

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

Date: May 28, 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 May 28, 2024. (24-316).
2. Minutes: Regular Meeting of February 27, 2024. (24-313).

III. Awards and Presentations:

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

V. Consent Agenda:

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(A) General Consent Items:

1. Approve a Resolution Amending the FY4 Budget, BAF# 24-086-A, for the acceptance of a donation of a Cool Guard System in the amount of \$2,726. (24-248). (Police Chief)
2. Acceptance of the Florida Department of Environmental Protection Vulnerability Assessment Planning Grant in the amount of \$75,000; Authorize the City Manager to sign the agreement to be sent to FDEP for execution; Approve a Budget Resolution and BAF amending the FY2024 Budget in the amount of \$75,000 for the grant agreement. (24-251). (Community Services Director)
3. Approve a Grant Application of \$1,200,000 for an ODLCC Installation Resiliency Grant for the design of the Pineda Causeway Phase 2 Water Main Design; Authorize the City Manager to sign any documents related to the grant application. (24-299). (Utilities Director)

(B) Multi-Year Contracts:

4. To Approve the Purchase with Hydra Service, Inc., Debary, Florida for the Systematic Replacement of Lift Station Pumps, Project No. WS1141, Utilizing the Orange County Contract No. Y21-170-MV effective August 1, 2021 through July 31, 2024; and To Authorize a Budgeted Expenditure for these Services not to Exceed \$202,265. (24-257). (Utilities Director)

VI. Public Hearings:

1. Request to Postpone Consideration of a Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of eleven parcels totaling 1.39 acres, with the address 301 S. Cocoa Blvd., from C-P, Commercial Parkway, to C-N, Neighborhood Commercial to the July 9, 2024 City Council Meeting. (24-311). (City Manager)
2. Conduct the Final public hearing on the proposed FY2024/2025 Action Plan; approve the Action Plan and Citizen Participation Plan for submission to HUD; and authorize the Mayor to sign all subsequent certifications and agreements. (24-298). (Community Services Director)
3. Approval of a Final Plat consistent with Chapter 18 Subdivisions of the City Code for the Lakes at Cocoa Grove and approval of an Improvements Agreement to waive the requirement for filing a performance bond to secure the construction cost estimate of unfinished public improvements associated with the subdivision. (24-310). (Planner)

VII. Council Business:

1. Provide direction whether to proceed with the Kimley-Horn Golf Cart Study Task Order as well as funding source(s). (24-230). (Public Works Director)
2. Approve the current lien for the property located at 1059 Cypress Ln to \$2,622.08, as recommended by the Code Enforcement Board. On August 15, 2019 the property owner was found to be in violation of: Weeds, Sec. 6-1003 (d); For the accumulation of tall weeds, grass and/or overgrowth exceeding 12" in height, Protective Treatment, Sec. 6-1003 (d); For the disrepair of protective treatment (paint) to the exterior walls, fascia and exterior surface areas and Storing Outdoors, Sec. 6-900 (b) (11); For accumulation of outdoor storage items such as boxes, tires, gas cans, clothing, etc. The fine period was from September 16, 2019 to April 27, 2023 (4 Yrs.) and the lien ran at \$75.00 per day leaving a total fine balance of: \$98,840.00. (24-235). (Police Chief)
3. Council approval to apply for a Railroad Crossing Elimination (RCE) grant from the Federal Railroad Administration in conjunction with the Space Coast Transportation Planning Office (SCTPO) in the amount of \$705,000 for Safety Improvements to the Crossing at W. Highland Drive. Approve the Resolution. Authorize the City Manager to Execute the Grant Application. (24-297). (Public Works Director)

VIII. City Business:

IX. Informational Agenda:

1. City of Cocoa's Open Board Vacancies. (24-309). (Administrative Services Director/City Clerk)
2. Bi-weekly Report from May 10 - May 23, 2024. (24-314). (City Manager)
3. Planning & Zoning Project Updates Report. (24-315). (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 of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at

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

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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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