

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

DATE: December 8, 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 December 8, 2009
2. Minutes: Regular Meeting of November 10, 2009
Special Meeting of November 12, 2009

III. AWARDS AND PRESENTATIONS:

1. Presentation on the "55+ Club." (Seniors Committee)

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 in the Council Chamber lobby 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 the State Housing Initiatives Partnership (SHIP) Program agreement between Janet L. Simmons and the City of Cocoa for down payment assistance to purchase the property located at 3649 N. Sherwood Circle, Cocoa. (Community Development Director)
2. Approve execution of annexation agreement for 413 Clearlake Road, Cocoa. (Utilities Director)

3. Approve change order #1 to Purchase Order #52270 with JL Wallace, Inc., to deduct \$77,000 for the elevator; approve change order #2 to JL Wallace, Inc., to add \$46,695.60 for a crane; and authorize the establishment of an Owner's Contingency fund within the contract with JL Wallace, Inc. (Utilities Director)
4. Approve a resolution to transfer \$4,826 in contingency funds from Department 1600 to Other Charges & Obligations within Department 3200 to pay for back taxes owed on real property located at 119 St. Charles Street and 923 Barbara Jenkins Street. (Community Development 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. Approve a resolution recognizing April 1, 2010, as "Census Day" in the City of Cocoa. (Community Development Director)
2. Consider the code enforcement lien reduction request related to violations at AAA Apartments, 1304/1305 N. Fiske Boulevard. (Community Development Director)
3. Approval of special events street closure for the Cocoa YMCA Family Center annual Candy Cane 5K run/walk. (Public Works Director)
4. Consider the donation application of Project Graduation 2010. (City Clerk)

VIII. CITY BUSINESS:

1. Ordinance/1st reading: Authorizing the Community Development Director to grant a one-year extension to the term of an approved Concurrency Certificate in addition to the time extension authorized by the City Code. (Community Development Director)
2. Approve a resolution amending the budget to expend JAG Grant Funds to renovate the acquired mobile command post (unbudgeted capital). (Chief of Police)
3. Approve a resolution amending the budget to accept and expend the FY09 Byrne Grant – American Recovery and Reinvestment for the Countywide Law Enforcement Vehicle Purchases (unbudgeted capital) using State contractor. (Chief of Police)

4. Approve a resolution amending the budget to accept and expend (unbudgeted capital) JAG grant 2009-SB-B9-2134, and approve a resolution waiving the competitive bidding process by reason of sole source for purchase of same. (Chief of Police)
5. Approve a resolution amending the budget to accept and expend (unbudgeted capital) JAG grant 2009-DJ-BX-0473, and approve a resolution waiving the competitive bidding process by reason of sole source for purchase of segways for the Police Department. (Chief of Police)
6. Ordinance/1st reading: Amending the Official Zoning Map to designate 16.8 acres of land from Brevard County IU (Industrial Use) to City of Cocoa M-2 (Manufacturing and Industrial) Zoning District. (Community Development 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 jclark@cocoaf1.org