

## CITY OF PALM BAY, FLORIDA

### REGULAR COUNCIL MEETING NO. 2010-06

Held on Thursday, the 18<sup>th</sup> day of March 2010, 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.

Mike Bouvier, resident, Palm Bay, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

#### ROLL CALL:

<b>MAYOR:</b>	John J. Mazziotti	Present
<b>DEPUTY MAYOR:</b>	Kristine Isnardi	Present
<b>COUNCILMEMBER:</b>	Milo Zonka	Present
<b>COUNCILMEMBER:</b>	Michele Paccione	Present
<b>COUNCILMEMBER:</b>	William Capote	Present
<b>CITY MANAGER:</b>	Lee Feldman	Present
<b>CITY ATTORNEY:</b>	James Stokes	Present
<b>CITY CLERK:</b>	Alice Passmore	Present

**CITY STAFF:** Present were Sue Hann and Jon Lewis, Deputy City Managers.

#### ANNOUNCEMENTS:

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

1. **One (1) vacancy on the Board of Adjustments and Appeals (represents 'architect' position).**
2. **One (1) vacancy on the Building Construction Advisory Committee (represents 'design engineer' position).**
3. **One (1) term expiring on the Board of Adjustments and Appeals (represents the 'electrician' position).**

#### RECOGNITION AND PROCLAMATION:

1. **Volunteer Program (one (1) year of service as City boardmember): a) Recreation Advisory Board – Shannon Grice.** Mayor Mazziotti recognized and presented a service pin to Mrs. Grice.

**2. Palm Bay Play Day – March 20, 2010.** Mayor Mazziotti read the proclamation and presented it to Joe Fazekas, Parks and Recreation Division Manager.

\*3. Kick Butts Day, Secondhand Smoke - March 24, 2010. Mayor Mazziotti read the proclamation and presented it Leonard Harrison, of PREVENT! of Brevard.

#### **AGENDA REVISIONS:**

Mr. Stokes asked that no action be taken on Item No. 1, under Public Hearings, and that it be removed from the agenda. He asked that a new ordinance pertaining to councilmembers sitting as ex officio members on designated boards and commissions be added to the agenda for consideration as Item No. 6, under New Business. Council concurred.

#### **CONSENT AGENDA:**

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Mr. Zonka, seconded by Deputy Mayor Isnardi, that the Consent Agenda be approved as presented with the removal of Item No. 5, under New Business, from consent. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Isnardi, Yea; Councilman Zonka, Yea; Councilwoman Paccione, Yea; Councilman Capote, Yea.

#### **ADOPTION OF MINUTES:**

\* 1. **Regular Council Meeting No. 2010-05; March 2, 2010.**

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

#### **PUBLIC HEARINGS:**

**1. Ordinance No. 2010-05, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Police and Firefighters Retirement Pension Plan', by revising the composition of the Board of Trustees to allow two (2) City Council members as ex officio members, for final reading.**

The ordinance was removed from the agenda per the City Attorney's request.

**2. Ordinance No. 2010-06, amending the Fiscal Year 2009-2010 budget by appropriating and allocating certain monies (third budget amendment), for 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. Zonka, seconded by Deputy Mayor Isnardi, to adopt Ordinance No. 2010-06. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Isnardi, Yea; Councilman Zonka, Yea; Councilwoman Paccione, Yea; Councilman Capote, Yea.

#### **BOARD AND COMMITTEE REPORTS:**

1. David Calvo, Principal, Palm Bay Community Charter School – provided an update on the school's functions and activities.
2. Ted Whitlock, Chairman – 50<sup>th</sup> Anniversary Committee – provided an update on the committee's activities and announced events to be held. Council concurred that he no longer needed to give reports at Council meetings.
3. Greater Palm Bay Chamber of Commerce – Vicki Northrup, President, provided an update on activities and events.
4. Space Coast Transportation Planning Organization – Mr. Zonka stated there was discussion on SCAT, possibly municipal tax sharing.
5. Space Coast League of Cities – Mr. Capote said the League had asked the municipalities to enact resolutions opposing House Bill 1515 and Senate Bill 484 that pertained to the early release of felons. Palm Bay had already acted on same.

#### **PROCUREMENTS:**

##### **Award of Bid:**

- \* 1. Security cameras, Troutman facility (Citrus County School Board contract) – Utilities Department (Sonitrol of North Central Florida – \$35,364).**

Staff Recommendation: Approve the purchase and installation of security cameras and keyless entry system at the Utilities Department Troutman campus, Buildings A, C, D, F, and G, to Sonitrol of North Central Florida, Ocala, utilizing the Citrus County School Board contract, in the amount of \$35,363.69.

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

**Award of Proposal:**

- \* 1. Service saddles, repair clamps, couplings – RFP No. 25-0-2010 – Utilities Department (Ferguson Waterworks – not to exceed \$25,000).**

Staff Recommendation: Approve the purchase of service saddles, repair clamps and couplings to Ferguson Waterworks, Melbourne; estimated annual expenditures - \$25,000.00.

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

**Waive of Bid Process and Awards:**

- \* 1. Pre-chlorinated pipe bursting replacement/rehabilitation services, Palm Bay Estates (City of Sanford contract) – Utilities Department (Murphy Pipeline Contractors, Inc. - \$497,605).**

Staff Recommendation: Waive the formal request for proposal and approve the procurement for pre-chlorinated pipe bursting replacement/rehabilitation services for upgrades to existing water infrastructure located in Palm Bay Estates Mobile Home Park, utilizing the City of Sanford contract, from Murphy Pipeline, Inc., Jacksonville, in the amount of \$497,605.00. The waiver would include two items not listed in the City of Sanford contract: 1) Item No. 18 (2-inch single short water service), and 2) Item No. 19 (2-inch single long water service).

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

- \* 2. Propane mowers – Parks and Recreation Department (Causeway Mowers - \$34,084).**

Staff Recommendation: Waive the formal request for proposal and approve the purchase of four (4) Dixie Chopper 60 inch propane mowers from Causeway Mowers, Indian Harbour Beach, in the amount of \$34,084.00.

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

**UNFINISHED AND OLD BUSINESS:**

- 1. Appointment of two (2) City Councilmembers to the Police and Firefighters Retirement Pension Plan, Board of Trustees.**

The item was rescheduled for consideration at the next Council meeting on April 1<sup>st</sup>.

**COUNCIL BUSINESS:**

Councilmembers commented on various activities and events.

**NEW BUSINESS:**

**\* 1. Resolution No. 2010-12, canvassing the results of the balloting of affected property owners within Palm Bay Estates Mobile Home Park to levy special assessments for water and wastewater service improvements.**

The City Attorney read the resolution in caption only. The resolution was approved under Consent Agenda.

**\* 2. Consideration of submitting Highway Safety Concept Papers to the Florida Department of Transportation, State Safety Office, to address specific program target areas.**

Staff Recommendation: Endorse the submission of the concept papers and authorize the City Manager to transmit to the State Safety Office.

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

**\* 3. Consideration of amending the purchase price with Palm Vista Preserve, LLC for property for the Palm Bay Parkway right-of-way.**

Staff Recommendation: Approve the amended purchase price and authorize the City Manager to finalize negotiations and execute an agreement with Palm Vista Preserve, LLC.

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

**\* 4. Consideration of a revised Energy Efficiency and Conservation Strategy for submission to the Department of Energy.**

Staff Recommendation: Adopt the revised Energy Efficiency and Conservation Strategy.

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

**5. Consideration of the City establishing a Palm Bay Community Gardening Program (Nemo Community Garden).**

Staff Recommendation: Approve the proposed prototype community garden and establish a Palm Bay Community Gardening Program.

Mr. Feldman explained the new project concept, stated that meetings had been held with the Lockmar Estates neighborhood, and reviewed highlights of the program.

Motion by Mr. Zonka, seconded by Mr. Capote, to approve the prototype community garden and the establishment of the Palm Bay Community Gardening Program with the condition that the City's participation be limited to the initial activities and ensuring the site was safe. Motion carried with members voting as follows: Mayor Mazziotti, Yea; Deputy Mayor Isnardi, Yea; Councilman Zonka, Yea; Councilwoman Paccione, Yea; Councilman Capote, Yea.

**6. Ordinance No. 2010-07, providing for the City Council to sit ex officio on designated boards and commissions, for first reading.**

The City Attorney read the ordinance in caption only.

Motion by Mr. Zonka, seconded by Mr. Capote, to approve the ordinance. Motion carried with members voting as follows:

Mayor Mazziotti	Yea
Deputy Mayor Isnardi	Yea
Councilman Zonka	Yea
Councilwoman Paccione	Nay
Councilman Capote	Yea

**ADMINISTRATIVE AND LEGAL REPORTS:**

**\* 1. Consideration of travel and training for specified City employees.**

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

**PUBLIC COMMENTS/RESPONSES:**

Individuals commented on various issues.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 8:33 P.M.

  
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John J. Mazziotti, MAYOR

ATTEST:

  
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Alice Passmore, CITY CLERK



\* Identifies items considered under the heading of Consent Agenda.

☞ Indicates item was considered out of sequence or added to the agenda.