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JOINT MEETING OF THE BOARD OF COUNTY
COMMISSIONERS AND THE
CITY OF PALM BAY COUNCIL MEMBERS

April 11, 2007

The Board of County Commissioners of Indian River County, Florida, met in Joint Session at the City of Palm Bay Council Chambers, 120 Malabar Road, S.E. Palm Bay, Florida, on Wednesday, April 11, 2007, at 7:00 p.m. Present were Chairman Gary C. Wheeler, Vice Chair Sandra L. Bowden arrived at 7:05 p.m., and Commissioners Wesley S. Davis, Joseph E. Flescher arrived at 8:25 p.m., Peter D. O’Bryan. Also present were County Administrator Joseph A. Baird, County Attorney William G. Collins II, and Maria I. Suesz, Deputy Clerk.

Present from the City of Palm Bay were Mayor John Mazziotti, Deputy Mayor Ed Geier, City Council Persons Pat Woodard, Andy Anderson, and Donna Brooks.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

City of Palm Bay Mayor John J. Mazziotti called the meeting to order at 7:00 p.m., and Deputy Mayor Ed Geier led the Pledge of Allegiance to the Flag.

2. OPENING REMARKS AND INTRODUCTIONS

A. CITY OF PALM BAY CITY COUNCIL AND STAFF BY MAYOR JOHN J. MAZZIOTTI

The City Council Members listed above introduced themselves, and City Manager Lee Feldman introduced Deputy City Manager Sue Hann, Deputy City Manager Jon Lewis, Growth Management Director David Watkins, Public Works Utilities Director Jason Yarbrough, and City Attorney Nick Tsamoutales.

B. INDIAN RIVER COUNTY BOARD OF COUNTY COMMISSIONERS AND STAFF BY CHAIRMAN GARY C. WHEELER

Indian River County Commissioners introduced themselves and Assistant County Administrator Mike Zito introduced County Attorney William G. Collins, II; Utilities Director Erik Olson; and Community Development Director Bob Keating.

Commissioner Davis also introduced Susan Adams, City Council Member of Fellsmere, and Beth Mitchell, Sebastian Inlet Taxing District.

Chairman Gary Wheeler thanked the Council for inviting the Commissioners. He stated the purpose for this meeting was for updates on information regarding the growth plans for the City of Palm Bay.

3. GROWTH

City Manager Lee Feldman explained that the City of Palm Bay in the past year and a half had taken a number of voluntary annexations for property in southern Brevard County, which included several parcels that are on the Indian River County border.

(Clerk's Note: Vice Chair Sandra Bowden entered the meeting at 7:05 p.m.)

Mr. Feldman displayed a Brevard County Map showing portions of Palm Bay covering 100 square miles and provided detailed information on current and possible future annexation properties and land densities. It was revealed that geographically the city is the seventh largest community in the State. Mr. Feldman advised that Palm Bay is in the Comprehensive Plan Process of the land development phase of most of the annexation properties. He discussed Palm Bay's general growth pattern and stated that the city is concentrating on having a good mix of plans. He disclosed that the Joint Planning Agreement (JPA) between Palm Bay and Brevard County delineates "no annexation areas" including Grant-Valkaria, Barefoot Bay, Micco, and Little Hollywood.

Commissioner Davis posed questions to the City Manager regarding what predicated the "no annexation areas", and what generated the number of annexations to the City. City Manager Feldman explained there was concern that the City was going to annex everything, and Palm Bay officials made it clear they were only interested in dealing with property owners on a voluntary basis. Mr. Feldman stated that having guaranteed access to utilities was the main reason for the annexations, as Palm Bay must provide water and sewer for those inside the city limits.

Deputy Mayor Geier believed it was important to review the past when planning for the future and he provided a brief history and tenure of the Mayor and Council members. Vice Chair Bowden also spoke of her history with the City of Palm Bay. Mayor Mazziotti communicated that two of Palm Bay's goals are self-sufficiency and smooth functioning.

Mr. Feldman continued discussing the annexations, stating that in Community Developments the Homeowner Associations would be responsible for the infrastructure so the long-time residents are not burdened. Any main thoroughfares would be the city's responsibility. Mr. Feldman noted that these are long-range plans that would be executed in phases, thoughtfully and carefully, and he talked about Bayside Lakes that is ten years old and 50

percent built out. Mr. Feldman believed that there probably would be a 20-30+ year build out, with plenty of time to set the infrastructure in place. Growth Management Director Watkins described Bayside Lakes, a PUD consisting of 2,000 units on 2,000 acres, approximately one unit per acre. There is 25% open space minimum, and the development includes a mix of small and large lots, single-family homes, commercial areas, and a government center. He divulged that all large landowners are told that they must comply with certain environmental stipulations; they are also informed that a variety of development is desired.

Director Watkins discussed the Willowbrook Property and the C-1 Diversion, which is the Melbourne-Tillman Water Control District canal. He hoped that a large ecotourism base could be created for South Brevard County.

Deputy Mayor Geier pointed out that the neighborhood council has been able to maintain a balance between open space and commercial property. He invited the Commissioners to contact City Manager Feldman if they would like to tour the city.

Commissioner Davis wondered whether Palm Bay has annexation plans for the Merrier Ranch. Mayor Mazziotti stated that the city would like to annex the area (with no intention of altering the wetlands). He revealed that the annexation would allow Palm Bay to take credit for the wetlands, resulting in reduced flood insurance costs for the residents. Commissioner Davis commented that this would become a mitigation bank.

Chairman Wheeler asked City Manager Feldman what the anticipated population build out would be as a result of annexations. Mr. Feldman believed the population might grow to between 350,000 and 400,000 residents.

Chairman Wheeler asked city officials to explain how zoning is handled before annexations. **Director Watkins** replied that the city looks at the overall density of per unit per

acre. He pointed out that Palm Bay has already reduced the allowable densities in their Comprehensive Plan by over 30,000 units. **Director Watkins** anticipated a future maximum density of less than two units per acre.

Commissioner Davis wanted to know if Palm Bay's Comprehensive Plan allows for the transfer of development rights (TDR). Mr. Watkins replied that the policy is in place, but has not yet been implemented.

In response to a query from Vice Chair Bowden, Director Watkins disclosed that the only utilities service provider in Brevard County is Florida Power and Light (FPL).

Discussion ensued among Commissioners and Palm Bay officials regarding a possible interstate interchange being developed near the Capano property. It was noted that the longest stretch of interstate without an interchange is the 18 miles between the northern most interchange in Sebastian and the southernmost interchange at Malabar Road. City Manager Feldman stated that Palm Bay is going to be responsible for 60 % of the new parkway (within the city). Deputy Mayor Geier added that Palm Bay is also opening a Charter school.

City Manager Feldman commented that Palm Bay is beginning to engage all the property owners in comprehensive development agreements to deal with the responsibility of providing the infrastructure. He displayed a map showing a projected road and interchange that would be financed through developer participation, although the city has not yet worked out the cost sharing details.

In response to Chairman Wheeler's query, information was provided on Palm Bay's current impact fees on a single-family residential unit.

4. TRANSPORTATION

Mayor Mazziotti estimated the current impact fee on a single-family residential unit to be \$4,000.00.

5. UTILITIES

Mr. Feldman announced that Palm Bay is building a 2 million gallon per day sewer plant that would have a 10 million gallon per day capacity. Commissioner Davis asked how the city handled the resultant brine and Mr. Feldman stated that the substance was managed by deep injection into a 3,000 foot well.

Indian River County Utilities Director Erik Olson noted that Indian River County had sold Palm Bay their sewage plant. He expounded upon Indian River County's wastewater system and detailed their methods of handling the brine.

6. WATER SUPPLY

City Manager Feldman revealed that Palm Bay's water comes from the Florida Aquifer. There are two water treatment plants, the newest of which has a 4 million gallon per day reverse osmosis plant, which can expand to 20 million gallons a day.

Commissioner Davis talked about creating a new water reservoir (utilizing a large area in the western boundaries) in conjunction with St. John's Water Control and Indian River Farms Drainage Districts. He hoped to reduce pollutants and fresh water run off entering the Indian River Lagoon.

Mayor Mazziotti conveyed that he considered Indian River County a good neighbor and stated that Palm Bay would be happy to work with Indian River on common issues. Vice Chair

Bowden stated that the County Commission had a history of meeting with counties on both sides, and the meeting with Palm Bay completed this process.

7. QUESTIONS AND COMMENTS FROM CITY COUNCIL

MEMBERS AND COUNTY COMMISSION MEMBERS

Mayor Mazziotti talked about Palm Bay's emergency services. He made it clear that Palm Bay is fairly self-sufficient. Although Palm Bay has its own fire and police departments, the County is currently responsible for the ambulance service. Commissioner Davis stated that each municipality in Indian River County has a different police system, but there is a countywide dual-certified EMS (except for Indian River Shores).

Council Member Woodard spoke about the importance of the counties working together (perhaps as part of the Metropolitan Planning Organization) on the issues of transportation and eco-tourism, and thanked the Commissioners for participating in the Joint Meeting. Commissioner Davis commented about a project (the Sculling Facility, a world wide training facility) that had resulted after a Joint Meeting between Brevard and Indian River Counties. Deputy Mayor Geier added that it is key to the future of Florida to continue looking at issues as regional, rather than local.

Commissioner O'Bryan brought up the importance of cooperation between Palm Bay and Indian River County on transportation. Council Member Anderson agreed that Palm Bay and Indian River County should work together in order to affect improvements in the community.

Council Member Anderson thanked the County Commissioners for attending the Joint Meeting and mentioned that there is concern about the environmentally sensitive lands being annexed. He noted that citizens' health and safety is also a primary concern, and mentioned the importance of the residents having easy access to disaster exodus routes.

Assistant County Administrator Michael Zito asked what the County's reactions to the annexations had been. City Attorney Tsamoutales replied that all annexations had been voluntary; statutory requirements had been followed.

City Manager Feldman stated that the Joint Planning Agreement sets up a communication process between Palm Bay and Brevard County when there are land use changes in any designated joint planning areas. There is a period of comment and a dispute resolution process used to handle objections. Commissioner O'Bryan asked how binding the agreement was, and Mr. Feldman acknowledged that three JPA members could vote to break off the agreement, noting that it was a five-year agreement with a 30-day cancellation period.

Indian River County Public Works Director Jim Davis asked if there were any immediate plans for a causeway to bridge Indian River to the barrier island along Indian River County, to which he was told "no"; the prohibitive cost was cited as one (but not all) of the reasons.

8. QUESTIONS AND COMMENTS FROM THE PUBLIC

Vicki Benoit, Micco, voiced her concern that some developers may build to the 20 unit per acre specification detailed in the Comprehensive Plan.

Clerk's Note: Commissioner Flescher entered the meeting at 8:25 p.m.

There was a brief discussion regarding the Comprehensive Plan, with Director Watkins discussing the density stipulations. Palm Bay was aware of everyone's concerns, and those will be addressed before the amendment is adopted. Mr. Watkins acknowledged that there might be areas that will have 20 units per acre, but a cap will be set.

Commissioner Davis wanted to know if there were height restrictions in Palm Bay, and he wondered what a 20 unit per acre structure would look like. City Manager Feldman stated that parts of the city have height regulations. He indicated that any high-density structures were likely to be Planned Unit Developments (PUDs), which have inherent zoning rules and noted that the appearance would depend on surrounding developments and planning and marketing issues.

Diane McCauley, Micco, asked why there was a right angle on the plan for the I-95 interchange, and wanted to know if it was possible for the intersection to be located on Babcock Road. City Manager Feldman responded that the interchange could not occur on Babcock. The right angle is only a theoretical alignment to provide an approximation for the location of the interchange.

Vicki Benoit had attended water workshop meetings in both Indian River County and Palm Bay. She stated that there seemed to be a discrepancy among each jurisdiction as to whether or not a water problem exists. City Manager Feldman clarified that Palm Bay is not in one of the areas of critical concern delineated by the St. John's River Water Management District (SJRWMD); the city's water supply is sufficient for expansion.

The County Commissioners made observations regarding the water situation in Indian River County, touching upon the SJRWMD, water quality, well usage, water use boundaries, and consumptive use permitting, and voiced their concerns for the future county water supply.

Chairman Wheeler asked whether Palm Bay intended to supply Fellsmere with water. City Manager Feldman responded that Palm Bay had approached Fellsmere to see if they needed a water supply from them, but nothing further has resulted. Mayor Mazziotti assured the Commissioners that Palm Bay would not undertake any type of involvement with Indian River County without having the Commission involved.

9. ADJOURNMENT

Mayor Mazziotti thanked the Commissioners for attending the Joint Meeting with Palm Bay.

There being no further business, on Motion duly made, seconded and carried, the Board adjourned at 8:45 p.m.

ATTEST:

Jeffrey K. Barton, Clerk

Gary C. Wheeler, Chairman

Minutes Approved: _____
Jt. Workshop/MIS/2007Minutes