

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING 2023-07

Held on Thursday, the 16th day of March 2023, 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 6:00 P.M.

Pastor Jim Campbell, Bay West Church, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	Rob Medina	Present
DEPUTY MAYOR:	Donny Felix	Present
COUNCILMEMBER:	Kenny Johnson	Present
COUNCILMEMBER:	Randy Foster	Absent
COUNCILMEMBER	Vacant	
CITY MANAGER:	Suzanne Sherman	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

CITY STAFF: Joan Junkala-Brown, Deputy City Manager; Juliet Misconi, Deputy City Manager; Alexandra Bernard, Growth Management Director.

ANNOUNCEMENTS:

Deputy Mayor Felix announced the following vacancies and solicited applications for same:

- 1. One (1) vacancy on the Youth Advisory Board (represents 'at-large student member' position).++**
- 2. One (1) vacancy on the Palm Bay City Council (represents 'Seat 5' position).++**

AGENDA REVISION(S):

Ms. Sherman announced the following revisions:

A. A presentation for the Palm Bay Strategic Plan was provided for Item 1, under Presentations;

B. A presentation relating to the Comprehensive Plan was provided for Item 2, under Public Hearings;

C. Item 11, under Consent Agenda, relating to the Treatment Plant Operator position, was withdrawn; and

D. Item 12, under Consent Agenda, relating to the Victims of Crime Act grant funds, was updated to include the Legislative Memorandum, notice of availability, and draft application.

PROCLAMATIONS AND RECOGNITIONS:

The proclamations were read.

- 1. Proclamation: Mayor's Business Spotlight Recipient - Drain Mechanics LLC.**
- 2. Proclamation: Parliamentary Law Month - April 2023.**

PRESENTATIONS:

- 1. Jacquelyn McCray, Baker Tilly Management Partners – Palm Bay Strategic Plan, Fiscal Years 2024-2028.**

Dr. McCray reviewed the Strategic Plan Elements, including methodology, five (5) overarching priorities, vision, mission, and organizational values. Goals included developing sustainable and innovative infrastructure; growing the community in a well-balanced manner; increasing public safety for residents, businesses and visitors; increasing commercial and industrial growth; and improving community engagement and feedback. Dr. McCray responded to questions posed by councilmembers.

- 2. Valentino Perez, Chief Building Official – Building Department and Public Works Process Improvements.**

Mr. Perez provided an overview of plan review changes, including departmental office changes, implementation of the IMS software to make processing permits more efficient, elimination of driveway/drainage permit backlogs, and meetings with contractors to receive suggestions, complaints, improvement ideas and helping to educate contractors struggling through the process.

PUBLIC COMMENT(S)/RESPONSE(S): (Non-agenda Items Only)

Individuals made general comments.

PUBLIC HEARING(S):

1. Ordinance 2023-12, amending the Code of Ordinances, Chapter 185, Zoning Code, Subchapter 'General Provisions', by modifying provisions related to accessory dwelling units (Case T-16-2023, 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. The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Ordinance 2023-12. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

2. Ordinance 2023-13, amending the Transportation, Housing, Recreation and Open Space, Conservation, Intergovernmental Coordination, Coastal Management, Capital Improvements, Infrastructure and Private Property Rights Elements of the Comprehensive Plan of the City of Palm Bay (Case CP-6-2023, City of Palm Bay), first reading.

The Planning and Zoning Board recommended approval of the request.

The City Attorney read the ordinance in caption only. The public hearing was opened. Pat Tyjeski, Inspire Placemaking Collective and consultant for the City, presented the request to Council and provided an overview of the proposed amendments.

Mr. Johnson said that until it was discussed in 2019, there was no vision towards updating the Comprehensive Plan. He said Council had given direction to update the Comprehensive Plan via an ordinance or policy. Ms. Tyjeski responded that the State required an update every seven (7) years, but a full rewrite would not be needed if only minor changes needed to be addressed. However, a policy could be included in the Comprehensive Plan for same.

Residents made general comments, including that some amendments were vague, the need for more greenspace and recreation, expanded footprints for larger homes, and concerns regarding transportation and traffic. Ms. Bernard responded to the comments.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-13. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

3. Ordinance 2023-10, amending the Code of Ordinances, Chapter 50, Elections, Subchapter 'Filling of Vacancies', by modifying provisions contained therein pursuant to the Palm Bay City Charter. (RECONSIDERED FOR FIRST READING UNDER NEW BUSINESS)

CONSENT AGENDA:

All items of business under the 'Consent Agenda' heading were enacted by the following motion:

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, that the Consent Agenda be approved as presented. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

1. Adoption of Minutes: Meeting 2023-03; February 2, 2023.

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

2. Award of Proposal: Citywide debt collection services – RFP 15-0-2023 – Utilities and Building Departments (R.T.R. Financial Services, Inc.).

Staff Recommendation: Approve the award for citywide debt collection services with R.T.R. Financial Services, Inc. (Jacksonville), for a three-year term contract, renewable by the Procurement Department for seven (7) additional one-year terms.

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

3. Contract: Consultant engineering services agreement, Amendment 2 (Malabar Road widening PD&E pond site report) – Public Works Department (Kittelson & Associates - \$64,641).

Staff Recommendation: Approve Amendment 2 to the consultant engineering services agreement with Kittelson & Associates for the Malabar Road widening PD&E pond site report, in the amount of \$64,640.81.

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

4. Miscellaneous: 'Cooperative Purchase', Bauer Air Trailer (National Purchasing Partners contract) - Fire Rescue Department; consideration of Intergovernmental Agreement with NPP and initially utilizing General Fund Undesignated Fund Balance, then CDBG funding once formally approved (Compressed Air Supplies & EQMT - \$126,000).

Staff Recommendation: Approve the award for a Bauer Air Trailer for Station 2 with Compressed Air Supplies & EQMT, through the National Purchasing Partners contract, in the amount of \$126,000; approve the intergovernmental agreement with NPP; and initially approve the appropriation of funds from the General Fund Undesignated Fund Balance, then replace with CDBG funding once formally approved.

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

5. Miscellaneous: Brush truck vehicle radios and air packs/bottles, Fire Stations 2, 3 and 5 - Fire Rescue Department; consideration of initially utilizing General Fund Undesignated Fund Balance, then CDBG funding once formally approved (\$119,000).

Staff Recommendation: Approve the purchase of four (4) brush truck vehicle radios and twelve (12) air packs/bottles for Fire Station 2 initially utilizing General Fund Undesignated Fund Balance, in the amount of \$119,000, the replace with CDBG funding once formally approved.

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

6. Miscellaneous: Polymer feed system, North Regional Wastewater Treatment Plant – Utilities Department (MKI Services, Inc. - \$27,500); and appropriation of funds from the Utilities Renewal and Replacement Undesignated Fund Balance.

Staff Recommendation: Approve the purchase of a replacement polymer feed system for the sludge dewatering facility at the North Regional Wastewater Treatment Plant with MKI Services, Inc., in the amount of \$27,500; and approve the appropriation of funds from the Utilities Renewal and Replacement Undesignated Fund Balance.

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

7. Miscellaneous: Air conditioner replacement, South Regional Administration Building – Utilities Department (Competitive Air and Heat - \$26,000); and appropriation of funds from the Utilities Renewal and Replacement Undesignated Fund Balance.

Staff Recommendation: Approve the purchase of a replacement air conditioner at the South Regional Administration Building with Competitive Air and Heat (Satellite Beach), in the amount of \$26,000; and approve the appropriation of funds from the Utilities Renewal and Replacement Undesignated Fund Balance.

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

8. Resolution 2023-08, authorizing the submission of a grant application to the Florida Inland Navigation District (FIND) Waterway Assistance Program (WAP) for continued improvements to Castaways Point Park.

The City Attorney read the resolution in caption only.

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

9. Consideration of adopting the Palm Bay Strategic Plan for Fiscal Years 2024-2028.

Staff Recommendation: Adopt the Palm Bay Strategic Plan for Fiscal Years 2024-2028.

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

10. Consideration of the Bayfront Community Redevelopment Agency 2022 Annual Report.

Staff Recommendation: Approve the Bayfront Community Redevelopment Agency 2022 Annual Report.

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

11. Consideration of appropriating funds from the Utilities Operating Undesignated Fund Balance for an additional Treatment Plant Operator position at the South Regional Water Treatment Plant (\$30,191). (WITHDRAWN)

This item, addressed under Agenda Revisions, was withdrawn by staff.

12. Consideration of submitting an application for Victims of Crime Act grant funds. (AGENDA REVISION)

Staff Recommendation: Approve the submission of an application for the Victims of Crime Act grant for 2023-2024.

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

13. Acknowledgement of the City's monthly financial report for January 2023 (Unaudited).

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

14. Acknowledgement of the March 2023 GO Road Bond Paving report update.

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

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Planning and Zoning Board.

The item was considered after Item 1, under New Business.

NEW BUSINESS:

1. Ordinance 2023-10, amending the Code of Ordinances, Chapter 50, Elections, Subchapter 'Filling of Vacancies', by modifying provisions contained therein pursuant to the Palm Bay City Charter, first reading.

Staff Recommendation: Approve the ordinance as presented or revised as needed.

The City Attorney read the ordinance in caption only.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-10. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Planning and Zoning Board.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to appoint Jeff McCleod to the 'at-large' position on the Planning and Zoning Board. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

Council resumed the consideration of items in the order as shown on the agenda.

NEW BUSINESS:

2. Consideration of a revision to the co-sponsorship for the West Indian Caribbean Culture and Sports, Inc. for the Family Fun Days event to be held on the first Saturday of every month in 2023.

Staff Recommendation: Approve the revised co-sponsorship with Western Indian Caribbean Cultural and Sports, Inc. for the Family Fun Days event to be held at Fred Poppe Park on the first Saturday of every month for the remainder of Fiscal Year 2023 (six (6) occurrences) for a total of \$3,240 of in-kind wages (labor) and \$1,800 in fee waivers.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to approve the revision to the co-sponsorship as recommended by staff. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea.

COMMITTEE AND COUNCIL REPORTS:

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

1. Mr. Johnson said that Representative Randy Fine had initially supported all five (5) Legislative priorities submitted by the city. However, he recently pulled the funding for four (4) of the priorities which not only hurt the city, but the residents of the city as well. He requested a letter or resolution to be sent to the Governor and Speaker of the House condemning the actions of Representative Fine. Mayor Medina felt there was still an opportunity to be successful in getting the support and said that this was not the right approach. Deputy Mayor Felix supported the request and said that Representative Fine needed to be held accountable.

ADMINISTRATIVE AND LEGAL REPORTS:

1. Ms. Sherman announced that the City would be hosting its first Sustainability Fair on Saturday, April 15th, from 4:00-7:00 P.M.

PUBLIC COMMENTS/RESPONSES:

Residents made general comments.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 7:53 P.M.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK