CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING NO. 2014-02

Held on Thursday, the 16th day of January 2014, 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 7:02 P.M.

Reverend Loren Fox, The Episcopal Church of Our Savior, Palm Bay, gave the invocation, which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	William Capote	Present
DEPUTY MAYOR:	Ken Greene	Present
DEPUTY MAYOR:	Kristine Isnardi	Present
COUNCILMEMBER:	Michele Paccione	Present
COUNCILMEMBER:	Harry Santiago Jr.	Present
CITY MANAGER:	Sue Hann	Present
CITY ATTORNEY:	Andrew Lannon	Present
DEPUTY CITY CLERK:	Terese Jones	Present

CITY STAFF: Present was Chad Shoultz, Deputy City Manager.

ANNOUNCEMENTS:

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

1. **Four (4) vacancies on the Youth Advisory Board (represents students grades 9-12).**
2. **One (1) vacancy on the Recreation Advisory Board.**
3. **One (1) vacancy on the Utilities Advisory Board (represents utility customer or resident).**
4. **Two (2) terms expiring on the Building and Construction Advisory Board (represents general contractor and subcontractor).**

AGENDA REVISIONS:

Mrs. Hann reviewed the revisions as follows:

a) Procurement, Award of Bid, Item No. 1 - amount increased by $20,000 which affected two other agenda items as indicated in b) and c) below;

b) New Business, Item No. 1 - Community Investment Program - amount affected by a) above;
c) New Business, Item No. 2 - budget amendment affected by a) above;
d) New Business, Item No. 6 - Training and Travel - additional travel for Police Department.

CONSENT AGENDA:

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

Motion by Mrs. Isnardi, seconded by Mrs. Paccione, that the Consent Agenda be approved as presented. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

RECOGNITIONS AND PROCLAMATIONS:

Employees were recognized and the proclamation was read.

1. **Recognizing employees for their years of service with the City of Palm Bay.**
2. **Human Trafficking Awareness Month – January 2014.**

PRESENTATION:

1. **Neil Levine, Executive Director, Brevard Cultural Alliance – arts/cultural events initiative.**

Mr. Levin explained the purpose of the initiative. The proposal focused on the City's environment, economic conditions, and diversity of the city in an effort to make Palm Bay a cultural destination.

a) Consideration of proposal to develop arts-based projects, programs and events for Palm Bay ($30,000).

Motion by Mr. Santiago, seconded by Mrs. Paccione, to approve the proposal. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

ADOPTION OF MINUTES:

*** 1. Regular Council Meeting No. 2014-01; January 2, 2014.**

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

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

Individuals commented on various issues.

PUBLIC HEARINGS:

1. Ordinance No. 2013-63, repealing Ordinance No. 2013-08, granting an Economic Development Ad Valorem Tax Exemption to Carbolosic Corporation, 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 Mrs. Isnardi, seconded by Mr. Santiago, to adopt Ordinance No. 2013-63. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Greene, Yea; Councilwoman Isnardi, Yea; Councilwoman Paccione, Yea; Councilman Santiago, Yea.

2. Request by Babcock and Malabar, LLC for a variance to provide relief from the requirements of the Palm Bay Code of Ordinances in order to clear the site and remove all but a certain amount of trees prior to obtaining site plan or subdivision approval (Case No. V-2-2014)(RESCHEDULED TO RCM 02-06-14).

BOARD AND COMMITTEE REPORTS:

The Greater Palm Bay Chamber of Commerce provided an update; councilmembers provided updates on activities of various agencies and boards on which they served as members.

PROCUREMENTS:

Award of Bid:

*** 1. Mini excavator (Florida Sheriff's Fleet contract) – Public Works Department (Florida Coast Equipment Inc. - $90,000).**

Staff Recommendation: Authorize the purchase of a mini-excavator, utilizing the Florida Sheriff's Fleet bid contract, from Florida Coast Equipment Inc., Boynton Beach, in the amount of $90,000.

The item, considered under Consent Agenda, was approved as recommended by City staff and as revised under Agenda Revisions to increase the award to $110,000.

Miscellaneous:

*** 1. Broker of record, health insurance, extension – Human Resources Department (Gallagher Benefit Services, Inc. - $75,000 annually).**

Staff Recommendation: Authorize the City Manager to execute a one-year extension to the Broker of Record-Health Benefits agreement through April 30, 2015, with Gallagher Benefit Services, Inc., Oviedo, in the amount of $75,000.

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

COUNCIL BUSINESS:

Councilmembers addressed various subject matters.

1. Deputy Mayor Greene asked that the fertilizer ordinance be reconsidered by Council at the next regular meeting.

Motion by Deputy Mayor Greene, seconded by Mrs. Paccione, to place Ordinance No. 2013-64 on the next regular meeting for reconsideration. Mrs. Isnardi and Mr. Santiago stated they would rather see the state's model ordinance on the agenda and work off of it. Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Greene	Yea
Councilwoman Isnardi	Nay
Councilwoman Paccione	Yea
Councilman Santiago	Nay

Motion by Deputy Mayor Greene, seconded by Mrs. Paccione, to include in the ordinance that the nitrogen content shall contain fifty percent (50%) slow release nitrogen. Motion carried with members voting as follows:

Mayor Capote	Yea
Deputy Mayor Greene	Yea
Councilwoman Isnardi	Nay
Councilwoman Paccione	Yea
Councilman Santiago	Nay

Motion by Deputy Mayor Greene, seconded by Mrs. Paccione, to include the rainy season ban on nitrogen phosphorous from June 1st through September 30th. Mrs. Isnardi and Mr. Santiago stated it was unenforceable and felt education was the key. Mayor Capote stated there were other elements affecting the Lagoon that needed to be addressed. Motion failed with members voting as follows:

Mayor Capote	Nay
Deputy Mayor Greene	Yea
Councilwoman Isnardi	Nay
Councilwoman Paccione	Yea
Councilman Santiago	Nay

NEW BUSINESS:

*** 1. Resolution No. 2014-03, amending Resolution No. 2013-40, as amended by Resolution No. 2013-45, adopting the Five-Year Community Investment Program for Fiscal Years 2013-2014 through 2017-2018.**

The City Attorney read the resolution in caption only. The resolution was approved under Consent Agenda with the revision as mentioned under Agenda Revisions.

*** 2. Ordinance No. 2014-01, amending the Fiscal Year 2013-2014 budget by appropriating and allocating certain monies (first budget amendment).**

The City Attorney read the ordinance in caption only. The ordinance was approved under Consent Agenda with the revision as mentioned under Agenda Revisions.

*** 3. Consideration of submitting an application for St. Johns River Water Management District grant funds for the Stormwater Public Education Geocache Challenge program.**

Staff Recommendation: Authorize the City Manager to execute and submit the grant application.

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

*** 4. Consideration of participating in the Tourist Development Council's billboard advertisement program ($25,000).**

Staff Recommendation: Authorize the City Manager to work with the Tourist Development Council on the billboard campaign up to $25,000.

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

*** 5. Consideration of foreclosure action on property located at 665 Americana Boulevard, NE.**

Staff Recommendation: Authorize the City Manager and City Attorney to foreclose on the identified property.

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

*** 6. Consideration of travel and training for specified City employees.**

Staff Recommendation: Approve the travel and training as specified.

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

*** 7. Consideration of ratifying the City's strategic communications platform.**

Staff Recommendation: Approve ratification to the strategic communications platform as recommended by Brandt Ronat & Co.

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

ADMINISTRATIVE AND LEGAL REPORTS:

1. Mr. Lannon asked Council to consider rescheduling an executive session from Tuesday, January 21st to Thursday, January 30th, at 6:30 P.M., to consider several litigation cases. Mr. Lannon announced the cases to be considered. Council concurred.

PUBLIC COMMENTS/RESPONSES:

Individuals commented on various issues.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 9:00 P.M.

William Capote, MAYOR

ATTEST:

Terese Jones, DEPUTY CITY CLERK

* Identifies items considered under the heading of Consent Agenda.