



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. 2017-03

### THURSDAY

January 19, 2017 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### ANNOUNCEMENTS:

1. One (1) vacancy on the Enterprise Zone Development Agency (represents 'local business' position).++
2. Two (2) terms expiring on the Building and Construction Advisory Committee (represents 'at-large' positions).+
3. Two (2) terms expiring on the Recreation Advisory Board (represents '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.

#### 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.

#### PUBLIC HEARINGS:

- ♣1. 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.), final reading.

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

- ♣2. 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), final reading.
3. 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), final reading.
4. 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), final reading.
5. Ordinance No. 2017-10, vacating a portion of the rear public utility and drainage easement located within Lot 8, Block 13, Port Malabar Country Club Unit 2 (Case No. VE-1-2017, Guy Hartford), first reading.
- ♣6. Request by Guy Hartford for a variance to allow an existing pool and screen enclosure to encroach the 10-foot rear setback by a maximum of 3.1 feet in RS-1 (Single-Family Residential District) zoning (0.29 acres)(Case No. V-2-2017).
7. Ordinance No. 2017-11, vacating a portion of the rear public utility and drainage easement located within Lot 29, Block 1622, Port Malabar Unit 32 (Case No. VE-2-2017, William Oloughlin), first reading.

#### **UNFINISHED AND OLD BUSINESS:**

1. Appointment of one (1) member to the Enterprise Zone Development Agency ('at-large' position).

#### **COMMITTEE AND COUNCIL REPORTS:**

#### **NEW BUSINESS:**

- \* 1. Resolution No. 2017-01, approving the appropriation of remaining funds in the Redevelopment Trust Fund for the Bayfront Community Redevelopment Agency in order to fund certain redevelopment projects.
- \* 2. Consideration of a collective bargaining agreement with the National Association of Government Employees, Local R-5-186 (Blue).
- \* 3. Acknowledgement of the City's monthly financial report for September 2016.

#### **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.**

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

**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.**