

**Agenda
City of Cocoa
Regular Meeting of The City Council**

Date: August 27, 2024

Time: 6:00 pm

Location: 65 Stone Street Cocoa, FL 32922

I. Opening Matters:

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of August 27, 2024. (24-499).
2. Minutes: (a) Regular Meeting of July 9, 2024. (24-501).

III. Awards and Presentations:

1. Presentation by Mark Rendell, Superintendent, Brevard County Schools. (24-405). (Mark Rendell)

IV. Delegations:

In accordance with the City Council's rules and procedures, residents or tax-payers of the City (upon any subject of general or public interest), City employees (regarding his/her employment), water and sewer customers (on matters related to the City's water and/or sewer system), and any person on any item on the agenda (except *Emergency items, Ministerial items, Quasi-judicial items, and Public Hearing items*), may address the City Council under Delegations by filling out a speaker card.

Speaker cards are located in the Council Chamber lobby and should be provided to the City Clerk. Please observe the time limit of three (3) minutes while speaking

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under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by Council.

V. Consent Agenda:

(A) General Consent Items:

1. Approve the FY 2025 Joint Funding Agreement between the City of Cocoa and the United States Department of the Interior - U.S. Geological Survey for Water Quality Sampling and Water Level Measurements, Funding of \$131,713, pending the Adoption of the FY25 Budget. (24-446). (Utilities Director)
2. Council approval on the grant application to the Florida Department of Environmental Protection for the purpose of amending the existing grant (Agreement # 24PLN48) in the amount of \$11,300 for additional services not provided under the first grant Scope of Services. Authorize the City Manager to negotiate and execute the task order. (24-465). (Community Services Director)
3. Council Approval of a Resolution Amending the Fiscal Year 2024 Budget, BAF#24-124-A in the amount of \$63,200 to cover the private provider services in the Building Permits Fund through September 30th. (24-487). (Community Services Director)
4. Requesting settlement authority for the tentative settlement agreement between City of Cocoa Police Officer Joshua Roane and the City of Cocoa authorizing the payment of the Workers' Compensation settlement. (24-491). (Administrative Services Director)
5. Approve Resolution #24-080 Amending Fiscal Year 2024 Budget, BAF #24-126-A; requesting settlement approval for the tentative settlement agreement between former City of Cocoa employee Jeannie Linkenhoker and the City of Cocoa authorizing the payment of the Workers' Compensation settlement. (24-492). (Administrative Services Director)
6. Approval of the revised Emergency Pay Policy. (24-497). (Finance Director)

(B) Multi-Year Contracts:

7. To Approve the Second Amendment to Purchase Agreement to RFQ-20-03-COC with Jacobs Engineering Group Inc. for Engineering Services for Water System to Initiate the Second Two-Year Term Renewal Option, and to Increase the Cost

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Limitation in Compliance with the Consultants' Competitive Negotiation Act (CCNA) Statute. (24-447). (Utilities Director)

8. Approve a multi-year contract for Building Services with CAP Government, LLC, piggy-backing off the City of Palm Bay contract IFB-09-0-2021/SZ and authorize the City Manager to sign contract amendments or renewals. Authorize the City Manager to transfer up to \$154,000 in the Building Permit Fund from personal services to contractual services to provide budget for the cost of additional professional services for building permits. (24-489). (Community Services Director)

VI. Public Hearings:

1. Consideration of an appeal of a Board of Adjustment decision approving a Special Exception for a bar or lounge in the CBD-CVO zoning district and the Cocoa Village Subdistrict in accordance with Appendix A, Zoning, Article XI, Section 13(C) and Section 22 (F) of the City of Cocoa Code. The City Council shall conduct the appeal hearing in accordance with Appendix A, Zoning, Article XVIII, Section 1. (24-474). (City Manager)
2. Consideration of a Land Development Code Amendment to Appendix A, Article XI, Sections 4a and 22 of the Zoning Ordinance of the City of Cocoa 1) to allow for Neighborhood Commercial, Mixed-Use development, and public parking on certain, very limited properties within the Consent Decree area, also known as the Heart of Cocoa, consistent with the Substitute Consent Decree, and amending the list of permitted and special exception uses and 2) building types permitted for those certain properties authorized for Neighborhood Commercial and Mixed-Use development within the Heart of Cocoa subdistrict of the Cocoa Waterfront Overlay; 3) amending the bulk regulations for single-family, duplex, triplex, and fourplex development in the Consent Decree area; 4) amending the minimum yard setbacks in the Consent Decree area. (24-475). (City Manager)

VII. Council Business:

1. Approve the current Code Enforcement Lien for the property at 730 Thomas Ln., be reduced to \$2,677.50 as recommended by the Code Enforcement Board. (24-424). (Police Chief)
2. Approve the current Code Enforcement Lien for the property at 803 Kensington Dr., be reduced to \$4,654.71 as recommended by the Code Enforcement Board. (24-425). (Police Chief)

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3. Consider the appointment of Qualified Candidate Patricia Weeks to fill the vacancy and unexpired term of City Council District 3 Seat through November 2024. (24-471). (City Manager)
4. Consider the Donation Application for Cocoa Youth Athletics Corporation in the amount of \$1,000. (24-496). (Administrative Services Director)

VIII. City Business:

1. Approve the Final Assessment Resolution 2024-078 for Fire Protection, for Fiscal Year 2025. (24-468). (Finance Director)
2. Approve the Final Assessment Resolution 2024-079 for Stormwater Utility Services, Fiscal Year 2025. (24-469). (Finance Director)
3. Approve a Resolution Amending the FY25 Budget, BAF#24-123-T, for the provision of \$50,000 of State and Local Fiscal Recovery Funds (SLFRF) funds earmarked for community-based expenditures toward the City's repair/rehabilitation program, to fund projects presently on the program's wait list. (24-485). (Finance Director)

IX. Informational Agenda:

1. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (24-438). (Finance Director)
2. Data showing the relation between the estimated and actual income and expenses to date. (24-439). (Finance Director)
3. FY 2024 July Budget Adjustment Report. (24-440). (Finance Director)
4. Bi-weekly Report from August 12 - August 23, 2024. (24-500). (City Manager)

X. Reports:

XI. Adjournment:

XII. Notice to the Public:

This is a public meeting. All interested parties may attend in person. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any

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of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafl.gov. Additionally, interested persons may view or listen to the meeting electronically at the following internet sites:

(1) <https://tinyurl.com/s5e875r> or

(2) <https://cocoa.legistar.com/DepartmentDetail.aspx?ID=26365&GUID=FF9D3369D354-4FAB-800A-57D0AEE30153&Mode=MainBody>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Interested persons may submit their written comments or questions regarding the meeting prior to the meeting through Email at meetings@cocoafl.org, or via E-comments through the online agenda. Any electronic comments submitted will be made part of the meeting record. Written comments or questions not relevant to the Council meeting agenda will not be made part of the meeting record but will be maintained as public record.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

Although members of the public are entitled to be heard by the City Council on certain items on the meeting agenda pursuant to the City Council Rules of Procedure, members of the public are not entitled to an immediate response by either administrative staff members or Council; however, the City Council or administrative staff may provide a response at their discretion. When presenting before the City Council, all comments or questions should be directed to the Mayor or the chair of the meeting. Comments or questions should not be made directly to administrative staff without permission from the Mayor or chair.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Applicants or representatives of recognized groups with special interests in a matter shall be limited to ten (10) minutes; and total debate on a

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single issue shall be limited to thirty (30) minutes. Only one presentation per person per item shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda. Matters may also be raised by the Council, City Manager or City Attorney under reports and acted upon by the City Council.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.

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