

Agenda
City of Cocoa
Regular Meeting of The City Council

Date: July 9, 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 July 9, 2024. (24-391).
2. Minutes: (a) Special City Council Meeting Minutes of March 5, 2024 (24-368).
(b) Regular City Council Meeting Minutes of March 26, 2024. (24-369).
(c) Regular City Council Meeting Minutes of April 9, 2024. (24-375).
(d) Regular City Council Meeting Minutes of April 23, 2024. (24-376).

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

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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. Council Approval to Apply for the Institute of Police Technology and Management (IPTM) Florida Department of Transportation (FDOT) High Visibility Enforcement Effort (HVE) Grant and Approval for the City Manager to Enter into a Memorandum of Understanding with IPTM. (24-308). (Police Chief)
2. Approve Ex Post Facto, the Police Department to Apply for the FY2024 Bulletproof Vest Partnership (BVP) Program. (24-338). (Police Chief)
3. Approval to Participate in a Public Offering for the HUD Section 108 Loan to Convert to a Fixed Interest Rate and for the City Manager to Sign Related Documents. (24-340). (Finance Director)
4. Approval to Participate in the Florida Department of Emergency Management's F-ROC Program for FY2025; Approval to delegate authority for the City Manager to Opt-In to the F-ROC Program for FY2025 via Resolution #2024-060. (Finance Director) (24-346). (Finance Director)
5. To Approve a Resolution Amending the FY24 Budget (BAF#24-100-T) in the amount of \$32,180.00. (24-347). (Utilities Director)

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

(B) Multi-Year Contracts:

6. To Approve and Authorize the City Manager to Execute Task Order 2024-01 with Kimley-Horn and Associates, Inc. for Engineering Services for the South Courtenay Parkway Water Main Replacement Project; To Approve as a Multi-Year Contract from FY2024 through FY2025; Approve a Resolution Amending the FY2024 Budget, BAF#24-103-T, transferring funds between projects in the amount of \$169,107. (24-221). (Utilities Director)
7. To Approve a Purchase Order and Agreement with Tech Systems, Inc. for a new roof system on Wewahootee Pump Station piggybacking a Brevard County Continuing Roofing Contracting Services contract, RFQ 6-22-13, Effective May 12, 2023 through May 12, 2025; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed

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\$10,683.40 (10% of the Contract Amount) for a Total Combined Project Cost of \$117,517.37. (24-295). (Utilities Director)

8. To Approve Participation in a Cooperative Purchase Agreement with Danus Utilities, Inc. for Lift Station Rehabilitation Services Utilizing the City of Clermont Agreement No. 2023-71 Effective August 8, 2023 through August 7, 2026; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed \$17,970.90 (10% of the Contract Amount) for a Total Combined Project Cost of \$197,679.90; To Authorize the City Manager to Execute Any Annual Renewal Amendments Under the Original Agreement. (24-336). (Utilities Director)
9. To consider approval of a multi-year contract between the School Board of Brevard County, and the City of Cocoa for the renewal of up to three (3) school resource officers for the school year 2024-2025, beginning July 1, 2024, and ending June 30, 2025, and authorize the City Manager and City Attorney to finalize and execute the contracts with the Brevard County School Board. Also authorize the City Manager and City Attorney to finalize and execute the contract and MOU with Emma Jewel Charter Academy for one (1) school resource officer. Budgetary impact for FY25, pending the approval of the adoption of the FY25 budget. (24-348). (Police Chief)

VI. Public Hearings:

1. Conduct Public Hearing and approve granting easements to Florida Power & Light Company (FPL) for the purposes of constructing, operating and maintaining a fiber optic line in Lee Wenner Park. (24-357). (Community Services Director)
2. Consideration of a Land Development Code Text Amendment to Appendix A, Article XI, Section 19 of the Code of Ordinances of the City of Cocoa to add truck parking facilities to the list of permitted uses in the M-2 zoning district and to provide a definition of truck parking facilities. (24-382). (Planning Consultant)
3. 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 23, 2024 City Council Meeting. (24-384). (City Manager)

VII. Council Business:

1. Consider the Appointment of Frank Manfredi, Tamisha Findlay and Merrybeth Burgess to Fill One of Four (4) Regular member Vacancies on the Planning and Zoning Board. (24-177). (Administrative Services Director)

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2. Consider the reappointment of Robert Dyar as a member of the Board of Adjustment through May, 2027. (24-208). (Administrative Services Director)
3. Consider the reappointment of Ms. Janne Etz as a member of the Cocoa CRA through April, 2028. (24-285). (Administrative Services Director)
4. Consider the reappointment of Shari Scott, Lloyd Roberts, Dik Muller and Josue Otero, and the appointment of Gloria Weatherspoon as members of the Code Enforcement Board through June 30, 2027. (24-355). (Administrative Services Director)
5. Approve the current lien for the property located at 215 Riverside Dr to \$50,000.00, as recommended by the Code Enforcement Board. On August 17, 2023 the property owner was found to be in violation of: Permit Required, App. A Art. 15 Sec. 2 (a) (d); For the unpermitted alterations to the windows, exterior walls, plumbing, and door. The fine period was from July 5, 2023 to December 27, 2023 (5 Mos.) and the lien ran at \$500.00 per day leaving (repeat violation) leaving a total fine balance of: \$87,510.00. (24-306). (Police Chief)
6. Approve the current Code Enforcement Lien for the property located at 3629 E Malory Ct., be reduced to \$3,078.65 as recommended by the Code Enforcement Board. (24-307). (Police Chief)

VIII. City Business:

1. To Approve a Resolution Amending the FY2024 Budget, BAF#24-084-A to Accept Grant Funding for the Sellers WRF Advanced Wastewater Treatment project. (24-245). (Utilities Director)
2. Approve an interlocal agreement with the Cocoa CRA to provide funding for the Lee Wenner Park Parking Improvements Project, in the amount of \$2,187,121. Award construction contract B-24-06-COC to Doug Wilson Enterprises, Inc. in the amount of \$1,822,601 for the Lee Wenner Park Parking Improvements with funding authorized by the Cocoa CRA. Approve Construction Contingency Resolution authorizing the City Manager to approve construction change orders not to exceed \$364,520 for the total costs not to exceed \$2,187,121. Approve a Resolution Amending the FY24 Budget, BAF # 24-102-IFT for an interfund transfer from the Cocoa CRA to fund the project. (24-320). (Community Services Director)
3. Approve a Resolution Amending the FY24 Budget BAF#24-104A, accepting a Donation Ex-Post Facto of a Rear Canine Kennel. (24-365). (Police Chief)

IX. Informational Agenda:

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1. Data showing the relation between the estimated and actual income and expenses to date. (24-362). (Finance Director)
2. 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. (24-363). (Finance Director)
3. Bi-weekly Report from June 3 - July 5, 2024. (City Manager)
4. Informational Only – The City of Cocoa's Open Board Vacancies. (24-374). (City Clerk)
5. Planning & Zoning Project Updates Report. (24-385). (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

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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.

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