

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING 2023-30

Held on Thursday, the 7th day of December 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.

Minister Vivienne Wittcock, Bethel Abundant Life Ministries, 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	Present
COUNCILMEMBER:	Vacant	
CITY MANAGER:	Suzanne Sherman	Present
CITY ATTORNEY:	Patricia Smith	Present
DEPUTY CITY CLERK:	Terri Lefler	Present

Councilman Foster attended the meeting via teleconference.

CITY STAFF: Juliet Misconi, Deputy City Manager

ANNOUNCEMENTS:

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

- 1. Three (3) terms expiring and one (1) vacancy on the Disaster Relief Committee Executive Board. ++**
- 2. One (1) vacancy on the Community Development Advisory Board (represents 'employer within the city'). +**

AGENDA REVISIONS:

There were no agenda revisions.

PROCLAMATIONS AND RECOGNITIONS:

The proclamations were read.

- 1. Proclamation: 15th Annual Family Christmas Extravaganza Day - December 16, 2023. (Mayor Medina)**
- 2. Proclamation: National Homeless Persons' Memorial Day - December 21, 2023.**

PRESENTATIONS:

- 1. Pastor Ken Delgado, The House Church - Police Department employee picnic area improvement project.**

Pastor Delgado provided a presentation and update on the Police Department employee picnic area improvement project. The House Church was funding and implementing the project.

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

Individuals made general comments.

1. Lori Walden-Jones, resident, stated that she had an ongoing drainage issue on her property associated with Holiday Builders due to the new home construction adjacent to her property.

Ms. Sherman would have staff assist with her issue.

2. Terri Smith, resident and Executive Director for Helps Community Initiatives, requested use of one of the City's community centers to facilitate a cold night shelter this year.

Ms. Sherman would have Police Department staff assist with the details. Council concurred to have staff work on a plan of action for cold night shelters.

3. Shawn Terry, resident, stated that a policy change was needed for the Police Department regarding stolen vehicles. He explained his interaction with the police and the reasons for the request.

Ms. Sherman advised that she would provide information to Council regarding the incident and that the Police Department was working with Mr. Terry.

4. Daniel O'Brien, resident, asked for clarification regarding Ordinance 2023-101, which established mandatory connection to utilities. He did not feel there was proper notice to the public pursuant to Florida Statutes. He asked Council to reconsider the ordinance until proper public notice was given to the residents.

Ms. Smith provided clarification for the statute cited by Mr. O'Brien and said that the City had complied with the necessary notice requirements given to residents via legal advertisement.

5. Butch Orend, resident, made general comments. He asked if the opioid settlement had been received; inquired about placement of "Stay Alert" signs (round signs erected where deaths had occurred); mentioned a muck field in his front yard, as well as his neighbors, and said it was causing problems in the waterways; and asked about the repaving of Minton Road and why it had not been started yet when it was supposed to have started in November.

Ms. Sherman responded that the opioid settlement had been received and the first amount was \$160,000; the City did not have a program for "Stay Alert" signs, but staff would research the State program; and the bid proposal was scheduled for November/December 2023 for the paving of Minton Road, but it had been pushed out to February 2024.

APPROVAL OF CONSENT AGENDA:

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

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, that the Consent Agenda be approved as presented, with the removal of Items 4, 7, 8, 12, and 14, from consent. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

1. Adoption of Minutes: Meeting 2023-28; November 2, 2023.

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

2. Adoption of Minutes: Meeting 2023-29; November 14, 2023.

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

3. Award of Proposal: Enterprise Resource Planning (ERP), implementation and advisory services – RFP 37-0-2023 – Information Technology Department; authorization to enter negotiations with highest ranked firm (Cognizant Technology Solutions US Corporation) and second highest ranked firm (Avaap USA LLC) if negotiations with highest ranked firm fails).

Staff Recommendation: Approve the award for Enterprise Resource Planning (ERP), implementation and advisory services; and authorization to enter negotiations with the highest ranked firm, Cognizant Technology Solutions US Corporation (Reston, Virginia), and the second highest ranked firm, Avaap USA LLC (Caseyville, Illinois), should negotiations with the highest ranked firm fail.

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

4. Contract: Neptune Technology Group, Inc., water meters and parts - Utilities Department (Ferguson Waterworks, \$1,500,000 (annual estimate) (standardized, sole source)

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

5. Miscellaneous: 'Piggyback Purchase', 'as needed' temporary staffing services (City of Melbourne contract) - Recreation Department (AUE Staffing, Inc. - \$450,000 (estimated annual expenditure)).

Staff Recommendation: Approve the award for 'as needed' temporary staffing services with AUE Staffing, Inc. (Melbourne), through the City of Melbourne contract, in the annual estimated amount of \$450,000.

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

6. Miscellaneous: 'Piggyback Purchase', 'as needed' purchases of lighting, emergency lighting, specialty equipment, public safety equipment and accessories (Bradford County Sheriff's Office contract) - Police Department (Dana Safety Supply).

Staff Recommendation: Approve the award for 'as needed' purchases of lighting, emergency lighting, specialty equipment, public safety equipment and accessories with Dana Safety Supply (Jacksonville), through the Bradford County Sheriff's Office contract, in the annual estimated amount of \$600,000.

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

7. Miscellaneous: 'Piggyback Purchase', consulting services for Land Development reviews (Village of North Palm Beach contract) and miscellaneous purchases - Growth Management Department (Inspire Placemaking Collective, Inc. - \$210,678); consideration of a budget amendment allocating monies from General Fund Undesignated Fund Balance.

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

8. Miscellaneous: Road Bond Paving, Units 13, 14, Madden and Osmosis, Change Order 4 – Public Works Department (Timothy Rose Contracting Inc. - \$160,044).

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

9. Resolution 2023-42, recognizing the growing problem of antisemitism in the United States and adopting the non-binding International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism. (Mayor Medina)

The City Attorney read the resolution in caption only.

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

10. Resolution 2023-43, selling and conveying Bayfront CRA-owned surplus real estate, located at 1608 Orange Blossom Trail, to buyer Palm Bay Landing LLC.

The City Attorney read the resolution in caption only.

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

11. Resolution 2023-44, selling and conveying Bayfront CRA-owned surplus real estate, located on Orange Blossom Trail (address unassigned, Tax Account 2866312), to buyer Palm Bay Landing LLC.

The City Attorney read the resolution in caption only.

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

12. Ordinance 2023-103, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Palm Bay Infrastructure Advisory and Oversight Board', by modifying the sunset date and reinstating the board, first reading.

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

13. Ordinance 2023-104, amending the Code of Ordinances, Chapter 96, Florida Building Code, Subchapter 'Building Code', by updating references to the Florida Building Code, first reading.

The City Attorney read the ordinance in caption only.

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

14. Consideration of the City's 2024-2025 federal legislative priorities.

The item was removed from Consent Agenda and heard after Public Hearings under Consideration of Items Removed from Consent Agenda.

15. Consideration of a grant agreement with the U.S. Department of Justice for the Fiscal Year 2023 Law Enforcement Agency De-Escalation Grants - Community Policing Development Solicitation (\$150,000).

Staff Recommendation: Approve the agreement for the Fiscal Year 2023 Law Enforcement Agency De-Escalation Grant, Award #15JCOPS-23-GG-02551-PPSE; and authorize the City Manager to electronically execute the agreement through the Just Grants portal.

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

16. Consideration of funding request correction associated with the Fiscal Year 2024 approved capital outlay vehicles for the Police Department (\$301,685).

Staff Recommendation: Approve the Police Department's request for additional funding for the six (6) CSU Unmarked Sedans and one (1) Marked K9 SUV within the Fiscal Year 2024 approved capital outlay vehicles, in the amount of \$301,685.

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

17. Consideration of travel and training for specified City employees (Building Department).

Staff Recommendation: Approve the travel and training as specified.

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

18. Consideration of travel and training for specified City employees (Office of the City Manager and Information Technology Department).

Staff Recommendation: Approve the travel and training as specified.

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

PUBLIC HEARING(S):

1. Ordinance 2023-105, vacating a portion of the rear public utility and drainage easement located within Lot 15, Block 2124, Port Malabar Unit 42 (Case VE-16-2023, John and Colleen Pechulis), 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 Felix, seconded by Mr. Johnson, to approve Ordinance 2023-105. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

2. Consideration of a Final Order for denial of Resolution 2023-38, requesting a conditional use to allow for a self-storage facility in CC (Community Commercial District) zoning on property located south of and adjacent to Emerson Drive, in the vicinity east of St. Johns Heritage Parkway (3.57 acres) (Case CU23-00007, Ascot Palm Bay Holdings, LLC).

The public hearing was opened. Ms. Smith presented the request to Council. The public hearing was closed.

Motion by Mr. Johnson, seconded by Mayor Medina, to approval the Final Order for denial of Resolution 2023-38. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

3. Resolution 2023-45, granting a conditional use to allow for automotive gas/fuel sales in NC (Neighborhood Commercial District) zoning on property located at the southwest corner of Emerson Drive and Glencove Avenue (3.00 acres) (Case CU23-00003, Sunrise Plaza Enterprise, Inc.). (Quasi-Judicial Proceeding)

The Planning and Zoning Board recommended approval of the request.

The City Attorney read the resolution in caption only. The public hearing was opened. Attorney Richard Franzblau, representative for the applicant, presented the request to Council.

Deputy Mayor Felix asked if there was additional retail on the site in addition to the gas station. Mr. Franzblau confirmed same and responded to further questions posed by councilmembers.

Suzanne Kurz, resident, spoke against the request. She said the renderings depicted four (4) lanes of traffic when there was only two (2), and the applicant could not justify the potential traffic in the area. She said there was a lot of traffic due to the schools and safety of the children was a concern.

Mr. Franzblau said that the Planning and Zoning Board reviewed the eight (8) elements of the conditional use requirements and were satisfied, including the traffic. A traffic study would also be required.

Mayor Medina advised that he wanted an egress going east, as well as a left turn lane. He did not want any deviation from the rendering. He felt the proposed project could create jobs.

Deputy Mayor Felix said he would support the project as well and felt the area was deserving of same. He did feel safety was a concern and told the applicant that the project would need to consider ingress/egress improvements, such as a center turn lane and an egress eastward.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2023-45, subject to the applicant complying with the Land Development Division Staff Report.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

4. Resolution 2023-46, granting a conditional use to allow on-premise alcohol consumption accessory to an eating establishment in BMUV (Bayfront Mixed Use Village District) zoning, in accordance with Section 185.053(D)(2), Palm Bay Code of Ordinances, on property located east of and adjacent to Dixie Highway, in the vicinity south of Anglers Drive and west of Ridge Road (0.3 acres) (Case CU23-00014, AZAD Business Corp). (Quasi-Judicial Proceeding)

The Planning and Zoning Board recommended approval of the request, subject to staff comments contained in the Staff Report.

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

Mayor Medina disclosed ex-parte communications. He advised that he did not meet the applicant; however, he had dined at Red Ginger and the owners attempted to discuss the matter with him. He notified the owners that he could not have any discussions regarding the project. The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2023-46, subject to the applicant complying with the Land Development Division Staff Report. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

5. Resolution 2023-47, granting a conditional use to allow for an eating establishment with sidewalk/outdoor table service in BMUV (Bayfront Mixed Use Village District) zoning, in accordance with Section 185.053(D)(3), Palm Bay Code of Ordinances, on property located east of and adjacent to Dixie Highway, in the vicinity south of Anglers Drive and west of Ridge Road (0.3 acres) (Case CU23-00016, AZAD Business Corp). (Quasi-Judicial Proceeding)

The Planning and Zoning Board recommended approval of the request, subject to staff comments contained in the staff report.

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

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2023-47, subject to the applicant complying with the Land Development Division Staff Report.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

6. Consideration of Substantial Amendments to the City's approved Program Years 2019, 2020, 2021, and 2022 Annual Action Plans for Community Development Block Grant funds, only one hearing required.

The public hearing was opened. Ms. Sherman presented the request to Council. The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Substantial Amendments to the City's approved Program Years 2019, 2020, 2021, and 2022 Annual Action Plans for Community Development Block Grant funds. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:

Items of business removed under 'Approval of Consent Agenda' were considered at this time.

4. Contract: Neptune Technology Group, Inc., water meters and parts - Utilities Department (Ferguson Waterworks, \$1,500,000 (annual estimate) (standardized, sole source)

Staff Recommendation: Approve the sole source purchase of Neptune water meters and parts with Ferguson Waterworks (Newberry), in the estimated annual amount of \$1,500,000, on an 'as needed' basis, from January 1, 2024, through December 31, 2024.

Bill Battin, resident, spoke against the item. He said that \$10 million in funding was being written off by the recently enacted mandatory connection ordinance, but now the city wanted to spend \$1.5 million annually for water meters. Ms. Sherman advised that the meters were paid for by the customer so this was an expense that would be reimbursed to the city.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to approve the sole source purchase of Neptune water meters and parts with Ferguson Waterworks as requested. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

7. Miscellaneous: 'Piggyback Purchase', consulting services for Land Development reviews (Village of North Palm Beach contract) and miscellaneous purchases - Growth Management Department (Inspire Placemaking Collective, Inc. - \$210,678); consideration of a budget amendment allocating monies from General Fund Undesignated Fund Balance.

Staff Recommendation: Approve the award for consulting services for Land Development reviews and miscellaneous purchases with Inspire Placemaking Collective, Inc., through the Village of North Palm Beach contract, in the amount of \$210,678; and approve a budget amendment allocating monies from General Fund Undesignated Fund Balance.

Bill Battin, resident, preferred that this item be performed by city staff rather than outsourcing. He inquired about the 500 active businesses that had not paid their fire prevention inspections, what action was being taken to address the uncollected fees and the total amount outstanding.

Ms. Sherman explained that due to being short-staffed with Planner positions, there was a need to outsource those duties in order to keep up with the workload until the positions could be filled with qualified personnel. She said that with the inspections, businesses were being invoiced, but there was no follow-up process in place with prior staff to pursue the payments. In partnering with the Code Compliance Division, outstanding payments would be sought. Ms. Sherman did not have a total for the outstanding payments, but she would notify Mr. Battin accordingly.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve the award for consulting services for Land Development reviews and miscellaneous purchases with Inspire Placemaking Collective, Inc. as requested.

Mr. Johnson felt this was an opportunity to implement utilizing artificial intelligence (AI) for various city purposes. Ms. Sherman said staff had an upcoming demonstration for same.

Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

8. Miscellaneous: Road Bond Paving, Units 13, 14, Madden and Osmosis, Change Order 4 – Public Works Department (Timothy Rose Contracting Inc. - \$160,044).

Staff Recommendation: Approve Change Order 4 for Road Bond Paving, Units 13, 14, Madden and Osmosis with Timothy Rose Contracting Inc., in the amount of \$160,044.

Bill Battin, resident, stated that the traffic calming measure was removed on Gaynor Drive which was a local road; however, it had the same traffic as a collector road. He said that Gaynor Drive had no road striping and was dangerous. He questioned why Madden Avenue, which had been paved recently and had striping when only twenty (20) residents lived on that road. He asked about the priority was for safety. Ms. Sherman advised she would communicate with staff and follow-up with Mr. Battin. Deputy Mayor Felix agreed with Mr. Battin regarding the striping of Gaynor Drive, along with adding necessary street lighting. Mayor Medina supported Deputy Mayor Felix's comments.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to approve the change order for road bond paving as requested. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

12. Ordinance 2023-103, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Palm Bay Infrastructure Advisory and Oversight Board', by modifying the sunset date and reinstating the board, first reading.

The City Attorney read the ordinance in caption only.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve Ordinance 2023-103. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

14. Consideration of the City's 2024-2025 federal legislative priorities.

Staff Recommendation: Approve the 2024-2025 federal legislative priorities and authorize Deputy Mayor Felix to execute letters of support to Congressman Posey and Senators Rubio and Scott.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to approve the 2024-2025 federal legislative priorities and authorize Deputy Mayor Felix to execute letters of support to Congressman Posey and Senators Rubio and Scott. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

UNFINISHED AND OLD BUSINESS:

1. Appointment of one (1) member to the Bayfront Community Redevelopment Agency.

Ms. Lefler announced that, after further review, it was determined that Mr. Backus did not meet the qualifications to serve on the board as he did not reside or work in the Bayfront District; therefore, there was only one (1) application to consider.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to appoint Kenneth Parks to the 'at-large' position on the Bayfront Community Redevelopment Agency. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Foster, Yea.

NEW BUSINESS:

1. Consideration of a co-sponsorship request from CareerSource Brevard for a veteran focused job fair to be held on February 7, 2024, at the Tony Rosa Community Center.

Staff Recommendation: Approve the City's co-sponsorship with CareerSource Brevard for a veteran focused job fair, authorizing \$1,275 in fee waivers.

A representative from CareerSource Brevard presented the request and responded to questions posed by councilmembers.

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

2. Consideration of a co-sponsorship request from The Indian Association of the Space Coast, Inc. for the Second Annual Palm Bay Indian Kite Festival on January 21, 2024, at Fred Poppe Regional Park.

Staff Recommendation: Approve the City's co-sponsorship with the Indian Association of the Space Coast, Inc. for the Second Annual Palm Bay Indian Kite Festival, authorizing \$2,030 of in-kind wages (labor) and \$1,575 in fee waivers.

Mr. Ankur Shah presented the request to Council. In addition to in-kind services, Mr. Shah was seeking financial support from the City. Ms. Sherman advised that city policy did not allow for taxpayer dollars to fund co-sponsorships other than in-kind services.

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

COUNCIL REPORTS:

1. Mr. Johnson requested Council's consideration to give employees the day off on December 26, 2023. He advised state offices were closed on that day. Ms. Sherman advised that the estimated expense would be \$90,000 - \$100,000. Council concurred.
2. Mayor Medina asked Council to reach out to other cities to join Palm Bay in adopting an antisemitism resolution.

ADMINISTRATIVE AND LEGAL REPORTS:

1. Ms. Sherman made the following reports:

A. The Brevard County School Board had requested a joint workshop to discuss synergy between the two agencies. Topics would include reviewing interlocal agreements for future planning, collaboration on facilities, support for after school programs, etc. Mayor Medina asked that discussion include curriculum in schools, specifically American history/military history. Council concurred.

B. Requested Council consensus to utilize the City's Police Athletic League (PAL) Program bus for the Christmas Extravaganza to provide shuttle service for residents. Council concurred.

C. Asked if a member of Council wanted to attend the Legislative Priorities in Washington, D.C., in February 2024. Deputy City Manager Joan Junkala-Brown would also be attending. Council concurred for Mayor Medina to attend.

D. Requested a Special Council Meeting to discuss incentive payments for Fire Department personnel. Council concurred to schedule the meeting for Thursday, December 14, 2023, at 5:30 P.M.

2. Ms. Smith requested an Executive Session on Thursday, December 14, 2023, at 6:00 P.M. to seek advice pertaining to Flachmeier vs. City of Palm Bay, Case 05-2021-CA-021271. Attendees would be Mayor Rob Medina; Deputy Mayor Donny Felix; Councilmembers Kenny Johnson and Randy Foster; City Manager Suzanne Sherman; City Attorney Patricia Smith; Deputy City Attorney Rodney Edwards; and the Court Reporter. The attorney-client session would last approximately thirty (30) minutes. Council concurred.

PUBLIC COMMENTS/RESPONSES:

Individuals made general comments.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:04 P.M.

Rob Medina, MAYOR

ATTEST:

Terri J. Lefler, DEPUTY CITY CLERK