

# CITY OF PALM BAY, FLORIDA

## REGULAR COUNCIL MEETING 2024-24

Held on Thursday, the 19<sup>th</sup> day of September 2024, 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 Mark Miller, Victory in Christ Jesus Ministries, Palm Bay, gave the invocation which was followed by the Pledge of Allegiance to the Flag.

### ROLL CALL:

<b>MAYOR:</b>	Rob Medina	Present
<b>DEPUTY MAYOR:</b>	Donny Felix	Present
<b>COUNCILMEMBER:</b>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Philip Weinberg	Present
<b>COUNCILMEMBER</b>	Vacant	
<b>CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>CITY CLERK:</b>	Terese Jones	Present

**CITY STAFF:** Joan Junkala-Brown, Deputy City Manager; Juliet Misconi, Deputy City Manager; Richard Stover, Fire Chief.

### ANNOUNCEMENTS:

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

- 1. Three (3) vacancies on the Youth Advisory Board (represents 'at-large student member' positions).++**
- 2. One (1) vacancy on the Community Development Advisory Board (represents 'Banking Industry' position).++**
- 3. One (1) term expiring on the Melbourne-Tillman Water Control District Board (represents 'resident of the District' position).++**
- 4. One (1) vacancy on the Sustainability Advisory Board (represents 'at-large' position).++**

**AGENDA REVISIONS:**

Ms. Sherman announced the following:

A. The applicant for Item 15, under Public Hearings, requested that the item be considered earlier in the meeting, prior to the first public hearing.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg, to consider Item 15, under Public Hearings, prior to the first public hearing. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

B. Staff requested that Item 16, under Public Hearings, and Item 8, under Consent Agenda, be continued to the October 17, 2024, Regular Council meeting; and Item 5, under Consent Agenda, be continued to the October 3, 2024, Regular Council Meeting.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to continue Item 16, under Public Hearings, and Item 8, under Consent Agenda, to the October 17, 2024, regular Council meeting; and Item 5, under Consent Agenda, be continued to the October 3, 2024, Regular Council Meeting. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

C. Consideration of travel and training for specified City employees within the Building Department was added to the agenda as Item 2, under New Business.

**PROCLAMATIONS AND RECOGNITIONS:**

- 1. Proclamation: National Surgical Technologists Week – September 15-21, 2024.** As the recipient was not present, the proclamation was not read.
- 2. Proclamation: Prisoner of War/Missing in Action Recognition Day – September 20, 2024.** The proclamation was read.

**PRESENTATIONS:**

- 1. Gabriel Bowden, Utilities Director – update on status of projects and initiatives within the Utilities Department.**

Mr. Bowden provided an overview of the Utilities Department, the City's infrastructure, key projects and regulatory updates and the department's critical priorities. He responded to questions posed by councilmembers.

A brief recess was taken after which time the meeting resumed.

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

Individuals made general comments.

1. Tom Rebman, resident, requested a workshop regarding House Bill 1365, which prohibited camping and sleeping on public property and authorized counties to designate public property for such uses for a specified time period. The bill would be effective January 1, 2025. Mr. Rebman felt it could be a detriment to the City if Council and staff did not act accordingly.

Ms. Sherman explained that staff had been actively coordinating with the Brevard Homeless Coalition, as well as Brevard County and other municipalities, for guidance and resolutions on how to mitigate the situation when the law goes into effect. Mr. Johnson agreed that a workshop was warranted to discuss implementing certain processes and ideas on how to achieve compliance.

**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. Weinberg, that the Consent Agenda be approved as presented with the removal of Items 1, 3, 4, and 6, from consent. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**1. Contract: Life and disability insurance benefits, City employees - Human Resources Department (Standard Insurance Company).**

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

**2. Contract: Voluntary Supplemental Insurance Benefits, City employees - Human Resources Department (Cigna Health & Life Insurance Company - paid by employee).**

Staff Recommendation: Approve a new agreement for services for Voluntary Supplemental Insurance benefit plans with Cigna Health & Life Insurance Company (CHLIC) for the 2025 benefit year, from January 1, 2025, through December 31, 2025.

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

**3. Contract: Road Bond paving, Minton Road and Waco Boulevard, Change Order 1 - IFB 34-0-2024 - Public Works Department (Ranger Construction Industries, Inc. - \$85,991).**

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

**4. Contract: Investment Advisory Services, purchasing authority – RFP 66-0-2021 – Finance Department (PFM Asset Management, LLC - \$115,000.00 annually).**

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

**5. Miscellaneous: 'Piggyback Purchase', prefabricated concrete buildings, Turkey Creek restroom building (Sourcewell contract) - Parks and Facilities Department (CXT, Inc. - \$190,968).**

This item, considered under Agenda Revisions, was continued to the October 3, 2024, regular Council meeting.

**6. Resolution 2024-26, as amended, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay (fourth amendment).**

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

**7. Resolution 2024-27, as amended, adopting the Five-Year Capital Improvements Program for Fiscal Years 2023-2024 through 2027-2028 (fourth amendment).**

The City Attorney read the resolution in caption only.

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

**8. Consideration to approve State Housing Initiatives Partnership (SHIP) Program funds for Demolition & Reconstruction of single-family home located at 2254 Washington St. NE, Palm Bay, Florida 32905 to preserve affordable housing (\$308,989).**

This item, considered under Agenda Revisions, was continued to the October 17, 2024, regular Council meeting.

**9. Consideration of travel and training for specified City employees (Community & Economic Development Department); request to allocate funds from General Fund Undesignated Fund Balance (\$1,728).**

Staff Recommendation: Approve the travel and training as specified; and approve the allocation of \$1,728 from the General Fund Undesignated Fund Balance.

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

**10. Consideration of travel and training for specified City employees (Parks and Facilities Department).**

Staff Recommendation: Approve the travel and training as specified.

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

**PUBLIC HEARING(S):**

Council concurred to consider Item 15, under Public Hearings, at this time.

**15. Ordinance 2024-54, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Micco Road, in the vicinity east of Interstate 95 Highway, from Micco Park Village to Parkway Flex Use (353.47 acres) (Case CP24-00009, Peat Holding, LLC), 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. Jake Wise, CEG Engineering and representative for the applicant, presented the request to Council.

Bill Battin, resident, was concerned about the proposed development failing and that the planned infrastructure would not occur. He questioned how public safety would be able to respond to emergencies in a timely manner. Another resident agreed with Mr. Battin's comments.

The public hearing was closed.

Motion by Mr. Weinberg, seconded by Deputy Mayor Felix, to approve Ordinance 2024-54. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

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

**1. Ordinance 2024-32, amending the Code of Ordinances, Title XVII, Land Development Code, by repealing the Land Development Code in its entirety (Case T24-00003, City of Palm Bay), final reading.**

The City Attorney read the ordinance in caption only. 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 adopt Ordinance 2024-32. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**2. Ordinance 2024-33, amending the Code of Ordinances, by creating Title XVII, Land Development Code, to provide for the governance and regulation of the City of Palm Bay Land Development Regulations including zoning, accessory uses, subdivision requirements, signs, natural resources, streets, parking, building design, and development review procedures (Case T24-00004, City of Palm Bay), final reading.**

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

Mr. Weinberg suggested that the courtesy notifications to residents be extended to 750 feet instead of 500 feet. Council concurred.

Ms. Smith advised that if Council wanted to revise the courtesy notification provisions, the ordinance would have to come back for another reading as this would be considered a substantial change. Council had already adopted the ordinance repealing the Land Development Code (LDC) so this modification would have to be done at a later date as another reading of this ordinance could not be done at this time.

Individuals made general comments about the revisions to the LDC and supported expanding the 500-foot notification parameter.

The public hearing was closed.

Mr. Johnson said the removal of Educational Uses from Neighborhood Commercial District zoning was discussed at a previous meeting, but it was still included in tonight's agenda. Ms. Smith advised that it was removed at a previous meeting, and it should be removed tonight to be consistent with how Council voted at the last meeting.

Motion by Mr. Weinberg, seconded by Deputy Mayor Felix, to adopt Ordinance 2024-33, with the removal of the Educational Uses from Neighborhood Commercial District zoning. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**3. Ordinance 2024-35, amending the Code of Ordinances, Chapter 33, Fire Department, by creating a new Subchapter 'Fire Prevention and Protection; Buildings and Structures', final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. Mrs. Junkala-Brown presented the request to Council.

Bill Battin, resident, commented that Fire Rescue was outsourcing its fire inspection services instead of utilizing in-house personnel. Chief Stover explained that the Fire Prevention Division had been disbanded which created a cost savings that was utilized for a training division. He elaborated on maximizing the efficiencies within the department and the hiring of 2 (two) contracted inspectors but was hopeful in the future that all fire inspections could be completed by the City.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Mr. Weinberg, to adopt Ordinance 2024-35. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**4. Ordinance 2024-36, amending the Code of Ordinances, Chapter 74, Stopping, Standing, and Parking, Subchapter 'Parking Regulation', by including provisions for vehicles in residential areas, final reading.**

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

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to adopt Ordinance 2024-36. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**5. Ordinance 2024-37, amending the Code of Ordinances, Title VII, Traffic and Vehicles, by creating Chapter 75, Golf Carts, final reading.**

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

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to adopt Ordinance 2024-37. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**6. Ordinance 2024-38, amending the Code or Ordinances, Title IX, General Regulations, by creating Chapter 102, Public Nudity, 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. Weinberg, seconded by Mr. Johnson, to adopt Ordinance 2024-38. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**7. Ordinance 2024-39, amending the Code of Ordinances, Title IX, General Regulations, by creating Chapter 103, Closure and Abandonment of Easements and Drainage Rights-of-Way, 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. Weinberg, seconded by Mr. Johnson, to adopt Ordinance 2024-39. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**8. Ordinance 2024-40, amending the Code or Ordinances, by creating Title X, Impact Fees, final reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. Ms. Sherman presented the request to Council and advised that Sections 103.05(C)(2), 103.05(C)(5) and 104.05(C)(3) had to be removed as the language described various indexes and inflationary tools that were not used by staff to calculate future changes to the impact fees. The public hearing was closed.



Motion by Mr. Weinberg, seconded by Mayor Medina, to adopt Ordinance 2024-40, with the removal of Sections 103.05(C)(2), 103.05(C)(5) and 104.05(C)(3). Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**9. Ordinance 2024-41, amending the Code of Ordinances, Chapter 201, Sewer Use, Subchapter 'Private Lift Stations', by including provisions related to emergency power and pumping equipment for residential and multiple family developments, 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. Johnson, seconded by Mr. Weinberg, to adopt Ordinance 2024-41. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**10. Ordinance 2024-42, amending the Code of Ordinances, Title XX, Utilities Code, by creating Chapter 204, Stormwater Management Utility, 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. Weinberg, seconded by Mr. Johnson, to adopt Ordinance 2024-42. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**11. Ordinance 2024-43, amending the Code of Ordinances, Title XX, Utilities Code, by creating Chapter 205, Water Shortage Emergency, final reading.**

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

Bill Battin, resident, said he did not like the government regulating how the water, which fell directly onto his property, was to be used.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Mr. Weinberg, to adopt Ordinance 2024-43. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**12. Ordinance 2024-47, amending the Code of Ordinances, Chapter 55, Police and Firefighters Retirement Pension Plan, by modifying provisions related to retirement dates and benefits for Police Office Members, final reading.**

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

Motion by Mr. Weinberg, seconded by Mr. Johnson, to adopt Ordinance 2024-47. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**13. Ordinance 2024-48, amending the Fiscal Year 2023-2024 budget by appropriating and allocating certain monies (fourth budget amendment), final reading.**

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

Motion by Mr. Johnson, seconded by Mr. Weinberg, to adopt Ordinance 2024-48. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**14. Ordinance 2024-53, vacating a portion of the side and rear public utility and drainage easements located within Lot 4, Block 2408, Port Malabar Unit 45 (Case VE-9-2024, Eric and Cynthia Marrero), 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. Weinberg, seconded by Mr. Johnson, to approve Ordinance 2024-53. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**15. Ordinance 2024-54, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Micco Road, in the vicinity east of Interstate 95 Highway, from Micco Park Village to Parkway Flex Use (353.47 acres) (Case CP24-00009, Peat Holding, LLC), first reading.**

This item was considered earlier in the meeting, prior to Item 1, under Public Hearings.

**16. Ordinance 2024-46, rezoning all SF-1 (Single-Family Residential) zoning district properties within the city limits to RS-1 (Single-Family Residential District) (Z24-00005, City of Palm Bay), first reading. (Quasi-Judicial Proceeding)**

This item, considered under Agenda Revisions, was continued to the October 17, 2024, regular Council meeting.

**17. Request by the City of Palm Bay to rezone all RM-10 (Single-, Two-, Multiple-Family Residential) zoning district properties within the city limits to RM-15 (Single-, Two-, Multiple-Family Residential District) (Z24-00004, Ordinance 2024-45). (CONTINUED TO 10/02/24 P&Z AND 10/17/24 RCM)**

**18. Request by the City of Palm Bay to rezone all RC (Restricted Commercial) zoning district properties within the city limits to NC (Neighborhood Commercial District) (Case Z24-00003, Ordinance 2024-44). (WITHDRAWN)**

**19. Request by Kimaya, LLC, for preliminary subdivision approval of a proposed 14-lot commercial subdivision to be known as ‘Palm Bay Pointe East’, which property is located east of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (42.95 acres) (Case PS23-00009). (CONTINUED FROM 07/18/24 RCM) (WITHDRAWN)**

**20. Request by Kimaya, LLC, for preliminary subdivision approval of a mixed-use subdivision, consisting of 668 multiple-family residential units and 16 commercial parcels, to be known as ‘Palm Bay Pointe West’, which property is located west of and adjacent to Babcock Street, in the vicinity north and south of St. Johns Heritage Parkway (84.75 acres) (Case PS23-00011). (CONTINUED FROM 07/18/24 RCM) (WITHDRAWN)**

**21. Request by 3085 Jupiter, LLC, for a conditional use to allow alcohol service at a proposed dining establishment in accordance with Section 185.042(D)(6), Palm Bay Code of Ordinances, on property located northwest of and adjacent to the intersection of Jupiter and Eldron Boulevards (2.44 acres) (CU24-00001). (CONTINUED FROM 07/18/24 RCM) (CANCELED)**

**CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA:**

**1. Contract: Life and disability insurance benefits, City employees - Human Resources Department (Standard Insurance Company).**

Staff Recommendation: Approve a new agreement for services with Standard Insurance Company for Group Basic Term Life/AD&D, Voluntary Supplemental Life/AD&D, Group Short-Term Disability, and Group Long- Term Disability Insurances through the initial rate guarantee period of December 31, 2027, and authorize staff to negotiate terms for two (2) annual renewal options.

Mr. Weinberg commended the Human Resources Department for revisiting the insurance benefits and contracting with a different company which resulted in a \$166,000 annual savings for the City for Long Term Disability.

Motion by Mr. Weinberg, seconded by Mr. Johnson, to approve the new agreement for services with Standard Insurance Company for Group Basic Term Life/AD&D, Voluntary Supplemental Life/AD&D, Group Short-Term Disability, and Group Long- Term Disability Insurances through the initial rate guarantee period of December 31, 2027, and authorize staff to negotiate terms for two (2) annual renewal options. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**3. Contract: Road Bond paving, Minton Road and Waco Boulevard, Change Order 1 - IFB 34-0-2024 - Public Works Department (Ranger Construction Industries, Inc. - \$85,991).**

Staff Recommendation: Approve Change Order 1 for road bond paving, Minton Road and Waco Boulevard, with Ranger Construction Industries, Inc., in the amount of \$85,991.30.

Bill Battin, resident, asked for clarification for the extension requests and noted that the Legislative Memorandum only addressed Minton Road, not Waco Boulevard.

Ms. Sherman explained that the project bid was for both Minton Road and Waco Boulevard, but for this item, there was no change to the Waco Boulevard portion of the project.

Mr. Weinberg commented that change orders should not occur and items such as this (striping, curbing, etc.) should have been foreseen.

Motion by Mr. Weinberg, seconded by Deputy Mayor Felix, to approve Change Order 1 for road bond paving, Minton Road and Waco Boulevard, with Ranger Construction Industries, Inc., in the amount of \$85,991.30.

Mayor Medina stated that there had been deficiencies due to a former employee and staff had been going back and policing those items.

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

**4. Contract: Investment Advisory Services, purchasing authority – RFP 66-0-2021 – Finance Department (PFM Asset Management, LLC - \$115,000.00 annually).**

Staff Recommendation: Approve an increase to the original annual estimate of \$39,000 to an estimated \$115,000 annually for Investment Advisory Services with PFM Asset Management, LLC.

Bill Battin, resident, asked why the amount had increased so dramatically and suggested looking at a different company. Ms. Sherman responded that the original projection cost in 2021 was \$39,000 and the costs had been increasing steadily over the years due to the City increasing its dollars that were available to invest and then the City could earn as much interest as possible from those funds.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg to approve an increase to the original annual estimate of \$39,000 to an estimated \$115,000 annually for Investment Advisory Services with PFM Asset Management, LLC. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**6. Resolution 2024-26, as amended, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay (fourth amendment).**

The City Attorney read the resolution in caption only.

Bill Battin, resident, asked the percentage of increase from the previous year to current year. Ms. Sherman would provide the information to Mr. Battin, but explained that when a Union contract was updated, the Plans had to be updated as well.

Motion by Mr. Weinberg, seconded by Mr. Johnson to approve Resolution 2024-26 as amended, adopting Classification and Pay Plans and the Position Control Plan for employees of the City of Palm Bay. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**UNFINISHED AND OLD BUSINESS:**

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

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to appoint William H. Kolehmainen to the 'adult member' position of the Youth Advisory Board. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**NEW BUSINESS:**

**1. Consideration of retaining outside counsel to represent the City in litigation regarding recovery of costs incurred as a result of human trafficking.**

Staff Recommendation: Council consideration of whether to approve retaining The Law Offices of Travis R. Walker, P.A. to represent the City in litigation regarding recovery of costs incurred as a result of human trafficking.

Attorney Walker presented the item to City Council. He said the goal of the litigation was to hold businesses and entities accountable for knowingly facilitating human trafficking within the City; seek injunctive relief to shut down or regulate establishments involved in trafficking activities; recover financial damages incurred by the City as a result of human trafficking; and establish deterrence for future violations. Attorney Walker responded to questions posed by councilmembers.

Deputy Mayor Felix left the meeting at this time.

Bill Battin, resident, asked if any monies awarded to the City would be allocated to the Police Department to offset what they expend for these cases.

Deputy Mayor Felix rejoined the meeting at this time.

Mr. Weinberg asked if the courts would determine how the money could be used. Attorney Walker confirmed same but said his firm would structure the complaint(s) to provide the most flexibility for the City.

Motion by Mr. Johnson, seconded by Mayor Medina, to authorize the City Attorney to enter into a contract with The Law Offices of Travis R. Walker, P.A. to represent the City in litigation regarding recovery of costs incurred as a result of human trafficking. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**2. Consideration of travel and training for specified City employees (Building Department). (AGENDA REVISION)**

Staff Recommendation: Approve the travel and training as specified.

Motion by Mr. Johnson, seconded by Mr. Weinberg, to approve the travel and training. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, 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 made the following reports:

A. Requested Council consensus for staff to communicate with Brevard County (County) regarding the Park referendum. Mayor Medina detailed that the issue was that Park referendum dollars, related to Fred Poppe Regional Park, the Palm Bay Aquatic Center, and the Greater Palm Bay Senior Center, were being paid to the County but no residuals were being given to the City. The monies could be used for maintenance of those properties. Council concurred.

B. Requested staff's assistance in organizing a meeting with the Brevard County School Board, School Superintendent, Sheriff Wayne Ivey and 7Mindsets to discuss innovative ways to reach out to the youth of the community. Two meeting dates have been proposed by 7Mindsets – October 14<sup>th</sup> or October 28<sup>th</sup>, both at 9:30 a.m. Council concurred for staff to schedule accordingly.

C. Suggested a citywide prayer and worship on the first Friday of the upcoming months. Council concurred.

2. Mayor Medina asked staff to contact the Brevard County School Board about implementing a program called Rachel's Promise into the high schools. Council concurred.

**ADMINISTRATIVE AND LEGAL REPORTS:**

1. Ms. Sherman requested consensus for the Mayor Medina to execute a letter regarding flood insurance costs in Palm Bay. She explained that the Community Rating System was a voluntary program that communities chose to be part of, and different tasks

had to be completed which could result in the community receiving reductions on property and flood insurance costs. Council concurred.

**PUBLIC COMMENTS/RESPONSES:**

Individuals made general comments.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 10:21 P.M.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK