



City of Melbourne, Florida City Council Agenda

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

April 23, 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 Three through Two 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** - Father Scott Circe, Holy Name of Jesus Catholic Church
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
 - a. Proclamation declaring May 5-11, 2024 as "National Drinking Water Week"
 - b. Certificates for the Winners of the National Drinking Water Week Drop Savers Poster Contest
 - c. Proclamation declaring May 6-12, 2024 as "Lung Cancer Action Week"
5. **Approval of Minutes** - April 9, 2024 Regular Meeting
6. **City Manager's Report**
7. **Public Comments**

B. UNFINISHED BUSINESS

8. Bulldog/Apollo Sidewalk Phase II Improvements, Project No. 14422.
(Postponed - 4/9/2024)
9. **Ordinance No. 2024-18, Florida Recyclers Landfill, Recycling and Garden Center:** (Second 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) (First Reading - 4/9/2024)

10. **Ordinance No. 2024-19, 321 Boat Club:** (Second 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) (First Reading - 4/9/2024)

11. **Ordinance No. 2024-20, Affordable Housing Code Revisions:** (Second 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) (First Reading - 4/9/2024)

C. NEW BUSINESS

12. DFH3-Melbourne Last Mile Utility Upgrades, Project No. 30124.
- a. **Resolution No. 4249:** A resolution creating the DFH3-Melbourne Last Mile Utility Upgrades project and a budget transfer of \$952,200 from Water & Sewer Projects unappropriated Budget Savings, Project No. 30099.
 - b. Utility Upgrade Agreement with CF Monkey MLB, LLC, in the amount of \$952,200.
13. NASA Boulevard Sidewalk Improvements, Project No. 14620.
- a. **Resolution No. 4250:** A resolution appropriating funds into the project budget.
 - b. **Resolution No. 4251:** A resolution for the approval of a Local Agency Program Agreement with the Florida Department of Transportation for the construction of the NASA Boulevard Sidewalk Improvements Project and authorization for the City Manager to execute the agreement.
 - c. **Resolution No. 4252:** A resolution for the approval of a Locally Funded Agreement for Construction, Engineering and Inspection

Services for the NASA Boulevard Sidewalk Improvements project and authorization for the City Manager to execute the agreement.

14. **CONSENT AGENDA:**

- a. Third renewal of the Construction Agreement for traffic signal repair for emergency work, Traffic Control Devices, LLC, Altamonte Springs, FL.
- b. Purchase of computer equipment for the Information Technology Department, Dell Marketing LP, Round Rock, TX - \$216,075.
- c. Purchase of replacement switches and servers for the Information Technology Department, DISYS Solutions Inc., Ashburn, VA - \$409,989.58.
- d. Purchase of replacement Surface Water Treatment Plant Supervisory Control and Data Acquisition Servers for the Water Production Division, Jacobs Engineering Group, Inc., Orlando, FL - \$298,581.21.
- e. Contract award for the purchase of domestic biosolids hauling services for the Water Reclamation Division, Synagro South, LLC, Baltimore, MD - estimated annual cost of \$311,400.
- f. **Lien Rescission No. CE1900456:** Recommendation from the Code Enforcement Board that the fine balance amount of \$2,500 be reduced to \$0 for the cited respondent(s) and property located at 766 Saint Clair Street (previously 1471 North Harbor City Boulevard.) (Cited Respondent - SSS Petroleum LLC) (Current Owner/Applicant - Relentless LJ3, Inc.)

15. **ITEMS REMOVED FROM THE CONSENT AGENDA**

- 16. **Ordinance No. 2024-21:** (First Reading) An ordinance revising the composition of the Firefighters' Pension Plan Board of Trustees by allowing DROP members to serve as trustee members on the board.
- 17. Melbourne Downtown CRA Facade Improvement Program grant and Florida Statute Waiver Request.

Council will convene as the Melbourne Downtown Community Redevelopment Agency for the following item:

- a. Facade reimbursement grant award of \$18,241 for facade improvements at 2801 South Harbor City Boulevard. (Applicant - JoAnn Davis/IM Solutions, Inc.)

Council will reconvene for the remaining items.

- b. Request for waiver of Florida Statutes Sections 112.313(3) and 112.313(7), on behalf of JoAnn Davis, serving as a Melbourne Downtown Community Redevelopment Agency Advisory Committee member.
- 18. Discussion on City benches in Downtown Melbourne. (requested by Council Member Rachael Bassett)
- 19. Board Appointments
 - a. Babcock Street Community Redevelopment Agency Advisory Committee.
 - b. Olde Eau Gallie Riverfront Community Redevelopment Agency Advisory Committee.
 - c. Zoning Board of Adjustment.

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.