

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

<b>DATE:</b> October 27, 2009	<b>LOCATION:</b> City Council Chambers
<b>TIME:</b> 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 27, 2009
2. Minutes: N/A

**III. AWARDS AND PRESENTATIONS:**

1. Proclamation – Proclaiming the month of November, 2009, as Indian Heritage Month in the City of Cocoa. (Mayor Blake)
2. Proclamation – Proclaiming the month of October 2009 as “Domestic Violence Awareness” month in the City of Cocoa. (Mayor Blake)

**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. Approve a homeowner rehabilitation agreement between the City of Cocoa and Malissa D. Stuckey; and approve a construction agreement between Malissa D. Stuckey and Smith Development and Construction, Inc., in the amount of \$35,947, for the rehabilitation of 406 Churchill Drive. (Community Development Director)
2. Approve renewal of the Medical Director Service Agreement with Dr. David Williams, D.O., for services provided to the Cocoa Fire Department, and authorize the City Manager to execute the agreement. (Fire Chief)
3. Approve a resolution amending the FY 2010 budget to classify certain projects as equipment instead of infrastructure. (Utilities Director)
4. Approve a resolution amending the FY 2010 budget to transfer funds from the Water Field Operations Account No. 421-4025-536.62-00, Buildings, Project #WS0706, to various other accounts as directed by the Finance Department. (Utilities Director)
5. Approve the contract renewal for Medicare Advantage Open Plan Insurance coverage with Aetna. (Administrative Services Director)
6. Approve a resolution correcting the Fiscal Year 2009 salary line items. (Community Development Director)
7. Approve a resolution amending the FY 2009 budget to correct salary line items. (Administrative Services Director/City Clerk)

**VI. PUBLIC HEARINGS:**

1. Ordinance No. 19-2009/2<sup>nd</sup> 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)
2. Ordinance No. 20-2009/2<sup>nd</sup> reading and public hearing: Amending Chapter 6, City Code, by creating a new Article VII titled *Registration and Maintenance of Properties in Foreclosure*. (City Attorney)

**VII. COUNCIL BUSINESS:**

1. Consider the donation application of the American Cancer Society for its annual Relay for Life event. (City Clerk)
2. Consider the reappointment of Ms. Ardell M. Smith to the Utilities Advisory Board through November, 2012. (City Clerk)

**VIII. CITY BUSINESS:**

None

**IX. INFORMATIONAL AGENDA:**

1. Crime statistics by district – September 2009. (Chief of Police)
2. Crime statistics – FY 2009/08 comparison and statistics for FY 2009. (Chief of Police)
3. Certificate of Recognition from KBB awarded to City of Cocoa for City Hall structure.

**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 [jclark@cocoafl.org](mailto:jclark@cocoafl.org)