

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda - Final

Wednesday, January 22, 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** [20-39](#) Approve the Agenda for the Regular meeting of January 22, 2020, as presented or with amendments.

Attachments: [01-22-2020 Short Agenda ADA.pdf](#)

MINUTES:

- II.2(a)** [20-52](#) Approve the Minutes of the November 13, 2019 Regular City Council meeting as written or with amendments.

Attachments: [11-13-2019 Final.pdf](#)
 [Exhibit A - Rezone - Cox Rd Corridor.pdf](#)

III. AWARDS AND PRESENTATIONS:

- III.1** [20-45](#) Informational Annual Investment Report for FY2019. (Finance Director)

Attachments: [City of Cocoa AGG Asset Allocation for September 2019.pdf](#)
 [FY19 PTA Investment Program Review.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** [20-33](#) Approve Task Order # 5 and the Purchase Order for Stantec Consulting Services Inc., for a complete Water/Sewer and Reclaim Utility Rate Study, using the Continuing Financial Services Agreement. Approve BAF 20-027-T and a Budget Resolution Amending the FY 2020 Budget. (Finance Director)

Attachments: [03 13 19 Agreement for Continuing Financial Analysis Services.pdf](#)
[Budget Resolution FY 2020.docx](#)
[Task Order #5- FY20 Water and Sewer Full Rate Study.pdf](#)
[BAF 20-027-T -UT-Utility Rate Study \(1-22-19\)~ Agenda 20-033.pdf](#)

- VI.2** [20-37](#) Approve Amendment #2 to Task Order 2020-102 with CH2M Hill Engineers, Inc. for Temporary Critical Support for Water Field Operations Division and Cross Connection Control (CCC) Program; To Approve Amendment #2 to Task Order 2020-103 with CH2M Hill Engineers, Inc. for Temporary Critical Engineering Support Services and; To Approve Amendment #2 to Task Order 2020-104 with CH2M Hill Engineers, Inc. for Temporary Critical Plan Review Support Services. (Utilities Director)

Attachments: [T.O. 2020-102.2 Proposal.pdf](#)
[T.O. 2020-103.2 Proposal.pdf](#)
[T.O. 2020-104.2 Proposal.pdf](#)
[TO \(2020-102.2\) CH2M \\$56517.28 \(1-8-20\) UT.pdf](#)
[TO \(2020-103.2\) CH2M \\$65149.16 \(1-8-20\) UT.pdf](#)
[TO \(2020-104.2\) CH2M \\$67571.76 \(1-8-20\) UT.pdf](#)
[AGREEMENT.pdf](#)

- VI.3** [20-46](#) Approval for the City to apply for the Victims of Crime Act (VOCA) Grant in the amount of \$134,078 and to commit \$33,519 towards the match requirement in the application in order to provide victim advocate services to crime victims. The total amount equals \$167,597. (Chief of Police)

Attachments: [Internal VOCA Application FY21.pdf](#)

VII. PUBLIC HEARINGS:

- VII.1** [20-23](#) Ordinance No. 25-2019/ 2nd Reading: Approval of a ZONING TEXT AMENDMENT consistent with Appendix A, Zoning, Article XXI, amending Appendix A, Article XI, Section 22 of the zoning ordinance of the City of Cocoa to allow the Single Story Commercial building type on a certain property within the Waterfront Sub-district of the Cocoa Waterfront Overlay District and amending the maximum lot depth from 300 feet to 400 feet for properties eligible for the Single Story Commercial building type. (Community Services Director)

Attachments: [25-2019 Ordinance re Single Story Commercial Building Type.pdf](#)
[Exhibit A - CWOD Map \(ord 25-2019\) 11-27-19.pdf](#)
[Location Map.pdf](#)
[Legal Ad Proof - CWOD Text Amend.pdf](#)

- VII.2** [20-32](#) Ordinance No. 03-2020/ 1st Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXII, to change the Zoning Map designation of one (1) parcel totaling 246.45 acres from Brevard County GU (General Use) to City of Cocoa RU-1-7 (Single Family Residential). (Community Services Director)

Attachments: [Ord. 3-2020 Rezoning Virgin Trains GU to RU-1-7.pdf](#)
[Exhibit A - Location Map and Legal Description.pdf](#)
[Concept Plan \(320 lots\) - Lakes at Canaveral Groves.pdf](#)
[Concept Plan \(350 lots\).pdf](#)
[Legal Ad Proof \(revised\).pdf](#)

- VII.3** [20-56](#) Ordinance No. 02-2020/Second and Final Reading: Related to the Diamond Square Community Redevelopment Agency for purposes of implementing the interlocal agreement between the City, Agency and Brevard County. (Community Services Director)

Attachments: [Ordinance 02-2020.pdf](#)
[Executed Interlocal Agreement.pdf](#)
[Diamond Square CRA Roster Worksheet.docx](#)
[Ord. 02-2020 Legal Ad OrderConf.pdf](#)

VIII. COUNCIL BUSINESS:

- VIII.1 [20-55](#) Reconstituting the Diamond Square Community Redevelopment Agency by making six (6) appointments to the Agency Board of Commissioners. (Administrative Services Director)

Attachments: [Diamond Square Board member worksheet.docx](#)
[Isom application.pdf](#)
[Smith Application.pdf](#)
[Waters application.pdf](#)
[Diamond Square CRA Roster.pdf](#)

- VIII.2 [20-41](#) Approval of Councilmember Koss's attendance at the National League of Cities Congressional City Conference in Washington D.C., March 7-11, 2020. (Administrative Services Director)

Attachments: [National League of Cities Schedule.pdf](#)
[Registration Fees.pdf](#)
[HOTEL.pdf](#)

IX. CITY BUSINESS:

- IX.1 [20-36](#) Approve a Resolution Amending the FY2020 Budget through the use of General Fund Contingency, to cover expenses not previously budgeted for Purchase Order Template Adjustments, Arbitrage Calculation Services and Accounting & Auditing Services, BAF # 20-023-T1, T2 and T3. (Finance Director)

Attachments: [Budget Resolution FY 2020.docx](#)
[BAF 20-023-T1-FN-Arbitrage, Superior & Auditing \(1-22-19\) Agenda 20-036.pd](#)
[BAF 20-023-T2-FN-Arbitrage, Superior & Auditing \(1-22-19\) Agenda 20-036.pd](#)
[BAF 20-023-T3-FN-Arbitrage, Superior & Auditing \(1-22-19\) Agenda 20-036.pd](#)

IX.2 [20-58](#)

Request review of the Bid Protest Review Committee's decision and recommendation to deny the bid protest received from Rush Marine, LLC on ITB Bid No. B-20-08-COC, Riverfront Promenade Overlook Improvement Project, which was previously awarded to Canaveral Construction Company, and final resolution of bid protest. (City Attorney)

Attachments:

[2019-12-16_Notic of Intent to File Protest.pdf](#)
[B-20-08-COC Final Administrative Response to Rush Marine, LLC Bid Protest F](#)
[2019-12-19_Formal Bid Protest_Optimize.pdf](#)
[Public Notice_Bid Protest Review Meeting.pdf](#)
[Official Bid Protest Review_Sign in sheet.pdf](#)
[Public Notice_Bid Protest Review Committee Meeting.pdf](#)
[B-20-08-COC PROTEST REVIEW MEETING SIGN IN SHEET.pdf](#)
[BID 20-08-COC Legal Ad.pdf](#)
[RFQ-20-08-COC_COCOA RIVERFRONT PARK PROMENADE IMPROVEMEN](#)
[Appendix A_COC 013 Promenade Plans - Released for Bid 10-31-19.pdf](#)
[Appendix B_COC 013 Promenade Technical Specifications - Released for Bid 1](#)
[Addendum 1_B20-08-COC.pdf](#)
[Addendum 2_B20-08-COC.pdf](#)
[Addendum 3_B20-08-COC.pdf](#)
[Addendum #4 Plan Revisions 11-27-19.pdf](#)
[Addendum #4 Specification Revisions 11-27-19.pdf](#)
[B-20-08-COC COMPLETED PRE-BID SIGN IN SHEET.pdf](#)
[B-20-08-COC Bid Opening Sign In Sheet.pdf](#)
[B-20-08-COC Tabulation Sheet.pdf](#)
[B-20-08-COC_Canaveral.pdf](#)
[Canaveral Construction Bid Concerns Riverfront Park Promenade IITB B-20-C](#)
[@RUSH MARINE Proposal_BID #-20-08-COC.pdf](#)
[12-11-19 Short Agenda ADA.pdf](#)
[City of Cocoa Signed Notification of Award\(12.12\).pdf](#)
[Form of Agreement_Canaveral Construction_12.17.19.pdf](#)
[Corrected Copy_Notice of Award_Form of Agreement 12.20.19.pdf](#)

MULTI-YEAR CONTRACTS:

- IX.3** [19-482](#) Council Approve the Police Department to enter into a Multi-Year Contract with Axon Enterprises by means of a Sole Source to purchase Tasers under project number PD15TS, using account number 001-2100-521.44-00; and to authorize the City Manager to execute and sign the contract. (Chief of Police)

Attachments: [Axon Q209911-43741.724AS.pdf](#)
[Taser 60 Plan.pdf](#)

- IX.4** [20-10](#) Approval of the third contract modification with Gehring Group, Inc. as the City of Cocoa's Insurance Broker of Record by mutual agreement between the City and Gehring Group to extend the term of the agreement until April 30, 2020. (Administrative Services Director)

Attachments: [Gehring Group, Inc Contract.pdf](#)
[First Modification of Agreement](#)
[Gehring Second Modification of Agreement Executed.pdf](#)
[Third Modification of Agreement.pdf](#)

- IX.5** [20-18](#) Approve Task Order 2020-27 with Atlantic Development of Cocoa, Inc. for the Michigan Avenue Force Main and Reuse Main Extension, Project No. WS17MI, in the amount of \$984,548.82; Approve as a Multi-Year Contract from FY2020 through FY2021; Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed \$98,454.88 (10% of the Contract Amount) for a Total Project Cost of \$1,083,003.70; Approve BAF # 20-028-P and a Resolution Amending the FY2020 Budget. (Utilities Director)

Attachments: [TO \(2020-27\) Atlantic Dev \\$984548.82 \(1-13-20\) UT.pdf](#)
[T.O. \(2020-27\) Proposal Michigan Ave FM&R Extension.pdf](#)
[WS17MI Quote Tabulation Sheet.pdf](#)
[Budget Resolution FY 2020.docx](#)
[BAF 20-028 -UT-Project WS17MI Transfer \(1-22-20\) Agenda 20-018.pdf](#)
[Contingency Resolution.doc](#)

- IX.6** [20-21](#) To Approve Task Order 2020-14 with Bussen-Mayer Engineering Group, Inc. for Engineering Services During Construction (SDC) of the Michigan Avenue Force Main and Reuse Main Extension, Project No. WS17MI; To Approve as a Multi-Year Contract from FY2020 through FY2021. (Utilities Director)

Attachments: [T.O. \(2020-14\) BUSSEN \\$52755.00 \(12-03-2019\) UT.pdf](#)
[T.O. Proposal \(2020-14\) BUSSEN-MAYER \\$52,755.00 \(12-03-2019\) UT.pdf](#)

X. INFORMATIONAL AGENDA:

- X.1 [20-28](#) Council request to review the cumulative purchase approvals over \$35,000 and under \$50,000 for period 10/01/2019 to 12/31/2019. (Finance Director)
- Attachments:** [PO Monthly Report to City Council 10.01.19 thru 12.31.19.pdf](#)
- X.2 [20-47](#) 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 December 2019.pdf](#)
- X.3 [20-48](#) 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:** [December 2019 Contingency Report.pdf](#)
- X.4 [20-49](#) FY 2020 Budget Adjustment Report. (Finance Director)
- Attachments:** [December FY 2020 REVENUE Budget Tracking Worksheet1.pdf](#)
[December FY 2020 EXPENSE Budget Tracking Worksheet 1.pdf](#)
- X.5 [20-51](#) Cocoa Police Department District Event Statistics for the months of October and November, 2019. (Chief of Police)
- Attachments:** [Oct 2019 Council Report by District .pdf](#)
[Nov 2019 Council Report by District .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.