

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

DATE: November 24, 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 November 24, 2009
2. Minutes: Regular Meeting of October 27, 2009

III. AWARDS AND PRESENTATIONS:

1. None.

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. Approval of Motorcycle Lease Agreement for the Police Department. (Chief of Police)
2. To approve a resolution amending the budget to transfer funds from Department 1600 Operating to Salaries and Benefits to eliminate a negative balance. (OMB Facilitator)

3. To authorize the City Manager to execute the first amendment and any future amendments to the cost-share agreement between the St. Johns River Water Management District and the City of Cocoa pursuant to the District's Water Protection and Sustainability Program (Contract #25008) for the Cocoa-Rockledge Reclaimed Water Line Connection Project. (Utilities Director)
 4. Approve a capital project for Fencing Project for the Off-Site Parking lot at the northwest corner of Orange Street and Florida Avenue, approve a sole source resolution and issuance of purchase orders to Boys Electric and Bailey-Sigler, approve a cooperative purchase agreement with East Coast Fence, and approve issuance of a purchase order to Gregori Construction, Inc. (Public Works Director)
 5. Approve deductive change order #8 to BRPH for owner direct purchases for Project No. CP0602 (New City Hall) for the purposes of cost savings on sales taxes on materials incorporated into the new City Hall. (Public Works Director)
 6. Bid Award No. B-10-01-COC, Cocoa Conservation Area Phase 1 Construction, to C&D Construction Inc., of Cocoa, Florida, and authorize the City Manager to execute agreements. (Public Works Director)
 7. Approve an annual recycling services agreement with Keep Brevard Beautiful (KBB). (Public Works Director)
 8. Approve a resolution amending the 2010 budget to recognize projects that rolled forward requiring funds from FY 2009. (OMB Facilitator)
 9. Approve a resolution amending the 2009 budget to balance the Police Department accounts. (Chief of Police)
 10. Approve a resolution amending the 2010 budget to accept and expend a Cops Hiring Recovery Program Grant (CHRP) for the Police Department. (Chief of Police)
 11. To approve participation in a cooperative purchase agreement utilizing Orlando Utilities Commission Contract #2584OQ for the purchase of services from Ring Power for annual generator inspection and preventive maintenance for the Dyal Water Treatment Plant. (Utilities Director)
 12. Approve a resolution restating health insurance benefits for the Executive Management Team. (Administrative Services Director)
- VI. PUBLIC HEARINGS:**
1. Ordinance No. 20-2009/2nd 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. Cancel the December 22, 2009, regular City Council meeting due to the holidays. (City Clerk)
2. Election of Deputy Mayor. (City Clerk)
3. Council Liaison Appointments and Appointment of Space Coast League of Cities Voting Delegate and Alternate. (City Clerk)
4. Consider the donation application of Endeavour Elementary School for its School Uniform Program. (City Clerk)

VIII. CITY BUSINESS:

1. To approve a resolution waiving the competitive bidding process, by reason of sole source, for the purchase of a replacement vacuum pump from Gardner-Denver Nash, c/o Hudson Pump & Equipment, for the Dyal Water Treatment Plant, and approve a resolution amending the FY 2010 budget for this unbudgeted capital purchase.

IX. INFORMATIONAL AGENDA:

1. Crime statistics by district for the month of October, 2009. (Chief of Police)

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@cocoaf1.org