

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. DEPARTMENT MAKING REQUEST/NAME: CM

2. MEETING DATE:
2/15/24

3. REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):
Proclamation

4. AGENDA

STAFF PRESENTATION	☒
CONSENT	☐
SITE PLAN CONSENT	☐
UNFINISHED BUSINESS	☐
NEW BUSINESS	☐

5. IS THIS ITEM BUDGETED (IF APPLICABLE)? YES ☐ NO ☒ IF NO, CITY ACTION REQUIRED ☐ N/A
DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☐

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

Ancient Order of Hibernians – Florida's Irish American Community will be celebrating Irish Heritage during the month of March and has requested a proclamation be issued designating March 2024 as "Irish American Heritage Month"

Representative attending – Keith Reynolds, AOH FL State Vice President.



Feb / March

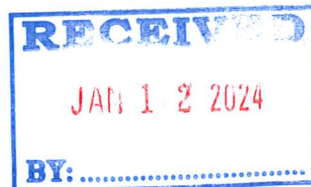
Ancient Order of HIBERNIANS

Irish · Catholic · American

Office of the Florida State Secretary
Greg Seán Canning
Grioghár Seán Ó Canannáin
Past Florida State President and National Director

10 January 2024

Mayor Keith Capizzi
Cocoa Beach City Hall
1600 Minutemen Causeway
P.O. Box 322430
Cocoa Beach, FL 32932-2430



Dear Mayor Capizzi,

Once again, Florida's Irish American community will be celebrating its Irish heritage during the month of March. Ever since the military governorship of Irish American Andrew Jackson, Irish Americans in Florida have provided leadership and service to their state, counties, and local communities. Irish Floridians can look back with pride on the legacy of their Irish forebears, who have contributed significantly to education, business, sports, literature, science, engineering, medicine, science and the arts. Today, we continue to recognize and honor the service of our current State, County and Town/City Council leaders and the contributions of fellow Irish Floridians.

In the past, March has been designated "Irish American Heritage Month" throughout the United States to coincide with the celebration of St. Patrick's Day on the 17th. Across the State of Florida, the Ancient Order of Hibernians and other Irish organizations will be conducting parades, celebrations, and cultural events.

The Florida Ancient Order of Hibernians respectfully requests that your office issue a Proclamation designating March 2024 as "Irish American Heritage Month" in recognition of the long history of Irish American contributions to the State of Florida. To assist you in this request, I have taken the liberty of providing a few "WHEREAS" for your consideration and possible use.

On behalf of the Ancient Order of Hibernians in America, I would like to thank you for your kind consideration of this request. Should you have any questions or need additional information, please do not hesitate to contact me.

In Friendship, Unity, & Christian Charity,

Greg Seán Canning

AOH Florida State Secretary

Past Florida State President and National Director



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The Florida State Board of The Ancient Order of Hibernians: <http://www.aohflorida.org>



Suggested “WHEREAS” for Irish American Heritage Month

WHEREAS, by 1776 nearly 300,000 Irish nationals had emigrated to the American colonies and played a crucial role in America’s War for Independence; and

WHEREAS, five signers of the Declaration of Independence were of Irish descent and three signers were Irish born; and

WHEREAS, Irish Americans helped to fashion a system of government for our young Nation; and

WHEREAS, twenty-two Presidents have proudly proclaimed their Irish American heritage; and

WHEREAS, in 1792 Irish born James Hoban provided the architectural plans for the the White House and served as one of the supervising architects for the construction of the Capitol; and

WHEREAS, Irish born Commodore John Barry was recognized by the United States Congress in September of 2002 as the “First Flag Officer of the United States Navy”; and

WHEREAS, Commodore John Barry fought the last sea battle of the American Revolution off the coast of Florida; and

WHEREAS, in 1813, Captain Oliver Perry, An Irish American, achieved a major naval victory in the Battle of Lake Erie; and

WHEREAS, in 1942, the 5 Sullivan brothers made the ultimate sacrifice for democracy and freedom during the Naval Battle of Guadalcanal and later had the Destroyer USS Sullivan commissioned in their memory; and

WHEREAS, the Irish first came to Spanish “*La Florida*” in the 1500s - first as missionaries and mercenary soldiers and then as planters, traders, businessmen, doctors and administrators; and

WHEREAS, three of the Spanish Governors of “*La Florida*” were actually Irish military officers; and

WHEREAS, Fr. Richard Arthur, an Irish-born priest from Limerick who was appointed parish priest for St. Augustine in 1597 and ecclesiastical judge of “*La Florida*,” established the first public school in America and opened it to both boys and girls of all races; and

WHEREAS, Andrew Jackson, whose family came from County Antrim, served as Florida’s military governor following its acquisition by the United States; and

WHEREAS, Irish Americans, since America’s inception, have provided and continue to provide leadership and service to this nation’s political, business and religious establishments; and

WHEREAS, it is fitting and proper to celebrate the rich cultural heritage and the many valuable contributions of Irish Americans



Proclamation



Whereas, by 1776 nearly 300,000 Irish nationals had emigrated to the American colonies and play a crucial role in America's War for Independence; and

Whereas, five signers of the Declaration of Independence were of Irish descent and three signers were Irish born; and

Whereas, twenty-two presidents have proudly proclaimed their Irish American heritage; and

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Whereas, Andrew Jackson, whose family came from County Antrim, served as Florida's military governor following its acquisition by the United States; and

Whereas, Irish Americans, since America's inception, have provided and continue to provide leadership and service to this nation's political, business and religious establishments; and

NOW THEREOF, I, KEITH CAPIZZI, Mayor of the City of Cocoa Beach, Florida, do hereby proclaim March, 2024 as **IRISH AMERICAN HERITAGE MONTH** in the City of Cocoa Beach, and urge all citizens to join me in honoring those Americans who gave their lives in securing the blessings of our liberty.

DATED February 15, 2024

Keith Capizzi, Mayor

Karin Grooms, City Clerk

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. **DEPARTMENT MAKING REQUEST/NAME:** *DEPUTY CHIEF JUSTIN GRIMES, FIRE DEPARTMENT*

2. **MEETING DATE:** *THURSDAY, FEBRUARY 15, 2024*

3. **REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):**

Acknowledge Drown Zero and Surfing's Evolution and Preservation Foundation for their donation of funds to purchase a new RWC (rescue watercraft) and trailer to the City of Cocoa Beach Fire Department.

4. **AGENDA**

STAFF PRESENTATION	☒
CONSENT	☐
SITE PLAN CONSENT	☐
UNFINISHED BUSINESS	☐
NEW BUSINESS	☐

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?:** YES ☐ NO ☐ **IF NO, CITY ACTION REQUIRED** ☒ *N/A*
DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

The Drown Zero initiative started as a Cocoa Beach Rotary Club project that has successfully implemented sixty-two (62) Drown Zero flotation device stations along Cocoa Beach and Cape Canaveral from Harbor Heights Avenue to South 15th Street. These "Throw – Don't Go!" stations are available for adoption, which helps make the Drown Zero Project possible. The Drown Zero project has been made possible by the Surfing's Evolution and Preservation Foundation, Cocoa Beach Rotary Club in conjunction with the Cities of Cocoa Beach and Cape Canaveral.

Surfing's Evolution and Preservation Foundation was founded by East Coast Surfing Hall of Fame legend, Ron DiMenna. His love of the ocean and the sport of surfing into a casual Florida lifestyle that celebrates beach culture.

Together with his wife, Lynne, they created a 501 (c)(3) charitable organization that supports organizations with likeminded missions to protect the health of Florida's beaches and address issues such as coastal pollution and beach ecology.

Through the sale of the Endless Summer® specialty license plate, the Foundation financially supports meaningful programs, events and activities that impact protection of the beaches for future generations to enjoy. The sale of the Endless Summer® plate will also fund the proposed Surfing's Evolution Experience™.

The Cocoa Beach Fire Department is a recognized by USLA (United States Lifesaving Association) as an Aquatic Rapid Response Team and is also certified as an Open Water Advanced Lifeguard Agency. With the help of these two foundations, we have been able to purchase a new RWC (rescue watercraft) and trailer to replace our aging units. The RWC is an important tool used for water rescue. The rapid, motorized response units play a vital role in our lifesaving and supporting Lifeguard services. The RWC's have proven to be one of the most valuable pieces of rescue equipment used on our beaches.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES
February 1, 2024**

A. MEETING CALLED TO ORDER

Mayor Capizzi called the meeting to order at 7:00 P.M.

* Invocation - Pastor Mark Reynolds, First United Methodist Church
Pastor Keith Capizzi gave the invocation.

* Pledge of Allegiance

* Roll Call

Commission Members Present:

Commissioner Joshua Jackson
Commissioner Skip Williams
Commissioner Karalyn Woulas
Vice-Mayor Jeremy Hutcherson
Mayor Keith Capizzi

Administrative Members Present:

City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Development Services Director Randy Stevenson
Community Redevelopment Agency/Planner, Devan Taly
Chief Financial Officer Patrisha Draycott
Procurement, Martha Horak
City Engineer, Jared Francis
Leisure Services Director, Laird McLean
Fire Chief, Ryan Duckworth
Deputy Fire Chief, Justin Grimes
Interim Police Chief, Wes Mullins
Public Works Director, Robert Torres

B. APPROVAL OF THE AGENDA

MOTION BY WILLIAMS/HUTCHERSON

I MOVE TO APPROVE THE AGENDA EXCEPT PULL ITEM J1. TO AFTER THE CONSENT AGENDA.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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

There were no reports.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

There were no reports.

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Jackson brought up previous discussions on E-Bikes. Received requests from residents for the commission to readdress the e-bike speed, and Minutemen bike paths. Noted rules need to put into place. Mentioned an action of swerving done by children, which is coming up to walkers at a fast speed swerving around at the last second. Commissioner Jackson requested the city to put together a plan of action to implement a policy or intervention process to increase safety.

Mayor Capizzi would like to have someone with the Police Department get with the schools for E-bike etiquette. Noted parents hand children the e-bikes and don't educate them on safety. The Mayor inquired regarding any enforcement regarding any bicycle behavior.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

Interim Police Chief Wes Mullins briefly noted that the legislator is slow to catch up to trends. Bicycles and E-Bikes are the same thing at this moment. Research regarding rules and regulations of bicycles to include auditable noise.

Mayor Capizzi noted he rides a scooter, and it is hard to regulate. Compared to Airbnb's.

Mr. John Lose, Task Force member for Golf Carts and E-Bikes discussed what the group did and items that came out of the group. Had not seen anything come forward to the Commission from the group. Key recommendation was on sidewalks, set a speed limit to 12 mph. Mentioned the inability to monitor the speed, however the speed was kept down, it would help. Mentioned signage and Police presence.

Commissioner Jackson suggested physical intervention to slow down the e-bikes but wouldn't impede others.

Interim Police Chief Mullins noted they could educate. Another way of invention is by enforcement of helmets. Can stop, educate on the spot.

Commissioner Williams suggested dusting off notes of the task force and bringing them back to the commission.

Commissioner Jackson congratulated Cocoa Beach Jr/Sr High School Basketball team who would be celebrating the school's 70th Anniversary Friday evening (2/2/2024) with their first basketball and cheer team. Encouraged residents to join and celebrate with the team and cheer squad.

Commissioner Williams noted the neighborhood collected signatures and he provided the City Clerk with the petitions from the neighborhood of Holiday Lane regarding boat ramp repairs.

Mayor Capizzi congratulated Commissioner Jackson (Seat 2), and resident Tim Tumulty (Seat 3) putting in for office for the 2024 Election. Commissioner Williams clarified that Commissioner Woulas will be termed out of office this year. Mayor Capizzi confirmed his running for Mayor.

G. CONSENT AGENDA

The City Attorney read the Consent Agenda.

MOTION BY WILLIAMS/HUTCHERSON

I MOVE TO APPROVE THE CONSENT AGENDA.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the January 18, 2024, Commission Meeting Minutes

Representative: City Clerk Department

Recommendation: Approve

2. Approve the purchase of a 2025 Freightliner dump truck from Orlando Freightliner, Inc. via Florida Sheriff's Association Bid # FSA23-VEH21.0 for \$151,437 to replace a 2005 Freightliner dump truck. This is a budgeted item.

Representative: Robert Torres, Public Works Director

Recommendation: Approve

3. Review, update and renew the Statewide Mutual Aid Agreement (SMAA) with the Florida Division of Emergency Management (FDEM). All local governments in the state of Florida are required to enter into this agreement to prepare for natural disasters and other emergencies. This agreement is also required to apply for reimbursement from the Federal Emergency Management Agency (FEMA) after disasters and other public emergencies.

Representative: Ryan Duckworth, Fire Chief

Recommendation: Approve

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

4. ~~Permission to proceed with the Phase 4 renovations and repairs of deferred maintenance issues in the Cocoa Beach Country Club located at 5000 Tom Warriner Boulevard. Phase 4 upgrades include electrical, fixtures, concrete finish, and carpentry at a cost of \$92,473. Phase 4 will be paid for with ARPA Funds.~~

~~Representative: Wayne Carragino, City Manager~~

~~Recommendation: Approve~~ **REMOVED 1-31-2024**

5. Request to “approve the Commercial Visual Improvement Grant Program agreement between CRA and Gregory Dippolito and Penelope Dippolito that was approved by the CRA Board”.

Representative: Devan Taly, Community Redevelopment Agency

Recommendation: Approve

H. ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items removed from the Consent Agenda.

New Business J1 was moved during approval of agenda. Minutes from item will be found under New Business.

I. UNFINISHED BUSINESS

1. Adopt Ordinance 1684, Second Reading, Public Hearing and Adoption, An Ordinance Of The City Of Cocoa Beach Further Amending The City Of Cocoa Beach Firefighters' Retirement System, As Restated In Ordinance No. 1431, As Subsequently Amended, Amending Section 7, Pre-Retirement Death, And Amending Section 8, Disability, Providing For Compliance With Chapter 2019-21, Laws Of Florida, Providing For Severability Of Provisions; Repealing All Ordinances In Conflict Herewith And Providing An Effective Date. Ordinance No. 1684 amends Ordinance No. 1431.

Representative: Laitham Kellum, Fire Pension Board

Recommendation: Adopt

The attorney read Ordinance 1684 by title.

MOTION BY WILLIAMS/JACKSON

I MOVE TO ADOPT ORDINANCE 1684 ON SECOND READING.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

2. Adopt Ordinance 1685 on Second Reading, Public Hearing and Adoption, An Ordinance Of The City Of Cocoa Beach, Florida, Adding A New Article XII, “Pass-Through Of Development Review Fees”, Of Chapter 2, “Administration”, Of The Cocoa Beach Code Of Ordinances; Allowing The City To Pass Through Development Review Costs To Developers And Applicants For Development Review; And Providing For Codification, Conflicts, Severability; And Effective Date.

Representative: City Commission

Recommendation: Adopt

The attorney read Ordinance 1685 by title.

MOTION BY WOULAS/JACKSON

I MOVE TO ADOPT ORDINANCE 1685 ON SECOND READING.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

3. Space Coast Mural Fest is requesting funding for the 2024 Space Coast Mural Festival.

Representative: Kyle Trent, Space Coast Mural Representative

Recommendation: Approve

The city attorney read the item I3.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

Commissioner Williams noted he requested the information to be brought back. Noted that he saw the artist, and everyone worked hard but did not see the amount of public participation that would merit this to be a city sponsored event.

Commissioner Woulas mentioned it is a great event. Would like to see the event and how it works with the community. Bring back to future meeting. Noted Cocoa Beach Main Street was also putting on a Mural Fest.

Mayor Capizzi noted the Kite Fest, and conscience was not to proceed forward with Kite Fest.

Commissioner Hutcherson agreed with Commissioner Woulas.

Mayor Capizzi noted he did not want to spend the resident's money on this event.

The item dies as no motion was made for the event.

4. Staff are requesting direction on the path forward with the City of Cocoa Beach annual 4th of July fireworks event. The event was not budgeted for FY24.

Representative: Wayne Carragino, City Manager

Recommendation: Provide Direction

The City Attorney read item 14.

MOTION WILLIAMS/JACKSON

I MOVE TO NOT HAVE THE JULY 3RD FIREWORKS FOR \$27,000.

KC Finke commented on lack of support for events.

Commissioner Woulas noted that it would be a let down for the City and the businesses not to have it. It's a great day to celebrate one day for everyone. Economic and benefit for the City.

Commissioner Williams mentioned it is on a Wednesday. Noted the dates of the other Firework shows within the town. Commissioner Williams noted the rotation of the dates.

Commissioner Hutcherson is interested in the drone show. Would like to consider this next year.

VOICE VOTE ON THE MOTION CARRIED 3 TO 2. COMMISSIONER WOULAS AND COMMISSIONER HUTCHERSON: NAY

5. Provide direction on correspondence with Brevard County Commissioners regarding Lifeguard funding for our beaches.

Representative: Wayne Carragino, City Manager

Recommendation: Provide Direction

The city attorney read item 15.

City Attorney, Becky Vose explained to the City Commissioner the need to send a letter to the county with what the commission would like to send to the County.

Commissioner Hutcherson stated the memo was spot on of what needed to be said.

MOTION WILLIAMS/JACKSON

I MOVE TO HAVE CITY ATTORNEY TO DRAFT A LETTER AND SEND IT BACK AS THE RESPONSE.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

It was questioned from the audience as to what was in the memo. City Commission explained the what the County Commissioners are wanting. City Attorney read the memo for the audience.

Mr. Tumulty noted the letter read by Ms. Vose. When asking for funding ask for an additional 5 million dollars. When ask for 1 million you may get nothing. He mentioned TDC is driving tourist to the city and they do not support that and the residents support it. Discussed our infrastructure, Police and Fire and how it affects the city. Noting how to ask for additional funding for covering our city.

City Attorney noted what was allowed and not allowed to use for the TDC funding, to include special events.

Commissioner Woulas wanted to look into the City's own Lifeguard program.

Commissioner Williams noted the package the fire department and how it would be the city funding it.

Commissioner Hutcherson inquired Commissioner Woulas' thought with having cities own lifeguard. Commissioner Woulas gave ways to control and ways to own the force. Discussed with how to proceed with lifeguards.

Commissioner Williams noted he would like to see what the county would like to do.

Commissioner Jackson inquired from the City Attorney items that the TDC could fund? Ms. Vose noted she would need to do research on what could be done.

Commissioner Williams would like to move forward with the County.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

J. NEW BUSINESS

1. FDOT Raised Crosswalks - FDOT would like the Commission to select one of the proposed options for safety improvements along State Road A1A.

Representative: Jared Francis, City Engineer

Recommendation: Present and Discuss

The City Attorney read item J1.

Mr. Jared Francis, City Engineer introduced FDOT with a request for a vote and direction for preferred alternative of the Commission.

FDOT provided presentation for Northbound and Southbound SR. A1A from Crescent Beach to Minutemen Causeway.

The FDOT team presented the process and project overview. Requested the commission for a decision based on two options provided from FDOT.

Option 1 provided raised crosswalks at 6 of the 12 pedestrian crossing locations. This option will include In-Roadway Warning Lights. To be activated when button is pressed. With this option, there will be added signage and a reduction of speed from 35 mph to 30 mph.

Option 2 is 12 pedestrian crossings with flat/flush crosswalks. All pedestrian crossings will have in-roadway warning lights. The travel lanes widths near crosswalks will be reduced. The speed limit will remain at 35 mph.

Commissioner Woulas inquired why this is being discussed? She notes a meeting regarding the crosswalks and not wanting them mostly due to the yellow and the number of crosswalks.

FDOT noted that they did not put in the rectangle lights but still put in the 12 crosswalks. Noted this is the same project from the conversation years back.

Mayor Capizzi noted Satellite Beach's crosswalks and noted that was not in favor of the raised crosswalks.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

Mayor Capizzi inquired if this would be negotiated. Noted that 8th Street would be better than 10th Street for a crosswalk. FDOT noted the locations are based pedestrian studies done within in the city. The raised crosswalks is to alert the drivers.

Commissioner Williams noted that the raised crosswalks and concerned about public safety. Noted he preferred the flat crosswalks.

Commissioner Hutcherson inquired about the inconsistency along A1A. Noted how the one in Satellite Beach. Noted he preferred option 2. Discussed the crosswalks at 1st North and how it's on the downstream and how cars are turning.

FDOT is asking the commission to vote on the decision from the Commission.

Commissioner Hutcherson asked for clarification for the speed reduction from option 1 and 2 and if they could reduce the speed with option 2. FDOT explained the need for the reduction of speed and why they are unable to reduce the speed without the raised crosswalks.

Commissioner Williams noted that the commission fought hard for the lights with the red/yellow/green. Noted the effectiveness of the crosswalks.

Hutcherson inquired about how the new lights were chosen and FDOT noted how and why those locations received the 'red/yellow/green', '.

It was inquired from Commissioner Williams about the lights and the power source for the flashing lights. FDOT noted that they are solar powered.

Commissioner Woulas inquired about the sign and request that it would be removed. Engineer of record for FDOT explained the roadway and a 2-foot separation and how they are placed differently than Satellite Beach.

Discussion regarding the posts in Satellite Beach and what FDOT proposes.

Mayor Capizzi asked for flat, no signs and take the number of from 6 crosswalks to 3? FDOT noted that would not be possible.

Commissioner Jackson thanked FDOT for thinking of pedestrian safety but noted that the flat was the preference.

Mr. Keith Capizzi noted he was not in favor of the sign in the middle of the road. Noted 8th Street and the traffic.

Mr. Scott Cunningham mentioned that the flashing yellow is a universal slow down with caution verses with red that says stop.

Mr. John Lose noted that option 2 makes sense and it calls out 6 areas that enhance pedestrian safety. Traffic should not be impacted when the crosswalk is not in use.

Mr. Tim Tumulty, noted to the commission that option 2 is the route they are going to go. Noted that Commissioner Williams understands DOT side. Understands that speed limits can not be selected. Having raised crosswalks would give it as a speed soft-ing. Noted the 1st North crosswalk mentioned earlier along with stopped traffic.

Commission Williams noted how pedestrian study's are done and how they count. Noted that its not during every event.

Commissioner Jackson noted the speed limit change from the north side. Placing one raised in the north bound side, to fact check those coming into the city.

Mayor agreed with Commissioner Jackson, however requested the change to 8th Street.

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

Commissioner Woulas noted the city's issue with yellow. Inquired if red was an option. FDOT noted they are unable provide that for the crosswalks.

MOTION BY WILLIAMS/JACKSON

I MOVE APPROVE OPTION 2, REMOVE SIGN FROM THE MIDDLE OF THE ROAD, NORTH BOUND SUMMER STREET DO OPTION 1 WITH THE RAISED. ADDITIONAL CROSSWALK AT 8TH STREET OR TO REPLACE 10TH STREET.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

J2. Consider Annual Parking Space(s) Reserved for Private Business Usage

Representative: Patrisha Draycott, Chief Financial Officer

Recommendation: Provide Direction

The City Attorney read item J2.

Commissioner Williams understood why this is wanted and requested and how it can get into favoritism battles.

Ms. Patrisha Draycott, Chief Financial Officer, explained how the process is currently regarding reserved parking for private businesses. Requesting direction from the commission on how to proceed forward. Noted the annual cost of average revenues and disagreed that is value to the city. Would like a different calculation for the potential not the average. Would like to put together a policy and be consistent.

Commissioner Williams stated a hypothetical situation regarding businesses downtown and noted how it would affect the weekend traffic and not making any additional funds. Discussed other areas with parking spaces within the city that could affect other businesses.

Ms. Draycott updated the commission with the current request with valet parking.

The Commission discussed the potential favoritism among businesses and how to when to park.

Commissioner Woulas inquired about the impact of the businesses if don't renew them.

Ms. Draycott explained there is one that has a year agreement, one is a beach vendor has a trailer wishing to park overnight.

Commissioner Williams noted that the space taken by the trailer is parked in a paid space. If they wish to have the space, they should arrive early.

Commissioner Hutcherson clarified the current agreement that is being brought forward is not a city lot. Ms. Draycott clarified the situation with the commission. Private Public Partnership.

Commissioner Woulas inquired how many contracts the city currently has. Noted only one currently active the others are expired based on what the Commission's decisions.

Mr. Tumulty noted that the business owners are not in attendance and not high on their priority list and it's not in the best interest of the city.

MOTION WILLIAMS/HUTCHERSON

**CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION MEETING MINUTES**

MOTION TO NOT GO FORWARD WITH ANY FURTHER CONSIDERATION FOR ANNUAL PARKING SPACES FOR PRIVATE BUSINESSES.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

K. GENERAL PUBLIC COMMENT (only if not accommodated in the 30-minute time period earlier)

There were no additional public comments.

Mr. Tim Tumulty requested a training session for every board on Robert Rules of Order. Noted the verbiage on the agenda. Discussed how motions and discussions are to be made during a meeting. Noted a negative motion is difficult and hard to understand.

L. ADJOURNMENT

The meeting was adjourned at 8:39 P.M.

Karin Grooms, MPA, CMC
City Clerk

Keith Capizzi
Mayor- Commissioner

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. DEPARTMENT MAKING REQUEST/NAME:
Patrisha Draycott, CFO

2. MEETING DATE:
January 18, 2024

3. REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):

"I move to approve \$2,646,000 APRA funds for the City Hall Construction, Bicentennial Park, Fire Station Alarm System, and Country Club Renovations."

4. AGENDA

STAFF PRESENTATION ☐
CONSENT ☒
SITE PLAN CONSENT ☐
UNFINISHED BUSINESS ☐
NEW BUSINESS ☐

5. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES ☐ NO ☒ **IF NO, CITY ACTION REQUIRED** ☐ N/A

City Hall construction and Bicentennial park are budgeted projects, with use of ARPA funds identified for these projects; the Fire Station alarm system is not a budgeted item, but has been identified as an eligible project for ARPA funds; the Country Club renovations have been previously budgeted and completed, the remaining renovations are not budgeted in the current budget; ARPA funds have been identified as an eligible use to complete the renovations.

DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW))

- 1) The City identified, and budgeted for, using \$1,000,000 in ARPA funds to be applied to construction of the new City Hall.
- 2) The City identified, and budgeted for, using \$1,300,000 in ARPA funds to be applied to the Bicentennial Park improvements project.
- 3) The current alarm system at Fire Stations 1 and 2 is experiencing regular system failures, which is costing the City in maintenance repair calls. The system needs to be replaced; however, this is not a budgeted expense. The alarm system has been identified as ARPA eligible; the replacement cost would not exceed \$96,000 in ARPA funds. Reference attached emails from DFC Grimes and Fire Marshal Liberto for detailed explanation of the alarm system issues; also attached are quotes from three vendors.
- 4) The City is requesting approval of \$96,000 in ARPA funds to replace the alarm system and approval for the Fire Department to move forward with the purchase of the new system from Bryx Alerting System.
- 5) The City Commission has previously approved use of ARPA funds for renovations at the Country Club. There are additional improvements/renovations remaining for completion of this project. Refer to the attached summary (Phase 4) and documentation of remaining costs for completion of the renovations.
- 6) The City is requesting approval of \$250,000 in ARPA funds to complete the renovations/improvements at the Country club and to move forward with expending \$250,000 in unbudgeted expenses to complete this project.

UP TO \$96,000

Patrisha Draycott

From: Justin Grimes
Sent: Tuesday, February 6, 2024 6:53 AM
To: Patrisha Draycott
Cc: Kevin Perez; Steven Macko; Salvatore Liberto
Subject: Fwd: Station 50/51 alerting system
Attachments: Cocoa Beach Update 2.5.24.pdf; Cocoa Beach Proposal.pdf

Good morning,

Attached are the quotes we received from Bryx alerting system. There is a reoccurring yearly fee that we will need to take into account. This was one of 3 quotes we received/ however this is for both stations. We received a quote from Morse for \$70k to redo the existing system at station 51, but we have had nothing but problems with it, and the constant maintenance to keep it up has exceeded the yearly fee from Bryx. Currently the system they provide is unreliable, expensive, and outdated. Purvis quoted us during the pre construction phase of our station 51- 9 years ago for over \$100k, but could not provide us a quote this time because they do not integrate with our current CAD system. We were looking to use ARPA funding to replace and upgrade our current system. If you review the attachment you will see the many upgrades and benefits this system has over our current platform which is not currently working again. This includes heart smart tones, integrated lighting, count down timers and more. It is also portable which means the system can be easily disassembled and moved if a station was replaced.

After reviewing the limited options that are available to our current CAD system we feel Bryx offers the most versatile platform. This price includes full installation and rewiring as well as new speakers and lighting. There could be some price savings as they can reuse existing speakers and they are still operable.

We are putting together more data on our current cost and failures with our existing system, as well as other quotes and correspondence with other companies that we will also submit with our proposal. Please feel free to reach out if you have any questions. I have included IT Director Kevin Perez and Dispatch Manager Steve Macko on this email. This change will also impact them and their staff. As of now FD staff is operating on hand held radios to receive calls at Station 51 until we can get a fully functional system operational.

Thanks,
Deputy Chief J. Grimes

Get [Outlook for iOS](#)

From: Matthew Christopher <matt.christopher@bryx.com>
Sent: Monday, February 5, 2024 9:30:12 PM
To: Justin Grimes <jgrimes@cityofcocoabeach.com>
Subject: Re: Station 50 alerting system

Hi Chief,

See attached. I would be happy to come down and detail each station in person and provide a firm quote at the appropriate time but this pricing is going to be close. If anything it might be a little less. Please let me know if you have any questions or need any additional information.

I am sure you already have it but I also attached the PDF with additional information I sent to Sal back in November.

Kind Regards,

Matt Christopher
518-225-1627
Business Development Manager
<https://bryx.com/free-mobile-app>



BRYX

Emergency Response, Simplified.*

<https://youtu.be/fZoPF-0g1H0>

On Mon, Feb 5, 2024 at 10:58 AM Justin Grimes <jgrimes@cityofcocoabeach.com> wrote:
Good morning,

I went through our other station to take a look at the needs required to update the alerting system using your product. I also sat down with a few of our crews and got input from them as well. Attached is an email from one of the on duty crews that did an assessment of what we currently have, and what currently may be needed. I would prefer to have the quote to replace everything, however if there are speakers or other products that can be salvaged, we can work with that as well. I will need to get the quote in by tomorrow afternoon to get the agenda item on for our next commission meeting. Sorry for the short timeline. Our meeting is not until February 15 but they want the items on the agenda by tomorrow afternoon, I'm sure we can make some changes if needed as long as I can get it into them.

Thanks,
Deputy Chief, J. Grimes.
Get [Outlook for iOS](#)

From: Monique Irizarry <mirizarry@cityofcocoabeach.com>

Sent: Friday, February 2, 2024 3:17 PM

To: Justin Grimes <jgrimes@cityofcocoabeach.com>

Cc: Steven Lea <slea@cityofcocoabeach.com>

Subject: Station 50 alerting system

Chief,

Per our conversation earlier, here is the requested information:

Station 50 currently has two speakers in the apparatus bays, one speaker in the day room, one in the large bathroom, one in the bunk room and the base station speaker in the office. Making 6 total. It is my personal recommendation to keep that many speakers moving forward.

In regards to the new lighting system, I would suggest alerting lights in the bunk room, the office and the day room. The most important being the bunk room and based off of the size of the room I would suggest possibly two in there. I believe the office and dayroom are sufficient with one each due to sizing. I personally love the idea of color coded lights for different calls, EMS vs Fire, but I understand the need for simplicity. Either way, a lighting alert system would be a huge benefit for the guys, color coded or not. Please let me know if you need any further information to help move the project forward. Thanks!!

Lt Monique Irizarry

C-shift

mirizarry@cityofcocoabeach.com

(321) 868-3330

Patrisha Draycott

From: Salvatore Liberto
Sent: Tuesday, February 6, 2024 8:52 AM
To: Patrisha Draycott
Cc: Justin Grimes
Subject: Overhead alerting system quotes & invoices
Attachments: Morse Proposal Fire-Station #51 QSC Paging.pdf; PURVIS Budgetary Cocoa Beach 25Nov2014.pdf copy.pdf; Bryx 51&50 quote.pdf; GetFileAttachment (1).pdf; Customer-Invoice_INV-10294_20240118-193845UTC (3).PDF

Good morning Patricia,

Please see the attached quotes for the alerting systems we have received. There should be one from Morse, one from Bryx and one from Purvis. As Justin has detailed, the **Morse** quote is just a replacement of the same system we have now that is broken. This would include no upgrades. The **Purvis** system will not be compatible with our current CAD per the representative, so I have attached the quote we had originally gotten from them when St. 51 was built. The **Bryx** system is for both stations combined. It has all of the upgrades we are looking for, and also came in under the other quotes comparatively.

I have also attached some of the current invoices we have been charged from Morse to fix issues with the current system. These are just a few of the many.

Please let me know if you need any additional information.

-Sal

Salvatore Liberto / Fire Marshal
Cocoa Beach Fire Dept.
321-868-3249
321-403-6015 Cell
sliberto@cityofcocoa-beach.com
Fire Prevention is a tankless job!



QUOTE

Recurring total

Bryx Station Alerting System- Stations 50 & 51 \$5,000.00

Valid until May 5, 2024

BRYX INC

59 Halstead Street
Rochester, New York 14610
United States
+1 216-374-4761
brian.bush@bryx.com

QUOTE NUMBER QT-127CFCE5-0001-4

ISSUE DATE Feb 5, 2024

EXPIRATION DATE May 5, 2024

QUOTE FOR
Salvatore Liberto
Florida
United States
3214036015
sliberto@cityofcocoabeach.com

Payment Terms: A deposit of 50% of the total price below is due upon acceptance of this Quote, which is required prior to the delivery of materials and scheduling of installation (if applicable). The remaining 50% of the total price will be due upon activation of the Bryx Station Alerting system. Thank you for your interest in Bryx, Inc.

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
Service & Maintenance Per Year	2 yr	\$2,500.00 / year	\$5,000.00
Installation	2	\$8,000.00	\$16,000.00
Horn Speaker	8	\$150.00	\$1,200.00
Ceiling/ Wall Speakers	45	\$100.00	\$4,500.00
Canless Slim Lights	32	\$125.00	\$4,000.00
GPIO	5	\$800.00	\$4,000.00
Doorbell/Panic Button	6	\$100.00	\$600.00
Speaker Matrix	2	\$450.00	\$900.00
Turnout Timer Shot Clock	4	\$400.00	\$1,600.00
Amarant Light Bar	6	\$249.00	\$1,494.00

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
9U Hinged Rack	2	\$700.00	\$1,400.00
Bryx Station Control Unit Includes 8 Canless LED Lights and 1 X Uninterruptible power supply	2	\$25,000.00	\$50,000.00
Amplifier	2	\$1,300.00	\$2,600.00
Bay 360 Speakers	5	\$425.00	\$2,125.00
Subtotal			\$95,419.00
Upfront total			\$95,419.00
Recurring total			\$5,000.00

October 26th, 2023

Salvatore Liberto
Cocoa Beach Fire-Station #51
Cocoa Beach Florida,



MORSECOM

JBMJM2023-227

Re: Cocoa Beach Fire-Station #51 Paging System

Sal,

Morse Communications, Inc. is happy to provide you a quote for Sixty Thousand Four Hundred Eleven Dollars & Seventy Two Cents for the scope of work & material supporting The Cocoa Beach Fire Station #51 Project.

Scope of Work TCAT

- A) Installation of a turn-key 70 volt QSC Paging & Area Warning System throughout the Fire-Station.
- B) Installation of (1) QSC Core 110F Controller's inside the 3d floor I.T Room Rack #1.
- C) Installation of (1) QSC 4K8 Amplifier inside the MDF to control (8) Paging Channels throughout.
- D) Installation of (68) Bogen HFCS1 round ceiling mount high fidelity speaker's throughout the site.
- E) Installation of (32) Bogen AP-15 watt weather proof marine grade paging horns outside, high bay and stairwells.
- F) Installation of (1) IP Paging Station inside the Lobby & (1) inside the 1st floor high bay.
- G) Installation of (1) Juniper 2400 POE 24 Port network switch inside the 3d floor I.T Room.
- H) QSC will come onsite and commission the IP Paging System and integrate the emergency radio system.
- I) Installation of Belden Shielded 16/2 AWG Cable to support all the speaker's & Horn's throughout.
- J) Morse will terminate, test & label & all speaker cables to Industry Standards & provide results.
- K) Morse will provide and install white volume controls throughout 12 rooms for customer use.

Paging & Area Warning System TCAT

Quantity	Description	Manufacturer	Unit Cost	Total Cost
6,000	Speaker Cable 16/2 Plenum Shielded	Belden	\$ 0.49	\$ 2,940.00
14	Speaker Terminal Blocks	ADI	\$ 19.91	\$ 278.74
4	Rack Banks 1RU	CPI	\$ 23.95	\$ 95.80
4	Speaker Connectors (Box of 200)	3M	\$ 30.01	\$ 120.04
68	Round 70 Volt High Fidelity Ceiling Speakers	Bogen HFCS1	\$ 113.44	\$ 7,713.92
32	Horn 15 Watt WP 70 Volt Marine Grade	Atlas AP-15T	\$ 159.00	\$ 5,088.00
2	IP Paging Stations (MICS)	Alcorn McBride	\$ 2,004.55	\$ 4,009.10
2	Core 110F Process Controller's	QSC CORE110F	\$ 2,998.71	\$ 5,997.42
1	Rack Mount Paging Amplifier 4K8	QSC 4K8	\$ 4,789.00	\$ 4,789.00
1	QSC Deployment Software 110	QSC	\$ 166.00	\$ 166.00
1	QSC Scripting Software 110	QSC	\$ 115.00	\$ 115.00
1	QSC Onsite Commissioning & Programming	QSC	\$ 3,299.00	\$ 3,299.00
68	Heavy Duty Beam Clamps	CED	\$ 3.56	\$ 242.08
1	Misc. Hardware 1/4" & 3/8"	CED	\$ 150.00	\$ 150.00
4	Roll's of Laser Label's	Mobile Modular	\$ 18.99	\$ 75.96
4	Roll's of Velcro Black CMP 3/4"	VC USA	\$ 28.92	\$ 115.68
1	Misc. Conduit & Seal-Tight	CED	\$ 460.00	\$ 460.00

Material Cost:	\$ 35,655.74
Labor Cost:	\$ 16,995.00
Material Tax:	\$ 2,495.90
Profit Overhead and Mark-Up:	\$ 5,265.07
Total Cost:	\$ 60,411.72

Jason Bowman, P.M.
www.morsecom.com
Cell 321-243-9918
Office 321-259-8469
jbowman@morsecom.com

Budgetary Pricing

Proposed Baseline System

PURVIS SYSTEMS

Proposed FSAS Components	Qty	Unit Price	Total
Single Central Server	2	\$14,510.47	\$29,020.95
DM Console (all-in-one touchscreen PC)	2	\$1,420.64	\$2,841.29
DM Console Seat license	1	\$750.00	\$750.00
Radio Interface Unit	2	\$5,973.88	\$11,947.76
Station Control Unit (SCU) with Integrated Touch Screen Display	2	\$18,000.00	\$36,000.00
Audio Control Unit (ACU)	2	\$2,882.57	\$5,765.15
Lighting Control Unit (LCU)	2	\$2,081.08	\$4,162.17
Relay Control Unit (RCU)	1	\$2,069.96	\$2,069.96
UPS	2	\$861.43	\$1,722.86
Interior Ceiling Speakers	8	\$58.43	\$467.47
Volume Control (Wall Mounted)	21	\$48.68	\$1,022.21
Bay/Exterior Speakers	4	\$119.44	\$477.78
Ambient Noise Sensor (Includes Control Module and Sensor)	2	\$306.29	\$612.57
Ambient Noise Sensor (Additional Sensor Only)	2	\$31.33	\$62.66
Thermal Printer	3	\$819.65	\$2,458.96
24" Flat Panel Display (Includes mounting bracket and Cat5/VGA interface)	4	\$634.57	\$2,538.28
24" LED Reader Board	3	\$1,804.56	\$5,413.68
Turn-Out Timer	7	\$469.32	\$3,285.22
Multi-Color Digital Light Bar	13	\$247.54	\$3,217.96
Night Vision Lights (Red LED)	24	\$61.02	\$1,464.59
Single Color Strobe Light	2	\$55.19	\$110.39
Remote Manual Activation Button	2	\$52.88	\$105.76
Remote Acknowledgement Button	3	\$52.88	\$158.64
Gas Shutoff Reset Button	3	\$52.88	\$158.64
Doorbell/Camera	1	\$1,725.24	\$1,725.24
Proposed FSAS Components Sub-Total			\$117,560.19

Pricing Notes:

- Hardware pricing is actual, based on current prices
- Final pricing may vary based on the final set of requirements and purchase timeframe
- Grand Total includes 1 year of hardware and software Warranty and Maintenance

Effective Technology Solutions for Public Safety

Budgetary Pricing Proposed Baseline System

PURVIS SYSTEMS

Services		Unit Price	Total
Configuration		\$26,957.18	\$26,957.18
Integration Services (CAD, Radio, Network, Devices)		\$40,679.14	\$40,679.14
Project Management		\$40,101.10	\$40,101.10
Testing and Cutover		\$53,811.25	\$53,811.25
Installation (Dispatch, Stations)		\$34,807.29	\$34,807.29
Training		\$5,514.56	\$5,514.56
Mobile App (Annual)		\$1,440.00	\$1,440.00
Phone Call / Text Message Delivery Service (Annual)		\$6,000.00	\$6,000.00
Services Total			\$209,310.53
Grand Total			\$326,870.72

Pricing Notes:

- The CAD integration cost for the Sungard Public Sector side of the interface is not included.
- Radio integration pricing is based on a standard connection to a dedicated radio with a microphone in, audio out, and push-to-talk *PTT* capability
- Includes 50,000 Text Messages and unlimited e-mail messaging. Overage text messages will be billed at \$0.20 each
- Mobile App with standard service is an annual cost for 24 users
- Installation pricing is estimated
- Hardware pricing is actual, based on current prices
- Final pricing may vary based on the final set of requirements and purchase timeframe
- Grand Total includes 1 year of hardware and software Warranty and Maintenance



MORSECOM

Invoice: INV-10294

Bill To:

City of Cocoa Beach
2 South Orlando Ave
Cocoa Beach FL 32932-2430

Date:

Jan 16, 2024

Payment Terms:

30 days net

Project Number:

SC395479

PO Number:

FIRE STATION
#51

Phone:

+1 3212598469

E-Mail: apar@morsecom.com

Ship-to Address:

City of Cocoa Beach
2 South Orlando Ave
Cocoa Beach FL 32932-2430

Line	Product	Description	Quantity	Net Price	Net Value
10	SRV1137	Structured Cabling Labor	100% of 1 Each	1,440.00 USD / 1 Each	1,440.00 USD
	List Price				1,440.00 USD
20	SRV1136	Structured Cabling Materials	100% of 1 Each	110.30 USD / 1 Each	110.30 USD
	List Price				110.30 USD

Total Item Net Value

1,550.30 USD

Total

1,550.30 USD



MORSECOM

Invoice: INV-8908

Bill To:

City of Cocoa Beach
2 South Orlando Ave
Cocoa Beach FL 32932-2430

Date:

Oct 23, 2023

Payment Terms:

30 days net

Service Request Number:

8675

PO Number:

128912

Phone:

+1 3212598469

E-Mail: apar@morsecom.com

Ship-to Address:

City of Cocoa Beach
2 South Orlando Ave
Cocoa Beach FL 32932-2430

Line	Product	Description	Quantity	Net Price	Net Value
10	SRV1132	Security Hardware - HES 1006 CLB	1 Each	480.00 USD / 1 Each	480.00 USD
	List Price				480.00 USD
20	SRV1133	Security Professional Services	1.5 Hour(s)	95.00 USD / 1 Hour(s)	142.50 USD
	List Price				95.00 USD

Total Item Net Value

622.50 USD

Total

622.50 USD

Tech checked strike it was cool to the touch but was sticking open.

Checked for grounds faults but found none.

Replaced strike - Same model.

Works well and does not stick.

This call was at

City of Cocoa Beach FD 51

50 S. Orlando Ave.

Cocoa Beach , Fl.

paid over phone

OPEN _____ CLOSED CC BLANKET _____

Date Shipment Received _____

P.O. Complete (Yes/No) _____

P.O. or Account Number DDI-2820-522-4610

Project Number (6 characters) _____

Attest By Shelly Azor Date 11/7/23

Approved By [Signature] Date 11/7/23

395 East Drive, Melbourne, Florida, 32904

888-667-7326

www.morsecom.com

PHASE 4 - COUNTRY CLUB RENOVATIONS

DESCRIPTION				2024 updated quotes
Item No.		Lead Contractor	Sub Contractor	Total Cost
1	Eddy's Office Walls/Tucker&Heidy Office Walls	Interior Fusion	None	\$14,750.00
2	Move (9) TV's from PD and Install in 19th Hole	Interior Fusion	None	\$1,285.71
3	(2) Glass Doors In 19th Hole	Interior Fusion	C&D Industrial	\$16,805.60
4	Patch Ceiling in Patio Area	Interior Fusion	Highlander	\$1,428.57
5	AmVet 19th Hole Deck-Polyurea Coating	Interior Fusion	AmVet	\$18,066.00
6	Paint Outside Patio Area	Interior Fusion	Ryan Gell	\$6,285.71
7	Total Renovation of (4) Restrooms-Automatic Toilet Flush Devices/Faucets	Interior Fusion	J&J	\$37,144.36
8	Total Renovation of (4) Restrooms-New Tile Throughout	Interior Fusion	J&J	\$26,400.00
9	3 planter boxes w/plants to create division & cover trip hazard	Interior Fusion		\$1,393.75
10	Total Renovation of (4) Restrooms-New Mirrors	Interior Fusion	J&J	\$3,312.50
11	Total Renovation of (4) Restrooms-New Hand Towel Dispensers	City	Uline/Sisco	\$1,500.00
12	Demolition Heidy's Office		Garcia Civil Cont.	\$31,744.88
	Starter Shack		Garcia Civil Cont.	\$23,829.58
13	Core Electric		Core	\$19,487.00
14	Replacement Ceiling Tiles Throughout Facility	City	None	\$1,500.00
15	3 TV's/Audio System for 19th Hole Deck	City	None	\$10,000.00
16	Wet Vac for New Carpet	City	None	\$497.00
17	Hand Truck to move Beer Kegs	City	None	\$228.00
contingency +15%				\$248,007.46

up to \$250,000



REMITTANCE:
3945 W. Eau Gallie Blvd.
Suite 105
Melbourne, Florida 32934
accountsmlb@interiorfusion.us

SHOWROOM
3945 Eau Gallie Blvd.
Suite 105
Melbourne, Florida 32934
Phone: 321-343-7227

ORDER NOTES:

Country Club Phase 4

QUOTE

2/8/2024

BILL TO

SHIP TO

Wayne Carragino
City of Cocoa Beach
Cocoa Beach, FL 32920

LINE	IMAGE	DESCRIPTION	QTY	RATE	TOTAL
1		Modular wall additions for Ed and Joes offices to create secured storage for merchandise.	1	\$ 14,750.00	\$ 14,750.00
2		Move 9 TV's from PD to 19th hole	1	\$ 1,285.71	\$ 1,285.71
3		Patch Ceiling in 19th hole Patio	1	\$ 1,428.57	\$ 1,428.57
4		Paint outside Patio	1	\$ 6,285.71	\$ 6,285.71
5		Remove toilets and faucets and replace with automatic toilets and faucets	1	\$ 37,144.36	\$ 37,144.36
6		Remove mirrors, Paint wall, and Replace all mirrors in 4 restrooms	1	\$ 3,312.50	\$ 3,312.50
7		Demo old tile and replace tile in 4 restrooms	1	\$ 26,400.00	\$ 26,400.00
8		3 Planter boxes with plants to create division and cover trip hazard.	1	\$ 1,393.75	\$ 1,393.75
Section Subtotal					\$ 92,000.60

Initial: _____

Installation/delivery during normal working hours. No stair carry. Addtl charges may apply.	\$ 0.00	\$ 0.00
Installation fees do not include any construction, electrical, cabling or plumbing services.	\$ 0.00	\$ 0.00

TOTAL: \$ 92,000.60

PLEASE NOTE:

All sales are final. A 50% non-refundable deposit is required on all orders.

We accept payment by check and ACH. A 3% convenience fee will be added when using a credit card.

Remaining 50% balance is due at delivery with the right to retain 10% of the purchase price until punch list items are completed.

Quote is valid for 30 days.

Discounted price is based on quantity ordered. The discount and therefore sales price could fluctuate if quantities or volume changes.

Signature: _____ Date: _____

Print: _____

TERMS AND CONDITIONS: This estimate is subject to terms and conditions (Revision Date June 1, 2021) a copy which accompanies this estimate. It is also available on our website.

Initial: _____



2208 58th Avenue East
Bradenton, FL 34203
(833) 776-5833 / (941) 896-4081
service@cdindmaint.com

Estimate

ESTIMATE#	214851461
DATE	09/28/2023
PO#	

CUSTOMER

City of Cocoa Beach
PO Box 322430
Cocoa Beach FL 32932
(321) 868-3200

SERVICE LOCATION

City of Cocoa Beach
5000 Tom Warriner Boulevard
Cocoa Beach FL 32931
(321) 868-3200

DESCRIPTION

Middle Bar
Bar Side: Remove existing door and install new aluminum storefront medium style w/ 10" bottom rail.
To include VR panic devices and low energy ADA door operator with wireless push buttons.
Pricing confirmed on 2/8/24.

Estimate

Description	Qty	Rate	Total
Door Panel 3'0x7'0 Aluminum Door, medium style, 10" bottom rail, clear 1/4" tempered glass	2.00	1,400.00	2,800.00
Surface VR Panic Device VD 99 Series SVR Panic	2.00	2,520.00	5,040.00
CONTINUOUS 8' HINGE - CLEAR FULL SURFACE NARROW FRAME CONTINUOUS 8' HINGE - CLEAR	2.00	245.00	490.00
Record 8100 Single Record USA 8100 ADA Operator Single 39.5"	2.00	2,009.00	4,018.00
Push Plate Kit Wireless Push Plate Kit 900Mhz 4.5" Square SM	2.00	328.80	657.60
Labor-2 techs	22.00	125.00	2,750.00
Trip Charge Travel to Service Location	2.00	200.00	400.00
Shipping and Handling-Estimated	1.00	650.00	650.00

CUSTOMER MESSAGE

Estimate Total: \$16,805.60

PRE-WORK SIGNATURE

Signed By:



AmVet Concrete Coatings, LLC

321-735-8655 info@amvetcc.com

Representative Aaron Rose				Phone 321-609-7019			
Name Wayne Carragino				Company Cocoa Beach Country Club			
Address 500 Tom Warriner Blvd				City Cocoa Beach	ST FL	Zip 32931	
Primary Phone (321) 604-0601 (Wayne Cell#)				Secondary Phone			
Email wcarragino@cityofcocoabeach.com							
Area 1: Phase 1 19th Hole Deck		X Cost	= Total	Area 2: Phase 2 Pro Shop Deck		X Cost	= Total
Sq. Ft.	1950	\$ 9.00	\$ \$17,550	Sq. Ft.	2720	\$ 9.00	\$ \$24,480
Vertical	32	\$ 5.00	\$ \$160	Vertical	212	\$ 5.00	\$ \$1,060
Steps	2	\$ 50.00	\$ \$100	Steps		\$	\$
Cracks		\$	\$	Cracks		\$ Flat	\$ \$2,500
Step Outline	32	\$ 8.00	\$ \$256	Pitting		\$ Fee	\$
Removal		\$	\$	Step Outline	212	\$ 8.00	\$ \$1,696
Color TBD	If Custom		\$	Color TBD	If Custom		\$
Move Out / In			\$	Move Out / In			\$
Trailer Rental			\$	Trailer Rental			\$
Subtotal for Area 1		\$ \$18,066.00		Subtotal for Area 2		\$ \$29,736.00	
Condition				Condition			
Combined Sq. Ft.*		X Cost	= Combined Cost	+ Features & Repairs		= Total Combined Cost of Areas	
		\$	\$	\$		\$ \$47,702.00	
Additional Installation Notes				Subtotal for Project		\$ \$18,066.00	
Price includes: prep of current concrete/ removal of prior coating, cleanup & new coating installed. Outline on all step edges for safety. Lifetime Warranty. Warranty includes labor & materials against failure from UV, chipping, peeling or delaminating. Wayne: We can & will also throw extra sand for grip & Texture *For combined pricing, areas must be able to be completed at the same time. **Cracks or substrate damage not covered under warranty.				Code			
				Other			
				Marketing			
				Subtotal			
				Tax (rate)		\$ N/A	
Total		\$ \$18,066.00		Initial Payment (30%)		\$ \$5,419.80	
Due Upon Completion		\$ \$12,646.20					
Client Signature _____ Date _____				Representative Signature _____ Date 02.01.2024			
CC#				Product: 100% Pure solids polyurea (Penntek) coating. Installed by professionally trained technicians with a polyaspartic topcoat... guaranteed not to yellow, fade, chip or peel. We will also tint edges of steps for safety in your choice of color. Price includes any color from our color pallet.			
Name							
Exp		CVR					
For credit card payments, balance due will automatically be charged upon job completion. For checks or cash, balance will be collected by crew foreman. Finance charges will be assessed on all balances over 30 days in accordance with applicable law.							



Proposal

February 2, 2024

Submitted To: City of Cocoa Beach

ATTN: Wayne Carragino

Project Name: City of Cocoa Beach Club House

Scope Narrative:

Garcia Civil Contractors is proposing the following scope for the work at the City of Cocoa Beach Club house. Existing wall between pillars will be demoed, patched, and replaced with 42" aluminum picket railing; for total length of 30 LF. And the existing building structure will be demoed, with all debris being removed from site.

Scope	Unit Measure	Quantity	Unit Price	Total Price
Mobilization	LS	1	\$ 2,122.50	\$ 2,122.50
Wall Demo & Concrete Pillars Repairs	LF	30	\$ 200.40	\$ 6,012.00
Railing Install 4' High	LF	30	\$ 272.19	\$ 8,165.70
Existing Structure Demo	LS	1	\$ 15,444.68	\$ 15,444.68

Total Proposal = \$ 31,744.88

Exclusion/Inclusions/Notes:

- All Utilities by others. City of Cocoa Beach to cut off all electrical running through structure.
- QC Testing by others
- Proposal considers daytime work
- Payment Term 15 days from the time of approved invoice.
- Staging Area provided by Prime Contractor.
- MOT by Others
- Pay Applications will reflect actual field quantities vs. plan quantities.
- Survey by Others.
- Permits by Others. All structural permits/inspections by others
- GCC not responsible for incidental damages when removing existing structures.
- The proposal is valid for 30 days.
- Price Escalation after July 2024

Looking forward to providing our services and working with the Team.

Thank You

Oscar Garcia

Estimating Manager



Proposal

February 7, 2024

Submitted To: City of Cocoa Beach

ATTN: Wayne Carragino

Project Name: City of Cocoa Beach Club House – Starter Shack

Plans Dated: NA

Addendums/Revisions: NA

Plan sheets: NA- Per Site visit

Engineer: NA

Scope Narrative:

Garcia Civil Contractors is proposing the following scope for the work at the City of Cocoa Beach Club house. This work includes removal of the pavers and stairs by the outpost building and replacing with 10" concrete pavement.

Scope	Unit Measure	Quantity	Unit Price	Total Price
Mobilization	LS	1	\$ 2,000.00	\$ 2,000.00
Demolition	LS	1	\$ 7,073.46	\$ 7,073.46
10" Concrete Pavement	LS	1	\$ 14,756.12	\$ 14,756.12

Total Proposal = \$ 23,829.58

Exclusion/Inclusions/Notes:

- No assumed underground conflicts for drain install.
- Payment Term 15 days from the time of approved invoice.
- Survey by Others.
- Proposal is valid for 60 days.

Looking forward to providing our services and working with the Team.

Thank You
Oscar Garcia
Estimating manager

6430 Anderson Way, Suite B
Melbourne, FL 32940
321-449-9886
amounce@coreelectric.us | coreelectricservices.com



RECIPIENT:

City of Cocoa Beach Public Works

5000 Tom Warriner Boulevard
Cocoa Beach, Florida 32931

Quote #1779

Sent on 02/01/2024

Total \$19,487.00

SERVICE ADDRESS:

5000 Tom Warriner Boulevard
Cocoa Beach, Florida 32931

Product/Service	Description	Qty.	Unit Price	Total
Patio Remodel	-Provide permitting information to GC for permits. -Demo electrical in existing office. Safe off and label all circuits, so the room could be demoed by others. -Demo (7) 8" 120V recessed cans. Provide and install (7) 8" 120V recessed LED retrofit kits. Note: These fixtures will not be dimmable with existing wiring. -Demo (12) patio ball scone lights. Provide and install (12) up/down LED scone lights. Note: These fixtures are not dimmable. -Provide and install (2) fan boxes and switches for Big Ass Fans on patio. New switches to be installed on wall where new pass-through window will be installed. -Provide and install access panel in ceiling on patio. -Provide and install (3) WP outlets on columns at 6' for future TV's. -Provide and install electrical boxes and wiring for hard wired access control on the (2) patio doors. -Provide and install (6) TV outlets per customer layout on kitchen wall. All new outlets to be fed from existing circuits in the wall. -Deliver, setup, remove, and provide scaffolding for up to 8 weeks. -Verify correct voltage and operation.	1	\$14,987.00	\$14,987.00
Big Ass Fan Installation	Install (2) customer provided Big Ass Fans on back patio.	1	\$2,800.00	\$2,800.00
Recessed Cans 0-10V Dimming Option	-Provide and install 0-10V dimming system. -Provide and install low voltage wire for 0-10V dimming. -Verify correct voltage and operation.	1	\$1,700.00	\$1,700.00

6430 Anderson Way, Suite B
Melbourne, FL 32940
321-449-9886
amounce@coreelectric.us | coreelectricservices.com



Product/Service	Description	Qty.	Unit Price	Total
Excludes	-Stucco, Drywall, or paint repair -Any unforeseen electrical code violations will be brought to the owners attention. -Permit or permit fee -Damage or cleaning of scaffolding.			

Total **\$19,487.00**

This quote is valid for the next 30 days, after which values may be subject to change. Contact us with any questions.

Signature: _____ Date: _____

ULINE

1-800-295-5510

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Uline - Economical. Highly absorbent.

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Scott® - Highly absorbent. Longer roll means fewer roll changes.

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+ Free Offer

ROLL PAPER TOWELS

MODEL NO.	BRAND	COLOR	ROLL SIZE	SHEETS/ ROLL	ROLLS/ CASE	PRICE PER CASE		ADD TO CART
						1	3+	
S-13729	Uline	White	8" x 600'	600		\$48/case any qty.		1 ADD
S-11936	Kleenex®		8" x 600'	600	6	\$95	\$93	1 ADD
S-12853	Scott®		8" x 950'	950		101	98	1 ADD

AUTOMATIC PAPER TOWEL DISPENSER

White or Smoke

MODEL NO.	DESCRIPTION	DIMENSIONS H x W x D	PRICE EACH	ADD TO CART
H-7883	8" Automatic Dispenser	16 x 13 x 10"	\$150	Specify Color

x10.

Waiting on estimate from Heidi's rep.
Used this as a place holder.

Deliver to Carrie
Cocoa Beach 32931

Home & Kitchen Enter keyword or product number

All Business Savings Event Black-Owned Businesses

Buy Again

Gift Cards

Recommendations

IT Supplies

EN

Hello, Carrie
Account for City of Cocoa B...

Lists

Business Prime

0

Industrial & Scientific › Janitorial & Sanitation Supplies › Vacuums & Floor Cleaning Machines › Floor Cleaning Machines › Carpet Steamers

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Rug Doctor X3 Commercial Carpet Cleaner – Large Red Oxy Pro Pack, Exclusive Vibrating Brush Spray Scrub and Extract Embedded Dirt and Grime, 48 oz. Oxy Cleaning Solution

Visit the Rug Doctor Store

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200+ bought in past month

Price: **\$496.11**

Two-Day

FREE Returns



Buying multiple items? Go to multi-select

Color: Red



Style: **Commercial Pro Pack Out**

Consumer Pro Pack Out

Commercial Pro Pack Out

Pattern Name: **Carpet Cleaner**

Brand **Rug Doctor**

Color **Red**

Item Weight **47 Pounds**

Style **Commercial Pro Pack Out**

Model Name **X3 Commercial Carpet Cleaner – Large Red Oxy Pro Pack,**

About this item

- **ONE-PASS COMMERCIAL GRADE SYSTEM:** Sprays, scrubs, and extracts embedded dirt, grime, filth, and odors with commercial-grade results
- **SPRAY:** Powerful jets inject carpet cleaner solution deep into carpet fibers to break down embedded dirt, grime, stains, odors and more
- **SCRUB:** Exclusive Triple Action Vibrating Brush scrubs all sides of each carpet fiber releasing embedded dirt, stains & odors that other deep cleaning machines miss.
- **EXTRACT:** Enhanced vacuum motor with professional grade suction power removes dirt, stains and odors and aids in faster drying times; Great for commercial, industrial, and home use.

\$496.11

Two-Day

FREE Returns

FREE delivery Friday, February 9.
Order within 10 hrs 3 mins

Deliver to Cocoa - Cocoa Beach
32931

In Stock

Qty: **1**

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Amazon.com.

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This item has been tested to certify it can ship safely in its original box or bag to avoid unnecessary packaging. Since 2015, we have reduced the weight of outbound packaging per shipment by 41% on average, that's over 2 million tons of packaging material.

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- ☐ 2 Year Floor Care Protection Plan for **\$67.09**
- ☐ 3 Year Floor Care Protection Plan for **\$87.99**
- ☐ Add a gift receipt for easy returns

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 Beverage-Delivery Hand Trucks	 Hand Trucks	 Transporting
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[Beverage-Delivery Hand Trucks](#) / DAYTON Keg Hand Truck: 500 lb Load...



DAYTON Keg Hand Truck: 500 lb Load Capacity, 51 in x 19 in x 14 in, Continuous Frame Dual Pin, Steel

Item 4W325 Mfr. Model 4W325

☐ Compare

Web Price ⓘ
\$227.68 / each

This item requires special shipping, additional charges may apply.

Qty
1

Add to Cart

☒ Ship

☐ Picku
p

Expected to arrive Fri. Feb 09.

Shipping Weight 27 lbs

[Ship Availability Terms](#)

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Product Details [Catalog Page 1143](#)

Brand DAYTON

Load Capacity 500 lb

Overall Height 51 in

Overall Width 19 in

Overall Depth 14 in

Frame Type Rounded Back

Frame Material Aluminum

Nose Plate Type Straight

Compliance & Restrictions

 **WARNING:** Cancer and Reproductive Harm - www.P65Warnings.ca.gov

 **Alternate Products** ⓘ

 Chat with an Agent

Nose Plate Profile Beveled

Nose Plate Material Steel

Handle Height 51 in

Handle Type Continuous Frame Dual Pin

Wheel Dia. 10 in

Wheel Type Pneumatic

Wheel/Tread Material Rubber

Caster/Wheel Configuration (2) Axle-Mounted

For Cntnr Cap 15.5 gal

For Container Material Steel

For Maximum Container Diameter 17 in

For Maximum Container Height 50 in

Includes Foot Assist Without Foot Assist

Includes Stair Climber With Stair Climber

Operation Manual

UNSPSC 24101504

Country of Origin Varies (subject to change)

Product Description

These beverage-delivery hand trucks have curved frames and nose plates that are sized to accommodate kegs, small barrels and drums, or stacks of beverage cases. Stairclimbers on the back of the hand trucks' frame allow the trucks to roll smoothly up stairs or over curbs.



DAYTON Keg Hand Truck:
500 lb Load Capacity, 51 in x
19 in x 14 in, Continuous
Frame Loop, Steel

Item 4W324

☐ Compare

Web Price 
\$236.81 / each

Qty
1

Add to Cart

 Compatible Products

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, FLORIDA CHANGING THE NAME OF WHAT HAS BEEN CALLED "CULTURAL GREEN SPACE" TO "COCOA BEACH CENTENNIAL SQUARE" AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Cocoa Beach wishes to change the name of the venue that will be located in front (to the east) of the new City Hall that is about to be constructed from what it is currently called, "Cultural Green Space," to the "City of Cocoa Beach Centennial Square" (hereinafter "Venue"); and

WHEREAS, in 2025, which is the expected date of the opening of the new city hall and the Venue, the City of Cocoa Beach will be celebrating its centennial year since the City was originally incorporated as a municipality in 1925; and

WHEREAS, the projected use of the Venue (to be used by the City for a multitude of public events, including, but not limited to cultural, fine arts, performing arts, and other special events) will not change with its name. The Venue will be used for purposes consistent with the goals and intents of the CRA, which goals and objectives include the following:

- a. Improve outdoor spaces, amenities and infrastructure.
- b. Expand the use, visibility, access, and availability of cultural, fine arts, sciences, library, performing arts, and other cultural assets into the Redevelopment Area.
- c. Enhance the Ramp Road Park and other park areas to encourage public use and attendance at special events, and for nearby shopping or other attractions.

WHEREAS, the City Commission of the City of Cocoa Beach finds that a more appropriate name for the Venue is "Cocoa Beach Centennial Square", and that such change of name is in the best interests of the City, its residents, and its visitors.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COCOA BEACH:

SECTION 1. That the above "Whereas" clauses are true and correct and are incorporated herein by reference.

SECTION 2. That the City Commission of the City of Cocoa Beach hereby renames the Venue as "Cocoa Beach Centennial Square".

SECTION 3. That the City Manager, or designee, shall take all actions to implement this Resolution.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

Adopted this 1st day of February, 2024.

Ayes: _____
Nays: _____
Absent or Abstaining: _____

Keith Capizzi,
Mayor-Commissioner

ATTEST:

Karin Grooms
City Clerk

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. DEPARTMENT MAKING REQUEST/NAME:

CRA/Devan Taly

2. MEETING DATE:

February 15, 2024

3. REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):

Request to “approve the lease agreement between CRA and Cocoa Beach Mainstreet that was approved by the CRA Board”.

4. AGENDA

STAFF PRESENTATION

☐

CONSENT

☒

SITE PLAN CONSENT

☐

UNFINISHED BUSINESS

☐

NEW BUSINESS

☐

5. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES ☐ NO ☐ IF NO, CITY ACTION REQUIRED ☒ N/A

DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

Request was provided to CRA Board for approval on 2/15/2024 prior to City Commission Approval.

This lease agreement is between the CRA and Cocoa Beach Mainstreet for the office space in the parking garage located at 25 S Orlando Ave. This lease agreement will have a fee of \$5.00 a month for use of office space.

LEASE AGREEMENT

THIS LEASE AGREEMENT is made and entered into this ____ day of _____ 2024 ("Effective Date") by and between the CITY OF COCOA BEACH, Florida, as Lessor (hereinafter the "CITY OF COCOA BEACH"), and the COCOA BEACH MAINSTREET a Florida not for profit corporation, through its Convention & Visitors Bureau (hereinafter the "Lessee") upon the following terms and conditions:

1. **Leased Office Space.** The CRA and The City of Cocoa Beach agree to lease to Lessee certain office space located in the CRA's garage located at 25 S. Orlando Ave., Cocoa Beach, Florida 32931 (hereinafter referred to as the "Office Space") for the purpose of operating a tourist information center. Lessee may purchase up to three (3) parking permits at the downtown business rate for employees of the tourist information center during the term of the lease.
2. **Condition of the Office Space.** Lessee accepts the Office Space in "AS IS" condition and shall maintain the Office Space in good condition during the term of this Lease. Lessee agrees to notify the City of Cocoa Beach immediately in the event of damage to the Office Space, which may create a hazard to the public. Lessee may enter the premises prior to the commencement of the Lease Term for the purpose of furnishing and improving the Office Space.
3. **Term.** This Lease shall be for a term of ____ (12) months beginning on February 19, 2024, and ending on February 19, 2025.
4. **Rent.** Lessee shall pay the CRA and The City of Cocoa Beach \$5.00 per month during the term of the Lease, payable on the first day of each month.
5. **Signage.** Lessee may provide signage for the Office Space and surrounding fixtures. All signage must be approved by the CRA and/or The City of Cocoa Beach prior to printing. All artwork and murals must be approved by the CRA and/or The City of Cocoa Beach prior to its commission. Approved signage may be located throughout the CRA's garage on windows, a-frames along adjacent sidewalks, (if permitted by City zoning), in stairwells, elevators, and in bathrooms. Lessee may provide for a visitor information center sign for overheard display within the garage and may hang a small information box outside the Office Space, all subject to prior CRA and/or The City of Cocoa Beach approval.
6. **Insurance.** Lessee must maintain insurance which will fully protect the Lessee, the CRA, and the City of Cocoa Beach from any and all claims under any Workers Compensation Act or Employers Liability Laws, and from any and all other claims of whatsoever kind or nature to the damage or property, or for personal injury, including death, made by anyone whomsoever, that may arise under this Lease, either by Lessee or by anyone directly or indirectly engaged or employed by either of them. The amount of insurance required by this Lease must not be less than:
 - (a) Workers' Compensation with Employers' Liability with a limit of \$500,000.00 each accident, \$500,000.00 each employee, \$500,000.00 policy limit for disease;
 - (b) Commercial General Liability (COL) insurance with a limit of not less than \$500,000.00 each occurrence. If such COL insurance contains a general aggregate limit, it shall apply separately to this Lease in the amount of \$500,000.00. COL insurance shall be written on an occurrence form and include bodily injury and property damage liability for premises, operations, personal injury, and advertising injury.

- (c) Commercial Automobile Liability Insurance with a limit of not less than \$300,000.00 each accident for bodily injury and property damage liability. Such insurance shall cover liability arising out of any auto (including owned, hired and non-owned autos) and such policy shall be endorsed to provide contractual liability coverage.

The CRA and the City of Cocoa Beach shall be specifically included as additional insureds and loss payees on all policies except Workers' Compensation. In the event the insurance coverage expires prior to the termination of the Lease, a renewal certificate must be issued 30 days prior to the expiration date. The policy must provide a 30-day notification clause in the event of cancellation or modification to the policy. All certificates of insurance must be on file with and approved by the CRA before commencement of the Lease. The insurance coverages procured by Lessee as required herein will be considered as primary insurance over and above any other insurance, or self-insurance, available to Lessee, and any other insurance, or self-insurance available to Lessee will be considered secondary to, or in excess of, the insurance coverage(s) procured by Lessee as required herein.

6. **Indemnification.** Lessee must indemnify and hold the CRA and the City of Cocoa Beach harmless against and from any and all claims, losses, penalties, interest, demands, judgments, costs, damages, or expenses, including attorney's fees and court costs, incurred by the CRA, the City of Cocoa Beach, or its agents, officers, or employees, arising directly or indirectly from Lessee's performance or nonperformance under this Lease or by any person on Lessee's behalf, including but not limited to those claims, losses, penalties, interest, demands, judgments, costs, damages, or expenses arising out of any accident, casualty, or other occurrence causing injury to any person or property. This includes persons employed or utilized by Lessee. Lessee acknowledges that Lessee has received consideration for this indemnification. Lessee's obligation will not be limited by, or in any way to, any insurance coverage or by any provision in or exclusion or omission from any policy of insurance, whether such insurance is in connection with this Lease. Such indemnification is in addition to any and all other legal remedies available to the CRA and the City of Cocoa Beach and not considered to be the CRA's or the City of Cocoa Beach's exclusive remedy.

In the event that any claim in writing is asserted by a third party which may entitle the CRA or the City of Cocoa Beach to indemnification, the CRA must give notice thereof to Lessee, which notice must be accompanied by a copy of statement of the claim. Following the notice, Lessee

has the right, but not the obligation, to participate at its sole expense, in the defense, compromise or settlement of such claim with counsel of its choice. If Lessee does not timely defend, contest, or otherwise protect against any suit, action or other proceeding arising from such claim, or in the event the CRA or the City of Cocoa Beach decides to participate in the proceeding or defense, the CRA and/or the City of Cocoa Beach will have the right to defend, contest, or otherwise protect itself against same and be reimbursed for expenses and reasonable attorney's fees and, upon not less than ten (10) days' notice to Lessee, to make any reasonable compromise or settlement thereof.

In connection with any claim as aforesaid, the parties hereto must cooperate fully with each other and make available all pertinent information necessary or advisable for the defense, compromise, or settlement of such claim. The indemnification provisions of this paragraph will survive the termination of this Lease.

7. **Sovereign Immunity.** Nothing in this Lease extends, or will be construed to extend, the CRA's or the City of Cocoa Beach's liability beyond that provided in section 768.28, Florida Statutes. Nothing in this Lease is a consent, or will be construed as consent, by the CRA or the City of Cocoa Beach to be sued by third parties in any matter arising out of this Lease.

8. **Public Records Compliance.** Lessee agrees that, to the extent that it may "act on behalf of the CRA or the City of Cocoa Beach within the meaning of Section 119.0701(1)(a), Florida Statutes in providing its services under this Lease, it shall:

- (a) Keep and maintain public records required by the public agency to perform the service.
- (b) Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Lessee does not transfer the records to the public agency.
- (d) Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the Lessee or keep and maintain public records required by the public agency to perform the service. If the Lessee transfers all public records to the public agency upon completion of the contract, the Lessee shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Lessee keeps and maintains public records upon completion of the contract, the Lessee shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the CRA's or City of Cocoa Beach's custodian of public records, in a format that is compatible with the information technology systems of the City of Cocoa Beach.

(e) Pursuant to Section 119.0701(2)(a), Fla. Stat., **IF THE LESSEE HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE LESSEE'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:**

**CITY HALL
1600 Minutemen Cswy.
P.O. BOX 322430
COCOA BEACH, FL 32932-2430.
321-868-3286,
CITYCLERK@CITYOFCOCOABEACH.COM**

9. **Public Records Compliance Indemnification.** Lessee agrees to indemnify and hold the CRA and the City of Cocoa Beach harmless against any and all claims, damage awards, and causes of action arising from the Lessee's failure to comply with the public records disclosure requirements of Section 119.07(1), Florida Statutes, or by Lessee's failure to maintain public records that are exempt or confidential and exempt from the public records disclosure requirements, including, but not limited to, any third party claims or awards for attorneys' fees and costs arising therefrom. Lessee authorizes the public agency to seek declaratory, injunctive, or other appropriate relief against Lessee in Brevard Circuit Court on an expedited basis to enforce the requirements of this section.

10. **E-Verify Compliance.** Lessee affirmatively states, under penalty of perjury, that in accordance with Section 448.095, Fla. Stat., Lessee is registered with and uses the E-Verify system to verify the work authorization status of all newly hired employees, that in accordance

with such statute and that Lessee is otherwise in compliance with Sections 448.09 and 448.095, Fla. Statutes.

12. **Venue and Jurisdiction.** Notwithstanding any of other provision to the contrary, this Lease and the parties' actions under this Lease shall be governed by and construed under the laws of the State of Florida. As a material condition of this Lease, each Party hereby irrevocably and unconditionally: i) consents to submit and does submit to the jurisdiction of the Circuit Court in and for Brevard County, Florida for any actions, suits or proceedings arising out of or relating to this Lease.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this instrument on the days and year indicated below and the signatories below to bind the parties set forth herein.

Cocoa Beach MainStreet:

Print Name: _____

Title: _____

The City of Cocoa Beach:

Print Name: _____

City of Cocoa Beach Commission
Agenda Item Summary

1. **DEPARTMENT MAKING REQUEST/NAME:** RANDY STEVENSON, DIRECTOR OF DEVELOPMENT SERVICES

2. **MEETING DATE:** FEBRUARY 15, 2024

3. **REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):**

Approval of Resolution No. 2024-03 to extend the expiration date of current Beach Business Agreements allowing staff additional time to finalize revisions to said agreements.

4. **AGENDA**

STAFF PRESENTATION	☐
CONSENT	☒
SITE PLAN CONSENT	☐
UNFINISHED BUSINESS	☐
NEW BUSINESS	☐

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?:** YES ☐ NO ☐ **IF NO, CITY ACTION REQUIRED** ☒ N/A

DETAILED ANALYSIS ATTACHED?: YES ☒ NO ☐

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

The City recognizes the crucial need for effective regulation of Ocean Beach Park to uphold the City's quality of life, safety, and public health. After a thorough examination of the current survey results from beach business vendors and addressing identified city concerns, the staff proposes a comprehensive review, update, and clarification of the existing ordinance, Sec. 15-39. This section pertains to the prohibition of certain sales and leases along Ocean Beach Park unless conducted under a license agreement. The proposed resolution and ordinance adoption specifically focus on regulating the operations of beach businesses within the City's Ocean Beach Park. Items for review are as follows:

1. **Resolution No. 2024-03:** This resolution aims to facilitate an ongoing review process involving the city, staff, and business owners. It proposes an additional extension of expiration dates for beach businesses whose licensing agreements are set to expire (by previous extension) on February 29, 2024. The requested extension would delay the date of expiration for these agreements to March 31, 2024 and allow additional time for staff to properly finalize revisions to the Beach Business License Agreements and any associated revisions to Section 15-39 of the City's Code of Ordinances.

RESOLUTION NO. 2024-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, FLORIDA TO EXTEND THE EXPIRATION DATE OF BEACH BUSINESS LICENSE AGREEMENTS THAT WOULD OTHERWISE EXPIRE BEFORE FEBRUARY 29, 2024, UNTIL MARCH 31, 2024; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Cocoa Beach recognizes that it is in the process of amending Section 15-39, "Certain sales and leases along the Ocean Beach Park are prohibited, except pursuant to a license agreement"; and

WHEREAS, some beach business license agreements are scheduled to expire soon and the City staff needs additional time to after the adoption of any proposed amendments to Sec. 15-39 of the City's Code of Ordinances and to modify the existing Beach Business License Agreement; and

WHEREAS, in order to allow for the orderly handling of beach license agreements in accordance with the amended Section 15-39, after the stated expiration of some of such licenses, the City Commission of the City of Cocoa Beach authorizes the extension of beach license agreements that would otherwise expire before February 29, 2024, to be extended until March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF COCOA BEACH:

SECTION 1. That the City Commission of the City of Cocoa Beach hereby extends all beach license agreements that would otherwise expire prior to February 29, 2024, until March 31, 2024.

SECTION 2. That the City Manager, or designee, shall notify the relevant holders of beach license agreements of this extension.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

Adopted this ___ day of February, 2024

Ayes: _____
Nays: _____
Absent or Abstaining: _____

Keith Capizzi,
Mayor-Commissioner

ATTEST:

Karin Grooms, MPA, MMC
City Clerk

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. DEPARTMENT MAKING REQUEST/NAME:

CRA/Devan Taly

2. MEETING DATE:

February 15, 2024

3. REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):

Request to "approve a mural on Surfside Playhouse".

4. AGENDA

STAFF PRESENTATION ☐

CONSENT ☒

SITE PLAN CONSENT ☐

UNFINISHED BUSINESS ☐

NEW BUSINESS ☐

5. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES ☒ NO ☐ IF NO, CITY ACTION REQUIRED ☐ N/A

DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW))

This item was approved at the CRA Board on 2/15/24 prior to the City Commission meeting.

Surfside Playhouse is currently making improvements to the building that is more than 60 years old. We would like to discuss the idea of a mural on the side of the building that is facing Brevard Avenue. This building is part of the town center and is our local playhouse for residents and visitors to come to see performances.



SURESIDE

PLAYHOUSE

SURESIDE

PLAYHOUSE



SURFSIDE

PLAYHOUSE





City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. DEPARTMENT MAKING REQUEST/NAME: RANDY STEVENSON, DIRECTOR OF DEVELOPMENT SERVICES

2. MEETING DATE:
2/15/24

3. REQUESTED MOTION/ACTION (SUMMARY THAT WILL APPEAR ON THE AGENDA):

Second Reading of an ordinance of the City of Cocoa Beach, Florida, amending Section 5-15, "Stopping, parking, mooring and towing", of Article I, "Water Safety", of Chapter 5, "Beaches, fills, boats and waterways", and Section 3-28, "Seawalls and waterside accessory structures", of Article III, "Development and Construction", of Chapter 3, "Design Standards" of Appendix B – Land Development Code, and by adding a new Section 5-17, "Grandfathering", of Article I, "Water Safety", of Chapter 5, "Beaches, fills, boats and waterways" all of the Cocoa Beach Code of Ordinances, and providing for codification, conflicts severability and an effective date.

4. AGENDA

STAFF PRESENTATION	☐
CONSENT	☐
SITE PLAN CONSENT	☐
UNFINISHED BUSINESS	☒
NEW BUSINESS	☐

5. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES ☐ NO ☒ **IF NO, CITY ACTION REQUIRED** ☒ N/A
DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

During the workshop conducted on October 17, 2023, the staff examined Section 3-28 - "Seawalls and Waterside Accessory Structures" in the Land Development Codes, along with Sec. 5-15 - "Stopping, Parking, Mooring, and Towing" from the Code of Ordinances. These codes govern mooring and waterside accessory structures. It was noted in the discussion that recent amendments to the code resulted in certain properties becoming non-compliant.

The city code permits the use of canals for mooring and parking up to 33.3% of the width of the canal, while the land development code allows only 20%, creating a conflict that needs resolution. The majority of the commission agreed that the 33.3% requirement is most suitable for the city.

The ordinance also addresses side setbacks, and walkway setbacks between docks, as well as allows the grandfathering of certain existing conditions with specific provisions as to such grandfathering.

ORDINANCE NO. 1686

AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SECTION 5-15, "STOPPING, PARKING, MOORING AND TOWING", OF ARTICLE I, "WATER SAFETY", OF CHAPTER 5, "BEACHES, FILLS, BOATS AND WATERWAYS", AND SECTION 3-28, "SEAWALLS AND WATERSIDE ACCESSORY STRUCTURES", OF ARTICLE III, "DEVELOPMENT AND CONSTRUCTION", OF CHAPTER 3, "DESIGN STANDARDS" OF APPENDIX B – LAND DEVELOPMENT CODE, AND BY ADDING A NEW SECTION 5-17, "GRANDFATHERING", OF ARTICLE I, "WATER SAFETY", OF CHAPTER 5, "BEACHES, FILLS, BOATS AND WATERWAYS" ALL OF THE COCOA BEACH CODE OF ORDINANCES, AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY the City Commission of the City of Cocoa Beach, Florida:

SECTION 1. Amendment. The current Section 5-15, "Stopping, parking, mooring and towing", of Article I, "Water Safety", of Chapter 5, "Beaches, fills, boats and waterways" of the Cocoa Beach Code of Ordinances is hereby amended to read as follows:

Sec. 5-15. Stopping, parking, mooring and towing.

- (a) It shall be a violation of this article for any person to leave any vehicle or trailer, apparatus or device used for towing or carrying a vessel, on the shore of the city in such a position as to obstruct the free and peaceful use of the surrounding shoreline or water's edge. No person shall leave such trailer, apparatus or device in such a position where it would be an obstruction or hazard to the flow of traffic or so as to prevent reasonable access to the shore or water's edge.
- (b) The operator of any vessel shall not moor, anchor, tie-up, or otherwise secure a vessel to any public sign, marker or buoy upon or beside the waters of the city.
- (c) A moored vessel, or combination of moored vessel and pier, slip, dock, boathouse or boat shelter, shall not project into any waterway more than ~~forty (40) feet or~~ thirty-three and one-third (33 1/3) feet ~~twenty (20)-per cent of the width of the waterway whichever is less.~~ The width of any waterway shall be measured from the upland (near) edge of the waterway at approximate mean water level (N.G.V.D. plus six tenths (0.6) feet), or from the bulkhead if such exists, across the waterway to the nearest of the opposite bulkhead, or if none exists, to the line of channel markers delineating the far side of the waterway or if not so marked, then to the point of minimum three (3) feet depth (at approximate mean water level) on the far side of the waterway. No vessel and pier, slip, dock, boathouse or boat shelter shall infringe upon a navigable channel as designed by channel marker(s). Nothing contained herein shall allow any projection of any vessel, dock or appurtenances, or combination thereof, that reduces the navigable width of the waterway (specifically those portions with depths of three (3) feet or more at approximate mean water level) to less than thirty-five (35) feet. No vessel shall be moored in such a manner as to infringe on equal right of access by adjoining property to the waterway.
- (d) Except under emergency conditions, it shall be a violation of this article for any person to moor, anchor, tie-up or otherwise secure a vessel in any waterway which would thereby restrict or endanger passage of another vessel.

SECTION 2. Amendment. The current Section 3-28, “Seawalls and waterside accessory structures”, of Article III, “Development and Construction”, of Chapter 3, “Design Standards” of Appendix B – Land Development Code, of the Cocoa Beach Code of Ordinances is hereby amended to read as follows:

Section 3-28. Seawalls and waterside accessory structures.

A. *Generally.* All seawalls and waterside accessory structures shall comply with the following:

1. Construction of any seawall or waterside accessory structure requires approval of a building permit.
 - a. A property boundary survey must be provided by the applicant with the permit application.
 - b. If, during inspection, the location of the property line relative to required setbacks cannot be determined, the inspection will be failed and an updated survey of the property corners will be required.
2. For properties affected by statewide coastal construction or aquatic preserve restrictions, an approved FDEP permit or written exemption is required prior to approval of a city building permit.
3. Structures along canals and rivers shall be constructed in accordance with requirements of this section and the standards of the Florida Building Code.
4. Tires shall not be affixed to any waterside structure.
5. Property owners shall not allow tidal waters entering their property, as a result of a deficient seawall or other shoreline stabilization, to impact adjacent properties or public rights-of-way.
6. Property owners in violation of any provision within this section shall be cited according to the provisions of the city code of ordinances chapter 30.
7. The datum used to determine elevation is the North American Vertical Datum of 1988 (NAVD88). For the purposes of this section only, for non-oceanfront properties the top of the barnacle line is assumed to have an elevation of zero, and may be used as a beginning point for measuring elevations.

B. *Seawalls.*

1. A seawall may be installed to protect land from water action and erosion, upon approval of a construction design and approval and issuance of a city building permit.
2. Construction of a replacement seawall shall be in its previous location or within one (1) foot of its previous location.
3. When a waterfront property contains a utility outfall pipe, construction of the seawall shall incorporate and accommodate the pipe in accordance with city construction standards and Florida Building Code.
4. The top surface of a seawall shall have a minimum elevation of three and nine tenths (3.9) feet NAVD88.
5. The top surface of a seawall shall have a maximum elevation of five (5) feet NAVD88 or equal to the base flood elevation (BFE) for the property, whichever is greater.
6. A maximum ground slope of 4:1 (four horizontal units to one vertical unit) shall be utilized for lands abutting a seawall.

7. Grading shall incorporate a water detention area to limit direct runoff into the waterway.
 8. Seawall improvements, repairs or renovations beyond fifty (50) percent of the value, as determined by the building official, shall meet the construction requirements provided within this section.
 9. All property owners shall maintain their seawalls in good repair. A seawall is presumed to be in disrepair if it allows for upland erosion, transfer of material through the seawall or allows tidal waters to flow unimpeded through the seawall to adjacent properties or public rights-of-way.
- C. *Living shoreline.* Shoreline stabilization through a living shoreline is considered an environmentally and economically viable choice. Natural vegetation is usually less expensive than other options, is resilient, protects the property from water and storm surge, and provides important habitat for aquatic life. Natural vegetation often facilitates accretion, which is the build-up of sediment along a shoreline and the opposite of erosion.
1. When a partial living shoreline installation involves a structure of any kind, approval of a city building permit is required.
 2. When a living shoreline involves the addition or removal of land material, approval of a city building permit is required.
 - a. The applicant shall submit an engineered site plan, which at a minimum must detail grading and drainage patterns for the site.
 - b. A dredge and fill permit may be required, if the site meets the criteria detailed in chapter IV article VIII. Such requirements are determined by the administrator.
 3. An approved permit or written authorization from Florida Department of Environmental Protection (FDEP) may be required.
- D. *Piers, docks, decks, boathouses and other waterside accessory structures.*
1. Applicability. These regulations shall apply to all residential and commercial piers, docks, decks, slips, davits, boathouses, boat lifts, boat shelters, mooring posts, piles and buoys, further known as waterside accessory structures.
 2. No waterside accessory structure shall project into any waterway more than twenty (20) percent of the width of the waterway to a maximum of thirty (30) feet.
 - a. The width of any waterway shall be determined by either of the following methods:
 - 1) As indicated on a survey.
 - 2) As determined from an aerial map using data provided by the Brevard County Property Appraiser.
 - b. For any construction projecting more than twenty (20) feet into any waterway the following provisions shall apply:
 - 1) The cumulative area of all waterside accessory structures projecting beyond twenty (20) feet into the waterway shall not exceed two hundred (200) square feet.
 - 2) The farthest projecting installation beyond twenty (20) feet shall be marked with reflectors, navigation lights, or reflective tape or paint.
 - c. The maximum height of any installed mooring posts, platforms, piles, or buoys shall not exceed an elevation of ten (10) feet NAVD88.

- d. The maximum height of any boathouse, boat lift, boat shelter, or shade structure shall not exceed eighteen (18) feet in elevation NAVD88.
 - 1) Shade structures shall be constructed in accordance with all building and fire code requirements, including those requirements for wind mitigation.
 - 2) Structures shall only consist of a roof and structural supports and shall not be partially or wholly enclosed with any structural elements.
 - 3) No boathouse or other waterside accessory structure shall be used as a dwelling.
- e. Side setbacks for any waterside accessory structure shall be twenty (20) percent of the lot width or ~~a minimum of fifteen (15) feet from any side property line.~~ whichever is less greater, unless a waiver of this setback by the adjacent property owner affected by the setback is signed and recorded among the public records of Brevard County to run with the adjacent property owner's land. Such waiver shall be in a form approved by the city attorney.
- . The property width shall be measured along the rear property line.
- f. A walkway, which projects no more than three (3) feet into the water, may be constructed with a minimum side setback of five (5) feet, unless a waiver of this setback by the adjacent property owner affected by the setback is signed and recorded among the public records of Brevard County to run with the adjacent property owner's land. Such waiver shall be in a form approved by the city attorney.
- g. Riparian rights, as defined in F.S. § 253.141, shall be maintained to allow ingress and egress.
 - 1) The area of riparian rights is located within the extension of the side property lines into the waterway to the ordinary high watermark.
 - 2) If the property configuration prevents the visual determination of riparian rights, a survey to determine such rights will be required.
 - 3) No waterside accessory structure shall be permitted to infringe on equal right of access by an adjoining property owner.
 - 4) If a waterside vehicle is docked or moored within fifteen (15) feet of the side property line, it shall be done so in such a manner that does not significantly impede docking or mooring at an adjacent property.
 - 5) Operation and mooring of all waterway vehicles shall be in compliance with the city Code of Ordinances chapter 5 article I.
 - 6) Waterway vehicle parking is permitted to encumber no more than one-third ($\frac{1}{3}$) of the width of the waterway.
- h. In no case shall waterside accessory structures be allowed within the front yard setback.
- i. All waterside accessory structures shall be maintained in a state of good repair and are subject to immediate removal, as determined by the city building official or code enforcement officer, if the structure becomes deteriorated or dilapidated.

SECTION 3. Addition. A new Section 5-17, "Grandfathering", is added to Article I, "Water Safety", of Chapter 5, "Beaches, fills, boats and waterways" of the Cocoa Beach Code of Ordinances to read as follows:

- (a) Notwithstanding the provisions of Sec. 5-15 or Sec. 3-28 of the Land Development Code, a waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel that was existing and located in the city on the date of the adoption of this ordinance on _____, may apply for the status of grandfathered.
- (b) The property owner, ("Grandfathering Applicant"), shall complete a Grandfathering Application as prescribed by the city, which shall be submitted under oath and upon penalty of perjury, and provide verifiable written proof of the existence of the waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel, as applicable, that the Grandfathering Applicant deems may not be in full compliance with any portion of either Sec. 5-15 or Sec. 3-28, or both.
- (c) The Grandfathering Application and supporting proof shall be submitted to the city for review by city staff, and such staff shall make a written determination as to the compliance of the application with the provisions of this ordinance.
- (d) If the city staff fails to confirm the qualification for grandfathering, the city staff shall notify the Grandfather Applicant of that fact, and the basis for the denial in writing.
- (e) Within twenty (20) days after such notice, an evidentiary hearing may be requested by the Grandfather Applicant before the Special Magistrate to provide the Grandfather Applicant an opportunity to provide evidence and/or testimony in support of the grandfathering requested. A determination by the Special Magistrate after such evidentiary hearing shall be final agency action. If no hearing is requested during that time period, the Grandfathering Application shall be deemed denied.
- (f) An application for grandfathering shall be submitted, if at all, by no later than one (1) year after the adoption of this ordinance on _____.
- (g) Once a Grandfathering Application is approved, the waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel that was existing and located in the city on the date of the adoption of this ordinance on _____, may continue and shall be deemed to be a non-conforming condition. Such non-conforming condition can be maintained, repaired and/or replaced, but if such non-conforming condition is abandoned for a period of six (6) months or more, such non-conforming condition cannot be rebuilt or replaced except in full conformity with the provisions of Sec. 5-15 or Sec. 3-28, as applicable. In no event shall a non-conforming condition be increased in any way.

SECTION 3. Codification. Sections 1, 2 and 3 shall be codified as, and become and be made a part of the Code of Ordinances of the City of Cocoa Beach. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Severability. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance, is contrary to law, or against public policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this ordinance, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Ordinance, which shall remain in full

force and effect. This ordinance shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this ordinance as expressed herein.

SECTION 6. Effective Date. This ordinance shall become effective upon its adoption.

Upon Motion by Commissioner _____, seconded by Commissioner _____, this Ordinance was duly adopted at a Regular Meeting of the City Commission of the City of Cocoa Beach, Florida, held on the ____ day of _____, 2023.

Ayes: _____
Nays: _____
Absent or Abstaining _____

Keith Capizzi
Mayor-Commissioner

ATTEST:

Karen Groom
City Clerk

First Reading: _____
Date Posted: _____
Date Published: _____

Sec. 5-15. Stopping, parking, mooring and towing.

- (a) It shall be a violation of this article for any person to leave any vehicle or trailer, apparatus or device used for towing or carrying a vessel, on the shore of the city in such a position as to obstruct the free and peaceful use of the surrounding shoreline or water's edge. No person shall leave such trailer, apparatus or device in such a position where it would be an obstruction or hazard to the flow of traffic or so as to prevent reasonable access to the shore or water's edge.
 - (b) The operator of any vessel shall not moor, anchor, tie-up, or otherwise secure a vessel to any public sign, marker or buoy upon or beside the waters of the city.
 - (c) A moored vessel, or combination of moored vessel and pier, slip, dock, boathouse or boat shelter, shall not project into any waterway more than forty (40) feet or thirty-three and one-third (33 1/3) per cent of the width of the waterway, whichever is less. The width of any waterway shall be measured from the upland (near) edge of the waterway at approximate mean water level (N.G.V.D. plus six tenths (0.6) feet), or from the bulkhead if such exists, across the waterway to the nearest of the opposite bulkhead, or if none exists, to the line of channel markers delineating the far side of the waterway or if not so marked, then to the point of minimum three (3) feet depth (at approximate mean water level) on the far side of the waterway. No vessel and pier, slip, dock, boathouse or boat shelter shall infringe upon a navigable channel as designed by channel marker(s). Nothing contained herein shall allow any projection of any vessel, dock or appurtenances, or combination thereof, that reduces the navigable width of the waterway (specifically those portions with depths of three (3) feet or more at approximate mean water level) to less than thirty-five (35) feet. No vessel shall be moored in such a manner as to infringe on equal right of access by adjoining property to the waterway.
 - (d) Except under emergency conditions, it shall be a violation of this article for any person to moor, anchor, tie-up or otherwise secure a vessel in any waterway which would thereby restrict or endanger passage of another vessel.
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Section 3-28. Seawalls and waterside accessory structures.

- A. *Generally.* All seawalls and waterside accessory structures shall comply with the following:
 - 1. Construction of any seawall or waterside accessory structure requires approval of a building permit.
 - a. A property boundary survey must be provided by the applicant with the permit application.
 - b. If, during inspection, the location of the property line relative to required setbacks cannot be determined, the inspection will be failed and an updated survey of the property corners will be required.
 - 2. For properties affected by statewide coastal construction or aquatic preserve restrictions, an approved FDEP permit or written exemption is required prior to approval of a city building permit.
 - 3. Structures along canals and rivers shall be constructed in accordance with requirements of this section and the standards of the Florida Building Code.
 - 4. Tires shall not be affixed to any waterside structure.
 - 5. Property owners shall not allow tidal waters entering their property, as a result of a deficient seawall or other shoreline stabilization, to impact adjacent properties or public rights-of-way.
 - 6. Property owners in violation of any provision within this section shall be cited according to the provisions of the city code of ordinances chapter 30.

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7. The datum used to determine elevation is the North American Vertical Datum of 1988 (NAVD88). For the purposes of this section only, for non-oceanfront properties the top of the barnacle line is assumed to have an elevation of zero, and may be used as a beginning point for measuring elevations.

B. *Seawalls.*

1. A seawall may be installed to protect land from water action and erosion, upon approval of a construction design and approval and issuance of a city building permit.
2. Construction of a replacement seawall shall be in its previous location or within one (1) foot of its previous location.
3. When a waterfront property contains a utility outfall pipe, construction of the seawall shall incorporate and accommodate the pipe in accordance with city construction standards and Florida Building Code.
4. The top surface of a seawall shall have a minimum elevation of three and nine tenths (3.9) feet NAVD88.
5. The top surface of a seawall shall have a maximum elevation of five (5) feet NAVD88 or equal to the base flood elevation (BFE) for the property, whichever is greater.
6. A maximum ground slope of 4:1 (four horizontal units to one vertical unit) shall be utilized for lands abutting a seawall.
7. Grading shall incorporate a water detention area to limit direct runoff into the waterway.
8. Seawall improvements, repairs or renovations beyond fifty (50) percent of the value, as determined by the building official, shall meet the construction requirements provided within this section.
9. All property owners shall maintain their seawalls in good repair. A seawall is presumed to be in disrepair if it allows for upland erosion, transfer of material through the seawall or allows tidal waters to flow unimpeded through the seawall to adjacent properties or public rights-of-way.

C. *Living shoreline.* Shoreline stabilization through a living shoreline is considered an environmentally and economically viable choice. Natural vegetation is usually less expensive than other options, is resilient, protects the property from water and storm surge, and provides important habitat for aquatic life. Natural vegetation often facilitates accretion, which is the build-up of sediment along a shoreline and the opposite of erosion.

1. When a partial living shoreline installation involves a structure of any kind, approval of a city building permit is required.
2. When a living shoreline involves the addition or removal of land material, approval of a city building permit is required.
 - a. The applicant shall submit an engineered site plan, which at a minimum must detail grading and drainage patterns for the site.
 - b. A dredge and fill permit may be required, if the site meets the criteria detailed in chapter IV article VIII. Such requirements are determined by the administrator.
3. An approved permit or written authorization from Florida Department of Environmental Protection (FDEP) may be required.

D. *Piers, docks, decks, boathouses and other waterside accessory structures.*

1. Applicability. These regulations shall apply to all residential and commercial piers, docks, decks, slips, davits, boathouses, boat lifts, boat shelters, mooring posts, piles and buoys, further known as waterside accessory structures.
2. No waterside accessory structure shall project into any waterway more than twenty (20) percent of the width of the waterway to a maximum of thirty (30) feet.

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- a. The width of any waterway shall be determined by either of the following methods:
 - 1) As indicated on a survey.
 - 2) As determined from an aerial map using data provided by the Brevard County Property Appraiser.
 - b. For any construction projecting more than twenty (20) feet into any waterway the following provisions shall apply:
 - 1) The cumulative area of all waterside accessory structures projecting beyond twenty (20) feet into the waterway shall not exceed two hundred (200) square feet.
 - 2) The farthest projecting installation beyond twenty (20) feet shall be marked with reflectors, navigation lights, or reflective tape or paint.
 - c. The maximum height of any installed mooring posts, platforms, piles, or buoys shall not exceed an elevation of ten (10) feet NAVD88.
 - d. The maximum height of any boathouse, boat lift, boat shelter, or shade structure shall not exceed eighteen (18) feet in elevation NAVD88.
 - 1) Shade structures shall be constructed in accordance with all building and fire code requirements, including those requirements for wind mitigation.
 - 2) Structures shall only consist of a roof and structural supports and shall not be partially or wholly enclosed with any structural elements.
 - 3) No boathouse or other waterside accessory structure shall be used as a dwelling.
 - e. Side setbacks for any waterside accessory structure shall be twenty (20) percent of the lot width or fifteen (15) feet from any side property line., whichever is less , unless a waiver of this setback by the adjacent property owner affected by the setback is signed and recorded among the records of Brevard County to run with the adjacent property owner's land. Such waiver shall be in a form approved by the city attorney.
 - . The property width shall be measured along the rear property line.
 - f. A walkway, which projects no more than three (3) feet into the water, may be constructed with a minimum side setback of five (5) feet, unless a waiver of this setback by the adjacent property owner affected by the setback is signed and recorded among the records of Brevard County to run with the adjacent property owner's land. Such waiver shall be in a form approved by the city attorney.
 - g. Riparian rights, as defined in F.S. § 253.141, shall be maintained to allow ingress and egress.
 - 1) The area of riparian rights is located within the extension of the side property lines into the waterway to the ordinary high watermark.
 - 2) If the property configuration prevents the visual determination of riparian rights, a survey to determine such rights will be required.
 - 3) No waterside accessory structure shall be permitted to infringe on equal right of access by an adjoining property owner.
 - 4) If a waterside vehicle is docked or moored within fifteen (15) feet of the side property line, it shall be done so in such a manner that does not significantly impede docking or mooring at an adjacent property.
 - 5) Operation and mooring of all waterway vehicles shall be in compliance with the city Code of Ordinances chapter 5 article I.

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- 6) Waterway vehicle parking is permitted to encumber no more than one-third ($\frac{1}{3}$) of the width of the waterway.
 - h. In no case shall waterside accessory structures be allowed within the front yard setback.
 - i. All waterside accessory structures shall be maintained in a state of good repair and are subject to immediate removal, as determined by the city building official or code enforcement officer, if the structure becomes deteriorated or dilapidated.
-

Grandfather provision that would not be codified, but would apply to both of the above provisions:

- (a) Notwithstanding the provisions of Sec. 5-15 or Sec. 3-28, a waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel that was existing and located in the city on the date of the adoption of this ordinance (LIST DATE), may apply for the status of grandfathered.
- (b) The property owner, ("Grandfathering Applicant"), shall complete a Grandfathering Application as prescribed by the city, which shall be submitted under oath and upon penalty of perjury, and provide verifiable written proof of the existence of the waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel, as applicable, that the Grandfathering Applicant deems may not be in full compliance with any portion of either Sec. 5-15 or Sec. 3-28, or both.
- (c) The Grandfathering Application and supporting proof shall be submitted to the city for review by city staff, and such staff shall make a written determination as to the compliance of the application with the provisions of this ordinance.
- (d) If the city staff fails to confirm the qualification for grandfathering, the city staff shall notify the Grandfather Applicant of that fact, and the basis for the denial in writing.
- (e) Within twenty (20) days after such notice, an evidentiary hearing may be requested by the Grandfather Applicant before the Special Magistrate to provide the Grandfather Applicant an opportunity to provide evidence and/or testimony in support of the grandfathering requested. A determination by the Special Magistrate after such evidentiary hearing shall be final agency action. If no hearing is requested during that time period, the Grandfathering Application shall be deemed denied.
- (f) An application for grandfathering shall be submitted, if at all, by no later than one (1) year after the adoption of this ordinance (INSERT DATE).
- (g) Once a Grandfathering Application is approved, the waterside accessory structure, seawall or moored vessel, or combination of waterside accessory structure and moored vessel that was existing and located in the city on the date of the adoption of this ordinance (LIST DATE), may continue and shall be deemed to be a non-conforming condition. Such non-conforming condition can be maintained, repaired and/or replaced, but if such non-conforming condition is abandoned for a period of six (6) months or more, such non-conforming condition cannot be rebuilt or replaced except in full conformity with the provisions of Sec. 5-15 or Sec. 3-28, as applicable. In no event shall a non-conforming condition be increased in any way.



Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Adrienne Adams
Attn: City Clerk T/S 473
City Of Cocoa Bch/Mkt & Adv
Po Box 322430
Cocoa Beach FL 32932-2430

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

02/01/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/01/2024

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

Publication Cost: \$157.25

Order No: 9766503

of Copies:

Customer No: 1127305

1

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Please do not use this form for payment remittance.

NANCY HEYRMAN
Notary Public
State of Wisconsin

Ad#9766503, 02/01/2024
THE CITY OF COCOA BEACH,
FLORIDA
PUBLIC NOTICE

NOTICE IS HEREBY GIVEN in accordance with the provisions of Chapter 166 Florida Statutes that the City Commission for the City of Cocoa Beach has scheduled a **PUBLIC HEARING** for the adoption of the following Ordinances into Law on February 15, 2024, at 7:00 P.M. or as soon thereafter as the matter may be heard. These Ordinances were scheduled for First Reading on January 18, 2024, at 7:00 P.M. The Public Hearings will be held in the Auditorium at the Cocoa Beach Country Club, 5000 Tom Warriner Blvd., Cocoa Beach, Florida. A copy of this proposed Ordinance is on file in the office of the City Clerk and may be viewed during regular working hours. A copy of the Ordinance is linked for Public Inspection, on the City's website at www.cityofcocoa-beach.com (attached to the meeting agendas) and this notice is posted on the Municipal Building Bulletin Board. This is a Public Meeting. Interested parties may appear at said Public Hearing and be heard with respect to the adoption of this proposed Ordinance. Any interested party seeking any decision made by the City Commission, with respect to any matter considered at this Public Hearing, will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ORDINANCE NO. 1686

AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SECTION 5-15, "STOPPING, PARKING, MOORING AND TOWING", OF ARTICLE I, "WATER SAFETY", OF CHAPTER 5, "BEACHES, FILLS, BOATS AND WATERWAYS", AND SECTION 3-28, "SEAWALLS AND WATERSIDE ACCESSORY STRUCTURES", OF ARTICLE III, "DEVELOPMENT AND CONSTRUCTION", OF CHAPTER 3, "DESIGN STANDARDS" OF APPENDIX B - LAND DEVELOPMENT CODE, AND BY ADDING A NEW SECTION 5-17, "GRANDFATHERING", OF ARTICLE I, "WATER SAFETY", OF CHAPTER 5, "BEACHES, FILLS, BOATS AND WATERWAYS" ALL OF THE COCOA BEACH CODE OF ORDINANCES, AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Karin Grooms, City Clerk
Posted: January 8, 2024

City of Cocoa Beach Commission
Agenda Item Summary (Adopted on January 2014)

1. **DEPARTMENT MAKING REQUEST/NAME:** CITY COMMISSION

2. **MEETING DATE:**
2/15/24

3. **REQUESTED MOTION/ACTION** (SUMMARY THAT WILL APPEAR ON THE AGENDA):

Adopt Ordinance 1687 on first reading, An Ordinance of the City of Cocoa Beach, Florida, adopting a new article II, "Special Budget Funds", and a new section 2-11 of that article II, "Capital Projects Fund", of Chapter 2, "Administration", providing for the establishment and funding of a capital projects fund, of the Cocoa Beach Code of Ordinances, and providing for codification, conflicts, severability, and an effective date.

4. **AGENDA**

STAFF PRESENTATION	☐
CONSENT	☐
SITE PLAN CONSENT	☐
UNFINISHED BUSINESS	☐
NEW BUSINESS	☒

5. **IS THIS ITEM BUDGETED (IF APPLICABLE)?:** YES ☐ NO ☒ **IF NO, CITY ACTION REQUIRED** ☒ N/A
DETAILED ANALYSIS ATTACHED?: YES ☐ NO ☒

BACKGROUND: (WHY IS THE ACTION NECESSARY, WHAT ACTION WILL BE ACCOMPLISHED, (WHO, WHERE, WHEN & HOW)

At the meeting on January 15, 2024, the City Attorney was requested to draft an ordinance regarding a Capital Projects Fund.

ORDINANCE NO. 1687

AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING A NEW ARTICLE II, "SPECIAL BUDGET FUNDS", AND A NEW SECTION 2-11 OF THAT ARTICLE II, "CAPITAL PROJECTS FUND", OF CHAPTER 2, "ADMINISTRATION", PROVIDING FOR THE ESTABLISHMENT AND FUNDING OF A CAPITAL PROJECTS FUND, OF THE COCOA BEACH CODE OF ORDINANCES, AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREFORE, the City Commission of the City of Cocoa Beach finds that setting aside funds each year for future capital projects is in the best interest of the City and its residents; and

WHEREFORE, the City Commission understands that future capital projects will be needed to serve the requirements of the City and its residents, and it is in the best interests of the City to set aside funds on a yearly basis in anticipation of such future needs; and

WHEREFORE, the City Commission wishes to establish a Capital Projects Fund into which the City Commission will allocate funds each year during the budget process so as to accumulate funds for future capital projects of the City.

NOW, THEREFORE, BE IT ORDAINED BY the City Commission of the City of Cocoa Beach, Florida:

SECTION 1. Findings. The above Whereas provisions are true and they shall collectively be considered the legislative intent of this Ordinance.

SECTION 2. Adoption. A new Article II, "Special Budget Funds", and a new Section 2-11, "Capital Projects Fund", of that new Article II, of Chapter 2, "Administration", is hereby adopted to read as follows:

Sec. 2-11. Capital Projects Fund

- (a) A Capital Projects Fund (hereinafter "CPF") is hereby established. The CPF shall be a reserve budget account of the city budget. Funds in the CPF shall only be used for the following purposes:
 - (1) Pay towards capital projects in the city when the city commission affirmatively finds by resolution that the project for which the funds will be expended conforms to the definition of "capital project" as set forth hereinafter; or
 - (2) Pay towards the reduction of debt owed by the city when the interest rate of the debt exceeds the amount of interest the city can earn by leaving the funds in the CPF.
- (b) Each year during the budgeting process, the city commission shall consider funding the CPF. In the budget year 2023-2024, the CPF shall receive \$500,000 from excess funds in that budget. In each succeeding budget year, the city commission shall endeavor (but will not be required) to budget approximately three percent (3%) of the City's total budget to the CPF.
- (c) For purposes of this section, the term "capital project" shall mean the construction of

a new or replacement building, amenity, or facility of the city, including but not limited to, a city hall, a fire station, or a marina. Capital project shall not be construed to mean the renovation, repair, or refurbishment of a building, amenity or facility of the city.

SECTION 3. Codification. Section 2 of this ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Cocoa Beach. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 4. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Severability. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance, is contrary to law, or against public policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Ordinance shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this ordinance, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Ordinance, which shall remain in full force and effect. This ordinance shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this ordinance as expressed herein.

SECTION 6. Effective Date. This ordinance shall become effective upon its adoption.

Upon Motion by Commissioner _____, seconded by Commissioner _____, this Ordinance was duly adopted at a Regular Meeting of the City Commission of the City of Cocoa Beach, Florida, held on the ____ day of _____, 2024.

Ayes: _____
Nays: _____
Absent or Abstaining _____

Keith Capizzi
Mayor-Commissioner

ATTEST:

Karen Groom
City Clerk

First Reading: _____
Date Posted: _____
Date Published: _____