

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda

Tuesday, November 12, 2024

6:00 PM

Cocoa City Council Chambers

City Council

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

II.1 [24-653](#) Approve the November 12, 2024 Regular City Council meeting agenda as written or with amendments.

Attachments: [11-12-2024 Short Agenda.pdf](#)

MINUTES:

II.2(a) [24-648](#) Approval of the August 27, 2024 Regular City Council meeting minutes as written or with amendments.

Attachments: [08-27-2024 Minutes ADA.pdf](#)
[Exhibit A.jpg](#)
[Exhibit B - Packet Provided by Glen Kemp.pdf](#)
[Exhibit C - Email from Carole Pope.pdf](#)
[Exhibit D - Special Exception Appeal for "The Backyard" Presentation.pdf](#)
[Exhibit E - City Council Agenda Item.pdf](#)
[Exhibit F - Pictures Provided by Chris Hyskell.pdf](#)
[Exhibit G - Ordinance 11-2024 Zoning Text Amendment.pdf](#)

II.2(b) [24-650](#) Approve the September 3, 2024 City Council Budget Hearing meeting minutes as written or with amendments.

Attachments: [09-03-2024 Minutes ADA.pdf](#)

III. AWARDS AND PRESENTATIONS:

III.1 [24-655](#) Hot Cocoa Holiday Presentation.

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), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card.

Speaker cards are located outside the Council meeting room 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:

- V.1 [24-448](#) Approve a Resolution to Amend the Financial Operations Manual (FOM) by updating Section 5, Accounts Payable.

Attachments: [Resolution to Amend FOM.doc](#)
[FOM Revised 12-12-2023.pdf](#)
[FOM AP changes 10-24 changes.pdf](#)

- V.2 [24-592](#) Approve a Resolution Amending the FY2025 Budget, Accepting the Bureau of Justice Assistance FY2024 Bulletproof Vest Partnership Grant, BAF# 25-006-A, in the amount of \$13,263. Transfer the Match portion to the Grant Account Number and replenish Fund Balance with the excess Budget, Project Number GR2502.

Attachments: [Bullet proof vest budget resolution - ADA Compliant.docx](#)
[BAF 25-006-A-PD- Accept BPV Grant Revenue \(10-22-24\) Agenda 24-592.pdf](#)

- V.3 [24-611](#) Requesting settlement authority for the tentative settlement agreement between former City of Cocoa Police Sergeant Nicholas Moon and the City of Cocoa authorizing the payment of the Workers' Compensation settlement.

Sponsors: Director

- V.4 [24-636](#) Approve Amendment #1 to the Interlocal Agreement between the City of Cocoa and the Diamond Square Community Redevelopment Agency for the Michael C. Blake Subdivision. Approve A Resolution Amending the FY24 Budget, BAF#24-134-ITF.

Attachments: [ILA between DSCRA and COC - 10.14.2024 - Partially Executed.pdf](#)
[Budget Resolution FY 2024- ADA Compliant.docx](#)
[BAF 24-134-FN- Michael C. Blake Diamond Square portion \(11-05-2024\)- Agen](#)
[Diamond Square CRA - Journal - 10.14.2024 - FINAL.docx](#)

- V.5** [24-644](#) Approve a Resolution Amending the Fiscal Year 2025 Adopted Budget, BAF 25-001-A1 to A3, (Group#399) for the purchase orders rolled over to Fiscal Year 2025. This is due to unspent funds budgeted for capital projects and specific operating accounts. These funds are provided using various Fund Balance Reserves and other Revenue Sources. Allow for the City Manager to make any further adjustments to the PO Roll, due to Retainage or Excess Budget

Attachments: [Budget Resolution FY2025.docx](#)
[Unadjusted Tracking Sheet \(11-12-2024\) Agenda 24-644-FY25.pdf](#)
[BAF-001-A1-FN- PO Roll \(11-12-2024\) Agenda 24-644-FY25.pdf](#)
[BAF-001-A2-FN- PO Roll \(11-12-2024\) Agenda 24-644-FY25.pdf](#)
[BAF-001-A3-FN- PO Roll \(11-12-2024\) Agenda 24-644-FY25.pdf](#)

MULTI-YEAR CONTRACTS:

- V.6(b)** [24-619](#) To approve participation in a Cooperative Purchase Agreement with H&H Liquid Sludge Disposal Inc., Branford, Florida, and Approve a Multi-year Contract from FY2025 through FY2027 with two (2) one year extension options; To Authorize the City Manager to Execute the Contract to provide certain services with respect to biosolids transportation and disposal utilizing the City of Holly Hill's Contract RFP# 24-WW-01: Sludge Removal, Hauling and Disposal Services effective through June 27, 2027; To authorize the City Manager to approve annual renewals and associated Purchase Orders.

Attachments: [Fully Executed - Service Agreement RFP #24-WW-01 June 2024.pdf](#)
[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. RFP 24-W RFP 24-WW-01 Addendum No. 1.pdf](#)
[Price List.pdf](#)
[Letter.pdf](#)
[SIGNED E-Verify Affidavit 4-26-22.pdf](#)

- V.7(b)** [24-621](#) Council Approval to Enter Into a Multi-Year Contract with Flock Safety for Four Units for License Plate Readers to Assist in Crime Solving for the City.

Attachments: [Cocoa PD 4x Falcon '24 Quote 20240409 .pdf](#)
[Flock Safety - Cocoa PD - Law Enforcement Agreement.pdf](#)
[Flock Safety - Sole Source Letter 2024.pdf](#)
[ECP-PD-Flock \(\\$38,600\) 11-4-2024 agenda 24-621.pdf](#)

V.8(b) 24-625

Approve a multi-year agreement (3-Years) with a technology provider through CDW-G, Inc. for software licenses and maintenance under the terms and conditions of the Sourcewell 121923 CDWG-Software (121923) cooperative agreement. Authorize the City Manager to finalize and sign the agreement and approve potential future additional licenses to be added to the agreement as necessary each year and related purchase orders for FY 2026 and FY 2027.

******This Item is Confidential per FS 119.0725 and Not for Public Release******

Attachments:

Confidential - Exhibit 1 Quote.pdf
Confidential - Exhibit 2 Agreement.pdf
CDW Sourcewell Contract 121923.pdf
Sourcewell 121923-CDW Product & Services Rate Card.pdf
121923-CDW Authorization Memo.pdf

VI. PUBLIC HEARINGS:**VI.1 [24-602](#)**

Approval of Ordinance No. 17-2024/first 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.

Sponsors:

Director

Attachments:

[Cocoa Fire No Impact Letter October 2024.pdf](#)
[17-2024 Firefighters' Retirement Plan Ordinance \(Creating 8-yr DROP\).pdf](#)

VI.2 [24-604](#)

Approval of Ordinance No. 16-2024/1st 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.

Attachments:

[16-2024 Police Officers' Retirement Plan Ordinance.pdf](#)
[Cocoa Police - Actuarial Impact Statement for Ord. 16-2024 - executed.pdf](#)

- VI.3** [24-616](#) Consideration of a Resolution of the City of Cocoa, Florida, electing to not exempt certain property from ad valorem taxation, as allowed under section 196.1978(3)(o), Florida Statutes, providing for conflicts, severability, and an effective date.
- Attachments:** [Resolution 2024-100 Live Local Ad Valorem Tax Exemption Opt Out_v2.doc](#)
[Exhibit 'A' FL SB 102 aka Live Local Act.pdf](#)
[Exhibit 'B' FL SB 328 Amendment to Live Local Act.pdf](#)
[Exhibit 'C' FL HB 7073 Amendment to Live Local Act.pdf](#)
[Resolution 2024-100 Legal Ad Affidavit.pdf](#)
- VI.4** [24-617](#) Council Consideration and Public Comment on the use of the FY2024 Edward Byrne Memorial Justice Assistance (JAG) Grant Program - Local Solicitation in the amount of \$15,653 ex post facto, and authorize the Grants Writer to submit the City's application.
- Attachments:** [Uses of JAG grant funds.pdf](#)
[JAG Grant Local Synopsis.pdf](#)
[FY24 JAG grant solicitation overview.pdf](#)
[FY24 JAG grant award amount for local solicitations.pdf](#)
[FY24 Edward Byrne Memorial JAG Internal Application.pdf](#)
- VI.5** [24-639](#) Consideration of a Zoning Text Amendment to Appendix A, Article XIII, Section 22 of the City of Cocoa Code, amending tree protection and preservation standards and procedures related to waivers of these requirements.
- Attachments:** [Ordinance 18-2024 Tree Protection Amendment CC 1st Reading.pdf](#)
[10703063.pdf](#)
- VI.6** [24-640](#) Consideration on First Reading of a Zoning Text Amendment 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.
- Attachments:** [Ordinance 19-2024 - Transportation Terminals.pdf](#)
[10717189.pdf](#)

- VI.7 [24-654](#) Consideration on this First Reading of an Expedited State Review Comprehensive Plan Text Amendment to City of Cocoa Future Land Use Element Policy 1.1.2.6(F), relating to the Mixed-Use future land use category, to provide additional flexibility for allowable uses on the ground floor of vertical mixed-use buildings eligible for density bonuses under the Comprehensive Plan...

Attachments: [Ordinance 14-2024 Future Land Use Mixed Use Policy CC 1st Reading.pdf](#)
[10703063.pdf](#)

VII. COUNCIL BUSINESS:

- VII.1 [24-587](#) Consider the reappointment of Ron Chabot through November 2027; Consider the appointment of Katherine Stewart and Joseph Bachand to fill one Regular member vacancy and one Alternate member vacancy on the Planning and Zoning Board.

Attachments: [Chabot Intent to Reapply.pdf](#)
[Joseph Bachand Application](#)
[Bachand Letter](#)
[Roster.pdf](#)

- VII.2 [24-607](#) Approve the requested road closure changes for the 2024 Space Coast Marathon and Half due to the ongoing construction in Lee Wenner Park

Attachments: [Document #1 Space Coast Marathon and Half Road Closure Route Changes .p](#)
[Documents for the Space Coast Marathon and Half Road Closure Route Chang](#)

- VII.3 [24-633](#) Approve the grant application of \$49,000,000 for the FY24 Federal-State Partnership for Intercity Passenger Rail Grant Program offered by the Federal Railroad Administration (FRA) for the construction of a Cocoa Multi-Modal Station. Authorize the City Manager to sign any documents related to the grant application.

Attachments: [Internal Grant Application - Fed-State Intercity Passenger Rail Grant Program.p](#)

- VII.4 [24-637](#) Approve a Resolution Amending the FY2025 Budget, BAF #25-008-A, for purchase of a Monarch fire pumper truck from Sutphen Corporation for \$1,119,995

Attachments: [Budget Resolution FY2025.docx](#)
[BAF 25-008-A- FD Fire Truck Fund Balance \(11-12-24\) Agenda 24-637-FY25.r](#)

- VII.5 [24-646](#) Approve the requested 2025 street closures associated with the proposed Special Events.

- VII.6** [24-656](#) To Provide Direction to Staff for the installation of speed humps in Diamond Square on Stone Street and Blake Avenue under an exemption to the City's speed hump policy as approved on July 12, 2022.

Attachments: [Speed Hump Resolution 2022-056.pdf](#)

VIII. CITY BUSINESS:

- VIII.1** [24-599](#) To Provide Direction to Staff for Funding and New Policies, if Necessary, for the Indian River Drive Septic to Sewer Conversion.

Attachments: [HB1379FAQs.pdf](#)
[Clerk Memo REVISED F1 SOIRL Contingency Fund Request City of Cocoa 545](#)
[SOIRL Funding Request\(Revised\).pdf](#)
[SOIRL Cost analysis and impact 11.29.2022a.pdf](#)
[SOIRL Cost analysis and impact 11.29.2022.pdf](#)

IX. INFORMATIONAL AGENDA:

- IX.1** [24-612](#) In accordance with the Financial Operations Manual (FOM) the City Manager shall submit to City Council in the form of an agenda item any 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.

Attachments: [Change Orders-CM Authorized September 2024.pdf](#)
[Visualization Change Order Authorizations.pdf](#)

- IX.2** [24-613](#) In accordance with City Code, Section 2-74, at the beginning of each month during the fiscal year, the City Manager shall submit to City Council data showing the relation between the estimated and actual income and expenses to date.

Attachments: [!! Budget Classification Report Worksheet.pdf](#)

- IX.3** [24-614](#) FY 2024 August Budget Adjustment Report

Attachments: [Revenue Budget Tracking Worksheet.pdf](#)
[Expense Budget Tracking Worksheet.pdf](#)

- IX.4** [24-641](#) In accordance with the Financial Operations Manual (FOM) the City Manager shall submit to City Council in the form of an agenda item any 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.

Attachments: [Change Orders-CM Authorized October 2024.pdf](#)
[Visualization Change Order Authorizations.pdf](#)

- IX.5** [24-642](#) In accordance with City Code, Section 2-74, at the beginning of each month during the fiscal year, the City Manager shall submit to City Council data showing the relation between the estimated and actual income and expenses to date.

Attachments: [!! Budget Classification Report Worksheet.pdf](#)

- IX.6** [24-643](#) FY 2025 October Budget Adjustment Report

Attachments: [Revenue Budget Tracking Worksheet.pdf](#)
[Expense Budget Tracking Worksheet.pdf](#)

- IX.7** [24-651](#) Bi-weekly Report from October 7 - November 8, 2024.

Attachments: [Council bi-weekly report.pdf](#)

- IX.8** [24-652](#) Informational Only - The City of Cocoa's Open Board Vacancies.

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: Carie Shealy, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8484 or via email at cshealy@cocoafl.org.

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=FF9D3369-D354-4FAB-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.

