

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING AGENDA – JULY 20, 2006**

**LOCATION: CITY COMMISSION ROOM
2 SOUTH ORLANDO AVENUE**

TIME: 7:00 P.M.

Mayor Skip Beeler, Vice-Mayor Kevin Pruett, Commissioners Ken Griffin, Don John, Tony Sasso

• **WELCOME**

• **Broadcasting of Meetings:** Regular Commission meetings are video and audio broadcasted live locally on TWC Channel 1 or Channel 99. Regular meetings are manned by an Audio/Video Operator. Cameras are programmed to run without manning for Work Sessions. Problems receiving transmission of the Regular meeting? Call City Hall - 868-3318 during business hours, or after 5PM call City Hall - 868-3319.

• **Meeting Packets:** Packets are on the city's website (www.cityofcocoa-beach.com), at Commission meetings, and at the Cocoa Beach Library.

• **Rules of Order:** Robert's Rules of Order and the Florida Sunshine Law govern the conduct of our meeting.

• **Speaking Courtesy Rules:**

- The Commission accepts relevant comments.
- A time limit of three minutes is imposed on each speaker. If speaking for a group, the Commission may grant an additional three minutes.
- Please direct comments and questions through the Mayor.
- Complete speaker cards are required for each of the items you wish to address. Submit the card to the City Clerk prior to the introduction of the item. Speaker Cards are available in the rear of the Commission Room and in the City Clerk's office prior to the meeting. The purpose of the card is to obtain the spelling of your name, contact information if follow-up is needed, and provide for efficient meeting administration.
- Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone.

• **THANK YOU** for participating in your Cocoa Beach City Government.

A. CALL TO ORDER

B. INVOCATION: Offered by Chaplain Cari Dawson, Cape Canaveral Hospital

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. APPROVAL OF ORDER OF BUSINESS

Note: Members of the public, Commission and Staff may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.

F. SPECIAL PRESENTATIONS (Speakers are Cordially Requested to Keep Special Presentations to a Maximum of 15 Minutes)

1. Legislative Update and Ocean Desalination Plant Project

- State Representative Bob Allen, District 32

2. **Self-Contained Modular Restrooms**

- Alfredo Teran, AJT & Associates

3. Wireless Metering Systems

- Mark Dee, Integrated Parking Solutions

G. CITY COMMISSION REPORTS & ANNOUNCEMENTS

H. CONSENT AGENDA:

1. Approval of Minutes: Commission Meeting – **June 1, 2006**

2. Proclamation Declaring August 7-11, 2006 as **"Florida Water, Wastewater and Systems Operators Week"**

3. Request to Approve a Single-Source Five-Year Contract for the City's Tennis Professional, Richard Cote', at the Following Rates:

10/1/06 – 9/30/07	\$1,594 Per Month (\$19,128 Per Year)
10/1/07 – 9/30/08	\$1,626 Per Month (\$19,512 Per Year)
10/1/08 – 9/30/09	\$1,658 Per Month (\$19,896 Per Year)
10/1/09 – 9/30/10	\$1,691 Per Month (\$20,292 Per Year)
10/1/10 – 9/30/11	\$1,725 Per Month (\$20,700 Per Year)

Staff Representative: Charles Holland, Assistant Finance Director

Staff Recommendation: **Approve**

4. Request Approval for the City of Cocoa Beach to Enter Into Agreements with the School Board of Brevard County and the City of Cape Canaveral to Continue the Funding of a School Resource Officer for Fiscal Years 06/07 at a Cost of \$21,666.

This is a Budgeted Item

Staff Representative: James E. Scragg, Chief of Police (or his designee)

Staff Recommendation: **Approve**

CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING AGENDA – JULY 20, 2006

5. Board Appointments:
 - a) **Library Board**
Reappoint Katherine Broughton to a 3-Year Term Expiring 4/15/09 – Commissioner Sasso (Seat #4)
Reappoint Debbie Guelzow to a 3-Year Term Expiring 4/15/09 – Commissioner John (Seat #5)
 - b) **Police Pension Board**
Reappoint Gary Baker to a 2-Year Term Expiring May 1, 2008
(This Appointment is the Fifth Trustee of the Board, who is Elected by the Other Trustees and Appointed by the City Commission as a Ministerial Duty for a Two-Year Term. No Seat Rotation Number is Used.)
6. Appoint Deputy Chief Bryan Holmes as the City's New Chief of Police
Staff Representative: Charles J. Billias, City Manager
Staff Recommendation: **Approve**
7. **Resolution No. 2006-15 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, Authorizing the City Manager to Execute a Parks and Boat Ramp Franchise Agreement with Wildside Tours for a Term Commencing on the Effective Date of this Resolution and Expiring on April 1, 2007, for the Purpose of Regulating Commercial Operations from City Parks and Enhancing the Watercraft Users' Experience on the Banana River while Protecting the Banana River Aquatic Preserve; and Providing for an Effective Date**
Staff Representative: Anthony Caravella
Staff Recommendation: **Approve**
- I. SITE PLAN CONSENT:**
 1. **Resolution No. 2006-04** - A Resolution of the City Commission of the City of Cocoa Beach, Florida, Approving a Common Master Signage Plan for Property Known as the Galleria Office Complex, Located at 801 North Atlantic Avenue, and Setting Conditions Related to that Plan; Providing for Incorporation of Findings and Recitals; and Providing an Effective Date
Staff Representative: Anthony Caravella
Staff Recommendation: **Approve**
- J. UNFINISHED BUSINESS:**
 1. Request by Petitioners' Committee to Place an Item on the November 2006 Election Ballot, to Inquire if the City Should Adopt an Ordinance to Prohibit Smoking on Public Beaches and Parks
Petitioners' Committee Representative: Mayor Beeler
Mayor Beeler's Recommendation: **Approve**
 2. a) Request to Authorize Staff to Negotiate a Scope of Services and Contract for Required Deliverables, with a Firm Selected at the July 20, 2006 Commission Meeting, for the Public Safety Building Architectural Services and City Hall Master Campus Design
Staff Representatives: Charles Holland, Assistant Finance Director, Committee Chairman
A.J. Hutson, Assistant City Manager
Kenneth Killgore, Finance Director
Darby Blanchard, Water Reclamation Director
Staff Recommendation: **Commission Decision**
(At the 4/6/06 Commission Meeting, it was Requested to Bring This Item Back on 6/15/06) Note: Since the last firm didn't present until 6/15/06, this item was moved to the 7/20/06 agenda.
 - b) Discuss Options on Financing the New Municipal Facilities
Commission Representative: Commissioner John
Commissioner John's Recommendation: **Discuss Options**
 3. Cocoa Beach Junior/Senior High School Performing Arts Center
 - a) **Ordinance No. 1432**, Second Public Hearing And Final Reading – An Ordinance of the City of Cocoa Beach, Brevard County, Florida Amending the Comprehensive Plan, 2010 of the City of Cocoa Beach by Amending the Future Land Use Element by Making Text Changes to Policy I.4.11, Clarifying Provisions Regarding Said Policy, Authorizing Special Consideration to Allow Building Heights No Greater than Seventy (70) Feet, and Granting Special Consideration to the School Board of Brevard County Florida to Allow a Building Height of No Greater than Seventy (70) Feet for a Performing Arts Facility at 1500 Minutemen Causeway (Cocoa Beach Junior/Senior High School); Finding Conformity with State

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING AGENDA – JULY 20, 2006**

Statutes; Providing for Conflicts, Severability and an Effective Date

Staff Representative: Anthony Caravella, Director of Development Services

Staff Recommendation: **Staff Supports the Planning Board Recommendation to Approve**

- b) **Resolution No. 2006-16**, Public Hearing – A Resolution of the City Commission of the City of Cocoa Beach, Florida, Granting a Height Variance to Allow Construction of a Performing Arts Center at a Building Height Not to Exceed 70 Feet for Property Known as the Cocoa Beach Junior/Senior High School Located at 1500 Minutemen Causeway; Providing for Incorporation of Findings and Recitals; and Providing an Effective Date
Staff Representative: Anthony Caravella, Director of Development Services
Staff Recommendation: **Commission Decision**

K. NEW BUSINESS:

1. Request to Adopt the Proposed Millage Rate of 3.58
Staff Representative: Ken Killgore, Finance Director
Staff Recommendation: **Approve**
2. Request to Schedule Two Special Meetings in August to Review the FY 2007 Budget
Commission Representative: Commissioner John
Commissioner John's Recommendation: **Schedule Meetings**
3. Request to Allow the City Manager to Place Banners and Signs at the Beach and Park Locations Informing the Public of the City's "You Flick It. We Ticket" Litter Enforcement Campaign
Commission Representative: Vice-Mayor Pruett
Vice-Mayor Pruett's Recommendation: **Approve**
4. Request that \$120,000 be Budgeted for Next Fiscal Year to Support Additional Code Enforcement at the City's Beaches, Parks and Throughout the City of Cocoa Beach
Commission Representative: Vice-Mayor Pruett
Vice-Mayor Pruett's Recommendation: **Approve**
5. **Ordinance No. 1434**, First Reading – An Ordinance of the City of Cocoa Beach, Brevard County, Florida, Amending the Code of Ordinances of the City of Cocoa Beach, Florida, by Adding to City Code Amending City Code Chapter 15, "Offenses", a New Section 15-34 to be Titled "Littering" for the Purpose of Prohibiting Littering on the Ocean Beach, Sea Dune Area, Public Dune Crossovers and any Public Place or Public Property, and Providing for Penalties and Enforcement; Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date
Staff Representative: Anthony Caravella, Director of Development Services
Staff Recommendation: Approve
6. **Ordinance No. 1435**, First Reading – An Ordinance of the City of Cocoa Beach, Florida, Amending the Cocoa Beach Code of Ordinances; Regarding Chapter 31, Code Enforcement, Amending Section 31-11 Classes of Violations and Associated Civil Penalties for the Purpose of Removing Archaic References Therein to the Cocoa Beach Code and Updating the Same References; Providing for Interpretation, Conflicts, Severability and Effective Date
Staff Representative: Anthony Caravella, Director of Development Services
Staff Recommendation: Approve

L. REPORTS & ANNOUNCEMENTS:

1) STAFF

2) PUBLIC COMMENT - Comments will be heard on items that do not appear on the agenda of this meeting. Citizens will limit their comments to three (3) minutes. Per Commission Procedures, the City Commission will not take any action or discuss items brought up under the "Public Comment" section of the agenda. The City Commission may schedule such items as regular agenda items and act upon them in the future.

3) CITY ATTORNEY

M. ADJOURNMENT

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING AGENDA – JULY 20, 2006**

Any person desiring to appeal any decision made by the City Commission, with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and for such purposes, must insure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense, as the City does not provide one.

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least forty-eight (48) hours prior to the meeting, contact the Office of the City Clerk at (321) 868-3286; Florida Relay Service (800) 955-8771 (TDD); or (800) 955-8779 (Voice).

Draft 06/07/06 Minutes

Draft 06/15/06 Minutes

ON-LINE INFORMATION RESOURCE
City's "Web Site" <http://www.cityofcocoa.beach.com>

CITY MEETING CALENDAR

July Calendar of City Commission & City Board Meetings

07-04-06	Independence Day – City Hall Closed	
07-05-06	Downtown Area Sector Plan Committee	3:00 P.M.
07-05-06	Planning Board	6:30 P.M.
07-10-06	Land Management Committee	6:00 P.M.
07-11-06	Landscaping Committee Cancelled	3:00 P.M.
07-13-06	Waterways & Wildlife Advisory Board	6:30 P.M.
07-18-06	Commission Work Session – Budget	6:30 P.M.
07-19-06	Code Enforcement Board	9:00 A.M.
07-19-06	Board of Adjustment	7:00 P.M.
07-20-06	Commission Meeting	7:00 P.M.

Meeting Calendar Subject to Change

PLEASE NOTE: ALL REGULAR COMMISSION MEETINGS WILL BE REBROADCAST ON WEDNESDAY AFTERNOONS AND EVENINGS, AND ON FRIDAY EVENINGS, ON SPACE COAST GOVERNMENT TELEVISION, CHANNEL 1 OR 99. PLEASE REFER TO THE SCGTV WEB SITE AT WWW.SCGTV.ORG FOR DAILY DETAILED SCHEDULING INFORMATION.