

# CITY OF PALM BAY, FLORIDA

## REGULAR COUNCIL MEETING 2020-04

Held on Thursday, the 20<sup>th</sup> day of February 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

Pastor Ken Delgado, The House Church, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

### ROLL CALL:

<b>MAYOR:</b>	William Capote	Present
<b>DEPUTY MAYOR:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Harry Santiago, Jr.	Present
<b>COUNCILMEMBER:</b>	Jeff Bailey	Present
<b>COUNCILMEMBER:</b>	Brian Anderson	Present
<b>CITY MANAGER:</b>	Lisa Morrell	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>CITY CLERK:</b>	Terese Jones	Present

**CITY STAFF:** Present was Suzanne Sherman, Deputy City Manager; Joan Junkala-Brown, Director of Community and Economic Development.

### ANNOUNCEMENT(S):

Deputy Mayor Johnson announced the following vacancies and terms expiring, and solicited applications for same:

- 1. Four (4) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building', 'employer within the City' and 'real estate' positions).++**
- 2. One (1) vacancy on the Youth Advisory Board (represents youth board member 'at-large' position).++**
- 3. One (1) vacancy on the Youth Advisory Board (represents 'adult over 30 years of age' positions).++**

**4. One (1) term expiring on the Police and Firefighters' Pension Board of Trustees (represents 'city resident who is not a beneficiary of the pension plan' position).+**

**5. Four (4) terms expiring on the Disaster Relief Committee.+**

**AGENDA REVISION(S):**

1. Mrs. Morrell announced the following:

a.) Item 4, under Public Hearings, related to accessory dwelling units, was an accompanying ordinance to the Comprehensive Plan Future Land Use Text Amendment Ordinance 2020-10, which was pending State review and comment. The item would be rescheduled to a future regular Council meeting, after receipt of comments from the State.

b.) Items 6 and 9, under New Business, related to the Code Compliance budget appropriation and SandPros purchase, were withdrawn by staff.

c.) The annual debt payments on the Legislative Memorandum for Item 3, Award of Bid(s), under Procurement(s), and for Item 1, under New Business, were revised. The fire apparatus truck changed to \$138,609.98 and the police pursuit vehicles changed to \$136,614.43. Under the Fiscal Impact, the total annual debt payment changed to \$275,224 or \$24,305 less than the amount currently budgeted.

d.) The total amount payable at the time of closing on the Legislative Memorandum for Item 3, Miscellaneous, under Procurement(s), changed to \$136,614.43.

e.) The cost estimate on the Legislative Memorandum on Item 8, under New Business, was revised to include upsizing the Force Main and the addition of telemetry to the Lift Station, changing the funds transfer request to \$359,717.97 (project cost estimate of \$327,016.34 plus 10% contingency). A septic to sewer illustration was also included.

**CONSENT AGENDA:**

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, that the Consent Agenda be approved with the removal of Items 2 and 8, under New Business, from consent. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**RECOGNITION(S) AND PROCLAMATION(S):**

The individuals were recognized, and the proclamation was read.

**1. Volunteer Program (one (1) year of service as City boardmember):**

- a.) **Library Advisory Board – Annette Reid;**
- b.) **Sustainability Board – Donielle Rouse;**
- c.) **Youth Advisory Board – Michaela Chua, Kristi Howell, Linval Maragh III, Katrina Moringlanes, Alexzander Owens, Abigail Perez, Theresa Steelman, Joseph Stokes.**

**2. Black History Month, February 2020.**

**PRESENTATION(S):**

- 1. Pastor Ken Delgado, The House Church – Family Christmas Extravaganza Event 2019.** Pastor Delgado provided an update on the Family Christmas Extravaganza.

**ADOPTION OF MINUTES:**

- \*1. Regular Council Meeting 2020-03; February 6, 2020.**

The minutes, considered under Consent Agenda, were approved as presented.

**PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)**

Individuals made general comments.

**PUBLIC HEARING(S):**

- 1. Ordinance 2020-09, vacating portions of the rear and side public utility and drainage easements located within Lot 5, Block 2200, Port Malabar Unit 28 (Case VE-9-2019, Christine Stevens and Juan Delgado), final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-09. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**2. Ordinance 2020-11, amending the Code of Ordinances, Chapter 169, Land Development Code, to revise the provisions for administrative variances (Case T-1-2020, City of Palm Bay), final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Mr. Bailey, seconded by Mr. Santiago, to adopt Ordinance 2020-11. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**3. Ordinance 2020-12, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters ‘District Regulations’, ‘Planned Unit Development (PUD)’, and ‘Off-Street Parking and Loading Requirements’ by including provisions related to “tiny homes” (Case T-2-2020, City of Palm Bay), final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened.

Lynda Hauser, resident, said that if people were required to build structures for their cars with the tiny homes, they may not have the resources to buy reliable transportation, pay for college tuition, etc. She felt that ordinances should reflect a person’s right to choose whether a garage or some other priority was more important to them. She supported the ordinance and asked Council to consider making allowances for those who did not need or want a garage.

Mrs. Morrell said that the language related to garages was addressed in Item 4, under Public Hearings. Tiny homes did not require a garage.

The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to adopt Ordinance 2020-12. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**4. Ordinance 2020-13, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapters ‘General Provisions’ and ‘District Regulations’ by creating definitions and establishing regulations related to accessory dwelling units (Case T-3-2020, City of Palm Bay), final reading.**

The item, announced under Agenda Revisions, was tabled pending receipt of comments from the State on the accompanying Ordinance 2020-10.

**5. Ordinance 2020-14, vacating a portion of the rear public utility and drainage easement located within Lot 19, Block 2649, Port Malabar Unit 50 (Case VE-1-2020, Raymond Lewandowski), first reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve Ordinance 2020-14. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**6. Ordinance 2020-15, vacating a portion of the rear public utility and drainage easement located within Lot 19, Block 208, Port Malabar Unit 7 (Case VE-2-2020, Stephen Stomber), first reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to approve Ordinance 2020-15. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**7. Ordinance 2020-16, vacating a portion of the rear public utility and drainage easement located within Lot 24, Block 1206, Port Malabar Unit 24 (Case VE-3-2020, David Curtis and Tanya Bickford), first reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. The applicant presented the request to Council. The public hearing was closed.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to approve Ordinance 2020-16. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**8. Ordinance 2020-17, establishing a Community Development District to be known as “Everlands Community Development District” (50.4 acres), first reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. Greg Pettibon, Lennar Homes, presented the request to Council.

Peter Filiberto, resident, asked that the developer and Council explore Low Impact Development. He asked if sewer and underground utilities were included in the plans, and if there would be any commercial property.

Bill Battin, resident, asked if the impact fees would stay within the Community Development District (CDD) or if the entire City would benefit from same. He asked what amenities were included in the plan.

Mr. Pettibon responded that one of the components of the financing was to fund public water and sewer to the CDD. Mrs. Morrell added that the police, fire, parks and transportation impact fees would be paid to the City. The CDD would then be able to take its public utility infrastructure debt for improving the area and charge it back to the users within the CDD.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to approve Ordinance 2020-17. Mr. Bailey said he was hesitant on supporting requests such as this because it added another layer of bureaucracy to a residential area. He felt that CDDs would serve better in an area that had more mixed use or heavier commercial sites. He said that the plans should contain more commercial.

Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Johnson	Yea
Councilman Santiago	Yea
Councilman Bailey	Nay
Councilman Anderson	Yea

**9. Ordinance 2020-10, amending the City’s Comprehensive Plan Future Land Use Element to provide for accessory dwelling units in the Single-Family Residential Use category (Case CP-1-2020, City of Palm Bay), final reading. (RESCHEDULED TO RCM – TBD, PENDING STATE REVIEW)**

**PROCUREMENT(S):**

**Award of Bid(s):**

**\*1. Nutrient removal facilities, North Regional Water Reclamation Facility – IFB 12-0-2020 – Utilities Department (TLC Diversified, Inc. - \$3,367,000).**

Staff Recommendation: Approve the award for nutrient removal facilities, North Regional Water Reclamation Facility, to TLC Diversified (Palmetto), in the amount of \$3,367,000.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*2. Reclaimed water high service pump area improvements, North Regional Water Reclamation Facility – IFB-16-0-2020 – Utilities Department (L7 Construction, Inc. - \$557,000).**

Staff Recommendation: Approve the appropriation of funds on the next scheduled budget amendment and approve the award for reclaimed water high service pump area improvements, North Regional Water Reclamation Facility, to L7 Construction, Inc. (Sanford), in the amount of \$557,000.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**3. Non-bank qualified, tax-exempt lease purchase financing, fire apparatus truck and police pursuit vehicles – IFB 26-0-2020 – Finance Department (Bank of America Public Capital Corp.; annual debt payment: \$136,514/10yrs (fire apparatus truck); \$138,610/5yrs (police pursuit vehicles)).**

Staff Recommendation: Approve the award of non-bank qualified, tax-exempt lease purchase financing to fund the lease/purchase of a fire apparatus truck and police pursuit vehicles to Bank of America Public Capital Corp. (Richmond, Virginia), with an annual debt payment of \$136,514.43 for a term of 10 years at an interest rate of 1.8522% for the fire apparatus truck and an annual debt payment of \$138,609.98 for a term of 5 years at an interest rate of 1.6008% for the police pursuit vehicles.

The item, announced under Agenda Revisions, was corrected as follows:

Staff Recommendation: Approve the award of non-bank qualified, tax-exempt lease purchase financing to fund the lease/purchase of a fire apparatus truck and police pursuit vehicles to Bank of America Public Capital Corp. (Richmond, Virginia), with an annual

debt payment of **\$138,609.98** for a term of 10 years at an interest rate of 1.8522% for the fire apparatus truck and an annual debt payment of **\$136,614.43** for a term of 5 years at an interest rate of 1.6008% for the police pursuit vehicles.

Bill Battin, resident, asked the balance owed on the previous ladder truck. Mrs. Morrell said nothing was owed on the existing ladder truck, but it was out of service and the City was utilizing other agencies' trucks pursuant to the Mutual Aid Agreement.

Mr. Bailey asked if the borrowed ladder trucks were housed at a City facility or only used when emergency calls were received. Mrs. Morrell answered that it was used during calls of service, came directly from the agency and was not stored on City property.

Motion by Mr. Santiago, seconded by Mr. Anderson, to approve the award as requested.

Mr. Bailey requested a report of how many times trucks were requested from other agencies, if impact fee funds could be used for the purchase and if the out-of-service truck would be scrapped or repaired.

Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**Miscellaneous:**

**\*1. 'Cooperative Purchase', cured-in-place pipe lining, Stormwater Program (City of Orlando contract) – Public Works Department (Granite Inliner - \$385,297).**

Staff Recommendation: Approval to furnish and install cured-in-place pipe at 19 locations, as part of the Stormwater Program (Project 20SU09), utilizing the City of Orlando contract, with Granite Inliner, in the amount of \$385,297.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*2. 'Cooperative Purchase', cured-in-place pipe (CIPP) rehabilitation services, sewer mains (City of Daytona Beach contract) – Utilities Department (Insituform Technologies, LLC – estimated annual amount \$300,000).**

Staff Recommendation: Approve CIPP rehabilitation services of sewer mains, utilizing the City of Daytona Beach contract, with Insituform (Chesterfield, Missouri), in the estimated amount of \$300,000 for Fiscal Year 2020; and approve the renewal terms (if



exercised by the City of Daytona Beach) for up to four (4) additional one-year terms, in the estimated annual amounts of \$330,000 for Fiscal Year 2021, \$363,000 for Fiscal Year 2022, \$399,300 for Fiscal Year 2023, and \$439,230 for Fiscal Year 2024.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**3. ‘Cooperative Purchase’, Police Dodge Durango pursuit vehicles (Florida Sheriffs Association contract) with lighting and interior modifications (Broward County Sheriff Association contract) – Police Department (Alan Jay Fleet Sales; Strobes-R-U’s; O-Reilly Auto Parts; Space Coast Auto Supply; Arts Window Tinting; Brevard County Tax Collector - \$139,522 for FY20; \$661,884 total, payable over five (5) years to Bank of America Public Capital Corp.).**

Staff Recommendation: Approve the purchase of eighteen (18) 2020 Dodge Durango police pursuit vehicles (utilizing the Florida Sheriffs Association contract – Alan Jay Fleet Sales) with lighting and interior modifications (utilizing the Broward County Sheriff Association contract – Strobes-R-U’s, O-Reilly Auto Parts, Space Coast Auto Supply, Arts Window Tinting), upon closing of the lease purchase agreement with Bank of America (\$139,522, payable at closing, is budgeted in Fiscal Year 2020 for the first annual lease purchase payment).

The item, announced under Agenda Revisions, was corrected as follows:

Staff Recommendation: Approve the purchase of eighteen (18) 2020 Dodge Durango police pursuit vehicles (utilizing the Florida Sheriffs Association contract – Alan Jay Fleet Sales) with lighting and interior modifications (utilizing the Broward County Sheriff Association contract – Strobes-R-U’s, O-Reilly Auto Parts, Space Coast Auto Supply, Arts Window Tinting), upon closing of the lease purchase agreement with Bank of America (**\$136,614.43**, payable at closing, is budgeted in Fiscal Year 2020 for the first annual lease purchase payment).

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to approve the purchase and outfit of vehicles as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**4. ‘Cooperative Purchase’, SPH100 Aerial Platform (Sourcewell contract) – Fire Department (Sutphen Corporation - \$1,278,000 – upon closing of the lease purchasing financing).**

Staff Recommendation: Approve the purchase of a Sutphen SPH100 Aerial Platform Mid-Mount, utilizing the Sourcewell contract, from Sutphen Corporation (Dublin, Ohio) in the amount of \$1,278,000 (anticipated annual payment of \$138,609.98).

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to approve the purchase as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

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

#### **1. Appointment of one (1) adult member to the Youth Advisory Board.**

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint Christopher Duncan to the 'adult member' position on the Youth Advisory Board. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

#### **2. Appointment of one (1) student member to the Youth Advisory Board.**

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint Joshua Grady to the 'student member' position on the Youth Advisory Board. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

### **COMMITTEE AND COUNCIL REPORT(S):**

Councilmembers provided updates on activities of various agencies and boards on which they served as members.

1. Mr. Anderson reappointed Phil Weinberg to the Space Coast Transportation Planning Organization's Citizens Advisory Committee (TPO CAC).
2. Mr. Bailey reported on the following:
  - a.) Reappointed James Boothroyd to the TPO CAC;
  - b.) Requested a workshop to further discuss the parking ordinance;
  - c.) Expressed concern that proper time would not be allowed for resident input on the solid waste proposals prior to Council consideration. He suggested a two-week time frame for citizens to review the proposals.

d.) Suggested the creation of a fact-finding committee, comprised of City residents, whose purpose would be to review other outside contracts and present information to Council prior to consideration of a final contract. He would work with staff on the specifics. Council concurred.

3. Mr. Santiago agreed with a workshop for the parking ordinance. He said the text amendments would be presented to the Planning and Zoning Board (P&Z) in April and then Council could have the workshop thereafter. Mr. Bailey preferred the workshop be held prior to P&Z to allow public input. Mr. Santiago did not want P&Z to possibly have further changes and then the language presented to Council may not be what Council desired. He said that, typically, the workshops would be held after P&Z. Mr. Bailey asked the City Clerk to research if other textual amendments, including the parking ordinance, had been discussed at a Council workshop prior to P&Z.

4. Deputy Mayor Johnson reported on the following:

a.) He had been communicating with staff for a resolution to fund the Road Maintenance Program. He suggested utilizing the Undesignated Fund Balance for same. Mr. Bailey agreed, but added that it would have to be a year-to-year budget decision as a resolution could not control future Councils or future budgets. Mr. Anderson said another option would be to establish that a certain percentage of the Undesignated Fund Balance be dedicated to the Road Maintenance Program.

b.) Reappointed Donny Felix and Roy Thomas (alternate) to the TPO CAC.

#### **NEW BUSINESS:**

#### **1. Resolution 2020-05, authorizing the lease purchase agreement of certain equipment with the Bank of America Public Capital Corp.**

The City Attorney read the resolution in caption only.

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to adopt Resolution 2020-05. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**2. Consideration of:**

**a.) renewal of lease agreement with the Greater Palm Bay Chamber of Commerce for property located at 4100 Dixie Highway NE (annual lease amount - \$10.00); and**

Staff Recommendation: Authorize the City Manager to execute the Lease Agreement with the Greater Palm Bay Chamber of Commerce for City-owned property located at 4100 Dixie Highway NE at the annual lease amount of \$10.00.

Nancy Peltonen, President/CEO of the Greater Palm Bay Chamber of Commerce (Chamber), provided an overview of the Chamber's mission, membership, and its presence both online and throughout the community. Individuals spoke in support of the Chamber.

Deputy Mayor Johnson asked staff's vision between the Economic Development Department and the Chamber. Mrs. Junkala-Brown said her vision was to continue to collaborate as far as business community, partnering to hold workshops that would be useful for businesses to grow and sustain, marketing within and outside of Brevard County, advocacy for legislative items, etc.

Motion by Deputy Mayor Johnson, seconded by Mr. Anderson, to approve the Lease Agreement as requested. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**b.) renewal of the Greater Palm Bay Chamber of Commerce Platinum membership annual dues for 2020 (\$15,000).**

Staff Recommendation: Approve the renewal of the Greater Palm Bay Chamber of Commerce Platinum membership annual dues for 2020 in the amount of \$15,000, from the City Manager's Office Operating Budget.

Motion by Mr. Santiago, seconded by Mr. Bailey, to approve the membership renewal as requested. Councilmembers thanked Ms. Peltonen and her staff for their service and continued partnership with the City. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**\*3. Consideration of ratifying the agreement with the National Association of Government Employees (NAGE) Local R-5-197 (White), October 1, 2019 – September 30, 2022.**

Staff Recommendation: Ratify the agreement with the National Association of Government Employees (NAGE) Local R-5-197 (White), commencing October 1, 2019, and expiring September 30, 2022.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*4. Consideration of Emergency Medical Services Grant Agreement awarded by the Board of County Commissioners of Brevard County (\$12,392).**

Staff Recommendation: Approve the Emergency Medical Services Grant Agreement awarded by the Board of County Commissioners of Brevard County in the amount of \$12,392 and authorize the City Manager to execute the agreement.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*5. Consideration of submitting grant applications to Federal Emergency Management Agency's (FEMA) Region IV Hazard Mitigation Program for hardening of Fire Stations 1 and 5.**

Staff Recommendation: Approval submittal of grant applications to Federal Emergency Management Agency's (FEMA) Region IV Hazard Mitigation Program for hardening of Fire Stations 1 and 5.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*6. Consideration of budget appropriation to the operating budget of the Code Compliance Division of the Growth Management Department to adequately meet the needs of the division (\$16,500).**

The item, announced under Agenda Revisions, was withdrawn by staff.

**\*7. Consideration of budget appropriation from the General Fund to the Building Fund to purchase four (4) used vehicles from Building Division for Code Compliance Division (\$51,670).**

Staff Recommendation: Approval of a budget appropriation from the General Fund to the Building Fund to purchase four (4) used vehicles from Building Division for Code Compliance Division in the amount of \$51,670.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**8. Consideration of budget appropriation for City sewer services at Fred Poppe Regional Park (\$249,718).**

Staff Recommendation: Approve funding in the amount of \$249,717.97 (project cost estimate of \$227,016.34 plus 10% contingency) for connecting failed sanitary systems at the Fred Poppe Dog Park, existing Scouting Campground, Soccer Complex Baseball Complex, and Softball Complex to existing City of Palm Bay sewer lines.

The item, announced under Agenda Revisions, was corrected as follows:

Staff Recommendation: Approve funding in the amount of **\$359,717.97** (project cost estimate of **\$327,016.34** plus 10% contingency) for connecting failed sanitary systems at the Fred Poppe Dog Park, existing Scouting Campground, Soccer Complex Baseball Complex, and Softball Complex to existing City of Palm Bay sewer lines.

Bill Battin, resident, asked the cost to repair the septic system and, if it could be repaired at a cheaper cost, then funding could be placed to expand the sewer system to adjacent neighborhoods. Mrs. Morrell said that as sewer was available, the City had to connect to the system.

Motion by Mr. Santiago, seconded by Mr. Anderson, to approve the budget appropriation for City sewer services at Fred Poppe Regional Park in the amount of \$249,718.

Motion by Mr. Santiago, seconded by Mr. Anderson, to approve the budget appropriation for City sewer services at Fred Poppe Regional Park with the amended amount of \$327,016.34.

Mr. Santiago withdrew his motion as the amount had to be corrected.

Motion by Mr. Santiago, seconded by Mr. Anderson, to approve the budget appropriation for City sewer services at Fred Poppe Regional Park with the amended amount of \$359,717.97.

Mr. Bailey said the City had the responsibility to maintain the park, so the expense had to be made, but added that this was another failure of promises made to Council by previous leadership to take over the Regional Park, Aquatic Center and Senior Center. Council was told that these acquisitions would be revenue neutral. He said that staff did not properly assess the pool and not only was there a major expense to repair it, but the pool was also closed for an entire season. He said there was no accountability from previous or current leadership.

Mr. Anderson asked if Brevard County had provided contributions for maintenance of the park. Mrs. Morrell said that the impact fees had already been paid so there was no expense from the City to pay those fees. Mr. Anderson thought that approximately \$126,000 had been received from Brevard County. He felt that once the park was up to where it needed to be, it would generate revenues. Mr. Bailey said that the contributions received were towards operations and were not for capital costs.

Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**\*9. Consideration of funds transfer to purchase two (2) used Sand Pros for ballfield maintenance (\$24,000).**

The item, announced under Agenda Revisions, was withdrawn by staff.

**\*10. Consideration of transfer from Fund Balance to Fire Department's Operating Budget for previously approved squad radio at Fire Station 1 (\$4,905).**

Staff Recommendation: Approve transfer from Fund Balance to Fire Department's Operating Budget for previously approved squad radio at Fire Station 1 in the amount of \$4,905.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*11. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$20,963).**

Staff Recommendation: Approve the expenditure of funds as specified in the City Manager's memorandum.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**\*12. Acknowledgment of Investment Performance Review Report, prepared by PFM Asset Management LLC, for the quarter ended December 31, 2019.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

**\*13. Acknowledgement of the City's monthly financial report for December 2019.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

**\*14. Consideration of travel and training for specified City employees.**

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

**ADMINISTRATIVE AND LEGAL REPORTS:**

1. Mrs. Morrell advised that the Certificate of Occupancy had been filed for the newly constructed hotels on Palm Bay Road and would be opening soon.

**PUBLIC COMMENTS/RESPONSES:**

Individuals made general comments.

1. Butch Orend, resident, asked that Council refrain from wearing clothing with the City of Palm Bay insignia, especially at political events. It implied that the City and/or Council supported such events.

2. David Jones, United Way of Brevard, requested a resolution in support of Brevard Zoo's efforts to bring a world class aquarium to Brevard County. Brevard County and numerous municipalities had already passed a resolution. Council concurred.

Mrs. Morrell said that the impact fees paid by Brevard County for Fred Poppe Regional Park was \$48,971.52 (related to Item 8, under New Business).

Mr. Santiago said that the City Attorney's Office would research Mr. Orend's comment and advise Council accordingly.



Mr. Anderson requested an update on Minton Road at the next regular Council meeting.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 9:07 p.m.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

\* Identifies items considered under the heading of Consent Agenda.