Meeting Agenda
Thursday, December 5, 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 Troy Stanley, Pastor, First Christian Church of Cocoa Beach

3. Roll Call

B. ORGANIZATIONAL MEETING

1. Adopt Resolution 2024-27 - A resolution of the City Commission of the City of Cocoa Beach, Florida, sitting as an Election Canvassing Board to certify the results of the General Election, held on November 5, 2024, for: Mayor/Commissioners Seat No. 1, Commissioner Seat No. 2., Commissioner Seat No. 3.

   Adopting this Resolution certifies that
   Keith Capizzi re-elected to Seat No. 1 Mayor/Commissioner
   Joshua Jackson elected to Seat No. 2 Commissioner
   Tim Tumulty elected to Seat No. 3 Commissioner
   Staff Representative: Karin Grooms, City Clerk

2. Oath of Office

   Seat #3 - Commissioner Tim Tumulty (Sworn in Commissioner sits at the Commission Dais)

3. Comments from Incoming Commission Members

4. Appoint a Vice-Mayor to serve until the 2026 Organizational Meeting.
   (The Vice-Mayor's past rotation schedule appointment is as follows: Seats 5, 2, 4, and 3)
   2025 - ***(Seat 3** is next in rotation if following past practice)*
   2023/24 – Hutcherson, Seat **5**
   2022 - Capizzi Seat **2**;
   2021 - Williams Seat **4**;
   2020 - Woulas Seat **3**;
   2019 - Miller Seat **5**;
   Staff Representative: City Commission

C. 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.)

D. PRESENTATION

1. Cocoa Beach Police Department awarded re-accreditation from the Commission for Florida Law Enforcement Accreditation.
   Staff Representative: Wes Mullins, Police Chief

E. 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.

F. STAFF REPORTS AND ANNOUNCEMENTS

1. City Manager - City and Project updates. Power Point

G. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

H. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

I. CONSENT AGENDA

1. Approve the November 7th City Commission Meeting Minutes
   Staff Representative: Karin Grooms, City Clerk

2. Request to approve extension of continuing engineering services agreements CB 20-005 Mead & Hunt, Jacobs Engineering, and Bowman
   Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director, Devan Taly, Director of Grants & Special Projects

3. Request to Approve Professional Lobbying Services Agreement with Smith and Associates. This is a budgeted item.
   Staff Representative: Wayne Carragino, City Manager, Devan Taly, Director of Grants & Special Projects

4. Requesting permission to execute the contract with W&J Construction for the Bicentennial Park Improvements project.
   This is a budgeted item.
   Total Cost: $3,735,815.60
   Staff Representative: Scott Maxim, Project Manager

5. Ratify the following three-year union contract, for the period of October 1, 2024 to September 30, 2027, between the City of Cocoa Beach and The Laborers' International Union of North America (LIUNA) Local 630
   Staff Representative: Cindy DePina, Human Resources Director

6. Approve Resolution 2024-28, A Resolution of the City Commission of the City of Cocoa Beach, Brevard County, Florida, Dissolving and Disbanding the Sustainability Committee; and Land Management Committee; and providing an effective date.
   Staff Representative: Wayne Carragino, City Manager

7. Adopt Resolution 2024-29, A Resolution of the City Commission of the City of Cocoa Beach, Florida, creating a Sustainable Land Advisory Committee; providing for membership; providing for terms of office; providing for duties; providing for rules of procedure; providing for reporting responsibility; and providing for an effective date.
   Staff Representative: Wayne Carragino, City Manager

8. Approve Waterfront Solutions to construct ADA Dune Crossovers at Osceola Ln and Fischer Park for $209,750. This is a budgeted item.
   Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director, Morgan Zuhlke, Stormwater Utility Manager
   Recommendation: Approve

J. ITEMS REMOVED FROM THE CONSENT AGENDA

K. UNFINISHED BUSINESS

1. ADOPT ORDINANCE 1694 ON SECOND 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.

Staff Representative: Loren Wiltse - Principal Planner, David Dickey - Development Services Director

Staff Recommendation: Approve Second Reading and Adopt Ordinance 1694 “Misleading Advertising”

L. NEW BUSINESS

1. Consider recognizing Brian Johnson, Cocoa Beach Resident and Cocoa Beach High School Baseball Coach by adding his name to the City entrance sign.
Representative: Tim Tumulty, Commissioner
Recommendation: Approve

2. Discuss the design and construction budget for Fire Station 50.
Staff Representative: Jeremy Hutcherson, Commissioner
Recommendation: Re-consider path forward for Fire Station 50

3. Approve Proposed FY 26 Budget Cycle Milestone Dates
Staff Representative: Jeremy Hutcherson, Commissioner
Recommendation: Approve revised Sections 3.01 & 5.01, in accordance with redline updates

4. Discuss revision to Cocoa Beach city ordinance; 2-7.1 Competitive Bidding.
Staff Representative: Jeremy Hutcherson, Commissioner
Recommendation: Approve proposed redline to Sec. 2-7.1

5. Approve proceeding forward with the Port Wastewater Agreement Update
The Task Order is in conformance with the Agreement for Continuing Engineering Services RFQ CB20-005 dated December 3, 2020, between the City of Cocoa Beach (OWNER) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the Contract.
The project includes modifications to Chapter 19 of the city’s code of ordinances and modification of Article II, Industrial Pretreatment Program. The existing Port Canaveral wastewater service and maintenance contract will be amended. Proposed amendments will include modification of charges to adequately fund existing and future costs incurred by the City of Cocoa Beach. This includes increased costs associated with regulatory compliance, depreciation, collection system maintenance, treatment plant upgrades, administrative and operational expenses. Proposed changes to the current agreement will establish an equivalency between customer traffic, sewage strength and flow. The equivalency will be used to create a monthly rate based upon a combination of flow and the number of visitors per month that pass through the port facilities. This new equivalency charge would be used as a basis for calculating monthly payments that utilize a combined rate for flow and charges per customer as the basis of wholesale charges to be paid for sewer service. This is a budgeted item for $71,520.
Staff Representative: Brad Kalsow, Water Reclamation, Wayne Carragino, City Manager

Recommendation: Approve

6. Requesting permission to contract All-Rite Fence Services under our continuing services agreement using reserve funds to replace the driving range net posts that snapped during Hurricane Milton.
   This is an unbudgeted item.
   Total Cost: $184,179.43

   Requesting permission to contract All-Rite Fence Services under our continuing services agreement using reserve funds to provide and install a chain link fence continuing from the end of the new net posts being installed and tying in to an existing chain link fence to the west.
   Both of these items need to be approved together. Without these barriers in place, golfers could be hit by balls from the driving range.
   This is an unbudgeted item.
   Total Cost: $54,726.65
   Staff Representative: Scott Maxim, Project Manager
   Recommendation: Approve

7. Approve the Scope of Services for Engineering and Design in the amount of $174,561.47 from Black & Veatch Corporation to perform work on Gravity Sewer Pipe Replacement/Repair Project for the intersection of A1A and Wakulla Lane, and North Banana River and W. Columbia Lane.
   $200,000 is budgeted this fiscal year for engineering and design services for gravity sewer pipe.
   Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director
   Recommendation: Approve

8. Approve the purchase of the Cocoa Isles Playground equipment replacement project in the amount of $76,291.
   This is a budgeted item.
   Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director
   Recommendation: Approve

M. GENERAL PUBLIC COMMENT
(Only if not accommodated in the 30-minute Public Comment period earlier)

N. ADJOURNMENT