



City of Melbourne, Florida City Council Agenda

City Hall Council Chamber
900 E. Strawbridge Avenue
Melbourne, FL 32901

April 9, 2024, 6:30 PM

This meeting shall adjourn by 11:00 p.m. Extension of the meeting beyond 11:00 p.m. shall only be authorized by a majority vote of City Council.

In accordance with Council policy, the roll call vote rotates each meeting. During this meeting, the vote will be Districts Two through One except that the Mayor will vote last as provided by City Code and the Vice Mayor will vote second to last.

A. OPENING

1. **Invocation** - Jason Laigo, First Baptist Church of South Brevard
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
 - a. Proclamation declaring April 14-20, 2024 as "National Telecommunicators Week."
5. **Approval of Minutes** - March 26, 2024 Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

B. UNFINISHED BUSINESS

8. **Ordinance No. 2024-17 (AV2022-0007):** (Second Reading/Public Hearing) An ordinance vacating a portion of a public utility and drainage easement along the north lot line for 2669 Empire Avenue. (First Reading - 3/26/2024)
9. Discussion of a request to amend the Declaration of Restrictions and Rezoning/Conditional Use Ordinances for the Parkway Place Mixed Use Project located at the southeast corner of North Wickham Road and Parkway Drive. (Postponed - 3/26/2024)

C. NEW BUSINESS

10. Bulldog/Apollo Sidewalk Phase II Improvements, Project No. 14422.
 - a. Contract award for the Bulldog/Apollo Sidewalk Phase II, Project No. 14422 to Heavy Civil, Inc., Pompano Beach, FL - \$675,075.65.
 - b. Task Order No. DRMP 073 to the Continuing Contract for Engineering Services for the Bulldog/Apollo Sidewalk Phase II, Project No. 14422, DRMP, Inc., Merritt Island, FL - \$29,150.
11. **CONSENT AGENDA:**
 - a. Professional engineering services contract award for water quality and flow testing and monitoring services, Geosyntec Consultants, Inc., Titusville, FL.
 - b. Renewal of VMWare Enterprise License Agreement (ELA), Insight Public Sector, Inc., Chandler, AZ - \$177,841.83.
 - c. Contract Award for Temporary Traffic Control Services for the Water Distribution and Wastewater Collections Divisions, RoadSafe Traffic Systems, Inc., Daytona Beach, FL - estimated annual cost of \$70,000 and a total contract cost of \$140,000.
 - d. **Resolution No. 4247:** A resolution appropriating \$4,500 from the Federal Asset Sharing Fund for the purchase of an honorary portrait painting for the new Joseph Pellicano Law Enforcement Center.
12. **ITEMS REMOVED FROM THE CONSENT AGENDA**
13. **Ordinance No. 2024-18, Florida Recyclers Landfill, Recycling and Garden Center:** (First Reading/Public Hearing) An ordinance granting a conditional use (CU2021-0006) to allow an overall height of 80 feet (40 additional feet of height) for an existing landfill and recycling use on a 44.72±-acre portion of the property with site plan approval (PLAN2021-0001) on an overall 55.5±-acre parcel zoned C-M-1 (Light Industrial District) located on the south side of Sarno Road, east of North Drive and west of Wickham Road. (Owner/Applicant - Arthur Evans, Florida Recyclers of Brevard, Inc./Liberty Investments of Brevard, LLC) (Representatives - Bruce Moia, P.E./David Bassford, P.E., MBV Engineering, Inc.) (P&Z Board - 3/21/2024)
14. **Ordinance No. 2024-19, 321 Boat Club:** (First Reading/Public Hearing) An ordinance granting a conditional use (CU2022-0009) to allow a marina use with site plan approval (PLAN2022-0021) on a 1.16±-acre portion of an overall 2.38±-acre developed property zoned C-2 (General

Commercial District), located on the east side of North Harbor City Boulevard, south of Hyde Parkway, and north of the Eau Gallie River (Owner – Eftkar Hasan Abdulkhalq) (Applicant/Representative – 321 Boat Club LLC, Steve Payet and Vaheed B. Teimouri, P.E.) (P&Z Board - 3/21/2024)

15. **Ordinance No. 2024-20, Affordable Housing Code Revisions:** (First Reading/Public Hearing) An ordinance amending Appendix B, Article II and Article V, Section 4, Affordable Housing Development and Appendix D, Chapter 10, Article I, Section 10.02, Definitions; Revisions to Affordable Housing. (P&Z Board - 3/21/2024)
16. Eddie Lee Taylor, Sr. football field restroom remodel, Project No.10823.
 - a. **Resolution No. 4248:** A budget resolution appropriating American Rescue Plan Act funds to establish the budget for the Eddie Lee Taylor, Sr. football field restroom remodel.
 - b. Contract award for the Eddie Lee Taylor, Sr. football field restroom remodel, De La Hoz Builders, Inc., Sebastian, FL - \$81,844.
17. Authorization to seek injunctive relief for alleged City Code violations at Maple Street properties owned by Southeastern SeaProducts, Inc. and MDMJ Landholding LLC.

D. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

E. ADJOURNMENT

Mayor Paul Alfrey, Council Member Mark LaRusso and Council Member Tim Thomas, as members of the Airport Authority Board, may discuss Airport Authority issues, which may subsequently be addressed by the Airport Authority.

Vice Mayor Yvonne Minus and Council Members Mimi Hanley, Julie Kennedy and Mark LaRusso (alternate), as members of the Space Coast Transportation Planning Organization (SCTPO), may discuss SCTPO issues, which may subsequently be addressed by the SCTPO.

Pursuant to 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant

evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office (321-608-7220) at least 48 hours prior to the meeting.