

City of Cocoa Beach

City Hall
2 South Orlando Avenue
Cocoa Beach, Florida 32931
www.cityofcocoa beach.com
www.golfcocoa beach.com



Meeting Agenda

Thursday, February 2, 2012

7:00 P.M.

REGULAR

City Hall Commission Room

City Commission

Leon "Skip" Beeler, Mayor, Seat 1
Dave Netterstrom, Vice-Mayor, Seat 5
Ken Griffin, Commissioner, Seat 2
Kevin Pruett, Commissioner, Seat 3
Skip Williams, Commissioner, Seat 4

City Staff

Skip Fowler, City Attorney
Charles Billias, City Manager
A.J. Hutson, Assistant City Manager
Loredana Kalaghchy, City Clerk

Broadcasting of Meetings: Regular Commission meetings are video and audio broadcasted live locally on Bright House Networks, Channel 199. 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. Live and archived video recordings of our meetings are also available through out City website at www.cityofcocoabeach.com

Packets: Packets are on the City's website (www.cityofcocoabeach.com) and at Commission meetings

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 five 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

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

Appealing a Decision:

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 ensure 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

American with Disabilities Act:

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)

THANK YOU for participating in your Cocoa Beach City Government.

A. MEETING CALLED TO ORDER

- Invocation: Offered by Dan Robinson - Riverside Presbyterian

- Pledge of Allegiance

- Roll Call

B. APPROVAL OF THE AGENDA:

1. Request to move UNFINISHED BUSINESS Item J2, Ordinance No. 1528 - as the last item on the agenda, to allow for five Commissioners to vote; Mayor Beeler will be joining the meeting, either in person or by phone, after 9 PM

C. PUBLIC COMMENTS

Comments will be heard on items that do not appear on the agenda of this meeting. Citizens will limit their comments to five (5) minutes. Per Commission Procedures, the City Commission will not take any action or discuss items brought up under the "Public Comment" section on the agenda. The City Commission may schedule such items as regular agenda items and act upon them in the future

D. STAFF REPORTS AND ANNOUCEMENTS:**E. CITY ATTORNEY REPORTS AND ANNOUCEMENTS:****G. CONSENT AGENDA:**

1. Approve the January 5, 2012, Commission Meeting Minutes
Representative: Christina Doerrfeld, Deputy City Clerk
Staff Recommendation: Approve

[January 5, 2012 Minutes](#)

2. Resolution No. 2012-03 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, approving the public purpose lease agreement between the State of Florida Department of Transportation and the City of Cocoa Beach for paid parking spaces/areas on State Road A1A (Orlando Avenue and Atlantic Avenue) between 1st Street South and North 4th Street; and providing for an effective date
Staff Representative: A.J. Hutson, Assistant City Manager
Staff Recommendation: Approve

[Resolution No. 2012-03](#)

3. Resolution No. 2012-05 - A Resolution of the City of Cocoa Beach supporting Police Officer and Firefighter Pension Plan and Disability Presumption Reforms to make the plans sustainable, sound and secure for current and future police officers and firefighters

Representative: Florida League of Cities

Recommendation: Approve

[Resolution No. 2012-05](#)

[Foster and Foster Pension Study](#)

[Pension Study Cover Memo](#)

- 4. Proclamation declaring May 2012 as ‘Motorcycle Safety Awareness Month’
 Representative: ABATE of Florida, Inc, Brevard County Chapter
 Recommendation: Approve

[Motorcycle Proclamation](#)

- 5. Approve purchasing two E-Bikeboards, devices for high-visibility patrol use, at a cost of \$20,000, using the Confiscated Property Fund
 Staff Representative: Arthur "Bud" Ayres, Deputy Police Chief
 Staff Recommendation: Approve

[E Bikeboards Purchase](#)

H. SITE PLAN CONSENT AGENDA:

- 1. Approve the fill permit, Case# 12-0250123-01 (Building Permit # 12-0451), for the Bolduc residence, located at 107 Boca Ciega Road, with conditions identified in the memorandum dated January 24, 2012
 Staff Representative: Anthony Caravella, AICP, Director of Development Services
 staff Recommendation: Approve

[Dredge and Fill Memo](#)

I. ITEMS REMOVED FROM THE CONSENT AGENDA:

J. UNFINISHED BUSINESS:

- 1 a. Ordinance No. 1542 - Third Reading, Public Hearing and Final Adoption - An Ordinance of the City of Cocoa Beach, Brevard County, Florida, amending the Code of Ordinances of the City of Cocoa Beach, Florida by amending City Code section 15-39 "certain sales and leases along Atlantic Ocean beach area prohibited; punishment for violations" for the purpose of clarifying the purpose of an procedure to secure exceptions; establishing a procedure for obtaining a concession agreement for commercial activity on the ocean beach and dune area; providing for incorporation of recitals, severability, interpretation, conflicts, and an effective date
 Staff Representative: Skip Fowler, City Attorney
 Staff Recommendation: Approve

[Ordinance No. 1542](#)

[Ordinance No. 1542 Memo](#)

- 1 b. Resolution No. 2012-04 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, establishing a partial fee schedule and charges for application and administration of ocean beach concessions; providing incorporation of recitals, providing for repeal of conflicting resolutions and fee

schedules, providing for posting of the schedule of fees and charges, and providing for an effective date

Staff Representative: Anthony Caravella, AICP, Director of Development Services

Staff Recommendation: Approve

[Resolution No. 2012-04](#)

1.c. If the Beach Rentals of Cocoa Beach Inc. franchise is not exempt from two provisions in Ordinance No. 1542, request an extension of the term of the existing franchise agreement for 10 years; (current agreement expires December 31, 2014, if extended it would expire December 31, 2024)

Franchise Representative: Adrienne Dillon, President Beach Rentals of Cocoa Beach Inc. Representative Recommendation: Approve

[Beach Rentals Request to Extend Franchise](#)

2. Ordinance No. 1528 - Second Reading, Public Hearing and Final Adoption - 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 adding a new goal, with objectives and policies, for the purpose of authorizing a design based code and implementation of mixed uses for the downtown area; amending policy I.4.9, for the purpose of authorizing transient lodging uses within the downtown area; and adding new maps FLUE 10, 11, 12, and 13 to support a design based code for the downtown area; finding conformity with state statutes; providing for conflicts, severability and an effective date (A 5:0 Commission Vote is Required to Adopt this Ordinance)
Staff Representative: Anthony Caravella, AICP, Director of Development Services
Staff Recommendation: Approve

[Ordinance No. 1528](#)

[Ordinance No. 1528 Memo](#)

K. NEW BUSINESS:

1. Review and discuss the presentation of the draft Beach Management Plan, including spring break preparation plans. Request the City Attorney to finalize ordinance and return for the March Commission meeting
Commissioner Representative: Commissioner Kevin Pruett
Commissioner Recommendation: Approve

[Memo- Beach Management Plan](#)

[Presentation](#)

2. Approve requesting Staff to make a plan to build a new Fire Station, at a cost not to exceed three million dollars, and bring the plan back to the Commission for final approval
Commissioner Representative: Vice-Mayor Dave Netterstrom
Commissioner Recommendation: Approve

[Memo- New Fire Station Request](#)

[ADG Scope of Services](#)

L. ADJOURNMENT

SPECIAL ANNOUNCEMENTS:

Community Events:

* Cocoa Beach Farmers Market Open Sundays from 9am to 3pm

City's "Web Site" <http://www.cityofcocoabeach.com>

CITY MEETING CALENDAR

02-06-12 Planning Board 6:30 PM

02-07-12 Landscaping Committee 3:00 PM

02-09-12 Waterways and Wildlife Committee 6:30 PM

02-13-12 Land Management Committee 6:00 PM

02-15-12 Code Enforcement Board 9:00 AM

02-15-12 Board of Adjustment 6:30 PM

02-16-12 Commission Meeting 7:00 PM