

City of Cocoa

65 Stone Street
Cocoa, FL 32922



Meeting Agenda

Tuesday, September 12, 2023

6:00 PM

Cocoa City Council Chambers

City Council

I. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

- II.1** [23-552](#) Approval of the September 12, 2023 Regular City Council meeting agenda as written or with amendments.

Attachments: [09-12-2023 Short Agenda ADA.pdf](#)

MINUTES:

- II.2** [23-553](#) Approval of the August 8, 2023 Regular Meeting minutes as written or with amendments.

Attachments: [08-08-2023 Minutes ADA.pdf](#)
[Exhibit A - Cocoa Grand - 4th Addendum to Binding Development Agreement.p](#)

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), 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 [23-478](#) To Approve Task Order No. 2024-35 to Jacobs Engineering Group, Inc. to Provide Program Management/Administration, Design Management and Construction Project Support Services for Operating Revenue funded Cocoa Utilities Capital Improvement Plan Program Projects related to Water Supply and Water Treatment; Pending Approval of the FY 2024 Budget

Attachments: [TO-JACOBS 2024-35 \\$434,676.00 - UT-DYAL.pdf](#)
[TO 2024-35 Cocoa Pr Mgt FY24 for Water Supply and Water Treatment Suppor](#)
[Jacobs AGREEMENT - 11.13.19.pdf](#)
[Jacobs AGREEMENT-1ST AMENDMENT - 12.13.22.pdf](#)
[TRACK SHEET.pdf](#)
[COI Jacobs EXP 07.01.24.pdf](#)

- V.2 [23-491](#) To Approve Task Order No. 2024-34 with Jacobs Engineering, Inc. (Jacobs) to Provide Assistance with Project and Asset Management, Contractor Coordination and Documentation, Data Management and Quality Control, and Strategic Planning for Water Field Operations and the Cross-Connection Control Program; Pending Approval of the FY 2024 Budget

Attachments: [Task Order 2024-34 \(Jacobs\).pdf](#)
[Task Order 2024-34 FY24 WFO and CCC Assistance Final.pdf](#)
[RFQ-20-03-COC AGREEMENT.pdf](#)
[Jacobs 1st Amendment to Continuing Services Agmt.pdf](#)
[Jacobs COI Exp 7-1-24.pdf](#)
[TRACK SHEET.pdf](#)

- V.3 [23-506](#) Approve Task Order 2024-37 with Jacobs Engineering Group (Jacobs) for Program Management Services, Project No. WS1221, and Task Order 2024-36 for Plan Review Services to include Engineering Land Development Review, Project No. WS1221; Pending Approval of the FY2024 Budget (Utilities Director)

Attachments: [TO-2024-37 Jacobs-\\$694,429.00-UT-Eng.pdf](#)
[Task Order 2024-37 Cocoa Program Management FY 2024 for OR Projects.pdf](#)
[TO-Jacobs-\\$308840-Utilities-Eng-eform revised 8 14 23.pdf](#)
[TO 2024-36 Cocoa Plan Review, Permit Assist, Utility Support-Rev1.pdf](#)
[AGREEMENT.pdf](#)
[AGREEMENT-1ST AMENDMENT.pdf](#)
[COI - Expires 07.01.2024.pdf](#)
[TRACK SHEET.pdf](#)

- V.4** [23-512](#) Approve the Memorandum of Understanding between the City of Cocoa and the Coastal Florida Police Benevolent Association (PBA) dated October 1, 2021 to September 30, 2024, amending Article 28 Wages for Fiscal Year 2024.
- Sponsors:** Director
- Indexes:** PBA
- Attachments:** [MOU PBA FY24 WAGES \(City Council September 12\).docx](#)
- V.5** [23-518](#) Approve the revised collective bargaining agreement between the City of Cocoa and the International Association of Firefighters (IAFF) for the contract term of October 1, 2021 through September 30, 2024, amending Article 29 Wages for Fiscal Year 2024.
- Sponsors:** Director
- Indexes:** IAFF; labor union; Labor; Union
- Attachments:** [IAFF Contract Oct 1 21 to Sept 30 24 With new FY24 Wages \(FINAL\).pdf](#)
- V.6** [23-523](#) To Approve a Resolution Amending the FY23 Budget (BAF#23-111-T) in the amount of \$340,000.00.
- Attachments:** [FY23 Misc Duke Bills.xlsx](#)
[New Duke Estimate for FY23 \(Through June Bills\).msg](#)
[Budget Resolution FY 2023- 095 ADA Compliant.docx](#)
[BAF-23-111-T-UT-Duke Energy \(9-12-23\) Agenda 23-523.pdf](#)
- V.7** [23-525](#) To Approve Addendum #1 to Task Order 2023-26 (TO 2023-26.1) with Jacobs Engineering for additional utility support related to cost estimating of customer connections to the city water and sewer system, Project No. WS1221 (Utilities Director)
- Attachments:** [TO-JACOBS 2023-26.1 \\$10,050.00 - UT ENGIN.pdf](#)
[TO 2023-26 FY23 Cocoa Program Plan Review Perm Assist Utility Support - Ad AGREEMENT.pdf](#)
[12_13_2022_1st Amendment to Continuing Services Agmt.pdf](#)
[COI - Expires 07.01.2024.pdf](#)
[TRACK SHEET.pdf](#)
- V.8** [23-528](#) Approve a Resolution Amending the FY23 Budget, BAF#23-113-T and Approve a Change Order of \$25,000 for PO# 80367 for Fisher and Phillips, LLP., related to legal fees.
- Sponsors:** Director
- Attachments:** [Budget Resolution FY 2023-096 ADA Compliant.docx](#)
[BAF 23-113-T-AD-Legal Fees \(9-12-23\) Agenda 23-528.pdf](#)

- V.9** [23-533](#) To Approve Task Order Amendment 2021-01.2 with Danus Utilities, Inc. for the S.R. 528 Force Main Relocation Work, Project No. WS21FM, and Approve a Resolution Amending the FY23 Budget, BAF#23-119-T in the amount of \$7,361. (Utilities Director)

Attachments: [TO-DANUS 2021-01.2 \\$7,361.00 - UT.pdf](#)
[Change Order #002 \(WS21FM\) 8-21-23 draft.pdf](#)
[AGREEMENT.pdf](#)
[COI Cocoa 2023-24.pdf](#)
[Budget Resolution FY 2023- ADA Compliant.docx](#)
[BAF 23-119-T-UT-Forced Main \(9-12-23\) Agenda 23-533.pdf](#)

- V.10** [23-534](#) Approval to dissolve the City of Cocoa Employee Sick Leave Bank and return sick leave accrual hours to the 65 current members.

Attachments: [City Manager Memo.pdf](#)
[09-28-93 Agenda Item.pdf](#)

- V.11** [23-543](#)

MULTI-YEAR CONTRACTS:

**V.12([23-431](#)
b)**

Approve Participation in a Multi-Year Piggy-Back Agreement with W&J Construction Corporation for Construction Manager at Risk Services Utilizing Brevard County's Continuing Construction Manager (At Risk) Services, Contract # RFQ 6-22-05 Effective July 7, 2022 through 11/21/2025, subject to the City Manager and the City Attorney finalizing and approving the form of the contract; Authorize the City Manager to Execute the Piggyback Agreement, in a form acceptable to the City Attorney and any Amendments and Renewals Under the Existing Contract. Approve a Resolution Amending the FY23 Budget, BAF#23-115-A to Fund the Project and Grant the City Manager the Authority to Adjust Account Lines with the Schedule of Values. Authorize the City Manager to Approve a Task Order in a form acceptable to the City Attorney & Purchase Order to W&J Construction Corporation for the Guaranteed Maximum Price (GMP) of \$1,889,004. Approve a Contingency Resolution Authorizing the City Manager to issue Owner Directed Change Orders not to exceed \$80,000.

Attachments:

[081023 - W&J - Provost Park GMP - \\$1,889,004.pdf](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. RFQ 6-22-Cocoa_BC_WJ_Piggyback.pdf](#)

[RFQ-6-22-05 Notice of Award.pdf](#)

[RFQ 6-22-05 - CMR Contract-WJ-FULLY-EXECUTED.pdf](#)

[Budget Resolution FY 2023- ADA Compliant.pdf](#)

[BAF 23-115-A-FN-Provost Park AFBP21 \(9-12-23\) Agenda 23-431.pdf](#)

[Construction Contingency Resolution.docx](#)

V.13([23-468](#)
b)

Approve Multi-Year Piggyback agreements for Fire Equipment sales, service, and supplies with Ten-8 Fire and Safety LLC, Technical Rescue.com, North American Fire Equipment Company(NAFECO), Municipal Equipment Company LLC, Municipal Emergency Services(MES) Inc, Medline Industries Inc, Life-Assist Inc, Henry Schein, Fisher Scientific Company, Bennett Fire Products Company, and All Safe Industries utilizing the Lake County contract awards #22-730A to 22-730K through July 31, 2025, Authorize the City Manager to execute amendments and extensions.

Attachments:

[Standard Form for Piggyback Contract No. 22-730F.pdf](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730E .r](#)

[PARTIALLY EXECUTED Revised Standard Form for Piggyback Contract No. 22-](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730K.p](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730J.pr](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730I.pc](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730H.p](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730G.p](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730C.p](#)

[PARTIALLY EXECUTED Standard Form for Piggyback Contract No. 22-730A.p](#)

[22-730A\(all Safe Industries\).pdf](#)

[22-730B\(Bennett Fire Products Company\).pdf](#)

[22-730C\(Fisher Scientific Com\).pdf](#)

[22-730D\(henry Schein\).pdf](#)

[22-730E\(Life-Assist\).pdf](#)

[22-730F\(Medline\).pdf](#)

[22-730G\(MES\).pdf](#)

[22-730H\(MECO\).pdf](#)

[22-730I\(NAFECO\).pdf](#)

[22-730J\(Technical Rescue.com\).pdf](#)

[22-730K\(Ten-8\).pdf](#)

- V.14([23-488](#)
b) To Approve Multi-year Task Order 2023-33 with Jacobs Engineering, Inc. (Jacobs) to provide Engineering services for the design, permitting, and bidding of the project to replace the Carbon Dioxide Storage and Feed System at the Dyal Water Treatment Plant (WS23BR).

Attachments: [TO- JACOBS 2023-33 \\$147,898.00 - UT-ENGIN.pdf](#)
[Jacobs TO 2023-33 Proposal.pdf](#)
[Jacobs CSA Agreement.pdf](#)
[Jacobs CSA Agreement-1st Amendment EXP 2.4.25.pdf](#)
[RFQ 20-03-COC Track Sheet.pdf](#)
[COI Jacobs EXP 07.01.24.pdf](#)

VI. PUBLIC HEARINGS:

- VI.1 [23-526](#) Conduct a Public Hearing on the Tentative Millage Rate and Tentative FY24 Budget and:

Adopt Resolution No. 2023-093 adopting a tentative millage rate of 6.9532 mills, for the City of Cocoa, commencing on October 1, 2023 and ending on September 30, 2024.

Adopt Resolution No. 2023-094 adopting the FY2024 tentative budget and CIP for the City of Cocoa Fiscal Year, commencing on October 1, 2023 and ending on September 30, 2024.

Attachments: [FY 24 Tentative Budget - Summary.pdf](#)
[Resolution Tentative Millage Rate 2023-093.doc](#)
[Resolution Tentative Budget 2023-094.doc](#)
[Florida Today Proof 9-12 Hearing.pdf](#)

- VI.2 [23-544](#) Adopt on **Second and Final Reading** Ordinance 15-2023, a Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of one parcel totaling 6.61 acres from Brevard County RU-2-10 (Medium-Density Multiple-Family Residential) to City of Cocoa RU-2-15 (Multiple Family Dwelling), with the condition that the maximum density of the property shall be 4 dwelling units per acre.

Attachments: [Ordinance No 15-2023 _ Rezoning McKnight Property to City RU-2-15 \(1\).pdf](#)
[Exhibit A - location Map Jim McKnight.pdf](#)
[Exhibit B - Zoning map Jim McKnight.pdf](#)
[Exhibit C - FLU Map Jim McKnight.pdf](#)
[Exhibit D - Application Jim McKnight.pdf](#)
[Exhibit F - City Council Sept 12 Legal Ad.pdf](#)

- VI.3** [23-545](#) Adopt on **Second and Final Reading** Ordinance 16-2023 of a Land Development Code Amendment to amend the list of permitted uses related to restaurants in the M-2 District..
- Attachments:** [Ordinance No. 16-2023.pdf](#)
[Exhibit A - Zoning Map Pint Pistol.pdf](#)
[Exhibit B - FLU Map Pint Pistol.pdf](#)
[Exhibit C - Application Pint Pistol.pdf](#)
[Exhibit D - Ordinance 04-2019 \(Amending Appendix A Indoor Shooting Range:](#)
[Exhibit E - City Council Sept 12 Display Legal Ad.pdf](#)
- VI.4** [23-546](#) Adopt on **Second and Final Reading** Ordinance 18-2023, a Zoning Text Amendment to Appendix A, Article XI, Section 22 of the Zoning Ordinance of the City of Cocoa to allow Large Scale Commercial/Mixed-Use Buildings on certain properties within the Cocoa Waterfront Overlay District and to amend the list of permitted and special exception uses in the South End Subdistrict of the Cocoa Waterfront Overlay District.
- Attachments:** [Ordinance No. 18-2023 LDC Text Amendment 915 Florida Ave.pdf](#)
[Exhibit A - Edited Regulating Plan Map August 2023.pdf](#)
[Exhibit B - Excerpts of 2022 CRA Plan 1.pdf](#)
[Exhibit C - School Board Letter.pdf](#)
[Exhibit D - Legal Ad.pdf](#)
- VI.5** [23-547](#) Adopt on **Second and Final Reading** Ordinance 19-2023, a Zoning Text Amendment regarding height and placement of Visual screens, including fences and walls, for certain residential uses.
- Attachments:** [Exhibit A - Ordinance No. 19-2023 - Zoning Text Amend Visual Screens v2.pdf](#)
[Exhibit B - Legal Ad.pdf](#)
[Visual Aid - Ordinance 19-2023.pdf](#)
- VI.6** [23-548](#) Adopt on **Second and Final Reading** of Ordinance 07-2023, adopting a Large-Scale Comprehensive Plan Text Amendment; amending figure FLU-1 set forth in the Future Land Use element to provide the RU-1-7 Zoning District as an allowable Zoning District in the Medium Density Residential Future Land use category and to provide the Institutional Zoning District as an allowable Zoning District in multiple Future Land Use categories.
- Attachments:** [Ordinance 07-2023.pdf](#)
[Exhibit A - RU-1-7 zoned parcels.pdf](#)
[Exhibit B - MDR FLU in conflict.pdf](#)
[Exhibit C - Figure FLU-1.pdf](#)
[Exhibit D - Legal Ad.pdf](#)

- VI.7 [23-549](#) Adopt on **Second and Final Reading** Ordinance 14-2023, adopting a Large-Scale Comprehensive Plan Text Amendment to the Transportation Element and Capital Improvements Element, removing minimum level of service standards for State Road 524.

Attachments: [Ordinance No. 14-2023 Level of Service SR 524](#)
[SR524 trips.pdf](#)
[LOS.pdf](#)
[Cocoa 23-02ESR - Proposed Review](#)
[Legal Ad.pdf](#)

VII. COUNCIL BUSINESS:

- VII.1 [23-554](#) Council authorization to hold a community meeting to discuss the ongoing challenges at Gilmore Family Park on Prospect Avenue and potential opportunities for the parcel.

Attachments: [Gilmore Family Park.docx](#)

VIII. CITY BUSINESS:

- VIII.1 [23-522](#) To Approve a Resolution Amending the FY23 Budget (BAF#23-110-ITF) in the amount of \$60,000.00; To Approve the Corresponding Change Order #1 for P.O. 80244 with Connect Consulting, Inc. in the Amount of \$60,000.00.

Attachments: [Budget Resolution FY 2023- ADA Compliant.docx](#)
[BAF 23-110-ITF-UT-Ground Wells \(9-12-23\) Agenda 23-522.pdf](#)
[80244 Connect Consulting Inc..pdf](#)
[FY 2023 Aug 23 Pay App - PO 80244_200.12.pdf](#)
[Connect - MSA Professional Hydrogeological Services.doc.pdf](#)
[RENEWAL LETTER - CONNECT CONSULTING EXP 2-21-2024.pdf](#)
[FULLY EXECUTED 2nd AmendmentContract No. RFSQ-CD-20-31MB.pdf](#)
[FULLY EXECUTED Standard Form for New Piggyback Contract No. \(RFSQ-CE](#)
[Labor Rate Schedule- EXHIBIT C- RFSQ-CD-20-31.pdf](#)

IX. INFORMATIONAL AGENDA:

- IX.1 [23-537](#) This is an informational item to update City Council about Budget Adjustment #23-116-A, for the waterfront demolition from Hurricanes Ian and Nicole.

Attachments: [BAF 23-116-A-PW-Hurricane Nicole Dayslips \(12-13-22\) Agenda 22-717.pdf](#)

IX.2 [23-551](#) City Council Bi-Weekly Report, August 18 - September 7, 2023. (City Manager)

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

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.

