

# City of Melbourne



City Hall • 900 E. Strawbridge Avenue, Melbourne, FL 32901  
(321) 608-7200 • Fax (321) 608-7219

## CITY COUNCIL AGENDA

September 15, 2009

**This meeting will begin immediately following adjournment of the 6:30 p.m. Budget Public Hearing.**

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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.

1. **Invocation**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Proclamations and Presentations**
5. **Approval of Minutes** - Regular Meeting - August 25, 2009
6. **City Manager's Report**
7. **Public Comments**

### UNFINISHED BUSINESS

8. **ORDINANCE NO. 2009-32 (Z-2008-1138) AND ORDINANCE NO. 2009-33 (CU-2008-04) PARKWAY PLACE MIXED USE:** Ordinances providing for rezoning and a conditional use on 14.73± acres, located on the southeast corner of Parkway Drive and Wickham Road. (Owner - Wickham Park, LLC) (Applicant - The Richman Group of Florida, Inc.) (Representative - Matt Soyka & Associates)
  - a. **Ordinance No. 2009-32/Z-2008-1138:** (Second Reading/Public Hearing) An ordinance changing the zoning from R-2 (15) (One-, Two-, and Multiple-Family Medium Density Residential with a cap of 15 units per acre) to C-1 (Neighborhood Commercial) on a 14.73±-acre parcel. (First Reading - 8/25/09)
  - b. **Ordinance No. 2009-33/CU-2008-04:** (Second Reading/Public Hearing) An ordinance granting a conditional use to allow development of 96 multiple-family residential apartment units on an 8.53±-acre portion of a 14.73±-acre parcel. (First Reading - 8/25/09)

### NEW BUSINESS

9. **COUNCIL ACTION RE:** Contract award for Babcock Street and Hibiscus Boulevard signalization and intersection improvements, Project No. 64104, Sheltra & Son Construction, Inc., Indiantown, FL - \$496,348; approval to establish a 15% construction contingency; and transfer of \$147,761 from Babcock Street Phase III Improvements (Project No. 14108) to supplement this project budget.
10. **CONSENT AGENDA:**
  - a. Approval of a revised Highway Landscape Construction and Maintenance



Memorandum of Agreement between the State of Florida Department of Transportation and the City of Melbourne for Eau Gallie Boulevard landscaping improvements.

- b. Approval of a Consent to Deemed Assignment of Investment Advisory Agreement with PFM Asset Management, LLC and authorization for the City Manager to execute and deliver this consent.
- c. Renewal of property, inland marine floater, general liability, police liability, public officials errors and omissions, automobile liability, auto physical damage coverage, excess workers' compensation, and police and firefighters AD&D, Florida Municipal Insurance Trust - annual premium of \$1,930,445; renewal of the Melbourne Airport errors and omissions coverage, Florida Municipal Insurance Trust, underwritten by National Union Fire Insurance Company - annual cost of \$19,691; renewal of third party claims administration for the runoff of open liability claims from October 1, 2000 through September 30, 2004, Johns Eastern Company, Inc. - estimated annual cost of \$2,517; and renewal of third party workers' compensation claims administration, Professional Administrators, Inc. - annual cost of \$42,250.
- d. Refurbishment of tow Klampress belt filter presses at the Surface Water Treatment Plant, Ashbrook Simon-Hartley Operations, LP, Houston, TX - \$302,280.
- e. Approval of a four-year lease of 125 personal computers, Dell Computer Systems, Round Rock, TX - \$26,358.04/annually; total cost of \$105,434.56.
- f. Contract award for replacement of an air conditioning unit at Melbourne Auditorium, Precision AC of Brevard, Cocoa, FL - \$15,750.
- g. Purchase of two replacement vehicles, Hub City Ford, Inc., Crestview, FL - \$33,092.

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

12. **RESOLUTION NO. 3090:** A resolution expressing support for the State of Florida's Amtrak/Florida East Coast Railway Corridor Project application; acknowledging potential station locations and the City's commitment to the project.

13. **COUNCIL ACTION RE:** Resolutions authorizing conveyance of City property to the Florida Department of Transportation to be used as right-of-way for the Babcock Street widening project.

- a. **Resolution No. 3091:** A resolution authorizing the City Manager to execute a deed of conveyance for Parcel No. 105.1, Section 70012, State Road 507, Brevard County, to the Florida Department of Transportation.
- b. **Resolution No. 3092:** A resolution authorizing the City Manager to execute a deed of conveyance for Parcel No. 107.1, Section 70012, State Road 507, Brevard County, to the Florida Department of Transportation.



- c. **Resolution No. 3093:** A resolution authorizing the City Manager to execute a deed of conveyance for Parcel No. 128.1, Section 70012, State Road 507, Brevard County, to the Florida Department of Transportation.
14. **ORDINANCE NO. 2009-34 (LDR-2009-02/FOC-2009-02) SIGN CODE:** (First Reading/Public Hearing) An ordinance repealing Chapter 25 of the City Code, entitled "Signs and Advertising," and adopting a new Chapter 11 in the Land Development Code, Appendix D, relating to signs and advertising. (Applicant - City of Melbourne) (P&Z Board - 8/06/09)
15. **ORDINANCE NO. 2009-35, FIREFIGHTERS' PENSION PLAN:** (First Reading) An ordinance amending Chapter 23 of the City Code entitled, "Retirement and Pensions," amending Article V, Firefighters' Pension Plan, to implement pension benefit improvements negotiated with the International Association of Firefighters Local 1951.
16. **COUNCIL ACTION RE:** Approval of a Memorandum of Agreement between City of Melbourne and the International Association of Firefighters for 2008-2011.
17. **COUNCIL ACTION RE:** Approval of a Memorandum of Understanding between the City of Melbourne and the Laborers' International Union with regard to wage adjustments.
18. **COUNCIL ACTION RE:** Pay adjustments for non-union employees.

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

19. **COUNCIL ACTION RE:** Approval of an additional allocation of \$30,000 to expand the existing Downtown Melbourne Façade Improvement Program for 2009-2010 and transfer of \$30,000 from Reserve for Future Projects to supplement this project budget.

*Council will reconvene for the remaining agenda items.*

20. **COUNCIL ACTION RE:** Appointment of three regular members to the Code Enforcement Board.
21. **PETITIONS, REMONSTRANCES AND COMMUNICATIONS**
22. **ADJOURNMENT**

Mayor Goode and Council Members John Thomas and Molly Tasker, as members of the Airport Authority Board, may discuss Airport Authority issues, which may subsequently be addressed by the Airport Authority.

Council Members Kathy Meehan, Mark LaRusso, and Joanne Corby, 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 insure 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 (321/608-7222) at least 48 hours prior to the meeting.