

# CITY OF PALM BAY, FLORIDA

## REGULAR COUNCIL MEETING 2020-06

Held on Thursday, the 19<sup>th</sup> day of March 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.

Mayor Capote 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

Councilman Santiago participated in the meeting via teleconference.

**CITY STAFF:** Present was Suzanne Sherman, Deputy City Manager.

### ANNOUNCEMENT(S):

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

- 1. Three (3) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building', and 'employer within the City').++**
- 2. One (1) vacancy on the Youth Advisory Board (represents youth board member 'at-large' position).++**
- 3. Four (4) terms expiring on the Disaster Relief Committee.++**

**4. One (1) vacancy on the Citizens' Budget Advisory Committee (represents 'at-large' position).+**

**AGENDA REVISION(S):**

1. Mrs. Morrell announced that Item 1, under Proclamation(s), and Item 1, under Presentation(s), had been withdrawn from the agenda.

**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 removal of Item 1, Contract, under Procurement(s), from consent and tabled to the next regular meeting. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**PROCLAMATION(S):**

1. **National Procurement Month, March 2020.** The item, announced under Agenda Revisions, was withdrawn from the agenda.

**PRESENTATION(S):**

1. **Ken Parks, Children's Home Society of Florida – Space Coast Circle of Heroes Challenge.** The item, announced under Agenda Revisions, was withdrawn from the agenda.

**ADOPTION OF MINUTES:**

**\*1. Regular Council Meeting 2020-05; March 5, 2020.**

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

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

A resident made a general comment.

**PUBLIC HEARING(S):**

**1. Ordinance 2020-06, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions' by modifying provisions contained therein, final reading.**

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

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-06. 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 2020-20, amending Ordinance 2019-68, which amended the Code of Ordinances, Chapter 178, Signs, by eliminating the time limit provisions related to the display of temporary signs (Case T-5-2020, City of Palm Bay), final reading.**

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

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-20. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**PROCUREMENT(S):**

**Award of Bid(s):**

**\*1. Biosolids transportation and disposal – IFB 35-0-2020 – Utilities Department (H&H Liquid Sludge Disposal, Inc. - estimated annual amount \$107,000).**

Staff Recommendation: Approve the award for biosolids transportation and disposal to H&H Liquid Sludge Disposal, Inc. (Branford) for an estimated annual amount of \$107,000, for a one-year term contract, renewable by the Procurement Department for four (4) additional one-year terms.

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

**Award of Proposal(s):**

**\*1. Firefighter physical exams – RFP 07-0-2020 – Fire Department (Life Extension Clinics, Inc. dba LifeScan Wellness Centers - \$116,100).**

Staff Recommendation: Approve the award for Firefighter physical exams to Life Extension Clinics, Inc. dba LifeScan Wellness Centers of Tampa in the amount of \$116,100, for an initial twenty-four (24) month period, with two (2) additional twelve (12) month renewal periods, up to a cumulative total of forty-eight (48) months.

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

**Miscellaneous:**

**\*1. “Cooperative Purchase’, Caterpillar diesel generator, Fire Station 5 (Sourcewell contract) – Fire Department (Ring Power - \$71,268).**

Staff Recommendation: Approve the cooperative purchase of a Caterpillar diesel generator, Model D60-2LC, for Fire Station 5, utilizing the Sourcewell contract, with Ring Power (Atlanta, Georgia), in the amount of \$71,268.

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

**\*2. ‘Cooperative Purchase’, replacement vehicles (Florida Sheriffs Association contract) – Public Works Department (Duval Ford - \$177,815); authorize appropriation from General Fund.**

Staff Recommendation: Approve the cooperative purchase of six (6) Ford Ranger Super Cab 4X4 pick-up trucks and one Ford F-150 Crew Cab 4X4 pick-up truck, utilizing the Florida Sheriff’s contract, from Duval Ford (Jacksonville), in the amount of \$177,815; authorize the appropriation of \$177,815 from the General Fund to purchase the vehicles.

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

**\*3. Biosolids transportation and disposal, North Regional Wastewater Treatment Plant, purchasing authority – Utilities Department (H&H Liquid Sludge Disposal, Inc. – increase of \$85,000).**

Note: The item, approved under Consent Agenda, was inadvertently considered and voted upon separately by City Council.

Staff Recommendation: Approve the increase in annual purchasing authority in the amount of \$85,000 for biosolids transportation and disposal with H&H Liquid Sludge Disposal, Inc. (Branford).

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-20. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**Contract(s):**

**\*1. Engineering services during construction, South Regional Water Reclamation Facility – TO 20-05 – Utilities Department (Wade Trim - \$1,896,353).**

The item, announced under Consent Agenda, was tabled to the next regular Council meeting.

**\*2. Sewer pipe and manhole repair, Lift Station 42/Danr Drive (emergency purchase, change order) – Utilities Department (Gregori Construction - \$22,100).**

Staff Recommendation: Approve the change order for additional services to complete the sewer pipe and manhole repair with Gregori Construction Inc. (Titusville) in the amount of \$22,100.

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

**UNFINISHED AND OLD BUSINESS:**

**1. Appointment of two (2) members to the Police and Firefighters' Retirement Pension Plan, Board of Trustees (represents one (1) Councilmember and one (1) resident).**

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint James Winfield Brock to the 'resident' position of the Board of Trustees. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Mayor Capote as Council representative to the Board of Trustees. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

**COUNCIL REPORTS:**

Councilmembers addressed various subject matters.

**NEW BUSINESS: (Ordinance is for first reading.)**

**\*1. Resolution 2020-06, extending the commencement period for a conditional use granted for retail automotive gas/fuel sales in CC (Community Commercial District) zoning (1.5 acres)(Case CU-2-2019, Carmel Development LLC).**

The City Attorney read the resolution in caption only.

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

**\*2. Resolution 2020-07, supporting the efforts of Brevard Zoo to bring a world class aquarium to Brevard County.**

The City Attorney read the resolution in caption only.

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

**\*3. Resolution 2020-08, amending Resolution 2019-34, as amended, adopting rates, charges, and fees, for Fiscal Year 2019-2020, pursuant to the Code of Ordinances, Title XVII, Land Development Code.**

The City Attorney read the resolution in caption only.

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

**\*4. Ordinance 2020-21, amending the Code of Ordinances, Title III, Administration, by creating Chapter 39, Community and Economic Development.**

The City Attorney read the ordinance in caption only.

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

**\*5. Consideration of a budget amendment from Designated Fund Balance to SHIP Single-Family Rehabilitation, Other Current Charges, and Other Contractual Services for the purposes of SHIP programming (\$109,100).**

Staff Recommendation: Approve a budget amendment allocating \$109,100 from Designated Fund Balance to SHIP Single Family Rehabilitation, Other Current Charges and Other Contractual Services account.

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

**\*6. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$79,852).**

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.

**\*7. Acknowledgement of the City's monthly financial report for January 2020.**

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

**\*8. Acknowledgement of the 2019 Annual Report for the Bayfront Community Redevelopment Agency.**

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

**\*9. Acknowledgement of the 2019 Ad Valorem Tax Exemption Annual Report for L3Harris Technologies Inc.**

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

**\*10. Acknowledgement of the 2019 Ad Valorem Tax Exemption Annual Report for Midwest Dental Arts.**

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

**\*11. 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 all City facilities would be closed to public access effective at noon on Friday, March 20<sup>th</sup>. Many employees would be teleworking from home, but City operations would continue through April 15<sup>th</sup>. If residents needed to come to City Hall, it would be by appointment only.

Mr. Bailey asked about permitting and site inspections. Mrs. Morrell answered that home inspections, if not an emergency, would most likely be delayed. Construction and outdoor related permits and inspections would continue as normal.

Mr. Anderson asked that it be relayed to the public that if their permit expired, they would not be charged, and the City would work with those individuals. Mrs. Morrell confirmed same and added that utilities would not be shut off due to non-payment and the City would make every attempt to accommodate the needs of the residents.

Mayor Capote understood that social media was a main venue to get information out to the residents, but he wanted to ensure that all avenues were utilized, including radio. He said that many residents did not use or have access to the internet. Mrs. Morrell said staff would do its best to get information out in other ways.

**PUBLIC COMMENTS/RESPONSES:**

1. Peter Filiberto, resident, asked if quarantined employees could be paid from the contingency fund instead of having to use their personal time. Mrs. Morrell advised that all employees were being paid at this time and were not using any personal leave. Mr. Filiberto requested an update on the Southern Interchange. Mrs. Morrell said that staff had a brief meeting with Brevard County this week, with a follow-up conversation to occur next Wednesday. Brevard County would be providing its comments at that time.

Mr. Anderson said he had spoken to Commissioner Isnardi and the County Manager about the Interlocal Agreement (ILA) and everyone seemed to be in agreement that the next ILA draft should be fair to both entities.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 7:35 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.