



Mayor
ROB MEDINA
Deputy Mayor
DONNY FELIX
Councilmembers
KENNY JOHNSON
RANDY FOSTER
VACANT

AGENDA

Regular Council Meeting 2023-30 Thursday

**December 7, 2023 - 6:00 PM
Council Chambers, 120 Malabar Road SE, Palm Bay FL 32907**

CALL TO ORDER:

INVOCATION:

1. Minister Vivienne Wittock - Bethel Abundant Life Ministries, Palm Bay.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. Three (3) terms expiring and one (1) vacancy on the Disaster Relief Committee Executive Board.++
2. One (1) vacancy on the Community Development Advisory Board (represents 'employer within the city').+

AGENDA REVISIONS:

PROCLAMATIONS AND RECOGNITIONS:

1. Proclamation: 15th Annual Family Christmas Extravaganza Day - December 16, 2023. (Mayor Medina)
2. Proclamation: National Homeless Persons' Memorial Day - December 21, 2023.

PRESENTATIONS:

1. Pastor Ken Delgado, The House Church - Police Department employee picnic area improvement project.

PUBLIC COMMENTS/RESPONSES:

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.

APPROVAL OF CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda. 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 under the agenda heading Consideration of Items Removed from Consent Agenda.

1. Adoption of Minutes: Meeting 2023-28; November 2, 2023.
2. Adoption of Minutes: Meeting 2023-29; November 14, 2023.
3. Award of Proposal: Enterprise Resource Planning (ERP), implementation and advisory services – RFP 37-0-2023 – Information Technology Department; authorization to enter negotiations with highest ranked firm (Cognizant Technology Solutions US Corporation) and second highest ranked firm (Avaap USA LLC) if negotiations with highest ranked firm fails).
4. Contract: Neptune Technology Group, Inc., water meters and parts - Utilities Department (Ferguson Waterworks, \$1,500,000 (annual estimate) (standardized, sole source)
5. Miscellaneous: 'Piggyback Purchase', 'as needed' temporary staffing services (City of Melbourne contract) - Recreation Department (AUE Staffing, Inc. - \$450,000 (estimated annual expenditure)).
6. Miscellaneous: 'Piggyback Purchase', 'as needed' purchases of lighting, emergency lighting, specialty equipment, public safety equipment and accessories (Bradford County Sheriff's Office contract) - Police Department (Dana Safety Supply).
7. Miscellaneous: 'Piggyback Purchase', consulting services for Land Development reviews (Village of North Palm Beach contract) and miscellaneous purchases - Growth Management Department (Inspire Placemaking Collective, Inc. - \$210,678); consideration of a budget amendment allocating monies from General Fund Undesignated Fund Balance.
8. Miscellaneous: Road Bond Paving, Units 13, 14, Madden and Osmosis, Change Order 4 – Public Works Department (Timothy Rose Contracting Inc. - \$160,044).
9. Resolution 2023-42, recognizing the growing problem of antisemitism in the United States and adopting the non-binding International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism. (Mayor Medina)
10. Resolution 2023-43, selling and conveying Bayfront CRA-owned surplus real estate, located at 1608 Orange Blossom Trail, to buyer Palm Bay Landing LLC.
11. Resolution 2023-44, selling and conveying Bayfront CRA-owned surplus real estate, located on Orange Blossom Trail (address unassigned, Tax Account 2866312), to buyer Palm Bay Landing LLC.
12. Ordinance 2023-103, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Palm Bay Infrastructure Advisory and Oversight Board', by modifying the sunset date and reinstating the board, first reading.
13. Ordinance 2023-104, amending the Code of Ordinances, Chapter 96, Florida Building Code, Subchapter 'Building Code', by updating references to the Florida Building Code, first reading.
14. Consideration of the City's 2024-2025 federal legislative priorities.
15. Consideration of a grant agreement with the U.S. Department of Justice for the Fiscal Year 2023 Law Enforcement Agency De-Escalation Grants - Community Policing Development Solicitation (\$150,000).

16. Consideration of funding request correction associated with the Fiscal Year 2024 approved capital outlay vehicles for the Police Department (\$301,685).
17. Consideration of travel and training for specified City employees (Building Department).
18. Consideration of travel and training for specified City employees (Office of the City Manager and Information Technology Department).

PUBLIC HEARINGS:

1. Ordinance 2023-105, vacating a portion of the rear public utility and drainage easement located within Lot 15, Block 2124, Port Malabar Unit 42 (Case VE-16-2023, John and Colleen Pechulis), first reading.
2. Consideration of a Final Order for denial of Resolution 2023-38, requesting a conditional use to allow for a self-storage facility in CC (Community Commercial District) zoning on property located south of and adjacent to Emerson Drive, in the vicinity east of St. Johns Heritage Parkway (3.57 acres) (Case CU23-00007, Ascot Palm Bay Holdings, LLC).
3. Resolution 2023-45, granting a conditional use to allow for automotive gas/fuel sales in NC (Neighborhood Commercial District) zoning on property located at the southwest corner of Emerson Drive and Glencove Avenue (3.00 acres) (Case CU23-00003, Sunrise Plaza Enterprise, Inc.). (Quasi-Judicial Proceeding)
4. Resolution 2023-46, granting a conditional use to allow on-premise alcohol consumption accessory to an eating establishment in BMUV (Bayfront Mixed Use Village District) zoning, in accordance with Section 185.053(D)(2), Palm Bay Code of Ordinances, on property located east of and adjacent to Dixie Highway, in the vicinity south of Anglers Drive and west of Ridge Road (0.3 acres) (Case CU23-00014, AZAD Business Corp). (Quasi-Judicial Proceeding)
5. Resolution 2023-47, granting a conditional use to allow for an eating establishment with sidewalk/outdoor table service in BMUV (Bayfront Mixed Use Village District) zoning, in accordance with Section 185.053(D)(3), Palm Bay Code of Ordinances, on property located east of and adjacent to Dixie Highway, in the vicinity south of Anglers Drive and west of Ridge Road (0.3 acres) (Case CU23-00016, AZAD Business Corp). (Quasi-Judicial Proceeding)
6. Consideration of Substantial Amendments to the City's approved Program Years 2019, 2020, 2021, and 2022 Annual Action Plans for Community Development Block Grant funds, only one hearing required.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Bayfront Community Redevelopment Agency.

NEW BUSINESS:

1. Consideration of a co-sponsorship request from CareerSource Brevard for a veteran focused job fair to be held on February 7, 2024, at the Tony Rosa Community Center.
2. Consideration of a co-sponsorship request from The Indian Association of the Space Coast, Inc. for the Second Annual Palm Bay Indian Kite Festival on January 21, 2024, at Fred Poppe Regional Park.

COUNCIL REPORTS:

ADMINISTRATIVE AND LEGAL REPORTS:

PUBLIC COMMENTS/RESPONSES: Speakers are limited to 3 minutes.

ADJOURNMENT:

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. (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.

If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this website or documents contained therein interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

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.