

City of Cocoa Beach

City Hall
5000 Tom Warriner Boulevard
Cocoa Beach, Florida 32931
www.cityofcocoa beach.com



Meeting Agenda

Thursday, November 16, 2023

07:00 P.M.

REGULAR

Cocoa Beach Country Club - 5000 Tom Warriner Boulevard, Cocoa Beach

WELCOME

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

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

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

- **Speaking Courtesy Rules:**

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

Approval Of Order Of Business:

Note: Members of the public, Commission and Staff may remove items from the Consent Agendas, if they wish to discuss them. Requests for removal need to be made known to

the City Commission under the Approval of the Order of Business, at the beginning of the meeting

Appealing a Decision:

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

American with Disabilities Act:

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

THANK YOU for participating in your Cocoa Beach City Government.

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance
2. Invocation by Pastor Keith Capizzi, Club Zion Community Church
3. Roll Call

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

Agenda

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

D. STAFF REPORTS AND ANNOUNCEMENTS

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

G. CONSENT AGENDA

1. Approve the September 6, 2023, Commission Meeting Minutes.
Representative: City Clerk Department
Recommendation: Approve

September 6, 2023 Meeting Minutes

2. Approve the following grounds maintenance contract renewals which expire on November 30, 2023, for one year extensions, with an option for price increases:

Grounds Maintenance Renewal Agenda

- a) Robert Potts Lawn Care, LLC.; Robert Potts Lawn Care LLC is requesting a 5% increase with the contract renewal, and

Robb Potts Fully Executed Contract

Robb Potts Amendment #1

Robb Potts Amendment #2 - Extension and Price Increase

- b) Lawns by Scott Inc.
These contracts are budgeted items.
Representatives: Robert Torres, Public Works Director
Recommendation: Approve

Lawns by Scott - Fully Executed Contract

Lawns By Scott Amendment #1

Lawns By Scott Amendment #2 - Extension

3. In reference to the Cocoa Beach Golf Muck Capping Project, CB20 003, with Geosyntec Consultants, approve:

- a) Amendment #2 to:

- 1) correct a scrivener's error, created in Amendment #1, to allow for future renewals of the contract and

Golf Course Dredging Capping Agenda Item

- 2) extend the length of the contract to January 1, 2024, to match the timeline of the project, which is expected to be five years.

Golf Course Muck Dredging Capping - Geosyntec Amendment #2 Updated

- b) Execution of Task Order #6, for Engineering Design Services.
This is a budgeted item.
Representatives: Walker Dawson, Stormwater Manager; Martha Horak, Purchasing and Contracts Administrator; Wayne Carragino Assistant to City Manager
Recommendation: Approve

Geosyntec Memo

Biosolids Residual Handling Recommendation of Award

Cocoa Beach Golf Amendment

Service Contract

Final Executed Contract

4. Appoint
a) James Keith Capizzi to the ~~Land Management Committee~~ Sustainability Committee

(taking the place of Jamie Glasner) for a term expiring January 15, 2025
(Commissioner Joshua Jackson, Seat 2) (Amended 11-13-23)

b) Jamie Glasner to the Sustainability Committee for a term expiring January 15, 2025,
(taking the place of Jim Torpey) for a term expiring January 15, 2025 (Mayor Keith
Capizzi, Seat 1) Added 11-13-23)

Representative: ~~Joshua Jackson, Commissioner~~ City Commission
Recommendation: Approve

5. Designate the time for the 2024 City Commission meetings as follows: Regular Commission meetings will start at 7 PM; Work Sessions will start at 6:00 PM. City Charter Section 2.12 states that the dates and times of regular meetings of the Commission shall be established by ordinance. City Code Section 2-1 adopts the ordinance required by the Charter and states that regular meetings shall be held on the first and third Thursday of each month, commencing at a time designated annually by the City Commission during the first Commission meeting held each December.
Representative: City Commission
Recommendation: Approve

Meeting Times Memo

6. In reference to the December 2023, City Commission meetings:
- a) Hold one meeting in December 2023, either on December 7, 2023, or December 14, 2023, based on business to be conducted and at the City Manager's discretion.
 - b) Cancel the December 21, 2023 City Commission meeting.
Representative: City Manager
Recommendation: Approve
7. Approve the City participating in the Brevard County Public Schools collaboration Joint Work Session. The following topics may be discussed: employee retention/recruitment; growth management; joint use of facilities; afterschool programs; sports programs; cross advertisement; service-learning; leadership Initiatives with elected officials; educational tours; newest issues related to Schools/City/County; School/business locations; and partnerships.
Representative: Robin Hayes, City Manager
Recommendation: Approve

Brevard County School Collaboration

8. Adopt Resolution 2023-18 - A Resolution of the City Commission of the City of Cocoa Beach of Brevard County, Florida; authorizing the City Manager to execute Highway Maintenance Memorandum of Agreement contract number ASX18 with the Florida Department of Transportation; providing for an effective date. The current contract expires on February 5, 2024. Per the new contract, FDOT will pay the City \$35,365 per year for performing routine maintenance on State Road A-1-A of all FDOT right-of-way shoulders and landscaped and turfed areas. FDOT will also pay the City an additional \$4,367 for maintenance of the medians on State Road 520.
Representative: Robert Torres, Public Works Director
Recommendation: Approve

Agenda Item Memo

Resolution NO. 2023-18

Final MOA

9. Approve the five (5) year Mutual Aid Agreement between the City of Cocoa Beach and Patrick Space Force Base for Fire Department assistance. This Agreement secures to each party mutual aid in fire protection services.

Representative: Ryan Duckworth, Fire Chief
 Recommendation: Approve

Mutual Aid Agreement Agenda Item

Mutual Aid Agreement

10. Approve Task Order 4, Scope of Work by Jacobs Engineering, to perform a Collection System Odor and Corrosion Evaluation to assist the City with developing a plan for evaluating potential solutions to mitigate H2S gas issues at Port Canaveral Lift Station 17, Port Canaveral Master Lift Station, and City of Cocoa Beach Lift Station 5 in the amount of \$54,267.04. Expenses for work performed on Canaveral Port Authority property will initially be expended from the Utilities Contingency Funds and will be reimbursed to the City per the City's Maintenance Contract with the Port.
 Representative: Brad Kalsow, Water Reclamation Director
 Recommendation: Approve

Collection System Odor and Corrosion Evaluation Agenda Item Memo

Collection System Odor and Corrosion Evaluation Task Order

11. Adopt Resolution No. 2023-19 - A Resolution of the City of Cocoa Beach, Florida, adopting an amendment to the annual operating budget for Fiscal Year 2023-2024 which begins October 1, 2023 and ends September 30, 2024, including adjustments for revenues and expenditures; providing for legislative findings and intent; providing for implementing administrative actions by the City Manager; and providing for scrivener's errors, conflicts, severability, and effective date.
 Representative: Patrisha Draycott, Chief Financial Officer
 Recommendation: Approve

Resolution 2023-19

Budget Adjustment Chart 2023-2024

12. Approve the renewal of the Microsoft Enterprise Licensing Agreement, encompassing Microsoft services such as emails, servers and desktops. This is a budgeted item.
 Representative: Kevin Perez, IT Director
 Recommendation: Approve

Microsoft Agenda Item Memo

Program Licensing Form

Microsoft Pricing Quote

H. ITEMS REMOVED FROM THE CONSENT AGENDA

I. UNFINISHED BUSINESS

1. Review and discuss proposed changes to Section 15-39, "Certain sales and leases along the ocean beach park are Prohibited, except pursuant to a license agreement," which sets regulations for beach vendors.
 Representative: Tanja McCoy, Development Services Director
 Recommendation: Consider

Beach Business Agenda Summary

Beach License Agreement - clean

Beach License Agreement - redline

J. NEW BUSINESS

1. Appoint a City Commissioner representative to the Space Coast League of Cities to transmit to the Space Coast League by December 22, 2023. The next League meeting is scheduled for January 8, 2024. In 2023, Commissioner Woulas (Seat 3) was the Voting Delegate, and Commissioner Hutcherson (Seat 5) was the Alternate.
Representative: City Commission
Recommendation: Appoint Voting Delegate(s)

2024 Appointment of League Voting Delegate Director Form

2. Approve entering into contract negotiations with L7 Construction Inc., as recommended by City Engineering Consultants, Mead & Hunt, to perform work on the Biosolids Residuals Handling Improvements Project CB23-002 in the amount of \$ 2,980,700. The Biosolids Residuals Handling Improvements Project is to remove and replace the existing sludge dewatering belt filter presses, replace the existing sludge conveyance system and the sludge fee pumps with progressive pumps. Authorize City Manager to execute contract after negotiations. This is a budgeted item.
Representative: Brad Kalsow, Water Reclamation Director
Recommendation: Approve

Biosolids Residuals Handling Improvement ProjectBiosolids Residual Handling Final Design Report

3. ~~Consider Resolution No. 2023-14 – A Resolution of the City of Cocoa Beach, Florida, authorizing the City of Cocoa Beach's intent to use the uniform method of collecting non-ad valorem assessments; determining the necessity of such assessments; providing directions to the Clerk; and providing for severability and an effective date. The 2024 Stormwater Master Plan update recommended that the City move the stormwater utility assessments billing and collection, from a monthly utility bill, to a uniform method of collecting non-ad valorem assessments, the annual tax bill. The benefits include an increased collection rate, use of the Brevard County Property Appraiser tax roll data, and a more economical/efficient process
Representative: Walker Dawson, Stormwater Manager
Recommendation: Consider Item was removed from the agenda on 11.13.2023.~~

Resolution of Intent - Utility AssessmentsStormwater fee collection**K. GENERAL PUBLIC COMMENT (Only if not accommodated in the 30-minute Public Comment period earlier)****L. ADJOURNMENT**