

# **CITY OF PALM BAY, FLORIDA**

## **REGULAR COUNCIL MEETING 2024-28**

Held on Thursday, the 7<sup>th</sup> day of November 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; Greg Latulippe, Police Commander; Jose Sanabria, Public Works Operations Division Manager; Lisa Frazier, Growth Management Director; Gabriel Bowden, Utilities Director; Richard Stover, Fire Chief.

### **ANNOUNCEMENTS:**

Deputy Mayor Felix announced the following vacancies 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 to represents one (1) of the following fields relating to affordable housing: ('banking industry', 'residential home building', 'actively engaged in home building', or 'for-profit provider' positions).++**
- 3. One (1) vacancy on the Melbourne-Tillman Control District.++**

### **AGENDA REVISIONS:**

Ms. Sherman announced the following:

- A. A proclamation recognizing Veterans Remembrance Month was added to the agenda as Item 2, under Proclamations and Recognitions.
- B. Item 13, under Consent Agenda, relating to IRS tax forms, was withdrawn.
- C. Item 16, under Consent Agenda, for training and travel, was withdrawn.
- D. Item 1, under New Business, relating to Legislative Priorities, was continued to the November 21, 2024, regular Council meeting.

### **PROCLAMATIONS AND RECOGNITIONS:**

The proclamations were read.

- 1. Proclamation: National Veterans Small Business Week – November 11-15, 2024.**
- 2. Veterans Remembrance Month – November 2024. (Mayor Medina) (AGENDA REVISION)**

### **PRESENTATIONS:**

- 1. Justin Travis, USA BMX – feasibility analysis of potential site.**

Mr. Travis provided a presentation and explained how the City could bring a facility to the area, more specifically, the area known as the “Compound”. Mr. Travis presented a Usage Analysis Report and explained the feasibility of offering a Bicycle Motorcross (BMX) track to the community and how the economic impact could contribute as much as \$500,000 yearly to the local community. He said that if a track applied for and received a regional event or was awarded one of the thirty (30) national event weekends the impact could be as high as \$2.5 million, attributing directly to sports tourism. Mr. Travis said that the age range of the participants in the BMX racing world was anywhere from under the age of five (5) to seventy-eight (78) years old. Mr. Travis responded to questions posed by Council.

Mr. Johnson wanted to move forward with the concept. Mayor Medina suggesting waiting until the new councilmembers were sworn in. Mr. Weinberg agreed and wanted staff to consider investigating Tourist Development Council (TDC) grant options to help fund the

project. Deputy Mayor Felix felt that direction should be given to staff to move forward so that momentum was not lost.

Bill Battin, resident, was in favor of the proposed project and felt it was what the community needed but was disappointed that \$2 million in Recreation Impact Fees had been taken from zip code 32908 for the Recreation Department to build a bridge in another area of the City. He felt those dollars could have helped this project.

Numerous BMX riders commented and expressed their support. It was shared how the venue could be beneficial not only for the City but for the surrounding communities.

Santa Isabel Wright, resident, agreed with Mayor Medina's comments to table the item until the new councilmembers were sworn in. She asked that an All-Terrain Vehicle (ATV) track be considered in the future as well.

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

Individuals made general comments.

1. Livia Korol, resident, said that Republic Services' garbage trucks were leaking as they travelled through the neighborhoods and were staining the streets. She added that the recycle trucks were leaving broken glass behind.

Mayor Medina asked staff to follow up with Ms. Korol to address her concerns.

2. Bill Battin, resident, asked about the tiny home projects and if they were still being considered. He said that the City of Rockledge had something similar which was very successful. Mr. Battin also asked about the new development on Gaynor Drive. He said the new roads were being torn up to install water and sewer lines and then putting road patches in place. He was concerned that the patches would not hold up, especially when same situations were experienced in other areas of the city.

Ms. Sherman responded that staff would communicate with Mr. Battin for more details. Mayor Medina said he would be bringing forth discussion on the tiny homes as he had been approached on that topic for housing for Veterans.

3. Marlene Avril, resident, expressed serious concern in trying to turn left from Maywood Street onto Malabar Road. She said it was nearly impossible at certain times of the day and felt a traffic light or four-way stop should be considered.

Deputy Mayor Felix agreed with Ms. Avril and asked staff to investigate options. Ms. Sherman invited Ms. Avril and fellow residents to attend and participate in the Malabar Road Widening Public Hearing that was to be held in the upcoming week.

4. Robert Stice, resident, learned that when Republic Services drivers finished their routes, they were parking in the neighborhoods until it was time to return the garbage trucks. He provided photographs that showed the leaking of the garbage trucks onto the neighborhood roadways and felt this was diminishing home values in the area.

Mayor Medina asked staff to have a meeting with Republic Services to address citizens' concerns.

#### **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 3, 6, 7, 8, 10, 12, and 14, from consent. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

#### **1. Adoption of Minutes: Regular Meeting 2024-24; September 19, 2024.**

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

#### **2. Resolution 2024-43, amending Resolution 2024-33, which established rates, fees and charges pursuant to the Code of Ordinances for specified chapters and sections therein.**

The City Attorney read the resolution in caption only.

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

#### **3. Ordinance 2024-59, amending the Code of Ordinances, Chapter 55, Police and Firefighters Retirement Pension Plan, by modifying provisions related to retirement dates and benefits for firefighter members, first reading.**

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

**4. Ordinance 2024-60, amending the Fiscal Year 2023-2024 budget by appropriating and allocating certain monies (fifth budget amendment), first reading.**

The City Attorney read the ordinance in caption only.

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

**5. Consideration of a License Agreement with the Florida Department of Transportation (FDOT) to connect to the FDOT Intelligent Transportation System.**

Staff Recommendation: Approve and authorize executing the license agreement with the Florida Department of Transportation to connect to their Intelligent Transportation System.

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

**6. Consideration of a grant agreement with the Florida Department of Transportation for the” Know Your Limits” project to address speed and aggressive driving.**

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

**7. Consideration of an additional grant funding request from Save Our Indian River Lagoon Project Plan from Brevard County for 'City of Palm Bay Septic to Sewer Project Area – Zone A' (SOIRL Project 2016-39 - \$247,612).**

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

**8. Consideration of submitting a grant application to Brevard County's Save Our Indian River Lagoon Project Plan Grant Program to fund Phase 2 of the City's Mandatory Connection Program.**

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

**9. Consideration of participating in the Florida Department of Law Enforcement's Forensic Investigative Genetic Genealogy Grant Program.**

Staff Recommendation: Approve the Palm Bay Police Department's submission to the Florida Department of Law Enforcement's Fiscal Year 24-25 Forensic Investigative Genetic Genealogy Grant Program.

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

**10. Consideration of utilizing General Fund Undesignated Fund Balance for a one-time upgrade for public safety radio communications (\$214,327).**

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

**11. Consideration of allocating additional General Fund Undesignated Fund Balance to pay for the grade crossing maintenance work at Hessey Avenue and Palm Bay Road (\$65,634).**

Staff Recommendation: Approve the request for additional funds to pay for the Grade Crossing Maintenance work at Hessey Avenue and N.E. Palm Bay Road invoices.

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

**12. Consideration of allocating General Fund Undesignated Fund Balance to install traffic calming measures on Meadowbrook Road (\$46,568).**

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

**13. Consideration of allocating General Fund Undesignated Fund Balance for payment of penalty for late submission of tax forms to the Internal Revenue Service (\$54,550).**

This item, considered under Agenda Revisions, was withdrawn.

**14. Consideration of allocating General Fund Undesignated Fund Balance for payment of death benefits for a firefighter (\$75,000).**

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

**15. Consideration of appropriating funds from Utilities Impact Fee Undesignated Fund Balance for upgrades to the water main improvements by CHM Palm Bay, LLC (owner of the Shoppes at Cypress Bay) (\$245,639).**

Staff Recommendation: Approve the appropriation of funds on the next scheduled budget amendment for the oversizing of a water main associated with the Shoppes at Cypress Bay, in the amount of \$245,639.

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

**16. Consideration of travel and training for specified City employees (Office of the City Manager/Community and Economic Development Department).**

This item, considered under Agenda Revisions, was withdrawn.

**17. Consideration of travel and training for specified City employees (Growth Management Department).**

Staff Recommendation: Approve the travel and training as specified.

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

**18. Acknowledgment of the City's monthly financial report for August 2024 (Unaudited).**

The item, considered under Consent Agenda, was acknowledged by City Council.

**PUBLIC HEARING(S):**

**1. Ordinance 2024-45, rezoning all RM-10 (Single-, Two-, Multiple-Family Residential) zoning district properties within the city limits to RM-15 (Single-, Two-, Multiple-Family Residential District) (Case Z24-00004, City of Palm Bay), final reading. (Quasi-Judicial Proceeding)**

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

Bill Battin, resident, was not in favor of taking a current lower density zoning and increasing it all throughout the city. He felt it would overpopulate areas that were already densely populated.

The public hearing was closed.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg, to adopt Ordinance 2024-45.  
Motion carried with members voting as follows:

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

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

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg, to adopt Ordinance 2024-46.  
Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**3. Ordinance 2024-55, rezoning all BMUV (Bayfront Mixed Use Village District) zoning district properties within the city limits to UMU (Urban Mixed-Use District) (Case Z24-00007, City of Palm Bay), final reading. (Quasi-Judicial Proceeding)**

The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg, to adopt Ordinance 2024-55.  
Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**4. Ordinance 2024-56, rezoning all BMU (Bayfront Mixed Use District) zoning district properties within the city limits to CMU (Community Mixed-Use District) (Case Z24-00008, City of Palm Bay), final reading. (Quasi-Judicial Proceeding)**



The City Attorney read the ordinance in caption only. The public hearing was opened and closed as there were no comments.

Motion by Deputy Mayor Felix, seconded by Mr. Weinberg, to adopt Ordinance 2024-56. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**5. Ordinance 2024-57, vacating a portion of the rear public utility and drainage easement located within Lot 8, Block 2026, Port Malabar Unit 46 (Case VE-11-2024, David and Traci McAbee), final 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. Johnson, seconded by Deputy Mayor Felix, to adopt Ordinance 2024-57. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**6. Ordinance 2024-61, vacating a portion of the rear public utility and drainage easement located within Lot 10, Block 608, Port Malabar Unit 13 (Case VE-10-2024, Michael and Marie Broccoli), 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. Weinberg, to approve Ordinance 2024-61. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

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

**7. Resolution 2024-40, granting a conditional use to allow the construction of a dock within C (Conservation District) zoning on property located north of and adjacent to Port Malabar Boulevard, in the vicinity east of Clearmont Street (10.00 acres) (Case CU23-00015, Richard Pribell and Joyce Lochan-Pribell). (Quasi-Judicial Proceeding) (CONTINUED FROM 10/17/24 RCM)**

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 Steve Conteaguero, representative for the applicant, presented the request to Council.

Ms. Sherman clarified that the zoning category for this item was within the Conservation District not Floodway Conservation District as reflected in the Staff Report.

Mayor Medina asked if there had been prior illegal clearing done on the property. Ms. Frazier confirmed same and advised that the issue had since been rectified.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2024-40.

Mr. Weinberg said he did not support the request. He said the applicant illegally cleared the land and had to replant native species, but only because he was caught. He also built an illegal boat ramp without permits which had to be removed as well. Mr. Weinberg said the applicant was aware that it was a Conservation District when he bought the property.

Motion carried with members voting as follows:

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

**8. Resolution 2024-41, granting a conditional use 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 CU24-00004, Ascot Palm Bay Holdings, LLC). (Quasi-Judicial Proceeding) (CONTINUED FROM 10/17/24 RCM)**

The Planning and Zoning Board recommended approval of the request.

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, along with Eric Johnson, resident expert, responded to questions posed by councilmembers.

Mayor Medina did not support the request. He said there was no significant increase in jobs and there was a two- or three-story unit that was being built on Malabar Road. Ms. Saunders provided rebuttal and noted that this project was denied a year ago, but a similar project had been approved thereafter. Deputy Mayor Felix added that this project would also result in significant tax revenue for the City.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Deputy Mayor Felix, to adopt Resolution 2024-41.

Motion carried with members voting as follows:

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

**9. Resolution 2024-42, granting a conditional use to allow retail automotive gas/fuels in CC (Community Commercial District) zoning, on property located west of and adjacent to St. Johns Heritage Parkway, in the vicinity west of Emerson Drive (2.00 acres) (Case CU24-00007, Ascot Palm Bay Holdings, LLC). (Quasi-Judicial Proceeding) (CONTINUED FROM 10/17/24 RCM)**

The Planning and Zoning Board recommended approval of the request.

The City Attorney read the resolution in caption only. The public hearing was opened. Derek Ramsburg of Kimley-Horn and Associates, representative for the applicant, presented the request to Council.

Bill Battin, resident, said he understood the comments of too many gas stations and storage units, but part of the infrastructure for the expanding growth of the city was the need for gas stations and storage units. He said Council either had to approve these requests or stop the growth.

The public hearing was closed.

Motion by Mr. Johnson, seconded by Mr. Weinberg, to adopt Resolution 2024-42. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**10. Resolution 2024-39, granting a conditional use to allow retail automotive gas/fuel sales in CC (Community Commercial District) zoning on property located at the southeast corner of Babcock Street and Malabar Road (1.15 acres) (Case CU24-00006, Royal Wash PSL LLC). (RENDERED MOOT DUE TO DENIAL OF CASE Z24-00002)**

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

**3. Ordinance 2024-59, amending the Code of Ordinances, Chapter 55, Police and Firefighters Retirement Pension Plan, by modifying provisions related to retirement dates and benefits for firefighter members, first reading.**

The City Attorney read the ordinance in caption only.

Motion by Mr. Weinberg, seconded by Deputy Mayor Felix, to approve Ordinance 2024-59.

Motion carried with members voting as follows:

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

**6. Consideration of a grant agreement with the Florida Department of Transportation for the “Know Your Limits” project to address speed and aggressive driving.**

Staff Recommendation: Authorize the acceptance of a grant agreement with Florida Department of Transportation for the "Know Your Limits" project to address speed and aggressive driving.

Bill Battin, resident, questioned if the equipment could only be used when police officers were in overtime hours. Ms. Sherman confirmed that the grant applied for provided for special duty details on an overtime basis.

Motion by Mr. Weinberg, seconded by Mr. Johnson, to authorize the acceptance of a grant agreement with Florida Department of Transportation for the "Know Your Limits" project to address speed and aggressive driving. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**7. Consideration of an additional grant funding request from Save Our Indian River Lagoon Project Plan from Brevard County for 'City of Palm Bay Septic to Sewer Project Area – Zone A' (SOIRL Project 2016-39 - \$247,612).**

Staff Recommendation: Approve applying for the additional Save Our Indian River Lagoon Project Plan grant funds from Brevard County and authorize the City Manager to execute the grant agreement.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to approve applying for the additional Save Our Indian River Lagoon Project Plan grant funds from Brevard County and authorize the City Manager to execute the grant agreement. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**8. Consideration of submitting a grant application to Brevard County's Save Our Indian River Lagoon Project Plan Grant Program to fund Phase 2 of the City's Mandatory Connection Program.**

Staff Recommendation: Apply for the Save Our Indian River Lagoon (SOIRL) Project Plan grant from Brevard County and authorize the City Manager to execute the grant agreement, if awarded.

Bill Battin, resident, asked the cost percentage to be paid by the homeowner.

Mr. Bowden responded that the total cost was approximately \$12,000 for each premise. The SOIRL portion was approximately \$5,000 for each premise, and staff was also applying for a Florida Department of Environmental Protection (FDEP) grant to pay for the remaining costs.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to apply for the Save Our Indian River Lagoon Project Plan grant from Brevard County and authorize the City Manager to execute the grant agreement, if awarded. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**10. Consideration of utilizing General Fund Undesignated Fund Balance for a one-time upgrade for public safety radio communications (\$214,327).**

Staff Recommendation: Approve the Police Department's request for funding totaling \$214,237 from the General Fund towards the one-time P25 upgrade fee for the public safety radio communications program.

Bill Battin, resident, said he recalled the City purchasing radios last year. He thought the technology would have been included in those costs.

Ms. Sherman said that staff had been working on the Project 25 (P25) compliance which standardized interfaces between components of emergency responders' Land Mobile Radio systems. Due to the cost, this was being done in phases and this was one of the final steps.

Motion by Mr. Weinberg, seconded by Mr. Johnson, to approve the Police Department's request for funding totaling \$214,237 from the General Fund towards the one-time P25 upgrade fee for the public safety radio communications program. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**12. Consideration of allocating General Fund Undesignated Fund Balance to install traffic calming measures on Meadowbrook Road (\$46,568).**

Staff Recommendation: Approve the use of General Fund Undesignated Fund Balance for the purchase and installation of four (4) Electronic Speed Feedback signs along Meadowbrook Road to reduce vehicle traveling speed.

Motion by Deputy Mayor Felix, seconded by Mr. Johnson, to approve the use of General Fund Undesignated Fund Balance for the purchase and installation of four (4) Electronic Speed Feedback signs along Meadowbrook Road to reduce vehicle traveling speed. Motion carried with members voting as follows: Mayor Medina, Yea; Deputy Mayor Felix, Yea; Councilman Johnson, Yea; Councilman Weinberg, Yea.

**14. Consideration of allocating General Fund Undesignated Fund Balance for payment of death benefits for a firefighter (\$75,000).**

Staff Recommendation: Approve the allocation of \$75,000 from the Undesignated General Fund Balance to satisfy the City's obligation under Section 112.1816, Florida Statutes.

Bill Battin, resident, questioned why the new contract did not cover these costs.

Ms. Sherman clarified that this was a special category of benefits that tied to cancer diagnosis for firefighters, in which certain cancers were caused by being on the job. Mr. Johnson asked how this legislation came to be. Since the enactment of this statute, there had been limited insurance carriers offering this specialized coverage. He questioned if the city equipment needed to be examined.

Chief Stover explained that the bunker gear did contain some levels of carcinogens in the woven material. Studies had shown that there was absorption through various areas of

the body from the bunker gear. Staff was working very hard with the bunker gear provider, and the provider was projecting that all bunker gear would be 100% per- and polyfluoroalkyl substances (PFAS) free after January 2025.

Mr. Weinberg asked how many of these death benefits had been paid out. Ms. Sherman confirmed that this was the first.

Motion by Mr. Weinberg, seconded by Mr. Johnson, to approve the allocation of \$75,000 from the Undesignated General Fund Balance to satisfy the City's obligation under Section 112.1816, Florida Statutes. 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 the City's 2025-2026 State Legislative Priorities.**

This item, considered under Agenda Revisions, was continued to the November 21, 2024, regular Council meeting.

##### **2. Consideration of scheduling a workshop meeting in November 2024.**

Council concurred to reschedule the workshop to December to discuss House Bill 1365 (prohibiting public camping or sleeping on public property).

Council also concurred to schedule the swearing in ceremony for the newly elected officials on Wednesday, November 20<sup>th</sup>, at 6:00 P.M.

#### **COUNCIL REPORTS:**

Councilmembers addressed various subject matters.

#### **ADMINISTRATIVE AND LEGAL REPORTS:**

1. Ms. Sherman provide reports on the Veterans Day Parade and the public hearing for the Malabar Road Project Development and Environment (PD&E) Study. She also provided an update on the hurricane debris collection.

#### **PUBLIC COMMENTS/RESPONSES:**

Individuals made general comments.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at the hour of 10:09 P.M.

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Rob Medina, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK