

## **CITY OF PALM BAY, FLORIDA**

### **REGULAR COUNCIL MEETING 2022-05**

Held on Thursday, the 3<sup>rd</sup> day of March 2022, 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 Tom Walker, Centerpointe Church, 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>	Kenny Johnson	Present
<b>COUNCILMEMBER:</b>	Randy Foster	Present
<b>COUNCILMEMBER:</b>	Donny Felix	Present
<b>CITY MANAGER:</b>	Suzanne Sherman	Present
<b>CITY ATTORNEY:</b>	Patricia Smith	Present
<b>DEPUTY CITY CLERK:</b>	Terri Lefler	Present

**CITY STAFF:** Joan Junkala-Brown, Deputy City Manager; Nancy Bunt, Community and Economic Development Director; Alexandra Bernard, Growth Management Director; Valentino Perez, Chief Building Official; Frank Watanabe, City Engineer; Chris Little, Utilities Director; Mariano Augello, Deputy Police Chief.

#### **ANNOUNCEMENT(S):**

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

- 1. Two (2) vacancies on the Community Development Advisory Board (represents 'low-income and essential services personnel' positions).++**
- 2. Two (2) vacancies on the Youth Advisory Board (represents 'at-large student member' positions).++**
- 3. Two (2) vacancies on the Youth Advisory Board (represents 'adult member, 30 years and older' positions).++**
- 4. One (1) vacancy on the Sustainability Advisory Board (represents 'at-large' position).++**

**5. One (1) vacancy on the Disaster Relief Committee.++**

**6. Two (2) terms expiring on the Police and Firefighters' Pension Plan, Board of Trustees (represents 'City Resident' positions).++**

**AGENDA REVISION(S):**

**1. Ms. Sherman advised of the following revisions:**

a. Ordinances 2022-14, 2022-28, 2022-29, 2022-30, 2022-31, and 2022-32 were advertised for the March 3, 2022, regular Council meeting but were inadvertently left off the agenda. The hearings were added as Items 12, 13, 14, 15, 16, and 17, respectively, under Public Hearings.

b. Item 5, under Consent Agenda, related to the cooperative purchase of seven (7) Dodge Durangos, was withdrawn.

c. The Legislative Memorandum for Item 1, under New Business, was revised as the Dodge Durangos were no longer available for purchase.

d. Consideration of an amendment to the agreement with the Florida Department of Environmental Protection by revising the location of one of the Nutrient Baffle Boxes from Palm Bay Road to Lipscomb Street was added to the agenda as Item 3, under New Business.

e. Consideration of utilizing Traffic Impact Fees (TIF) for the widening of Emerson Drive at Glencove Avenue for left turn lanes was added to the agenda as Item 4, under New Business.

**PROCLAMATIONS AND RECOGNITIONS:**

The proclamations were read.

**1. Proclamation: Recognizing Palm Bay Firefighter Retirees for contributions to the Fire Department's mural and insignias. (Mayor Medina)**

**2. Proclamation: Read Across America, Rolling Readers Space Coast - March 3, 2022. (Deputy Mayor Johnson)**

**3. Proclamation: Hemophilia and Bleeding Disorder Awareness Month - March 2022.**

**4. Proclamation: Procurement Month - March 2022.**

**PRESENTATIONS:**

**1. Departmental Updates: Community and Economic Development, Growth Management, and Building Departments.**

Ms. Bunt, Ms. Bernard and Mr. Perez provided overviews and accomplishments within their departments, along with budget summaries and priorities. They answered questions posed by councilmembers.

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

Individuals made general comments and numerous individuals spoke about the rezoning of the Majors Golf Course.

1. Arnold Brimm, resident, asked how the number of yard sales per year at a residence could be increased.

Ms. Sherman advised that, pursuant to the Code of Ordinances (Code), only two (2) garage sale events were allowed per residence, per calendar year, and could not exceed three (3) consecutive days.

2. Butch Orend, resident, commented on new construction and land clearing issues. He said the builders have no respect for the neighboring properties and do not erect environmental fencing. He added that the new home elevations were still a problem.

3. Steve Shapiro, board member of Bermuda Walk Homeowners Association (HOA), spoke about the stormwater system. He said the system was old and when it rained, the subdivision received the inflow from the channel which came into their system, along with sediment, garbage and branches. Mr. Shapiro said there was confusion as to whether the city or the HOA was supposed to take care of the stormwater system.

Councilman Foster left the meet at this time.

**PUBLIC HEARING(S):**

**1. Request by Daniel Dilorenzo for a variance to allow an accessory structure to encroach six (6) feet into the 10-foot rear accessory structure setback, as established by Section 185.118(A)(4), Palm Bay Code of Ordinances (0.46 acres) (V-5-2022). (Quasi-Judicial Proceeding)**

The Planning and Zoning Board recommended approval of the request.

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. Felix, to approve the request. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Felix, Yea.

Councilman Foster rejoined the meeting at this time.

**2. Resolution 2022-11, granting a condition use to allow a proposed self-storage facility in CC (Community Commercial District) zoning on property located north of and adjacent to Malabar Road, in the vicinity west of St. Johns Heritage Parkway (9.76 acres) (Case CU-6-2022, Willard Palmer). (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. Ana Saunders, BSE Consultants and representative for the applicant, presented the request to Council. She said the applicant agreed with all of staff's recommendations.

Joe Caravino, developer for the project, provided history on the company. Mayor Medina asked if lighting would be installed on the site that would assist in illuminating Malabar Road. Mr. Felix agreed and hoped that sidewalks would be considered as well.

Nathan White, resident, did not feel that a storage facility was a good choice for the site. He added that the site was located in the front yard of Heritage High School.

Ms. Saunders responded to the comment and answered questions posed by councilmembers.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Foster, to adopt Resolution 2022-11, subject to staff comments contained in the Staff Report. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

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

**3. Ordinance 2022-33, vacating a portion of the side public utility and drainage easement located within Lots 2 and 3, Block 1608, Port Malabar Unit 32 (Case VE-2-2022, Timothy Laskovich), 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. Felix, to approve Ordinance 2022-33. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**4. Ordinance 2022-34, granting approval of a Final Development Plan to allow a proposed PUD (Planned Unit Development) for eight (8) commercial parcels to be known as ‘Cypress Bay Commercial Center’ on property located east of and adjacent to Babcock Street, in the vicinity north of Davis Lane (28.49 acres) (Case FD-7-2022, Cypress Bay Farms, LLC), first reading. (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 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. Felix, to approve Ordinance 2022-34. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**5. Ordinance 2022-35, amending the City’s Comprehensive Plan Future Land Use Map to change the designated use of property located north of and adjacent to Lara Street, in the vicinity east of Roman Avenue, from Recreation and Open Space Use to Single Family Residential Use (1.86 acres) (CP-7-2022, M. David Moallem), only one reading.**

The Planning and Zoning Board recommended approval of the request, subject to a condition that the property was limited to two (2) homes.

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. Felix, to adopt Ordinance 2022-35. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**6. Ordinance 2022-26, providing for the annexation of certain real property located in the vicinity east of St. Johns Heritage Parkway and north of Melbourne-Tillman Water Control District Canal C-1, into the City (0.21 acres) (Case A-3-2022, Pace Drive Holdings, LLC), first reading.**

The City Attorney read the ordinance in caption only. The public hearing was opened. Attorney Kim Rezanka, representative for the applicant, presented the request to Council.

Ms. Sherman advised that due to an advertising error by Florida Today, the final hearing for this request would not be considered until the April 7, 2022, regular Council meeting.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Foster, to approve Ordinance 2022-26. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**7. Ordinance 2022-36, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located in the vicinity east of St. Johns Heritage Parkway and north of Melbourne-Tillman Water Control District Canal C-1, from Agricultural (Brevard County) to Single Family Residential Use (0.21 acres) (Case CP-8-2022, Pace Drive Holdings, LLC), only one reading required.**

The Planning and Zoning Board recommended approval of the request.

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. Foster, to adopt Ordinance 2022-36. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**8. Ordinance 2022-37, rezoning property located in the vicinity east of St. Johns Heritage Parkway and north of Melbourne-Tillman Water Control District Canal C-**

**1, from General Use (Brevard County) to PUD (Planned Unit Development) (0.21 acres) (Case CPZ-8-2022, Pace Drive Holdings, LLC), first reading. (Quasi-Judicial Proceeding)**

The Planning and Zoning Board recommended approval of the request.

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

Ms. Sherman advised that due to an advertising error by Florida Today, the final hearing for this request would not be considered until the April 7, 2022, regular Council meeting.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to approve Ordinance 2022-37. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**9. Consideration of adopting the City of Palm Bay Vision Plan 2040.**

The public hearing was opened. Chris Dougherty, Planner/GIS Specialist with S&ME, Inc., presented the request to Council. He provided details on the series of public workshops that were held which started the process of creating the Vision Plan and led to the final product being presented to Council for adoption. The purpose of the visioning process was to update the plan and address the desires of the community and create a true vision for the city. Mr. Dougherty said the next steps would be to hold two workshops regarding the Comprehensive Plan and then finalize the Plan in 2023.

Mayor Medina said staff had commented that light industrial and industrial uses would drive the city's commercial base, but he wanted to ensure that Rural Residential zoning was also included.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt the City of Palm Bay Vision Plan 2040. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**10. Request by Kit Investment of Florida / Riverview Holdings Group, LLC / Engineer Realty, LLC / Patrick and Kathleen Svoboda to amend the City's Comprehensive Plan Future Land Use Map to change the designated use of**

**property located west of and adjacent to Dixie Highway, in the vicinity south of Vignoles Avenue, from Commercial Use to Multiple Family Residential Use (12.4 acres) (Case CP-6-2022). (CONTINUED TO 03/03/22 P&Z and 04/07/22 RCM)**

**11. Request by Kit Investment of Florida / Riverview Holdings Group, LLC / Engineer Realty, LLC / Patrick and Kathleen Svoboda to rezone property located west of and adjacent to Dixie Highway, in the vicinity south of Vignoles Avenue, from HC (Highway Commercial District) to RM-10 (Single-, Two-, Multiple-Family Residential District) (12.4 acres) (Case CPZ-6-2022). (CONTINUED TO 03/03/22 P&Z and 04/07/22 RCM)**

**12. Ordinance 2022-14, establishing the 'Cypress Bay West Community Development District' (Forestar (USA) Real Estate Group, Inc.), final reading. (AGENDA REVISION)**

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. Felix, to adopt Ordinance 2022-14. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**13. Ordinance 2022-28, rezoning property located east of and adjacent to Martin Road, and west of and adjacent to Thor Avenue, from RM-20 (Multiple-Family Residential District) to GC (General Commercial District) (1.02 acres) (Case CPZ-3-2022, M. David Moallem/Emiland Corporation), final reading. (Quasi-Judicial Proceeding) (AGENDA REVISION)**

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. Felix, to adopt Ordinance 2022-28. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**14. Ordinance 2022-29, granting approval of a Final Development Plan for a PUD (Planned Unit Development) zoning residential subdivision to be known as 'Richmond Cove PUD' on property located west of and adjacent to Gaynor Drive,**

**in the vicinity north of Ocean Spray Street (29.15 acres) (Case FD-4-2022, RKF Residential Development Properties, LLC), final reading. (Quasi-Judicial Proceeding) (AGENDA REVISION)**

The City Attorney read the ordinance in caption only. The public hearing was opened. Bruce Moia, MBV Engineering and representative for the applicant, presented the request to Council.

Deputy Mayor Johnson asked if utility services were available. Mr. Little responded in the negative and said the applicant would have to install force main extensions to have service to the development.

Mr. Watanabe said that there was one small piece of property in which right-of-way was needed, but the property owner did not want to work with the city for acquiring the right-of-way. There was currently no right-of-way between Ocean Spray Street and Lang Road. Mr. Little said the only options were to try to go around that roadway and create an alternative route for the water main or install the water main in the roadway, parallel to the road.

Ms. Sherman said another option was the concept of eminent domain to acquire that portion of right-of-way. Deputy Mayor Johnson supported that idea. There was discussion on the process of eminent domain, costs involved, etc. Mr. Felix felt it should be the last option as he did not want it to appear that the city was just going around and forcing people to give up their property. Mr. Foster said he would support whichever option was cheaper and saved the dollars of taxpayers.

Bill Battin, resident, said it was the developer's responsibility to get water to the site and Council should not be researching costs.

The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-29, subject to the conditions contained in the Staff Report.

Deputy Mayor Johnson expressed concern about the roadway and utilities. He wanted to ensure it was done the right way the first time. Councilmembers said they only had issues with the utilities, not the project itself, and asked that the applicant make efforts to communicate with the property owner about the right-of-way.

Motion carried with members voting as follows:

Mayor Medina	Nay
Deputy Mayor Johnson	Yea
Councilman Foster	Yea
Councilman Felix	Yea

**15. Ordinance 2022-30, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions', by modifying provisions contained therein, final reading. (AGENDA REVISION)**

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

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-30, subject to the conditions contained in the Staff Report. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**16. Ordinance 2022-31, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Chronic Nuisances', by repealing the subchapter in its entirety, final reading. (AGENDA REVISION)**

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

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-31, subject to the conditions contained in the Staff Report. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**17. Ordinance 2022-32, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, by creating a subchapter to be known as 'Chronic Nuisances', final reading. (AGENDA REVISION)**

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

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Ordinance 2022-32, subject to the conditions contained in the Staff Report. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

#### **CONSENT AGENDA:**

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

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

#### **1. Adoption of Minutes: Regular Council Meeting 2022-03; February 3, 2022.**

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

#### **2. Award of Bid: Culvert pipe replacement, Units 22 and 30 - IFB 18-0-2022 - Public Works Department (Timothy Rose Contracting, Inc. - \$665,850).**

Staff Recommendation: Approve the Award of Bid for culvert pipe replacement in Units 22 and 30 to Timothy Rose Contracting, Inc. (Vero Beach) in the amount of \$665,840.25.

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

#### **3. Award of Proposal: Banking services - RFP 16-0-2022 - Finance Department (JPMorgan Chase Bank NA - \$35,358).**

Staff Recommendation: Approve the Award of Proposal for banking services to JPMorgan Chase Bank NA (Orlando) in the amount of \$35,357.94, for an initial three-year term contract, renewed by the Procurement Department for seven (7) additional one-year terms.

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

#### **4. Miscellaneous: 'Piggyback Purchase', Bunk gear (Lake County Contract) - Fire Department (Bennett Fire Products Co., Inc. - \$252,050).**

Staff Recommendation: Approve purchase of bunker gear from Bennett Fire Products, Co., Inc., in the amount of \$252,049.65, utilizing the Lake County contract for Fire Equipment, Parts, Supplies, and Services, Contract 17-0606B, which expires June 30, 2022.

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

**5. Miscellaneous: 'Cooperative Purchase', 2022 Dodge Durango V6 Pursuit SUVs (Florida State Contract for Motor Vehicles) - Police Department (Step One Automotive Group - \$220,563 (seven (7) vehicles)). (WITHDRAWN)**

The item, announced under Agenda Revisions, was withdrawn.

**6. Contract: South Regional Water Reclamation Facility Construction, IFB #39-0-2020, Change Order 4 – Utilities Department (RJ Sullivan Corporation, \$478,147.40)**

Staff Recommendation: Approve Change Order 4 for the South Regional Water Reclamation Facility Construction in the amount of \$478,147.40 to RJ Sullivan Corporation.

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

**7. Resolution 2022-12, conveying City-owned surplus real estate generally located at 1230 Jacob Street SE (Tax ID: 2930053) to buyer Fred DeNicci Construction (\$101,194.50).**

The City Attorney read the resolution in caption only.

Bill Battin, resident, did not agree with the low price compared to the acreage.

Ms. Bunt explained that the buyer, during his due diligence period, realized he could not subdivide the property as desired because he would be required to have water and sewer. He counteroffered at \$70,000 and the city's residential broker provided another competitive market analysis with an estimate of \$101,194.50, which was accepted by the buyer.

Ms. Smith advised that the city was now under a binding contract with this buyer since the counteroffer had been accepted. The resolution was just a formality.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to adopt Resolution 2022-12. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**8. Ordinance 2022-38, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Youth Advisory Board', by modifying the membership term limits, first reading.**

The City Attorney read the ordinance in caption only.

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

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

**UNFINISHED AND OLD BUSINESS:**

**1. Appointment of (1) member to the Bayfront Community Redevelopment Agency (represents 'at-large' position).**

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

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

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to appoint Don Jordan to the Youth Advisory Board representing the 'adult member, 30 years and older' position. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**NEW BUSINESS:**

**1. Consideration of special procurement and waiver of the procurement process for the purchase of ten (10) 2021 Dodge Durangos (Step One Automotive Group - \$349,790). (AGENDA REVISION)**

Staff Recommendation: Approve the special procurement and waiver of procurement process for purchase of ten (10) 2021 Dodge Durango V8s from Step One Automotive Group (Fort Walton Beach) in the amount of \$349,790.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to approve special procurement and waiver of the procurement process as requested. Mr. Foster questioned the types of vehicles that were chosen. Deputy Chief Augello said they were the least expensive. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**2. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund to utilize a Sole Source Contract for the FususONE software platform for the Police Department (\$167,500).**

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

Deputy Police Chief presented the request to Council.

A resident made a general comment.

Motion by Deputy Mayor Johnson, seconded by Mr. Foster, to approve expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund as requested. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**3. Consideration of an amendment to the agreement with the Florida Department of Environmental Protection by revising the location of one of the Nutrient Baffle Boxes from Palm Bay Road to Lipscomb Street. (AGENDA REVISION)**

Staff Recommendation: Authorize the City Manager to sign Amendment No 1 to FDEP Agreement LPA0201, changing the location from Palm Bay Road to Lipscomb Street for the installation of one Nutrient Separating Baffle Box.

Ms. Sherman presented the request to Council.

Motion by Deputy Mayor Johnson, seconded by Mr. Felix, to approve an amendment to the agreement with the Florida Department of Environmental Protection as requested. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

**4. Consideration of utilizing Traffic Impact Fees (TIF) for the widening of Emerson Drive at Glencove Avenue for left turn lanes. (AGENDA REVISION)**

Staff Recommendation: Approve the Emerson Drive widening for left turn lanes at Glencove Avenue and fund the widening using Traffic Impact Fees in the amount of \$158,000.

Ms. Sherman presented the request to Council.

Motion by Deputy Mayor Johnson, seconded by Mayor Medina, to approve utilizing Traffic Impact Fees (TIF) for the widening of Emerson Drive at Glencove Avenue for left turn lanes. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Johnson, Yea; Councilman Foster, Yea; Councilman Felix, Yea.

### **COUNCIL REPORTS:**

Councilmembers addressed various subjects.

1. Mr. Felix said the first major cybersecurity company, Sollensys, was now located in Palm Bay. It specialized in data recovery using blockchain technology and also had full-time, well-paid positions. Sollensys was seeking a relationship with the city and encouraged staff to engage with the company.

2. Mr. Foster made the following reports:

a. Requested the City Clerk find out why the mailout ballots were sent out prior to the sample ballots.

b. Appointed Nancy Wallington, Library Advisory Board; and Vicki Northrup, Utilities Advisory Board.

3. Deputy Mayor Johnson made the following reports:

a. Appointed Luke Miorelli, Building and Construction Advisory Committee; James Ritter, Code Enforcement Board; Charlene Horton, Library Advisory Board; and Robert Grassman, Utilities Advisory Board.

b. Asked that staff continue working on incentives for affordable housing.

2. Mayor Medina made the following reports:

a. Appointed Carmine Vitale to the Infrastructure Advisory and Oversight Board.

b. Announced that Skeebo's Rib Shack was celebrating its seventh anniversary and felt the city should join in their celebration, as well as any other local businesses that had milestone events. Mayor Medina felt it was important to support small business owners.

**ADMINISTRATIVE AND LEGAL REPORTS:**

1. Ms. Sherman reminded everyone about the Request for Information on addressing homelessness and affordable housing. It began on March 1<sup>st</sup> and would end on April 4<sup>th</sup>.

**PUBLIC COMMENTS/RESPONSES:**

Individuals made general comments.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 11:47 P.M.

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Rob Medina, MAYOR

ATTEST:

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Terri J. Lefler, DEPUTY CITY CLERK