

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda - Final

Wednesday, January 8, 2020

6:00 PM

Cocoa City Council Chambers

City Council

I. OPENING MATTERS:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

- II.1** [19-663](#) Approve the Agenda for the Regular Meeting of January 8, 2020, as presented or with amendments.

Attachments: [01-08-2020 Short Agenda ADA.pdf](#)

MINUTES:

- II.2(a)** [19-655](#) Approve the Minutes of the District 4 Town Hall meeting of October 15, 2019, as written or with amendments.

Attachments: [District 4 Town Hall Minutes.pdf](#)
[Exhibit A - District 4 Town Hall Presentation.pdf](#)
[Exhibit B - Stormwater Program Presentation.pdf](#)

- II.2(b)** [19-610](#) Approve the Minutes of the Regular meeting of October 23, 2019, as written or with amendments.

Attachments: [10-23-2019 Minutes.pdf](#)
[EXHIBIT A-Orchid Lake Meeting Powerpoint.pdf](#)
[EXHIBIT B-Retreat at Cocoa Commons presentation 001.pdf](#)

- II.2(c)** [20-4](#) Approve the Minutes of the Marijuana Possession and Dispensary Workshop of October 29, 2019, as written or with amendments.

Attachments: [Marijuana Workshop Minutes.pdf](#)
[Medical Marijuana Areas 10-29-19.pdf](#)
[Exhibit 1 - Medical Marijuana Dispensaries.pdf](#)

- II.2(d) [19-649](#) Approve the Minutes of the Utilities Workshop of November 5, 2019, as written or with amendments.

Attachments: [11-05-19 Stormwater Utility Workshop.pdf](#)
[Exhibit A - Utilities Workshop Presentation.pdf](#)

- II.2(e) [19-662](#) Approve the Minutes of the Special City Council Meeting of November 22, 2019, as written or with amendments.

Attachments: [11-22-19 MinutesADA.pdf](#)

III. AWARDS AND PRESENTATIONS:

- III.1 [19-664](#) Presentation: Cocoa Village Playhouse. (Dr. Stacia Hawkins-Smith)

- III.2 [20-1](#) Presentation regarding homelessness. (Thomas Rebman)

- III.3 [20-2](#) Proclamation: "Brevard Kennel Club". (Councilmember Warner)

Attachments: [Brevard Kennel Club Proclamation.pdf](#)

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 five (5) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by Council.

V. REPORTS:

VI. CONSENT AGENDA:

- VI.1** [19-620](#) Approve entering into a co-operative purchase agreement with, and issuing a Purchase Order to Goodson Paving, Inc. in the amount of \$171,314.39 for the milling and paving of multiple streets and intersecting areas as needed to include, but not limited to A Street, B Street, C Street, Washington Avenue, Barbara Jenkins Street, and Japonica Lane using Brevard County Bid # B4-18-50, effective June 21, 2019 through June 20, 2020. Approve entering into a co-operative purchase agreement with, and issuing a Purchase Order to Goodson Paving, Inc. in the amount of \$123,393.40 for the demolition and reconstruction of non-compliant ADA ramps, sidewalks and curbing on the roads milled and paved as part of the aforementioned work using Brevard County Bid # B4-19-07, effective January 14, 2019 to January 13, 2022. Authorize the City Manager to approve any change orders up to a 10% contingency in the amount of \$29,470.78 for any additional work, as needed. (Public Works Director)

Attachments: [Goodson - Paving Notice of Award.pdf](#)
[Goodson Bid Tab Asphalt.pdf](#)
[Goodson Concrete Award.pdf](#)
[Goodson Concrete Bid Tab.pdf](#)
[Goodson Other government agency use.pdf](#)
[Goodson Renewal Asphalt.pdf](#)
[Copy of B41850PriceAdjustment3.xlsx](#)
[Goodson Annual Paving Proposal.pdf](#)

- VI.2** [19-646](#) Approve the FY 2019-2020 HOME Disbursement Agreement between the City of Cocoa and Brevard County in the amount of \$506,207.65 and approve a Resolution amending the FY2020 budget. (Community Services Director)

Attachments: [Home Disbursement Agreement-ADA City of Cocoa.docx](#)
[City of Cocoa EXHIBIT B-D FY 19-20.docx](#)
[Budget Resolution FY 2020.docx](#)
[BAF 20-025-CS-HOME Disbursement \(1-8-19\) Agenda 19-646.pdf](#)

VII. PUBLIC HEARINGS:

- VII.1** [20-16](#) Ordinance No. 26-2019/Second & Final Reading: Amending Section 2-4 of the City Code to allow Preferences for Local Vendors as to City Purchases. (Finance Director)

Attachments: [Ordinance No. 26-2019.pdf](#)
[Legal Ad Confirmation Ordinance No. 26-2019.pdf](#)

- VII.2** [20-22](#) Ordinance No. 24-2019/2nd & Final Reading: Annexing approximately 139.23 acres of real property located in unincorporated Brevard County (as shown in Exhibit "A") into the City of Cocoa in accordance with Chapter 171 of the Florida Statutes and Appendix A, Article VI of the City of Cocoa Code. (Community Services Director)

Attachments: [24-2019 Ordinance re Annexation Cape Canaveral Heights.pdf](#)
[Ex A Ordinance 24-2019 \(complete\).pdf](#)
[Exhibit B - Annexation Report.pdf](#)
[Exhibit C - Letter to Brevard County.pdf](#)
[Exhibit D - Receipt of Certified Letter \(signed\).pdf](#)
[Exhibit E - Pre-Annex Agmt and Petitions \(signed\).pdf](#)
[Exhibit F - Notification to property owners.pdf](#)
[Exhibit G - No registered Voters on Property to be Annexed.pdf](#)
[Legal Ad Proof - Annexation.pdf](#)

VIII. COUNCIL BUSINESS:

- VIII.1** [19-626](#) Approve a Code Enforcement Lien Reduction request in the amount \$3,000.00, as recommended by the Code Enforcement Board, for the property located at 540 Peachtree St. (Chief of Police)

Attachments: [Lien Reduction Checklist.docx](#)
[Cost Affidavit Form 540 peachtree.xlsx](#)
[Order Imposing Fine Lien.pdf](#)
[Code Lien Reduction Application.pdf](#)
[Lien Request Letter.pdf](#)
[Brevard County Property Appraiser.pdf](#)
[General Warranty Deed.pdf](#)
[Quit Claim Deed.pdf](#)
[Sunbiz.pdf](#)

- VIII.2** [20-5](#) City Council direction on adding a provision to the City Code to add Temporary Mobile Vending as a type of business that requires a Business Tax Receipt, and clarifying fundraising and temporary sales. (Community Services Director)

- VIII.3** [20-6](#) City Council support of a Historic Cocoa Village Main Street (HCVMS) grant application to Keep Brevard Beautiful for a HCVMS project creating a butterfly garden; and authorize the City to support the maintenance of a butterfly garden in Riverfront Park. (Community Services Director)

Attachments: [HCVMS - grant opportunity concept.pdf](#)
[Proposed-2019_2020-Florida-Friendly-Landscaping-Grants-Timeline.pdf](#)
[19-20-Grant-Application_REV003 \(1\).pdf](#)
[FFL-Grant Award Agreement 19-20.pdf](#)
[Butterfly Garden support letter.docx](#)

- VIII.4** [20-14](#) City Council direction on creating a Code Enforcement Lien Amnesty Program allowing for administrative lien reductions for qualified applicants and liens. (Chief of Police)

Attachments: [Amesty Program information.pdf](#)
[AmnestyAppForm.pdf](#)
[AmnestyForm.pdf](#)
[ARTICLE VI. CODE ENFORCEMENT LIEN AMNESTY PROGRAM - Sar Plantationlienamnesty.pdf](#)
[Code Enforcement Lien Amnesty Program.pdf](#)

IX. CITY BUSINESS:

- IX.1** [19-647](#) Council approval of a Strategic Alliance Memorandum (SAM) between the U.S. Small Business Administration (SBA) and the City of Cocoa; Authorize the Mayor to sign the Memorandum on behalf of the City; Present a Proclamation acknowledging the Strategic Alliance Memorandum between the SBA and the City of Cocoa. (Community Services Director)

Attachments: [SBA Strategic Alliance Memorandum.pdf](#)

- IX.2** [20-13](#) Ordinance No. 02-2020/1st Reading: Related to the Diamond Square Community Redevelopment Agency for purposes of implementing the Interlocal Agreement between the City, Agency and Brevard County. (City Attorney)

Attachments: [Recorded_Diamond Square Interlocal Agreement CRA with Brevard County.pdf](#)
[Ordinance -2020 Diamond Square.pdf](#)
[Diamond Square CRA Roster Worksheet.docx](#)

MULTI-YEAR CONTRACTS:

- IX.3** [20-11](#) Approve and execute Resolution authorizing a Multi-Year Highway Maintenance Memorandum of Agreement (ASE66) between the City of Cocoa and the Florida Department of Transportation (FDOT). Approve and execute the Multi-Year Highway Memorandum of Agreement (ASE66) between the City of Cocoa and the FDOT. Approve a Budget Resolution Amending the FY2020 Budget, accepting the additional Revenue outlined within the agreement, for the second two quarterly payments. (Public Works Director)

Attachments:

[MOA ASE66 CITY OF COCOA CONTRACT 12232019.pdf](#)

[Exhibit A - Resolution 2020-____.docx](#)

[Budget Resolution FY 2020.docx](#)

[BAF 20-024-A -FN-FDOT 520 Mowing Agreement Ad Rev \(1-8-20\).pdf](#)

- IX.4** [20-29](#) Approve a National Emergency Dislocated Worker Worksite multi-year Agreement with CareerSource Brevard. (Assistant City Manager)

Attachments:

[NEG Worksite Employer Agreement City of Cocoa.docx](#)

X. INFORMATIONAL AGENDA:

- X.1** [19-656](#) Council request to review the cumulative purchase approvals over \$35,000 and under \$50,000 for period 10/01/2019 to 11/30/2019. (Finance Director)

Attachments:

[PO Monthly Report to City Council 10.01.19 thru 11.30.19.pdf](#)

- X.2** [20-25](#) 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. (Finance Director)

Attachments:

[Budget By Classification November 2019.pdf](#)

- X.3** [20-26](#) 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. (Finance Director)

Attachments:

[November 2019 Contingency Report.pdf](#)

- X.4** [20-27](#) FY 2020 Budget Adjustment Report. (Finance Director)

Attachments:

[November FY 2020 EXPENSE Budget Tracking Worksheet.pdf](#)

[November FY 2020 REVENUE Budget Tracking Worksheet.pdf](#)

XI. ADJOURNMENT

NOTICE TO THE PUBLIC:

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.

City Code Section 2-54 requires that an affirmative vote of a majority of a quorum present shall be necessary to enact an ordinance or adopt any resolution; except that two-thirds of the membership of the Council is required to enact an emergency ordinance. All ordinances require two readings, entitled first reading and second reading and public hearing, prior to adoption.

Members of the public speaking on public hearing items, though entitled to be heard by the City Council, are not entitled to an immediate response by either administrative staff members or Council once the public hearing is closed; however, Council discussion may or may not include a response. No question by the public should be addressed directly by the Administrative staff.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Representatives of recognized groups 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 issue 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.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.

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.

This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review. This is a public meeting. All interested parties may attend. 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@cocoaf1.org.