

City of Cocoa Beach

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



Meeting Agenda

Thursday, March 18, 2021

06:30 P.M.

REGULAR

City Hall Commission Room

WELCOME

Live meeting broadcasts on: Spectrum - Channel 497 and www.cityofcocoa beach.com .
Report issues: IT Support Desk-321 868-3319-a recorded line, or report a concern via the City's webpage. Meeting Video Archives: www.cityofcocoa beach.com

Packets: Packets are on the City's website (www.cityofcocoa beach.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 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

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) 955-8770 (Voice) or 711.

THANK YOU for participating in your Cocoa Beach City Government.

6:30 PM COMMUNITY REDEVELOPMENT AGENCY MEETING AGENDA

- A. MEETING CALLED TO ORDER * Roll call
- B. AGENCY BOARD COMMISSIONERS REPORTS AND ANNOUNCEMENTS
- C. STAFF REPORTS AND ANNOUNCEMENT
- D. CONSENT AGENDA

- 1. Approve January 7, 2021 CRA Meeting Minutes
Staff Representative: City Clerk's Office
Staff Recommendation: Approve

January 7, 2021 CRA Minutes

- E. OLD BUSINESS
- F. NEW BUSINESS

- 1. Review Annual report

CRA Annual Report

CRA Annual report 2020-highlights - added 03/16/2021

- G. ANNOUNCEMENTS
- H. PUBLIC COMMENTS Comments will be heard on items that do not appear on the agenda of this meeting pertaining to the CRA. Citizens will limit their comments to three (3) minutes. Per procedures, the Downtown Cocoa Beach Community Redevelopment Agency will not take any action or discuss items brought up under the "Public Comment" section of the agenda. The Agency may schedule such items as regular agenda items and act upon them in the future.
- I. ADJOURNMENT RULES OF ORDER: Robert's Rules of Order and the Florida Sunshine Law govern conduct of meetings.

A. MEETING CALLED TO ORDER

- * Invocation - Reverend Dr. Bob Lehton, Servant Air Ministries
- * Pledge of Allegiance
- * Roll Call

B. CEREMONIAL ACTIVITIES

1. Presentation of Appreciation to CareerSource Brevard for their assistance in completing the Shepard Park Dune Walkover Project.
Staff Representative: Wayne Carragino, Contracts Project Manager, Public Works

CareerSource Brevard Appreciation

C. SPECIAL PRESENTATIONS:

Presentation of the City's Comprehensive Annual Financial Report (CAFR) for the Year Ending September 30, 2020.

Auditor Representative: Joel Knopp, CPA, MSL, P.A Staff Representatives: Eileen Clark CGFO, Assistant City Manager/Chief Financial Officer; Patrisha Draycott, CGFO, Deputy Chief Financial Officer

CAFR Memo

Final FY20 CAFR CB - added 3.17.21

Final Presentation to Commission 3.18.21 - added 3.17.21

D. APPROVAL OF THE AGENDA

- E. PUBLIC COMMENTS** 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.

F. STAFF REPORTS AND ANNOUNCEMENTS**G. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS****H. CITY COMMISSION REPORTS AND ANNOUNCEMENTS****I. CONSENT AGENDA**

1. Approve the March 4, 2021 Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve

March 4, 2021 Minutes

2. Re-appoint the following Board Members:
 - a) Police Pension Board, Tommy Blair, for a term to expire on April 1, 2023, Mayor Malik (Seat 1)
 - b) Firefighters Pension Board
Michelle Flynn, for a term to expire on April 1, 2023, Commissioner Mike

Miller (Seat 5)
Representative: City Commission
Recommendation: Approve

Fire and Police Pension Board Re-Appointments

3. Approve the following Proclamation: Proclaiming the month of April as "Water Conservation Month."
Representative: Abby Johnson, St. Johns River Water Management District Coordinator
Recommendation: Approve

Water Conservation Month Proclamation

4. Accept the Audit and Comprehensive Annual Financial Report for Fiscal Year 2020.
Staff Representatives: Eileen A. Clark, CGFO, Assistant City Manager/Chief Financial Officer; Patrisha Draycott, CGFO, Deputy Chief Financial Officer
Recommendation: Accept

CAFR Memo

- 5.Ad opt Resolution No. 2021-06, A Resolution of the City Commission of the City of Cocoa Beach, Brevard County, Florida; authorizing the City Manager to apply for a Florida Inland Navigation District (FIND) grant for the Public Channel Marker Replacement Project, by executing Attachment E-7; providing for an effective date. This is a budgeted item for Fiscal Year 2022 for \$27,000. This grant from FIND Waterways Assistance Program will be for \$13,500, which is fifty percent (50%) of estimated total project cost.
Representative: Wayne Carragino, Contracts/Project Manager, Public Works
Recommendation: Approve

Resolution No. 2021-06

Resolution No. 2021-06 Memo

6. Adopt Resolution No. 2021-07 a Resolution of the City Commission of the City of Cocoa Beach, Brevard County, Florida; authorizing the City Manager to apply for a Florida Inland Navigation District (FIND) grant for the Cocoa Beach Police Patrol Vessel Project, by executing attachment E-7; providing for an effective date. This is a budgeted purchase for Fiscal Year 2022 for \$60,000. This grant from FIND Waterways Assistance Program will be for \$30,000, which is fifty percent (50%) of estimated total project cost.
Representative: Wayne Carragino, Contracts/Project Manager, Public Works
Recommendation: Approve

Resolution No. 2021-07

Resolution No. 2021-07 Memo

7. Select Gregori Construction, Inc. for the construction of Convair Cove Stormwater Low Impact Development (LID) Improvements & McNabb Parkway Water Main Replacement Project, for the sum of \$446,145. This is a budgeted item in the Fiscal Year 2021 Stormwater Capital Improvement Projects budget for \$492,000. Due to the construction portion of this project being a cost share with Cocoa Utility for the water main replacement, the cost of construction of the Stormwater LID portion of this project is \$366,900.
Representatives: Jared Frances, P.E., City Engineer; Jessica Bruso, Stormwater Utility Manager
Recommendation: Approve

Convair and McNabb Project Memo

J. ITEMS REMOVED FROM THE CONSENT AGENDA**K. UNFINISHED BUSINESS**

- 1.Ad opt Ordinance No. 1652, Second Reading, Public Hearing and Adoption, An Ordinance of the City of Cocoa Beach, Florida, amending the Future Land Use Element of the City's Comprehensive Plan, specifically amending Policy II.2.1 relating to allowable Building Heights; providing for severability; and providing for an effective date.

Ordinance No. 1652 would amend the Comprehensive Plan by:

- a) adding language with respect to height to address wireless communication towers and lightning rods. The installation of a wireless communication tower for public safety, and cell service operations, to be located at the new police facility, may require a height above 45 feet. The application of this policy would apply to towers only, and not to associated equipment buildings.
- b) removing the requirement to amend the Comprehensive Plan each time there is a variance approval for building height. The removal of this policy would in no way affect the approval status of the sites with a height variance approval.
Representative: Randy Stevenson, Development Services Director
Recommendation: Approve

Ordinance No. 1652

Ordinance No. 1652 Memo

Ordinance No. 1652, 1653, 1656 Legal Ad

2. Adopt Ordinance No. 1653, Second Reading, Public Hearing and Adoption, An Ordinance of the City of Cocoa Beach, Florida, amending Appendix B of the Cocoa Beach Code of Ordinances, Cocoa Beach Land Development Code; amending Article VIII, "Wireless Communication Facilities" within Chapter III, "Design Standards" and amending Article IV, "Variance, Waiver, and Special Exception" within chapter IV, "Land Development Procedures"; incorporating recitals; and providing for codification, conflicts, severability, and an effective date. Ordinance No. 1653 would amend the Land Development Code to add:

- a) clarifying language on the approval process of a wireless communication tower
- b) a statement to include language to correspond with the Comprehensive Plan, as proposed by Ordinance 1652, with regards to wireless communication towers or lightning rods.
Representative: Randy Stevenson, Development Services Director
Recommendation: Approve

Ordinance No. 1653

Ordinance No. 1653 Memo

3. Authorize Staff to piggyback on the GSA Contract for the purchase of furniture for the new police station facility, from BOS, at a cost of \$127,133; this is a budgeted item.
Representatives: James P. McKnight, City Manager and Wayne Carragino, Contracts/Project Manager, Public Works
Recommendation: Approve

Purchase of Furniture Memo

L. NEW BUSINESS

1. Approve the following budgeted projects for Cedar Avenue:

- a) Scope of services and fee estimate for Construction Engineering and Inspection services for a Reclaimed Water Main Replacement and Lift Station #7 Forcemain Upsize, from Mead & Hunt, in the amount of \$148,969.

CEI Services MemoCEI Scope of Services

- b) Reclaimed Water Main Replacement and Lift Station #7 Forcemain Upsize, by the lowest bidder SanPik, Inc., in the amount of \$1,034,750.
Representatives: Brad Kalsow, Water Reclamation Director and Brad Blais, P.E. Mead & Hunt
Recommendation: Approve

Recommendation and Award of Bid MemoForcemain Replacement Memo

2. Approve the milling, paving, curb and gutter replacement for Watts Way and award the contract to Atlantic Southern Paving and Sealcoating in the amount of \$149,068. The project was budgeted for \$175,505 in Fiscal Year 2021; remaining funds would be used for field adjust of residential driveways during the course of the removal and replacement of the curb and gutter.
Representative: Robert Torres, Public Works Director
Recommendation: Approve

Watts Way Mill Pave Memo

3. Adopt Ordinance no. 1656, First Reading, An Ordinance of the City of Cocoa Beach, Brevard County, Florida; to approve a Planned Development with an accompanying Development Agreement and to amend the Official Zoning Map of the City of Cocoa Beach by changing the zoning designation from OC Oceanside to PD Planned Development for a parcel of land totaling 15.7 acres, more or less, located on the east side of North Atlantic Avenue on the north side of Tulip Avenue on the south side of Lori Wilson Park and west of the Atlantic Ocean Beach, on a parcel identified with parcel no. 25-37-03-cv-13-1 within the public records of Brevard County, Florida; providing for authorization, providing for conflicts; providing for severability; and providing for an effective date. Adoption of Ordinance 1656 would approve a Planned Development for the property at 1300 North Atlantic Avenue, with an associated Development Agreement (DA), and amend the zoning designation from OC Oceanside to PD Planned Development. The project is a demolition and redevelopment of the current International Palms Resort, and is the future site of the Westin Hotel and Resort Cocoa Beach. The Westin will contain 502 guest rooms, which is the vested density for the site, and associated amenities. A public access easement and public beach access will be provided. Utilities and underground infrastructure will be replaced; the pervious area will be increased; and an exfiltration stormwater management system will be incorporated. Low impact design (LID) concepts, with native Florida-Friendly landscaping and turtle friendly lighting will be employed.
Representative: Randy Stevenson, Development Services Director
Recommendation: Approve

Ordinance No. 1656Ordinance No. 1656 MemoOrdinance No. 1656 Master Site Plan

Ordinance No. 1656 Character Guide

Ordinance No. 1656 Exhibit B DA

Ordinance No. 1656 Exhibit B DA Exhibits

- M. GENERAL PUBLIC COMMENT (only if not accommodated in the 30-minute time period earlier)**
- N. ADJOURNMENT**