



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)  
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Mayor  
WILLIAM CAPOTE  
Deputy Mayor  
HARRY SANTIAGO, JR.  
Councilmembers  
TRES HOLTON  
JEFF BAILEY  
BRIAN ANDERSON

# AGENDA

## REGULAR COUNCIL MEETING NO. 2017-01

### THURSDAY

January 5, 2017 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### ANNOUNCEMENTS:

1. Two (2) vacancies on the Enterprise Zone Development Agency (represents 'local business' and 'at-large' positions).++

#### 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.

#### PRESENTATION:

1. Michael Andriano, Executive Director, Big Brother/Big Sisters of Central Florida.

#### ADOPTION OF MINUTES:

- \* 1. Regular Council Meeting No. 2016-34; December 15, 2016.

#### 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 3 minutes each.

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

## **PUBLIC HEARINGS:**

1. Ordinance No. 2017-01, providing for the annexation of certain real property located north of and adjacent to Micco Road, in the vicinity west of Dottie Drive, into the City (122.7 acres) (Case No. A-1-2017, Wheeler Farms, Inc.), first reading.
2. Ordinance No. 2017-02, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Micco Road, in the vicinity west of Dottie Drive, from Residential One Use (Brevard County) to Single Family Residential Use (122.7 acres)(Case No. CP-23-2016, Wheeler Farms, Inc.), first reading.
- ♣3. Ordinance No. 2017-03, rezoning property located north of and adjacent to Micco Road, in the vicinity west of Dottie Drive, from GU (General Use District) (Brevard County) to RR (Rural Residential District) (122.7 acres)(Case No. CPZ-23-2016, Wheeler Farms, Inc.), first reading.
4. Ordinance No. 2017-04, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the northeast corner of Port Malabar Boulevard and Cranbrook Avenue from Professional Office Use to Commercial Use (0.99 acres)(Case No. CP-27-2016, Concept Development, Inc.), only one reading required.
- ♣5. Ordinance No. 2017-05, rezoning property located at the northeast corner of Port Malabar Boulevard and Cranbrook Avenue from OP (Office Professional District) to CC (Community Commercial District) (0.99 acres)(Case No. CPZ-27-2016, Concept Development, Inc.), first reading.
6. Ordinance No. 2017-06, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the southeast corner of Market Circle and Cranbrook Avenue from Professional Office Use to Commercial Use (1.00 acre)(Case No. CP-28-2016, City of Palm Bay), only one reading required.
- ♣7. Ordinance No. 2017-07, rezoning property located at the southeast corner of Market Circle and Cranbrook Avenue from OP (Office Professional District) to CC (Community Commercial District) (1.00 acre)(Case No. CPZ-28-2016, City of Palm Bay), first reading.
8. Ordinance No. 2017-08, amending the Code of Ordinances, Chapter 110, Business Taxes, in order to regulate rental properties (Case No. T-42-2016, City of Palm Bay), first reading.

## **PROCUREMENTS:**

### **Award of Bid:**

- \* 1. Culvert replacement, Lamplighter Drive at Melbourne Tillman Water Control District No. 68 – IFB No. 08-0-2017 – Public Works Department (W.P. Underground Utilities - \$243,755).
- \* 2. Water main extension, Osmosis Drive – IFB No. 10-0-2017 – Utilities Department (Felix Associates of Florida, Inc. - \$439,010).

### **Miscellaneous:**

- \* 1. Guaranteed energy performance savings contract negotiation – RFQ No. 73-0-2016 – Facilities Department (Honeywell International, Inc.).

- \* 2. Valve actuator installation (re-bid), North Regional Water Treatment Plant – RFQ No. 14-0-2017 – Utilities Department (L7 Construction, Inc. - \$114,187).

**UNFINISHED AND OLD BUSINESS:**

1. Appointment of two (2) members to the Local Road Advisory Board ('at-large' positions).

**COUNCIL REPORTS:**

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

1. Ordinance No. 2017-09, amending the Code of Ordinances, Chapter 185, Zoning Code, by repealing Section 185.203, Protest by Property Owners, in its entirety (Case No. T-41-2016).
2. Consideration of scheduling a workshop for January 2017.

**ADMINISTRATIVE AND LEGAL REPORTS:**

- \* 1. Consideration of appointment of Junior Staff Attorney (Rodney Edwards).

**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 (FS 286.0105). 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. (§ 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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