision	75.00	75.00
Failure to Call for Final Inspection	75.00	75.00
Change of Contractor	15.00	15.00
Refunds if No Inspections (Fee)	50.00	50.00
Sign Permit	25.00	25.00

CHAPTER 179: STREETS AND OTHER RIGHTS-OF-WAY

	FY 19	FY 20
Creating or Vacating Easements or Drainage Rights of Way	182.00	182.00
Creating or Vacating Road Rights of Way	312.00	312.00
Driveway Permit		
Residential (construction in scattered lot subdivisions)	206.00	206.00
Residential (closed drainage (curb and gutter))	124.00	124.00
Commercial (all construction)	206.00	206.00
Revising Driveway or Temporary Driveways	75.00	75.00
Reinspection		
Open drainage (swale and pipe)	90.00	90.00

City of Palm Bay, Florida
Resolution 2020-23

	FY 19	FY 20
Closed drainage (curb and gutter)	57.00	57.00
Right of Way Use Permit	346.00	346.00
Single family residential irrigation permit	33.00	33.00
Water service connection permit		
No boring required	31.00	31.00
Boring required	140.00	140.00
Hold Harmless recording (irrigation/docks)	15.00	15.00
Each Street Cut	147.00	147.00
Projects under Section 179.096(E) (additional)	264.00	264.00
As-built fee (greater than or equal to 6" line installed)		
Right of Way Restoration Inspection Public Works	20.00	20.00
Off-site Directional Sign Permit		
Processing and Design Fee	50.00	50.00
(Up to two signs on a multiple directional sign assembly)		
Processing and Design Fee	75.00	75.00
(Up to four signs (maximum allowed) on a multiple directional sign assembly. Valid for 5 years per ROW Use permit)		
Recreational and Cultural Sign		
Single Mounted Sign	150.00	150.00
Multiple Direction Sign	115.00	115.00

CHAPTER 180: TREES AND SHRUBBERY LANDSCAPING

	FY 19	FY 20
Site Work Permit		
Maximum Fee (per acre or fraction thereof)	250.00	250.00
Fee Per Tree Removed	20.00	20.00
Tree Mitigation - Replacement Fee per Tree	350.00	350.00

CHAPTER 184: SUBDIVISIONS

	FY 19	FY 20
Subdivisions		
Pre-Application Conference	250.00	250.00
(Subdivision, Site Plan, Development Plan)		
Preliminary Plat Application	500.00	500.00
Minor Subdivision Application Plan Review (Administrative)	800.00	800.00
Major Subdivision Application Plan Review (Administrative)	1200.00	1200.00
Final Subdivision Plat Application	800.00	800.00
Vacation of Plat Application	250.00	250.00
Plat Review, City Surveyor	600.00	620.00
Inspection of Public Improvements (value)	0.5%	0.5%

CHAPTER 185: ZONING CODE

	FY 19	FY 20
Zoning/Rezoning Application	650.00	650.00
Variance Application	350.00	350.00
Administrative Variance		50.00
Conditional Use Application	650.00	650.00
Code Text Amendment Application	1500.00	1500.00
Off-Site Parking Site Plan Application	300.00	300.00
Preliminary Development Plan Application	1000.00	1000.00
Final Development Plan Application	1500.00	1500.00
Comprehensive Plan Amendment or Future Land Use Map Amendment Application		
Large Scale (ten (10) acres or more)	2000.00	2000.00
Small Scale (less than ten (10) acres)	1200.00	1200.00
Text Amendment	2000.00	2000.00
Voluntary Annexation Request	2000.00	2000.00
Site Plan Application		
3 acres or less	850.00	850.00
Greater than 3 acres	1000.00	1000.00
Revision to Approved Plan (RTAP)	450.00	450.00
Appeal of Administrative Decisions	650.00	650.00
Zoning Verification Letter	50.00	50.00
Mobile Vending/Mobile Food Truck Permit		
Initial Application - One Location Fee/Year	250.00	250.00
Additional Locations – Fee/Year/Location	50.00	50.00

CHAPTER 190: FLORIDA STATUTES

	FY 19	FY 20
Community Development Districts		
Initial Application	7500.00	7500.00
Amended Application	3750.00	3750.00
Dissolution Application	1500.00	1500.00

Notes: Impact fees are set by ordinance and are contained in the Palm Bay Code of Ordinances and updated on the City's website.

Strikethrough words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.