

-
**AGENDA
CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL**

DATE: October 13, 2009	LOCATION: City Council Chambers
TIME: 7:00 p.m.	65 Stone Street, Cocoa

I. OPENING MATTERS:

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of October 13, 2009
2. Minutes: Regular Meeting of September 8, 2009
Special Meeting of September 10, 2009
Regular Meeting of September 22, 2009
Special Meeting of September 24, 2009

III. AWARDS AND PRESENTATIONS:

1. First time homebuyer presentation – Carmen E. Journey. (Community Development Director)

IV. DELEGATIONS:

In accordance with the City Council's rules and procedures, residents or taxpayers of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card.

Speaker cards are located outside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of five (5) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by Council.

V. CONSENT AGENDA:

1. Adopt a resolution and associated budget transfer to amend the City of Cocoa FY 2009 budget to cover a shortfall in City Council salaries. (City Clerk)
2. Approve the agreement between the City of Cocoa and Granicus, Inc., for webcasting and improvement public accessibility to agendas, minutes, and public service announcements. (City Clerk)
3. Approve a resolution and corresponding budget transfers for FY 2009 within the Fire Department budget to cover shortfalls. (Fire Chief)
4. Approve a resolution and budget transfer to reclass reduced principal payments and additional interest expenses due to 2009 Bond refunding. (Finance Director)
5. Approve a resolution amending the FY 2010 budget to transfer funds from the Purchasing Division (1802) to the Finance Department (1505) due to a reorganization. (Finance Director)
6. Bid Award for printing services for utility bill envelopes and return envelopes to American Solutions for Businesses, and to approve the corresponding purchase order. (Finance Director)
7. To approve funding for lock box services with Regions Bank (formerly AmSouth Bank). (Finance Director)
8. To approve a purchase order for postage for monthly utility bills. (Finance Director)
9. To approve the extension of a cooperative purchase agreement for printing, sorting, stuffing, and mailing of statement billings for monthly water customers utilizing the City of Melbourne's service agreement number 12-136-0-2007 through May 31, 2010, with one (1) additional three (3) year period, at the same rate. (Finance Director)
10. Approve the CDBG agreement between the City of Cocoa and Carmen E. Journey for down payment assistance for the purchase of 5622 Talbot Boulevard, Cocoa. (Community Development Director)

11. Accept the RFQ Selection Committee's recommendation of Cardno TBE to serve as the City's lead Environmental Engineering Contractor for environmental site assessment and characterization services and programmatic support, and Environmental Consulting & Technology, Inc., (ECT) to serve as the City's Environmental Engineering Contractor for environmental site assessment and characterization services for the purpose of implementing the City's 2009 U.S. Environmental Protection Agency Assessment Grant; and authorize staff to negotiate a Continuing Services Agreement to present to the City Manager for signature for both Cardno TBE and Environmental Consulting & Technology, Inc. (ECT) to provide environmental site assessment and characterization activities on a Task Order basis. (Community Development Director)
12. Approve a resolution establishing a credit card payment administration fee to be assessed when credit cards are used to remit payments to the City's Building and Permitting Division. (Community Development Director)
13. Approve a resolution amending the FY 2010 budget to move funds to appropriate account numbers. (Public Works Director)
14. Approve first contract renewal for Bid B-09-15-COC, Mowing and Maintenance of various city properties and rights-of-way to best and lowest bidder, Central Florida Landscaping and Maintenance, Inc., of Oviedo, Florida, and authorize issuance of Purchase Orders. (Public Works Director)
15. Approve the extension of the City wide sweeping contract with USA Services, Inc., on a month to month basis at the current rates for three (3) months. (Public Works Director)
16. Approve a resolution waiving the competitive bidding process, by reason of sole source, for the purchase of Superflock 1986N polymer from Industrial Chemicals, Birmingham, Alabama. (Utilities Director)
17. Approve participation in a cooperative purchase agreement with the Trane-Orlando Company for heating, ventilation, air conditioning (HVAC) service utilizing Brevard County proposal #P-03-08-21, for the Dyal Water Treatment Plant. (Utilities Director)
18. Bid Award B-09-23-COC, Sellers WRF painting of two 1.5 MG concrete water storage tanks to Picasso Painting, Orlando, Florida. (Utilities Director)
19. Waive the competitive bidding process, by reason of sole source, for the purchase of processing services for merchant card and electronic payment to Automated Merchant System. (Finance Director)
20. Approve a resolution amending the budget to move funds from contingency to appropriate account numbers to maintain compliance with audit requirements for project tracking (New City Hall Project). (Public Works Director)

VI. PUBLIC HEARINGS:

1. Approve substantial amendment to the FY 2009-2010 Action Plan, and approve submittal to the U.S. Department of Housing and Urban Development. (Community Development Director)
2. Ordinance No. 23-2008/2nd reading: Adopting a Large scale Comprehensive Plan Text Amendment amending Figure FLU-1 to reflect Industrial and Hotel uses as allowable uses within the Regional Activity Center Future Land Use category; adopting Future Land Use Element Subarea Policy 1.8.1.4 to require the Brevard Crossings Regional Activity Center to be developed using Traditional Neighborhood Design and Neo-Traditional Planning Principles as guiding principles; and amending Future Land Use Policy 1.8.3 to eliminate the requirement that Regional Activity Centers shall be of a size and intensity that is required to undergo Development of Regional Impact review and to permit adopted Regional Activity Centers to convert land uses and intensities within the adopted development program subject to certain limitations. (Community Development Director)
3. Ordinance No. 19-2009/1st reading: Amending Chapter 3 (Advertising and Signs) of the City Code to revise existing code provisions related to prohibited signs, off-site advertising, signs exempt from permitting, temporary signs, and administrative procedures. (Community Development Director)

VII. COUNCIL BUSINESS:

1. Adopt a resolution supporting the economic strategies for the City of Cocoa and Brevard County. (City Clerk)
2. Consider the Brevard County Parks & Recreation donation Application for the Magnolia Blossoms 16th Annual Senior Citizens Thanksgiving Dinner Event. (City Clerk)
3. Adopt a resolution recognizing City Government Week, October 18 – 24, 2009. (City Clerk)
4. To decide whether the City of Cocoa, through the City Attorney, should provide some initial assistance to The Friends of Beit Shemesh, a group of local volunteers who support our Sister City of Beit Shemesh, Israel, in creating a non-profit corporation to operate as a separate legal entity independent of the City of Cocoa. (Deputy City Manager)
5. To determine City Council attendance at the Florida League of Cities, Inc., 49th Annual Legislative Conference. (City Clerk)
6. Consider the reappointment of Mr. Kenneth Miller as a member of the Planning & Zoning Board. (City Clerk)

7. Approve street closures for the Cocoa High Homecoming Parade on October 16, 2009, the Child Care Association of Brevard Children's Day event on April 3, 2010, and the National Multiple Sclerosis Society Walk on April 10, 2010. (Public Works Director)
8. Provide direction to staff on the renewal of the contract with BEFI for the Mardi Gras 2010 event, and if renewal is recommended, authorize the City Manager to negotiate and execute an agreement with BEFI. (Public Works Director)
9. Consider the donation application of the Junior League of Central & North Brevard for its Pumpkins in the Park 5K Run & Fitness Walk. (City Clerk)

VIII. CITY BUSINESS:

1. To approve funds in the amount of \$2,000 to pay for a "Christmas in Cocoa" open house. (Administrative Services Director)
2. Approve the FY 2009-2010 HOME Disbursement Agreement between Brevard County and the City of Cocoa. (Community Development Director)
3. Ordinance No. 20-2009/1st reading: Relating to the registration of properties in foreclosure; amending Chapter 6, City Code, by creating a new Article VII titled Registration and Maintenance of Properties in Foreclosure. (City Attorney)
4. Approve unbudgeted capital expenditures reclassified from operating expenditures, adopt a budget amendment to purchase real property for utility purposes, approve reallocation of funds between categories in the water/sewer fund, and approve a resolution amending the FY 2009 budget. (Utilities Director)

IX. INFORMATIONAL AGENDA:

None.

X. REPORTS:

Advisory Boards and Committees
City Administration
City Manager
City Attorney
Mayor and City Council

XI. ADJOURNMENT.

NOTICE TO THE PUBLIC:

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

City Code Section 2-54 requires that an affirmative vote of a majority of a quorum present shall be necessary to enact an ordinance or adopt any resolution; except that two-thirds of the membership of the Council is required to enact an emergency ordinance. All ordinances require two readings, entitled first reading and second reading and public hearing, prior to adoption.

Members of the public speaking on public hearing items, though entitled to be heard by the City Council, are not entitled to an immediate response by either administrative staff members or Council once the public hearing is closed; however, Council discussion may or may not include a response. No question by the public should be addressed directly by the Administrative staff.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Representatives of recognized groups shall be limited to ten (10) minutes; and total debate on a single issue shall be limited to thirty (30) minutes. Only one presentation per person per issue shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.

This is a public meeting. All interested parties may attend. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Joan Clark, City Clerk, 603 Brevard Avenue, Cocoa, by telephone at (321) 433-8488 or via email at jlclark@cocoaf1.org