

**CITY OF COCOA BEACH, FLORIDA  
CITY COMMISSION MEETING AGENDA – DECEMBER 07, 2006**

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

**TIME: 7:00 P.M.**

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*Mayor Skip Beeler, Vice-Mayor Don John, Commissioners Ken Griffin, Kevin Pruett, 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.

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**A. CALL TO ORDER**

**B. INVOCATION:** Offered by Reverend Jay Bergstresser, Lutheran Church of the Resurrection

**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. CITY COMMISSION REPORTS & ANNOUNCEMENTS**

**G. CONSENT AGENDA:**

1. Approval of Minutes: Commission Meeting – **November 2, 2006**
2. Request that the City Manager be Authorized to Sign a Contract Between the Cocoa Beach Country Club and Golf Cart Marketing, Inc. for Golf Cart Advertising. There are No Implementation Costs and This Can Generate Up to \$53,760 Per Year if All 12 Months of Ads are Sold  
Staff Representative: Joe Tucker, CBCC Manager  
**Staff Recommendation:** Approve
3. **Resolution No. 2006-26** - 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 Space Coast Kayaking, 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, Director of Development Services  
**Staff Recommendation:** Approve
4. Request Approval of Bid Number CB 07-001 for Ductile Iron Pipe, Fittings and Valves in the Amount of \$102,757.00 to Low Bidder Ferguson Enterprises, Inc. This Item is Budgeted for FY 2007 in the Water Reclamation Dept.  
Staff Representative: Darby Blanchard  
**Staff Recommendation:** Approve
5. Request to Designate 7 P.M. as the Starting Time for Regular Commission Meetings to be Held During Calendar Year 2007; Designating the Time is Required by Chapter 2, Section 2-1, of the City Code  
Staff Representative: Charles J. Billias, City Manager  
**Staff Recommendation:** Approve

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6. Request for the City Commission to Approach the TDC for a 50% Matching Grant which will be used to Purchase Needed Equipment to Rake the Beaches of Cocoa Beach  
Commission Representative: Vice-Mayor John  
**Vice-Mayor Recommendation:** Approve

**H. UNFINISHED BUSINESS:**

1. **Ordinance No. 1440**, Second Public Hearing & Final Action - An Ordinance of the City of Cocoa Beach, Brevard County, Florida Amending the Cocoa Beach Code Appendix B, "The City of Cocoa Beach Land Development Code" by Revising Chapter II "Definitions" for the Purpose of Revising the Point of Measurement for Building Height; Repealing Other City Code Provisions in Conflict with Revisions to the Land Development Code; Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Staff Concurs with the Planning Board Recommendation to Approve
2. **Ordinance No. 1441**, Second Public Hearing & Final Action - An Ordinance of The City of Cocoa Beach, Brevard County, Florida, Amending the Cocoa Beach Code Appendix B, "The City of Cocoa Beach Land Development Code" Chapter VII "Concurrency and Vested Rights" by Adding a Section to Article I for the Purpose of Creating and Establishing a Proportionate Fair-Share Program; Repealing Other City Code Provisions in Conflict with Revisions to the Land Development Code; Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Staff Concurs with the Planning Board Recommendation to Approve
3. **Resolution No. 2006-24**, Public Hearing and Final Action - A Resolution of the City Commission of the City of Cocoa Beach, Florida, Modifying a Previously Approved Vested Rights Special Permit Pursuant to Land Development Code Chapter VII, Article III, for The Project Known as "Ocean Dunes Condominium Association" on Property Located at 33, 35, 37, 39, and 41 North Atlantic Avenue, Acknowledging the Right to Reconstruct 20 Dwelling Units in a CG Commercial General Zoning District, Specifying the Standard for Development on the Subject Property and Setting Modified Conditions; Providing for Incorporation of Findings and Recitals; Repealing any Prior Orders or Permits that are in Conflict with this Resolution; Authorizing this Resolution as a Final Order and Directing the Transmittal to the Development Services Director and Applicant; and Providing an Effective Date  
(This Item was Continued at the November 16<sup>th</sup> Commission Meeting)  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Staff Concurs with the Planning Board Recommendation to Approve

**I. NEW BUSINESS:**

1. **Ordinance No. 1442**, First Reading & First Public Hearing – An Ordinance of the City of Cocoa Beach, Brevard County, Florida, Amending the Cocoa Beach Code Appendix B, "The City of Cocoa Beach Land Development Code" by Revising Chapter IV "Design Standards", Article III "Off-Street Parking and Loading", Paragraph N "Commercial Use of On-Street and Public Parking" for the Purpose of Authorizing Additional Administrative Allocation of On-Street and Public Parking Under Certain Conditions; Providing for Exemptions, Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date  
(This Item was Continued at the November 16<sup>th</sup> Commission Meeting)  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Staff Concurs with the Planning Board Recommendation to Approve
2. **Ordinance No. 1444**, First Reading & First Public Hearing - An Ordinance of the City of Cocoa Beach, Brevard County, Florida, Amending the Cocoa Beach Code Appendix B, "The City of Cocoa Beach Land Development Code" by Revising Chapter III "Zoning", Section 3-14 "Interim Downtown Overlay District;" Expanding the Area of the District By Moving the Northern Boundary to Cocoa Isles Boulevard, Removing the Requirement for Development in the District to Meet Development Guidelines and Certain Architectural Guidelines, and Extending the Expiration Date of the District by One Year; Providing for Exemptions, Providing for Incorporation of Recitals, Severability, Interpretation, Conflicts, and an Effective Date  
Staff Representative: Anthony Caravella, Director of Development Services  
**Staff Recommendation:** Staff Concurs with the Planning Board Recommendation

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**J. REPORTS & ANNOUNCEMENTS:**

**1) STAFF**

- **City Manager, Charles Billias**

- Discuss Little League Ball Fields
- Holiday Decorating Contest Judging will be done by the Cocoa Beach Garden Club During the Week of December 18<sup>th</sup>. Awards will be presented at the January 4<sup>th</sup> Commission Meeting for Best Single-Family Home, Condominium, Business and Balcony. Nominations May be Called into the City Manager's Office ~ 868-3201 (bmoore@cityofcocoabeach.com)

**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**

11-16-06 Draft Minutes

**K. 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).

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

**CITY MEETING CALENDAR**

**December City Commission & City Board Meetings**

12-04-06	Downtown Area Sector Plan Committee	3:00 P.M.
12-04-06	Planning Board	6:30 P.M.
12-05-06	Landscaping Committee	3:00 P.M.
12-07-06	Commission Meeting	7:00 P.M.
12-11-06	Land Management Committee	6:00 P.M.
12-13-06	Commission Workshop – Maintenance of Public Beaches	6:00 P.M.
12-14-06	Waterways & Wildlife Advisory Board	6:30 P.M.
12-20-06	Code Enforcement Board	9:00 A.M.
12-20-06	Board of Adjustment	7:00 P.M.
12-21-06	Commission Meeting	7:00 P.M.
12-25-06	City Hall Closed, Christmas Holiday	
12-26-06	City Hall Closed, Christmas Holiday	

*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.