

Agenda
City of Cocoa
Regular Meeting of The City Council

Date: December 10, 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 December 10, 2024. (24-703).
2. Minutes: (a) Budget Hearing of September 17, 2024.. (24-701).
(b) Regular Meeting of September 24, 2024. (24-702).

III. Awards and Presentations:

1. National Homeless Persons Memorial Day Proclamation. (24-705). (Brevard Homeless Coalition)

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.

This Agenda may be Amended up until or at the Meeting

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:

(A) General Consent Items:

1. To Approve Task Orders 2025-11, 2025-12, & 2025-13 with Atlantic Development of Cocoa, Inc. utilizing RFQ# 20-18-COC for Construction Repair of Existing Stormwater Infrastructure in three locations for a total amount of \$204,646; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed \$20,000 (10% of the Task Order Contract Amount) for a Total Project Cost of \$224,646; Authorize the City Manager to issue the purchase orders. (24-618). (Public Works Director)
2. Approve a Resolution Amending the Fiscal Year 2025 Adopted Budget, BAF# 25-002-A1 & A2, to provide budget for items such as capital projects and maintenance, that were budgeted within FY24 and not yet executed, through the use of Fund Balance Reserves and other Revenue Sources. (24-671). (Finance Director)
3. Announcement of Mayor Blake, Councilmember Hearn and Councilmember Koss to Attend the Florida League of Cities Legislative Conference from December 4, 2024 - December 6, 2024. (24-693). (City Manager)
4. Approve a Budget Resolution Amending the FY25 Budget, BAF#25-014-A, for FY24 Project Roll and to Shore Up the remaining balances of SLFRF (ARPA) funds, in the amount of \$121,204. Authorize the City Manager to make any further Budget Transfers regarding SLFRF for the remainder of the year. The SLFRF funds must be obligated by December 31, 2024. (24-700). (Finance Director)

(B) Multi-Year Contracts:

5. To Approve a Resolution Amending the FY2025 Budget, BAF No. 25-009-IFT; Approve the Vortex Proposal for Manhole Rehabilitation Services Utilizing the HGAC (Houston-Galveston Area Council) National Cooperative Purchasing Contract No. TP07-18 Effective July 1, 2018 through June 29, 2021, Renewed Through June 30, 2025. (24-659). (Utilities Director)

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6. Approve the DMD Consultants, Inc. Proposal for Servicing, Abrasive Blasting, Painting, and Inspection of a Select Number of Hydrants Utilizing the JEA Contract No. 189884 Effective June 10, 2020 through June 11, 2025. (24-670). (Utilities Director)
7. Approve a multi-year contract for cured in place stormwater pipe lining (CIPP) with Inliner Solutions, LLC piggybacking off the St. Augustine Beach Construction Agreement No. 23-07-MCA-ILS in the amount of \$167,790. Authorize the City Manager to sign contract amendments, renewals and purchase orders up to the annual budgeted amount. Request Approval to Transfer Funds, BAF# 25-013-T in the amount of \$7,790 From Stormwater Fund Contingency. (24-696). (Public Works Director)

VI. Public Hearings:

1. Approval of Ordinance No. 17-2024/Final Reading: Amending Chapter 2, Administration, Article VIII, Firefighters' Retirement Plan of the Code by amending: Section 2-326, Cost of Living Increase; Section 2-331, Deferred Retirement Option Plan; Providing for Codification; Providing for Severability of Provisions; Repealing all Ordinances in Conflict Herewith and Providing an Effective Date. (24-657). (Administrative Services Director)
2. Approval of Ordinance No. 16-2024/Final Reading: related to Chapter 2, Administration, Article VII Police Officers' Retirement Plan; Amending Section 2-196, Benefit Amounts and Eligibility; Amending Section 2-198, Disability; Amending Section 2-218, Deferred Retirement Option Plan; Providing for incorporation into the Code; Providing for severability of provisions; Repealing all ordinances and resolutions in conflict herewith and providing an effective date. (24-658). (Administrative Services Director)
3. Pass on SECOND READING Ordinance 19-2024, a Zoning Text Amendment regarding Appendix A, Article V of the code of the City of Cocoa to define Transportation Terminals, a permitted use applicable to properties located in M-1 cumulative zoning district and as a special exception use in C-G General Commercial district and commercial mixed-use PUDs. (24-668). (Planner)
4. Pass on SECOND READING Ordinance 18-2024, a Zoning Text Amendment revising tree protection and preservation standards, including procedures for waivers of these requirements, as outlined in Appendix A, Article XIII, Section 22 of the City of Cocoa Code. (24-669). (Planner)

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5. Consideration, on 2nd reading, of an ordinance of the City Council of the City of Cocoa, Brevard County, Florida; amending Appendix A, Article XI, Sections 4a and 22 of the Zoning Ordinance of the City of Cocoa 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; amending the list of permitted and special exception uses for the Consent Decree Area; amending the 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 District as more particularly depicted on exhibit "A" attached hereto; and amending the bulk regulations for single-family, duplex, triplex, and fourplex development in the Consent Decree Area; amending the minimum yard setbacks in the Consent Decree Area; and updating the building types table for consistency with the list of permitted uses for the Consent Decree Area. (24-695). (Planner)
6. Consideration on first reading for approval Ordinance 13-2024 a Land Development Code Text Amendment Appendix A, Article XI, Section 12 of the Code of Ordinances of the City of Cocoa to add major recreational equipment sales and rentals, and limited types of commercial vehicles and heavy equipment sales and rentals, to the list of permitted uses of subsection (A)(12) in the C-G, Commercial-General, zoning district. (24-697). (Planner)
7. Consideration on 1st reading of Ordinance No. 15-2024, a City-initiated Ordinance amending the official Zoning Map designation of sixteen (16) parcels of real property, totaling 8.36 acres, more or less, and generally located adjacent to state road 520 near the intersections with Virginia Avenue, Ruth Street, and Aurora Street, in Cocoa, Florida, more particularly depicted and described on exhibit "A" attached here to from Brevard County Single-Family Residential (RU-1-9), General Retail Commercial (BU-1), and Retail, Warehousing & Wholesale Commercial (BU-2) to City of Cocoa General Commercial (C-G). (24-698). (Planner)

VII. Council Business:

1. Approve the current Code Enforcement Lien for the property located at 228 Beverly Rd., be reduced to \$2,741.58 as recommended by the Code Enforcement Board. (24-682). (Police Chief)
2. Consider Mayor Blake's request to reappoint Ms. Chenita Joiner as a member of the Cocoa Housing Authority through December, 2028. (24-699). (Administrative Services Director)

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3. City Council Liaison Appointments and Appointment of the Space Coast League of Cities & Florida League of Cities Voting Delegates & Alternates for 2025. (24-694). (Administrative Services Director)

VIII. City Business:

1. Approve the Evaluation Committee's recommendation to select Lennar Homes, LLC for RFP P-25-02-COC (Michael C. Blake Subdivision Affordable Housing Project) to construct homes on the remaining lots in the Michael C. Blake Subdivision. Authorize the City Manager and City Attorney to negotiate a Project Agreement which will then be returned to City Council for final approval. (24-681). (Community Services Director)
2. Accept a Bank of America Proposal for lease financing to purchase capital equipment, Approve Resolution 24-108 for a Master Lease Agreement with Bank of America for debt proceeds up to a maximum of \$2,600,000; Approve a Resolution Amending the FY25 Budget BAF # 25-015-A in the Amount of \$309,793 for Critical I.T. Infrastructure; Approval for the City Manager to Execute Documents related to the debt financing; Approval the City Manager's authority to make necessary budgetary changes of debt proceeds and debt payments and equipment costs to correspond to Bank of America's proposal. (24-692). (Finance Director)
3. Approve First Addendum to Improvement Agreement for Lakes at Cocoa Grove subdivision. (24-708). (City Manager)
4. Approve a multi-year contract for full-depth pavement reclamation with Asphalt Paving Systems piggy-backing off the Citrus County contract ITB 24-088 in the amount of \$366,565 for Range Road. Approve additional milling and paving from Goodson Paving, Inc. piggy-backing off the Brevard County contract B-6-23-70, in the amount of \$267,908 for Range Road. Approve striping with Fausnight Line and Stripe piggy-backing off the existing Seminole County contract IFB-604562-23 in the amount of \$27,290. Approve BAF 25-011-PT. Authorize the City Manager to sign the related agreements and multi-year contract renewals. Authorize the City Manager to issue the purchase orders. Approve a contingency resolution authorizing the City Manager to approve and execute change orders in an amount not to exceed \$50,000 for a total project cost of \$711,763. (24-620). (Public Works Director)

IX. Informational Agenda:

1. Informational Only – The City of Cocoa's Open Board Vacancies. (24-704). (Administrative Services Director)

2. Bi-weekly Report from November 7- December 6, 2024. (24-707). (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 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 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.