

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

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| DATE: January 12, 2010 | 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 January 12, 2010
2. Minutes: Regular Meeting of November 24, 2009
Regular Meeting of December 8, 2009

III. AWARDS AND PRESENTATIONS:

1. Proclamation – Proclaiming March 20, 2010, as “Rally Against Cancer” Day 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 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. Approved Resolution No. 2010-002 opposing early release for inmates. (Chief of Police)
2. Approve Change Order #6 to task order awarded to Architects in Association Rood & Zwick, Inc., to add \$11,290 for the design of the new water field operations and warehouse building. (Utilities Director)

CONSENT AGENDA, continued:

3. Approve a resolution waiving the competitive bidding process, by reason of sole source, for the purchase of large and small meter test equipment with water recycling systems from the MARS Company. (Utilities Director)
4. Approval of amendment to the FY10 budget to include E911 funds received but not expended in FY09. (Chief of Police)
5. Approve participation in a cooperative purchase agreement with the City of Port Orange using Bid #1308-2260, chemicals for water and wastewater treatment, for the purchase of carbon dioxide from Airgas Carbonic, Tampa, Florida. (Utilities Director)
6. Bid Award No. B-10-05-COC, cross connection control, site survey, and inspection to Aqua Backflow of Elgin, Illinois. (Utilities Director)
7. Approve Nordarse and Associates, Inc., to install test wells and perform all environmental work for a Fleet Division fuel spill assessment. (Public Works Director)
8. Approve entering into a supplemental LAP (Local Agency Program) agreement between the City of Cocoa and FDOT to utilize funds from the American Recovery & Reinvestment Act of 2009 to line a storm pipe on School Street and to authorize the Mayor to execute said agreement; approve a contract between the City of Cocoa and Reynolds Inliner, LLC, as low bidder, and issue a purchase order to line a 36” storm pipe on School Street. (Public Works Director)
9. Authorize issuance of a task order to Frank-Lin Excavating, Inc., continuing services agreement for the demolition of old City Hall (603 Brevard Avenue). (Public Works Director)
10. To award Task Order #5 to Site Secure, Inc., Sanford, Florida, to install the security system for the new water field operation/warehouse. (Public Works Director)
11. Approve a resolution waiving the competitive bidding process, by reason of sole source, for the issuance of a purchase order to Designers West Interiors, Inc., for additional art work for the new City Hall. (Public Works Director)
12. Approval of proposal submitted by Nobles Communication of Brevard to provide and install structured cabling for the new Water Field Operation/Warehouse Project #WS0706 in accordance with the existing continuing services agreement Task Order #3. (Public Works Director)

CONSENT AGENDA, continued:

13. Approve a homeowner rehabilitation agreement between the City of Cocoa and Dorothy L. Bell in the amount of \$25,867; and approve a homeowner rehabilitation agreement between the City of Cocoa and Maggie Leary in the amount of \$16,280. (Community Development Director)
14. Approve a resolution authorizing a memorandum of agreement between the City and the Florida Department of Transportation for the maintenance of State Road rights-of-way by the City. (Public Works Director)
15. Approve a resolution amending the FY2010 budget to transfer funds to the appropriate account number for Project No. WS0706 (Water Field Operations / Warehouse building). (Public Works 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)
2. Approve a resolution to amend the FY 09-10 budget and conduct a public hearing to approve substantial amendments to the FY 2009-2010 CDBG Action Plan to allocate \$34,741.39 in program income, and reallocate \$133,881 from infrastructure improvements to the homebuyer program. (Community Development Director)
3. Approval of the final Planned Unit Development for the London Cove Subdivision consistent with Appendix A, Zoning, Article XI, Section 17. (Community Development Director)
4. Approval of the London Cove preliminary subdivision consistent with Chapter 18, Subdivisions, and Appendix A, Zoning. (Community Development Director)
5. Ordinance No. 05-2010/1st reading: Adopting a small scale future land use map (FLUM) amendment by changing the FLUM designation of the real property constituting one (1) parcel totaling 10 acres and generally located along State Road 524 in Cocoa, Florida, from City of Cocoa “Low Density Residential” to “Neighborhood Commercial.” (Community Development Director)
6. Ordinance No. 01-2010/2nd reading and public hearing: Temporarily 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 in the City Code, providing for a one (1) year sunset provision. (Community Development Director)

VII. COUNCIL BUSINESS:

1. Consider the appointment of Mr. Scott C. Jackson to Seat #2 of the Enterprise Zone Development Agency through January 2013. (City Clerk)
2. Consider the donation application of the National Multiple Sclerosis Society for its 2010 MS Walk. (City Clerk)
3. Approve Resolution No. 2010-001 relating to criminal justice, and supporting the creation of a county-wide criminal justice advisory commission. (Chief of Police)
4. Consider options for filling the District 3 Council seat vacated as of January 12, 2010, immediately following the City Council meeting. (City Clerk)
5. Appoint primary and alternate members to the North Indian River Lagoon Basin Management Action Plan Basin Working Group (Ed Wegerif and Roger Dykes) and to the Space Coast Traffic Planning Organization Technical Advisory Committee (Ed Wegerif and Michael Giorgio). (Public Works Director)
6. Council support and approval of a resolution to mandate Statewide 911 certification. (Chief of Police)

VIII. CITY BUSINESS:

1. Approve a resolution amending the budget for an additional multiplexer (unbudgeted capital) for the Police Department. (Chief of Police)
2. Approve a resolution amending the FY2010 budget for the unbudgeted capital expenditure to purchase radio-read meters and registers from Sunstate Meter and Supply to retrofit existing re-use meters and to install meters on new re-use services. (Utilities Director)
3. Ordinance No. 03-2010/1st reading: Amending Chapter 2, Administration, Article VII, Police Officers' Retirement Plan, to be consistent with changes to the Internal Revenue Code and Regulations, changes to State law, and the recent adoption of Chapter 2009-96, Laws of Florida. (Administrative Services Director)
4. Ordinance No. 04-2010/1st reading: Amending Chapter 2, Administration, Article VI, General Employees' Retirement Plan, to be consistent with changes to the Internal Revenue Code and Regulations, changes to State law, and the recent adoption of Chapter 2009-96, Laws of Florida. (Administrative Services Director)

IX. INFORMATIONAL AGENDA:

1. Crime Statistics by District for the month of November 2009. (Chief of Police)
2. Thank you from Magnolia Blossoms. (City Clerk)
3. Cocoa Police Athletic League Newsletter. (Chief of Police)
4. Cocoa Community Mini Grants. (Deputy City Manager)

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