

**CITY OF COCOA BEACH, FLORIDA  
CITY COMMISSION MEETING AGENDA – SEPTEMBER 21, 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](http://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 Reverend Hamilton Diggs, Living Bread Christian Fellowship

**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 PRESENTATION:**

1. Jim Mann, President & Founder of Butt Bag Systems

**G. CITY COMMISSION REPORTS & ANNOUNCEMENTS**

**H. CONSENT AGENDA:**

1. Approval of Minutes: **Special Budget Meeting – August 15, 2006**  
**Commission Meeting – August 17, 2006**

**3. Request to Ratify the Three (3) Year Contract Between The City Of Cocoa Beach And The Fraternal Order Of Police Florida State Lodge #159 (Added to the Agenda on 09/18/06)**

**•Staff Representative: A.J. Hutson, Assistant City Manager**

**Staff Recommendation: Approve**

2. Code Enforcement Board

Reappoint Lucille Crews to a 3-Year Term Expiring 9/28/09 – Seat #4 (Commissioner Sasso)

**I. SITE PLAN CONSENT:**

1. Request Approval of South Beach Townhomes Architectural Integrated Subdivision Final Plat and Tree Removal Permit (Formerly Known as "Wolfman Townhomes"), for Property Located at 226 South Atlantic Avenue

Staff Representative: Anthony Caravella, Director of Development Services

**Staff Recommendation:** Staff Supports the Planning Board Recommendation to Approve With Conditions Identified in Briefing Memorandum Dated September 21, 2006

**J. UNFINISHED BUSINESS:**

1. **Ordinance No. 1436**, First Reading (Continued) - 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 Chapter 5, "Beaches, Fills, Boats and Waterways", a New Section 5-60 to be Titled "Sea Dune Protection" for the Purpose of Protecting the Sea Dune Area from Walking, Sitting, Laying, and Unlawful Removal of Vegetation, and Providing for Penalties and Enforcement; Amending City Code Chapter 5, "Beaches, Fills, Boats and Waterways", Section 5-50 "Definitions", to Clarify the Definition of "Sea Dune Area"; Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Approve

2. **Ordinance No. 1437**, Second Reading & Public Hearing - An Ordinance of the City of Cocoa Beach, Florida, Related to City

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Code Chapter 28 "Stormwater Management", Amending Section 28-25 Utility Fee Established, to Increase ERU Fees; Providing for the Incorporation of Recitals, Severability, Interpretation, and Conflicts; and Providing for an Effective Date  
Staff Representatives: Kenneth Killgore, Finance Director  
Charles Holland, Assistant Finance Director

**Staff Recommendation:** Approve

3. **Ordinance No. 1438**, Second Reading and Public Hearing - An Ordinance of the City Commission of the City of Cocoa Beach, Florida, Levying Taxes for the Appropriations to be Paid out of the General Fund During the Fiscal Year 2007 of the City of Cocoa Beach, Florida; Providing for an Effective Date  
Staff Representative: Ken Killgore, Finance Director

**Staff Recommendation:** Approve

4. **Ordinance No. 1439**, Second Reading and Public Hearing - An Ordinance of the City Commission of the City of Cocoa Beach, Florida, Making Appropriations for the Fiscal Year Beginning October 1, 2006 and Ending September 30, 2007; Providing for Adjustments to the Budget; and Providing for an Effective Date  
Staff Representative: Ken Killgore, Finance Director

**Staff Recommendation:** Approve

**K. NEW BUSINESS:**

1. **Resolution No. 2006-23** - A Resolution of the City Commission of the City of Cocoa Beach, Florida, Adopting a Five-Year Capital Improvements Program, to Include the Fiscal Year 2007 Capital Improvements Budget and Adopting a Proposed Capital Improvements Program for the Next Four Fiscal Years 2008-2011 which may be Revised and Extended Each Year with Regard to Capital Improvements

Staff Representative: Ken Killgore, Finance Director

**Staff Recommendation:** Approve

2. Request to Approve the Legal Services Contract Between the City of Cocoa Beach and the Law Firm of Fowler & O'Quinn, P.A. Term of Contract will be Through September 30, 2009. The Contract may be Terminated by the City or Fowler & O'Quinn, P.A. by Giving Sixty-Day's Written Notice

Commission Representative: Commissioner Sasso

**Commissioner Sasso's Recommendation:** Discuss and Approve

09/06/06 Draft Minutes

**L. REPORTS & ANNOUNCEMENTS:**

**1) STAFF**

09/07/06 Draft Minutes

**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**

*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).

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

**CITY MEETING CALENDAR**

**September Calendar of City Commission & City Board Meetings**

09-04-06	City Hall Closed – Labor Day	
<del>09-05-06</del>	<del>Landscape Committee-Cancelled</del>	<del>3:00 P.M.</del>
09-05-06	Planning Board (Rescheduled due to Holiday)	6:30 P.M.
09-06-06	Downtown Area Sector Plan Committee	3:00 P.M.
09-06-06	Commission Special Meeting – Budget	6:30 P.M.
09-07-06	Commission Meeting	7:00 P.M.
09-11-06	Ocean Beach Boulevard Design Public Workshop	6:30 P.M.
09-12-06	Landscape Committee	3:00 P.M.
09-14-06	Waterways and Wildlife Advisory Board	6:30 P.M.
09-18-06	Land Management Committee	6:00 P.M.
09-20-06	Code Enforcement Board	9:00 A.M.
09-20-06	Board of Adjustment	7:00 P.M.
09-21-06	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](http://WWW.SCGTV.ORG) FOR DAILY DETAILED SCHEDULING INFORMATION.