



Meeting Agenda
Thursday, November 7, 2024

7:00 PM

REGULAR

Cocoa Beach Country Club
5000 Tom Warriner Blvd.
Cocoa Beach, 32931

WELCOME

Meeting re-broadcasts on: Spectrum - Channel 499 and www.cityofcocoabeach.com.
Meeting Video Archives: www.cityofcocoabeach.com

Packets: Packets are on the City's website (www.cityofcocoabeach.com) and at Commission meetings

Rules of Order: Robert's Rules of Order and the Florida Sunshine Law govern the conduct of our meeting

Speaking Courtesy Rules:

- The Commission accepts relevant comments.
- A time limit of three minutes is imposed on each speaker. If speaking for a group, the Commission may grant an additional three minutes
- Please direct comments and questions through the Mayor
- Complete speaker cards are required for each of the items you wish to address. Submit the card to the City Clerk prior to the introduction of the item. Speaker Cards are available in the rear of the Commission Room and in the City Clerk's office prior to the meeting. The purpose of the card is to obtain the spelling of your name, contact information if follow-up is needed, and provide for efficient meeting administration
- Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone

Approval Of Order Of Business:

Note: Members of the public, Commission and Staff may remove items from the Consent Agendas, if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting

Appealing a Decision:

Any person desiring to appeal any decision made by the City Commission, with respect to any matter considered at such meeting or hearing, will need a record of the proceedings and for such purposes must ensure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense as the City does not provide one

American with Disabilities Act:

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least forty-eight (48) hours prior to the meeting, contact the Office of the City Clerk at (321) 868-3286; Florida Relay Service (800) 955-8771 (TDD); or (800) 955-8770 (Voice) or 711.

THANK YOU for participating in your Cocoa Beach City Government.

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance
2. Invocation by Mark Wodka, Reverend, Space Coast Seafarers Ministry
3. Roll Call

B. APPROVAL OF THE AGENDA

(Note: Members of the public, Commission and Staff may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.)

C. PUBLIC COMMENTS

Comments will be heard on items that do not appear on the agenda of this meeting. Citizens will limit their comments to three (3) minutes. Per Commission Procedures, the City Commission will not take any action or discuss items brought up under the "Public Comment" section of the agenda. The City Commission may schedule such items as regular agenda items and act upon them in the future.

D. STAFF REPORTS AND ANNOUNCEMENTS**E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS****F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS****G. CONSENT AGENDA**

1. Approve the October 24th City Commission Meeting Minutes
Staff Representative: Karin Grooms, City Clerk
2. Adopt Resolution No. 2024-24 _A Resolution of the City Commission of the City of Cocoa Beach, Florida, amending the 2025 budget for projects not completed the prior fiscal year.

Staff Representative: Cody Dingee, Comp Controller

3. Adopt Resolution No. 2024-26 A RESOLUTION OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2023-2024 WHICH BEGINS OCTOBER 1, 2023, AND ENDS SEPTEMBER 30, 2024, INCLUDING ADJUSTMENTS FOR REVENUES AND EXPENDITURES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS BY THE CITY MANAGER; AND PROVIDING FOR SCRIVENER'S ERRORS, CONFLICTS, SERVERABILITY, AND EFFECTIVE DATE.

Staff Representative: Cody Dingee, Comp Controller

4. Request to cancel the following City Commission meetings:

- November 21, 2024
- December 19, 2024
- January 2, 2025

Staff Representative: Wayne Carragino, City Manager

5. Request permission to enter contract negotiations with Jacobs Engineering Group for the Cedar, Woodland, Brevard Stormwater Design/Engineering Services CB24-014

Staff Representative: Devan Taly, Director of Grants & Special Projects, Morgan Zuhlke, Stormwater Manager

6. Requesting permission from the commission to contract Playworx Playsets LLC to replace the CB Aquatic Shade. This is a budgeted item.

Staff Representative: Laird McLean, Leisure Services Director.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

I. UNFINISHED BUSINESS

1. ADOPT ORDINANCE NO. 1688 ON SECOND READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TITLE TO BE "CITY OF COCOA BEACH COMPREHENSIVE PLAN 2045"; AMENDING DEFINITIONS TO BE CONSISTENT WITH THE LDC; AMENDING SECTION I "FUTURE LAND USE ELEMENT" INTRODUCTION DATA TO REFLECT CURRENT POPULATION ANALYSIS AND FORECASTING FUTURE GROWTH, AND AMENDING POLICY I.1.1 AND I.1.2, AND AMENDING FLUE MAPS TO

CHANGE DATES TO 2045; AMEND SECTION II, "COASTAL MANAGEMENT ELEMENT" INTRODUCTION DATA AND ANALYSIS AND POLICY I.1.1 ADDING NORTH THOUSAND ISLANDS MANAGEMENT PLAN DATA; AMENDING SECTION III "CONSERVATION ELEMENT" UPDATING THE INTRODUCTION DATA AND ANALYSIS TO INCLUDE LISTED PLANT AND ANIMAL SPECIES; AMENDING SECTION IV, "RECREATION AND OPEN SPACE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY I.1.3 TO REFLECT A 2045 PLANNING HORIZON; AMENDING SECTION V, "HOUSING ELEMENT" INTRODUCTION TEXT TO REFLECT CURRENT POPULATION AND GROWTH TRENDS THROUGH 2045; AMENDING SECTION VII "INFRASTRUCTURE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY'S I.1.1, I.1.3, I.1.6, AND POLICY'S I.2.2 – I.2.4 TO REFLECT THE CITY'S CURRENT POTABLE WATER SERVICE PROVIDER, AND PROVIDE CONSISTENCY WITH THE CITY'S POTABLE WATER CONTRACTUAL AGREEMENT; AMEND SECTION VIII "MOBILITY ELEMENT" POLICY'S I.1.3, I.1.20 AND I.13.1 TO REFLECT CURRENT TRANSPORTATION PRIORITIES, AND UPDATE MOBILITY MAPS TO REFLECT 2024 CONDITIONS AND ANTICIPATED 2045 CONDITIONS; AMENDING SECTION IX "CAPITAL IMPROVEMENT ELEMENT" TO REFLECT RECENT CIP TABLES; AND PROVIDING FOR FINDINGS, CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ordinance 1688 is an update to the Comprehensive Plan.

Staff Representative: Randy Stevenson, Development Services Director

Recommendation: Adopt Ordinance 1688 and authorize transmittal of adoption to the Florida Commerce Department within 10 working days of adoption

2. ADOPT ORDINANCE 1689 ON SECOND READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SECTIONS OF APPENDIX B OF THE COCOA BEACH CODE OF ORDINANCES, LAND DEVELOPMENT CODE; PROVIDING FOR MINIMUM REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP); AMENDING ARTICLE IV "DEFINITIONS;" WITHIN CHAPTER I, "PURPOSE AND GENERAL PROVISIONS"; AMENDING ARTICLE III "FLOOD DAMAGE PREVENTION" WITHIN CHAPTER VII "STORMWATER MANAGEMENT AND FLOOD CONTROL"; ALL WITHIN THE LDC; INCORPORATING RECITALS; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY; AND EFFECTIVE DATE.

Ordinance 1689 is a request to implement changes to the Land Development Code (LDC) Chapter I and Chapter VII. These changes were determined to be necessary to maintain or improve the City's Community Rating System (CRS) Class 8 rating under the National Flood Insurance Program (NFIP). Ordinance 1689 reflects FDEP recommended changes needed to satisfy the prerequisite requirements of the NFIP, and those necessary for the

City of Cocoa Beach to maintain or improve its current CRS 8 rating. Without these changes, the city was informed it could be retrograded to a CRS Class 9 rating.

Staff Representative: Randy Stevenson, Development Services Director

Recommendation: Adopt Ordinance 1689 (Flood Prevention Provisions) and authorize transmittal of adoption to the Florida Division of Emergency Management (FDEM) and Federal Emergency Management Agency (FEMA).

J. NEW BUSINESS

1. Request 2025 budget to add (1) Code Enforcement Officer, dedicated to manage Short Term Rental (STR) registration and enforcement.

Staff Representative: Jeremy Hutcherson, Vice-Mayor

Recommendation: Discuss

2. Request to approve a contract with Mead & Hunt for the Inflow & Infiltration Abatement Program CB24-012

Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director, Devan Taly, Director of Grants & Special Projects

Recommendation: Approve

3. ADOPT ORDINANCE 1694 ON FIRST READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING A NEW CHAPTER 13.1, "MISLEADING ADVERTISING", TO THE CODE OF ORDINANCES OF THE CITY OF COCOA BEACH, PROHIBITING MISLEADING ADVERTISING WITH A RATIONAL NEXUS TO THE CITY OF COCOA BEACH; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Ordinance 1694 is intended to protect the City of Cocoa Beach and its residents, business owners, and visitors to ensure that potential visitors are not lured to the City of Cocoa Beach through misleading, false, fraudulent or deceptive advertisements, and are thereby made subject to unexpected and unpleasant enforcement actions that would not occur, but for misleading, false, fraudulent or deceptive advertisements.

Staff Representative: Loren Wiltse - Principal Planner, Randy Stevenson - Development Services Director

Recommendation: Adopt

K. GENERAL PUBLIC COMMENT

(Only if not accommodated in the 30-minute Public Comment period earlier)

L. ADJOURNMENT