

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

Date: November 12, 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 November 12, 2024. (24-653).
2. Minutes: (a) Regular Meeting of August 27, 2024. (24-648).
(b) Budget Hearing of September 3, 2024. (24-650)

III. Awards and Presentations:

1. Hot Cocoa Holiday Presentation. (24-655). (Historic Cocoa Village Main Street)

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 a Resolution to Amend the Financial Operations Manual (FOM) by updating Section 5, Accounts Payable. (24-448). (Finance Director)
2. 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. (24-592). (Police Chief)
3. 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. (24-611). (Administrative Services Director)
4. 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. (24-636). (Community Services Director)
5. 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. (24-644). (Finance Director)

(B) Multi-Year Contracts:

6. 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

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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. (24-619). (Utilities Director)

7. 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. (24-621). (Police Chief)
8. 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. (24-625). (Chief Technology Officer)

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

VI. Public Hearings:

1. 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. (24-602). (Administrative Services Director)
2. 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. (24-604). (Administrative Services Director)
3. 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. (24-616). (Planner)

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4. 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. (24-617). (Police Chief)
5. 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. (24-639). (Planner)
6. Consideration 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 zoning district and as a special exception use in C-G General Commercial district and commercial mixed use PUDs. (24-640). (Planner)
7. 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. (24-654). (Planner)

VII. Council Business:

1. 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. (24-587). (Administrative Services Director)
2. Approval of the requested road closure changes for the 2024 Space Coast Marathon and Half due to the ongoing construction in Lee Wenner Park. (24-607). (Comm. & Economic Dev. Director)
3. 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. (24-633). (Comm. & Economic Development Director)
4. 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. (24-637). (Finance Director)

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5. Approve the requested 2025 street closures associated with the proposed Special Events. (24-646). (Comm. & Economic Development Director)
6. 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. (24-656). (Councilman Goins)

VIII. City Business:

1. To Provide Direction to Staff for Funding and New Policies, if Necessary, for the Indian River Drive Septic to Sewer Conversion. (24-599). (Councilwoman Weeks)

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. (24-612). (Finance Director)
2. Data showing the relation between the estimated and actual income and expenses to date. (24-613). (Finance Director)
3. FY 2024 August Budget Adjustment Report. (24-614). (Finance Director)
4. 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. (24-641). (Finance Director)
5. Data showing the relation between the estimated and actual income and expenses to date. (24-642). (Finance Director)
6. FY 2025 October Budget Adjustment Report. (24-643). (Finance Director)
7. Bi-weekly Report from September 23 - October 4, 2024. (24-651). (City Manager)
8. Informational Only – The City of Cocoa's Open Board Vacancies. (24-652). (City Clerk)

X. Reports:

XI. Adjournment:

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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@cocoaf1.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@cocoaf1.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.

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