



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

REGULAR COUNCIL MEETING 2020-21

THURSDAY
June 4, 2020 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENT(S):

1. Five (5) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building', 'employer within the City', 'advocate for low-income persons' and 'bank industry').++
2. Two (2) vacancies on the Youth Advisory Board (represents youth board member 'at-large' positions).++
3. Four (4) vacancies on the Disaster Relief Committee.++
4. One (1) vacancy on the Citizens' Budget Advisory Committee (represents 'at-large' position).++
5. One (1) vacancy on the Melbourne-Tillman Water Control District (represents 'resident within district' position).+

AGENDA REVISION(S):

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

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

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.

PROCLAMATION(S):

1. Indian River Lagoon Scenic Highway 20th Anniversary – June 12, 2020.

PRESENTATION(S):

1. Chief Nelson Moya, Palm Bay Police Department – homeless update.

ADOPTION OF MINUTES:

- *1. Regular Council Meeting 2020-19; May 21, 2020.

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 2020-13, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'District Regulations' by creating definitions and establishing regulations related to accessory dwelling units (Case T-3-2020, City of Palm Bay), final reading.
2. Ordinance 2020-18, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located east of and adjacent to Dalhart Avenue, in the vicinity between Geary Street and Harper Boulevard, from Public/Semi-Public Use to Single-Family Residential Use (11.71 acres)(Case CP-2-2020, Paul Yates), final reading.
- ♣3. Ordinance 2020-19, rezoning property located east of and adjacent to Dalhart Avenue, in the vicinity between Geary Street and Harper Boulevard, from RS-2 (Single-Family Residential District) to RR (Rural Residential District) (11.71 acres)(Case CPZ-2-2020, Paul Yates), final reading.
4. Ordinance 2020-25, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located south of and adjacent to Torgerson Road, in the vicinity east of Toronto Avenue, from Recreation and Open Space Use to Single-Family Residential Use (5.5 acres)(Case CP-5-2020, Brandon and Carissa Stranz), only one reading required.

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

5. Ordinance 2020-26, amending the Code of Ordinances, Chapter 70, General Provisions, Subchapter 'General Provisions', by revising provisions related to parking of vehicles in residential areas (Case T-8-2020, City of Palm Bay), first reading.
6. Ordinance 2020-27, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions', by revising provisions related to parking of vehicles in residential areas (Case T-8-2020, City of Palm Bay), first reading.
7. Ordinance 2020-28, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters 'General Provisions' and 'Supplementary District Regulations', by revising provisions related to parking of vehicles in residential areas (Case T-8-2020, City of Palm Bay), first reading.
8. Ordinance 2020-29, amending the Code of Ordinances, Chapter 174, Floodplain and Stormwater Management, Subchapter 'Stormwater Management Utility', by revising provisions contained therein (Case T-14-2020, City of Palm Bay), first reading.
- ♣9. Request by Thomas Marshall for a variance to allow a proposed detached workshop relief from the requirement that no accessory structure shall exceed the size of the principal structure's living area (0.24 acres)(Case V-9-2020).
- ♣10. Request by Steamboat Landing, LLC for a variance to allow a proposed sign to exceed the maximum allowable height by 10 feet and a maximum sign area by 35 square feet (0.60 acres)(Case V-11-2020).
11. Ordinance 2020-30, vacating a portion of the rear public utility and drainage easement located within Lot 18, Block 253, Port Malabar Unit 8 (Case VE-4-2020, Jaime Vargas Jr.), first reading.
12. Ordinance 2020-31, vacating a portion of the rear public utility and drainage easement located within Lot 10, Block 53, Port Malabar Unit 4 (Case VE-5-2020, Redwood RE Holdings II, LLC), first reading.
13. Ordinance 2020-32, vacating a portion of the rear public utility and drainage easement located within Lot 16, Block 7, Port Malabar Country Club Unit 1 (Case VE-6-2020, Anthony Acosta), first reading.
14. Ordinance 2020-33, vacating a portion of the rear public utility and drainage easement located within Lot 21, Block 1719, Port Malabar Unit 36 (Case VE-7-2020, M. Lavonte Stanley), first reading.

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

PROCUREMENT(S):

Award of Bid(s):

- *1. Electrical supply – IFB 30-0-2020 – Facilities Department (CED Vero Beach, A&J Leggio Enterprises, LLC and Florida Bulb & Ballast – estimated \$120,000 annually ‘as needed’).
- *2. Road bond paving, Units 11, 15, 18, 23 and 56 – IFB 32-0-2020 – Public Works Department (Asphalt Paving System, Inc. - \$2,190,727 (Unit 11); \$1,540,020 (Unit 15); \$2,499,351 (Unit 18); \$3,203,032 (Unit 23); and \$1,077,529 (Unit 56)).
- *3. Type 6 brush truck – IFB 58-0-2020 – Fire Rescue (Midwest Fire - \$113,334 (funded by CDBG Program)).
- *4. Mobile water tender – IFB 59-0-2020 – Fire Rescue (Midwest Fire - \$254,754 (funded by CDBG Program)).

Miscellaneous:

- *1. Clarifier valve replacement, North Regional Wastewater Treatment Plant (emergency purchase) – Utilities Department (Ferguson Waterworks - \$17,846 (purchase of new valve); L7 Construction, Inc. - \$39,186 (removal of existing/installation of new valve)).

UNFINISHED AND OLD BUSINESS:

- 1. Appointment of one (1) member to the Community Development Advisory Board.

COMMITTEE AND COUNCIL REPORT(S):

NEW BUSINESS: (Ordinance is for first reading.)

- *1. Resolution 2020-27, authorizing the execution and delivery of an amended and restated equipment lease/purchase agreement with Banc of America Public Capital Corp.
- *2. Ordinance 2020-34, amending the Code of Ordinances, Chapter 37, Departmental Divisions, by removing provisions related to Housing and Community Development.
- *3. Consideration of a Utility Agreement with Avery Springs Subdivision; authorize the purchase of pumps and electrical panel to support Regional Pump Station 1 (\$157,815).
- *4. Consideration of establishing a Code Compliance Amnesty Program through December 31, 2020.

- *5. Consideration of a temporary waiver of mobile food vendor fees through September 30, 2020.
- *6. Consideration of a budget amendment for potable water off-site improvements related to Bayridge Subdivision (\$37,049).
- *7. Consideration of the proposed budget for the Bayfront Community Redevelopment Agency for Fiscal Year 2021.
- *8. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended March 31, 2020.

ADMINISTRATIVE AND LEGAL REPORT(S):

PUBLIC COMMENT(S)/RESPONSE(S): Speakers are limited to 3 minutes.

ADJOURNMENT:

♣Quasi-judicial proceeding.

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 June 4, 2020, beginning at 7:00 P.M. and lasting until the meeting is complete. The meeting will be conducted via communications media technology (teleconference/video conference).

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.

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.

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

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 contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.