



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

March 6, 2015

M E M O R A N D U M

TO: Scott Knox, County Attorney Attn: Morris Richardson

RE: Item VII.B., Request for Approval to File Injunction Action Against Cocoa Expo

The Board of County Commissioners, in regular session on March 5, 2015, directed you to file an action seeking an injunction requiring the Cocoa Expo to cease and desist the current baseball game event, and prohibiting any other such events or use of the facilities until such time as all required inspections have been performed, permits have been issued, and the Cocoa Expo is in compliance with all County regulations and the conditions of the approved Binding Development Plan.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

cc: County Manager
Each Commissioner
Planning and Development Director



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

TO: Board of County Commissioners
FROM: Morris Richardson, Assistant County Attorney
THRU: Scott Knox, County Attorney
SUBJECT: Cocoa Expo – Request for Approval to File Injunction Action
DATE: March 5, 2015

The Cocoa Expo applied for a special event permit for baseball games to be held on March 4, 2015 through March 9, 2015. The special event permit was denied because the site is not yet ready to accommodate the public, as established by the following:

1. There have been no final life safety inspections (fire alarm, fire sprinkler, automatic extinguishers) on any structure and the fire alarm permit for the stadium has not been approved.
2. This is an active construction site.
3. The site entryways have not been constructed.
4. The parking lot has not been constructed. The curbing is in place, along with the base rock. However, no asphalt has been installed creating trip hazards.
5. There are multiple stockpiles on site including an approximately 30' high stockpile of dirt.
6. The site has not been inspected for ADA compliance on site.
7. Concrete stormwater drainage pipe is currently being installed in the Friday Road right-of-way, which includes heavy equipment actively running.
8. No grates have been installed on any drop inlets.
9. There are several stormwater pipes that had initially been installed that do not meet code and are targeted to be removed and replaced.
10. The public sidewalk along Friday Road has not been constructed.
11. There are no functional bathroom facilities.
12. No final as-built survey has been submitted.
13. No final inspections have been conducted or CO's issued.







Special Event Permit Application #772

Special Event Permit Application Sponsor and Contact Information

Event Sponsor: Cocoa Expo Sports Center
Contact First Name: Scott **Contact Last Name:** Norwood
Contact Phone #: (321) 639-3976 **Contact Email:** admin@cocoaexpo.com

Event Property Owner Information

Owner Permission: Yes, Owner Permission for Property Use Received
Owner First Name: **Owner Last Name:**
Owner Address: 500 Friday Rd
 Cocoa, FL 32926

Event Information

Event Title: Cocoa Expo Classic
Event Address: 500 Friday Rd
 Cocoa, FL 32926 **Special Event Type:** Other
Public Event: No, Private Event
Approx. Numbers: 0 Event Rides 0 Event Booths 0 Event Food Booths

There were no event tents listed for this special event permit application.

Outdoor Music? No Outdoor Music

Event Start Date: 3/4/2015 **Event End Date:** 3/4/2015
Event Length: 6 Days

The start and end Times for each Event Day are listed below.

Event Date	Event Start/End Time
Wednesday, March 04, 2015	9:00:00 AM - 9:00:00 PM

Direct Complaints To: Scott Norwood **Phone Number for Complaints:** (321) 639-3976

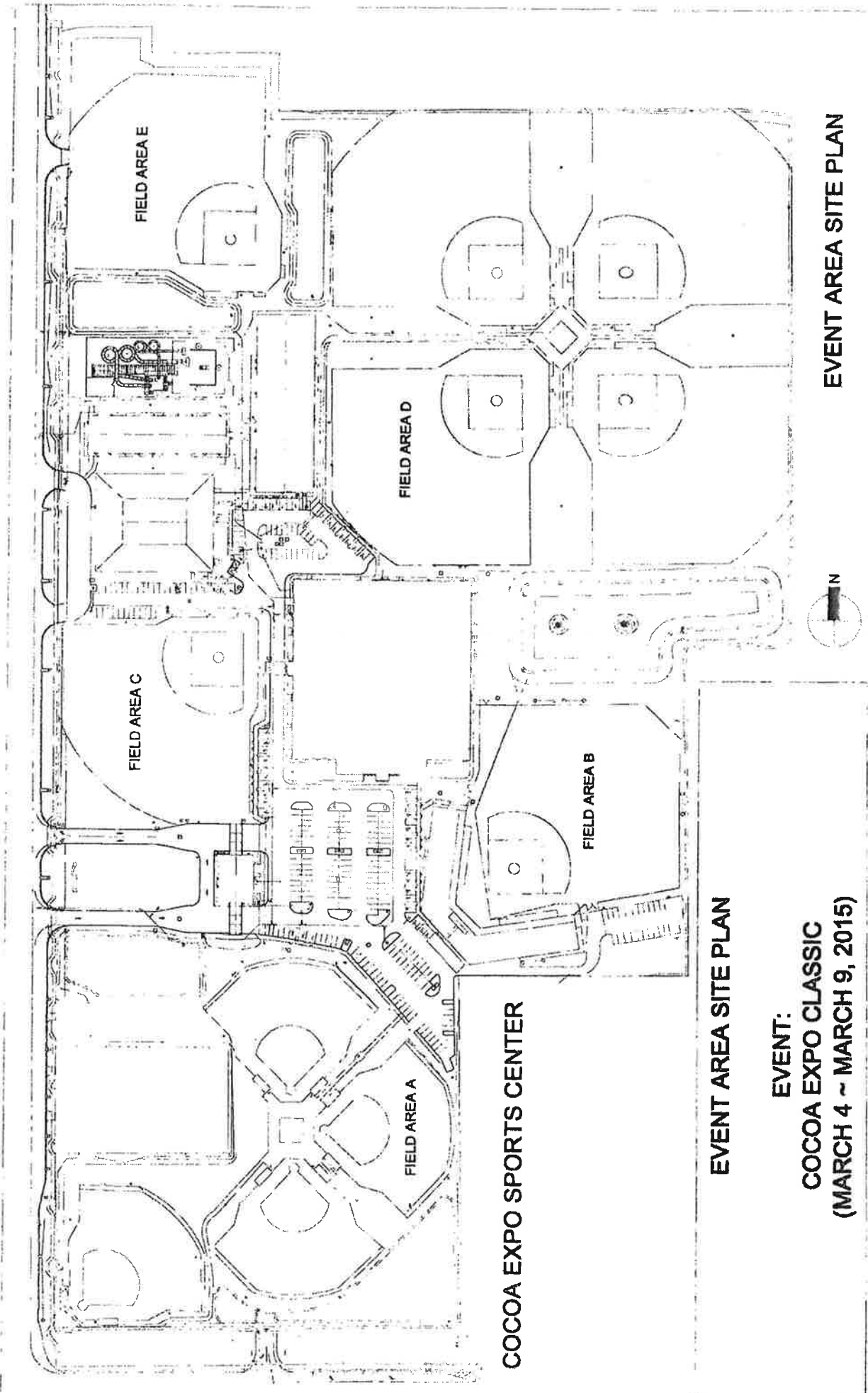
Alcoholic Beverages: No Alcoholic Beverages **Patrons/Day Count:** 100 Patrons/Day
Admission Fee: No Admission Fee **Parking Fee:** No Parking Fee
Power Sources: Temporary Power Pole **Drinking Water:** Portable Water Cooler

Parties Operating/Conducting Event Rides, Games, Booths, or Devices List

There were no event vendors listed for this special event permit application.

Event Sewage/Portable Toilets Information

Provision For Sewage Existing Permanent



COCOA EXPO SPORTS CENTER

EVENT AREA SITE PLAN

EVENT AREA SITE PLAN

**EVENT:
COCOA EXPO CLASSIC
(MARCH 4 ~ MARCH 9, 2015)**

Grivas, Bessie

From: Swanson, Devin A
Sent: Tuesday, March 03, 2015 5:21 PM
To: Grivas, Bessie
Cc: Gumm, Corrina; Denninghoff, John P
Subject: RE: COCOA EXPO SPECIAL EVENT #772

Bessie, Traffic Eng. is denying this request at this time, due to not completed construction and existing site conditions.

Thank You,

Devin

Devin A. Swanson, Engineer II
Brevard County Public Works Department
Traffic Operations Program
2725 Judge Fran Jamieson Way; Bldg. A Rm. 211
Viera, Fl. 32940
Office (321) 633-2077
Fax (321) 633-2083
devin.swanson@brevardcounty.us

From: Grivas, Bessie
Sent: Tuesday, March 03, 2015 1:26 PM
To: Visco, Gerard; Swanson, Devin A; Gumm, Corrina; Carter, Douglas D; Scates, Franklin B; Vilella, Gerald; Martin, Warren M; Brock, Melissa L; Fox, Cynthia C; Mock, Susan M; Grivas, Bessie; Bowen, Diane
Cc: Denninghoff, John P; Sobrino, Robin M
Subject: COCOA EXPO SPECIAL EVENT #772
Importance: High

Good afternoon all,

The Cocoa Expo has applied for a special event permit for baseball games to be held on March 4, 2015 thru March 9, 2015.

This special event is being distributed out of the automated system so we can gather all approvals and denials collectively.

Please approve or deny through this email.

Thank you,
Bessie

Bessie Grivas
Executive Secretary
Brevard County/Planning & Development
321-633-2069 P
321-633-2074 F

Grivas, Bessie

From: Carter, Douglas D
Sent: Tuesday, March 03, 2015 4:14 PM
To: Grivas, Bessie
Cc: Scates, Franklin B
Subject: RE: COCOA EXPO SPECIAL EVENT #772

Disapproved. There have been no life safety inspections on the stadium and the fire alarm permit is not approved.

Douglas Carter, CFPS
Assistant Fire Marshal
Brevard County Fire Rescue
(321) 637-5660 x 56369

Working Smoke Alarms Save Lives. Test Yours Every Month!

From: Grivas, Bessie
Sent: Tuesday, March 03, 2015 1:26 PM
To: Visco, Gerard; Swanson, Devin A; Gumm, Corrina; Carter, Douglas D; Scates, Franklin B; Vilella, Gerald; Martin, Warren M; Brock, Melissa L; Fox, Cynthia C; Mock, Susan M; Grivas, Bessie; Bowen, Diane
Cc: Denninghoff, John P; Sobrino, Robin M
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Bessie Grivas
Executive Secretary
Brevard County/Planning & Development
321-633-2069 P
321-633-2074 F



Grivas, Bessie

From: Sobrino, Robin M
Sent: Tuesday, March 03, 2015 3:08 PM
To: Grivas, Bessie
Subject: FW: COCOA EXPO SPECIAL EVENT #772

FYI. You'll probably get a consolidated response from Corrina.

From: Taylor, Debra A
Sent: Tuesday, March 03, 2015 3:06 PM
To: Gumm, Corrina
Cc: Verrett, Christine N; Denninghoff, John P; Sobrino, Robin M
Subject: RE: COCOA EXPO SPECIAL EVENT #772

Engineering Inspection has multiple issues with allowing any events to take place on this site. To name a few:

1. This is an active construction site.
2. The site entryways have not been constructed.
3. The parking lot has not been constructed. All of the curbing is in place, along with the base rock. However, no asphalt has been installed creating trip hazards.
4. There are multiple stockpiles on site including an approximate 30' high stockpile of dirt.
5. The site has not been inspected for ADA compliance on site.
6. Concrete Stormwater drainage pipe is currently being installed in the Friday Road right-of-way, which includes heavy equipment actively running.
7. No grates have been installed on any drop inlets.
8. There are several Stormwater pipes that had initially been installed that do not meet code and are targeted to be removed and replaced.
9. The public sidewalk along Friday Road has not been constructed (due to the installed of Stormwater drainage pipe).
10. No final as-built survey has been submitted.
11. No final inspections have been conducted.

Thank You,

Debbie Lovell (FKA Taylor)

Lead Engineering Inspector
Brevard County Public Works Engineering Department
(321) 637-5437
debbie.taylor@brevardcounty.us

From: Sobrino, Robin M
Sent: Tuesday, March 03, 2015 1:34 PM
To: Verrett, Christine N; Taylor, Debra A
Cc: Gumm, Corrina; Denninghoff, John P
Subject: FW: COCOA EXPO SPECIAL EVENT #772
Importance: High

Debbie & Christine,

John suggested that you both be included in this request. Please coordinate any concerns regarding public/ADA accessibility on this active construction site to Corrina to incorporate.

Grivas, Bessie

From: Sobrino, Robin M
Sent: Tuesday, March 03, 2015 3:20 PM
To: Grivas, Bessie
Cc: Fox, Cynthia C; Mock, Susan M
Subject: RE: COCOA EXPO SPECIAL EVENT #772

Bessie,

On behalf of Planning & Development Dept., please accept this email of indication of denial of the Special Events permit application based upon the following:

- The site is still an active construction site.
- No building has received a C.O.
- There is no power to the concession stand adjacent to the ball fields. Therefore, there are no bathroom facilities.
- There is no paved parking for the use, nor has the bus loop been constructed. Therefore there is no onsite parking for passenger vehicles or team buses.
- In summary, the site is not yet ready to accommodate public access.

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To: Visco, Gerard; Swanson, Devin A; Gumm, Corrina; Carter, Douglas D; Scates, Franklin B; Villella, Gerald; Martin, Warren M; Brock, Melissa L; Fox, Cynthia C; Mock, Susan M; Grivas, Bessie; Bowen, Diane
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Thank you,
Bessie

Bessie Grivas
Executive Secretary
Brevard County/Planning & Development
321-633-2069 P
321-633-2074 F

COCOA EXPO
(3/2/15)

PROJECT STATUS

- Scoreboard and stadium lighting have power (access to Press Box is needed to operate scoreboard).
- Underground electric service feed to four ball fields and concession stand in northeast quadrant of the site is undersized. Either additional wiring or change out electric panel to match existing wiring.
- No power to Field 6 (in northwest corner) due to power service issue.
- No bathrooms are operational.
- Parking lot/bus drop off area is not completed.
- Dormitories not ready for occupancy, pending fire system installation/testing.
- Drainage work in Friday Road/SR 520 rights-of way not complete

KEY ITEMS REQUIRED FOR CO

PUBLIC WORKS:

- Complete drainage pipe installation, so that sidewalk can be installed along Friday Road to the north driveway of the bus loop.
- Complete parking lots (paved and striped).
- Complete sidewalks along Friday Road to north side of bus loop.
- ADA compliance for the site.
- Post performance bond for remainder of roadway work and acceptance by the BCC.
- Barriers between areas of public access and construction.
- As built submitted

FIRE RESCUE:

- Stadium has not been inspected.
- Fire alarm system has not been approved.
- Egresses not cleared.
- As built of fire lines submitted.

NRMO:

- \$130,000 performance bonds for wetlands violations must be submitted.
- Landscaping restoration completed

SUMMARY OF COUNTY ISSUES:

- The property is still a working construction site and not safe for public access.
- Heavy equipment is still in the right of way and entrance area is torn up limiting access.
- Outstanding items outlined above make it ineligible for a CO. A TCO is intended to allow inventory stocking or employee training and is never used for purpose of allowing public access

of the property). In order to be eligible for a TCO, at a minimum, all life safety features must be functional (which is not the case).

- Property is not safe for public access in current condition.

ENFORCEMENT OPTIONS (IF NEEDED)

- Ch. 1 of National Fire Protection Code enables Fire Rescue to shut down a building that is not fit for public occupancy. They would typically team with BCSO for enforcement of an order. Authority does not cleanly translate to closing ball fields.
- Alternatively, seek an injunction via CAO.