

City of Cocoa

*65 Stone Street
Cocoa, FL 32922*



Meeting Agenda - Final

Tuesday, September 28, 2021

6:00 PM

Cocoa City Council Chambers

City Council

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

- II.1 [21-634](#) Approve the Agenda for the Regular Meeting of September 28, 2021, as presented or with amendments.

Attachments: [09-28-2021 Short Agenda ADA.pdf](#)

MINUTES:

III. AWARDS AND PRESENTATIONS:

- III.1 [21-635](#) Presentation of a plaque by Theresa Clifton with the Brevard Humane Society to Officer Dan Rhoades and K9 Bear. (Theresa Clifton)

- III.2 [21-643](#) Proclamation: "Get Vaccinated Brevard". (Mayor Blake)

Attachments: [Get Vaccinated Brevard.pdf](#)

- III.3 [21-644](#) Approve Proclamation declaring the month of October 2021 as National Cybersecurity Awareness Month. (Chief Technology Officer)

Attachments: [Cyber Security Awareness Month 2021.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. CONSENT AGENDA:

- V.1** [21-574](#) Approve Task Order No. 2021-17 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 the Approval of the FY2022 Budget. (Utilities Director)

Attachments: [Task Order 2021-17 Cocoa Pr Mgt FY 2022 for Water Supply and Water Treatr AGREEMENT.pdf](#)
[Jacobs COI Exp. 7.1.22.pdf](#)
[TO-JACOBS 2022-17 \\$374956.00 - UT-Dyal.pdf](#)
[RFQ-20-03-COC TRACK SHEET.pdf](#)

- V.2** [21-575](#) Approve Task Order No. 2021-21 to Jacobs Engineering Group, Inc. to Provide Engineering Services for the Design and Permitting of a New Ammonium Sulfate Storage and Feed System at the Viera Booster Station, Project No. WS21VP. (Utilities Director)

Attachments: [TO-JACOBS 2021-21 \\$84494.00 - Util-Dyal.pdf](#)
[PROPOSAL.pdf](#)
[AGREEMENT.pdf](#)
[RFQ-20-03-COC TRACK SHEET.pdf](#)
[TRACK SHEET.pdf](#)
[Jacobs COI Exp. 7.1.22.pdf](#)

- V.3** [21-606](#) Authorize the City Manager to approve the annual purchase orders for electrical utilities as they relate to electrical consumption only and Verizon for the Police Department for FY2022, pending the approval of the FY22 Budget.

- V.4** [21-609](#) Approval for the City to apply for the Florida Department of Environmental Protection's Division of Water Restoration Assistance (DWRA) Nonpoint Source Grant funds in the amount of \$650,000 for the Riverfront Park Drain Field Improvements Project with 50% match. (Public Works Director)

Attachments: [City of Cocoa - Section 319\(h\) Nonpoint Source Grant Application.pdf](#)
[Riverfront Park Drain Field Improvements Internal Grant Application - 091621 \(C](#)

- V.5** [21-610](#) Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making Sole Source Purchase of Cal Flo Liquid Lime from Burnett Lime Co., Inc., Campobello, SC and LT27 Polymer from Fort Bend Services, Inc., Stafford, TX for the Dyal Water Treatment Plant and the Jerry Sellers Water Reclamation Facility for FY2022; To Approve the Second Amendment to Purchase Agreement with 1) Matheson Tri-Gas, Inc., Irving, TX for Carbon Dioxide, 2) Kemira Water Solutions, Inc., Bartow, FL for Ferric Sulfate, and 3) Allied Universal Corp., Miami, FL for Sodium Hypochlorite; To Authorize the City Manager to Approve Change Orders in an Amount not to Exceed the Total FY2022 Budget for Chemicals; Pending Approval of the FY2022 Budget. (Utilities Director)

Attachments: [Resolution - Sole Source - Chemicals 2022.doc](#)
[B-20-01-COC Allied 2nd Amendment.pdf](#)
[B-20-01-COC Kemira 2nd Amendment.pdf](#)
[B-20-01-COC Matheson 2nd Amendment.pdf](#)
[Exhibit A - Chemicals.xlsx](#)
[Exempt Vendor Listing FY21.pdf](#)

- V.6** [21-611](#) Approve Task Order 2022-22 with Jacobs Engineering Group (Jacobs) for the Sea Ray Drive Bridge 36-Inch Water Main Crossing Relocation Design and Permitting Services; Pending Approval of the FY2022 Budget. (Utilities Director)

Attachments: [TO-JACOBS 2022-22 \\$305,867.00 - UT-ENGIN.pdf](#)
[TO 2022-22 Sea Ray Drive Sykes Creek WM Crossing.pdf](#)
[02 05 2020 Agreement for Continuing Engineering Services for Water System.](#)
[Jacobs COI - Exp 7-1-22.pdf](#)

- V.7** [21-622](#) Approve Task Order 2022-22 with Carollo Engineers, Inc., Orlando, Florida, for the SCADA Design at the Jerry Sellers Water Reclamation Facility; Pending Approval of the FY22 Budget. (Utilities Director)

Attachments: [TO-CAROLLO 2022-22 \\$163646.12 UT-Sellers.pdf](#)
[PROPOSAL.pdf](#)
[AGREEMENT WITH RENEWAL.pdf](#)
[TRACK SHEET.pdf](#)
[COI -Carollo - Expires 07.04.2022.pdf](#)

- V.8** [21-630](#) Approve and authorize the City Manager to execute a Changer Order to the Space Coast Auto Supply Purchase Order #77828 for the NAPA IBS Operational Services and Inventory Management Solutions. (Public Works Director)

Attachments: [77828.pdf](#)
 [BAF-3540- \(8-11-21\)-FY21.pdf](#)

- V.9** [21-636](#) Approve an Addendum to the Current Soda Ash Chemical Contract the City of Cocoa has with Genesis Alkali LLC located at 1735 Market Street, Philadelphia, PA 19103, for the Purchase of Soda Ash for an Additional Sixty (60) Days for the convenience of the City of Cocoa. (Utilities Director)

Attachments: [Soda Ash Amendment #2 Extension signed by GA 09212021 ELJ.pdf](#)

MULTI-YEAR CONTRACTS:

- V.10(** [21-569](#) Approve entering into a multi-year piggyback agreement for an initial 3
b) year term from 2021-2024 (with two (1) year renewals), with East Coast Fence and Guardrail of Brevard, LLC., utilizing Brevard County Contract B# 21-452-B-JW for on demand fencing and guardrail services. Authorize the City Manager to sign the contract(s) and renewal(s) for each subsequent fiscal year. (Public Works Director)

Attachments: [ITB 21-452-B-JW Fencing Contracting Services \(Maintenance\).pdf](#)
 [PARTIALLY EXECUTED Standard Form for Piggyback\(ITB 21-452-B-JW Fer](#)
 [School Board of Brevard County Contract No ITB 21-452-B-JW Fencing.pdf](#)
 [SIGNED E-Verify Affidavit.pdf](#)

V.11([21-599](#)
b)

Approve Staff's recommended ranking of bidders for Contract Mowing RFP 21-26-COC and award an initial three-year multi-year agreement to the highest two ranked bidders beginning in Fiscal Year 2022, U.S. Lawns in the amount of \$210,944 for Mowing Areas #2 and #3; and Perfection Lawn & Tree Service in the amount of \$195,047 for Areas #1 and #4. Authorize the City Manager to sign the contracts and issue the related purchase orders. Approve a Contingency Resolution and Authorize the City Manager to issue related contingency change orders as necessary not to exceed 9.7% of the total contract value, \$39,381.13. Pending the approval of the FY2022 Budget. (Public Works Director)

Attachments:

[Contingency Resolution.docx](#)
[Addendum 1 RFP-21-26-COC Contract Mowing Services Executed.pdf](#)
[Exhibits - Mowing Areas \(1\).pdf](#)
[Pre-Bid Meeting Sign In Sheet P-21-26-COC.pdf](#)
[Public Ad Invitation to Bid.pdf](#)
[RFP 21-26-COC City of Cocoa - Contract Mowing Services .pdf](#)
[Bid Summary.pdf](#)
[Notice of Award - Perfection Lawn and Tree Svcs - Areas 1 & 4.docx](#)
[Notice of Award - US Lawns Areas 2 & 3.docx](#)
[P-21-26-COC Price Proposal Bid Verification Sheet.pdf](#)
[Perfect Lawn & Tree Service.pdf](#)
[Perfection amended price signed by vendor.pdf](#)
[Score sheet - FINAL .pdf](#)
[US Lawns A - Firm Qualifications & Experience.PDF](#)
[US Lawns B - Similar Projects.PDF](#)
[US Lawns C - Project Approach.PDF](#)
[US Lawns D - RFP Solicitation Response.PDF](#)
[US Lawns E - Fee Schedule.PDF](#)

V.12([21-642](#)
b)

Approval of the renewed multi-year agreement with Target Solutions Learning, LLC for a city-wide Learning Management System effective October 1, 2021 through September 30, 2024, with approval to waive competitive quote requirement, and authorize the City Manager to approve the final terms and conditions of the agreement and execute the final agreement upon final approval by the City Attorney as to legal form and sufficiency. (Administrative Services Director)

Attachments:

[Exemption to Competitive Bid Form \(Target Solutions 10-1-21\).pdf](#)

VI. PUBLIC HEARINGS:

- VI.1** [21-631](#) Ordinance No. 13-2021/2nd and Final Reading: Regarding updates to the Special Events Ordinance. (Asst. to the CM/ PIO)

Attachments: [Ordinance No. 13-2021 Special events code changes DRAFT \(002\).docx](#)
[Legal AD Proof.pdf](#)

- VI.2** [21-640](#) Approve Resolution 2021-087 adopting the Final Millage Rate of 6.4532 mills for the City of Cocoa Fiscal Year 2022 commencing on October 1, 2021 and ending on September 30, 2022, which represents an increase of 9.84% over the rolled-back rate of 5.8749.

Approve Resolution 2021-088 adopting the Final Budget and CIP for the City of Cocoa for the Fiscal Year 2022 commencing on October 1, 2021 and ending on September 30, 2022.

Attachments: [Resolution Adopting the Final Millage Rate 2021-087.doc](#)
[Resolution Adopting the Final Budget 2021-088.doc](#)
[FY 2022 Budget.pdf](#)
[Classification - Pay Grade FY 2022.pdf](#)
[Classification - Pay Grade FY 2022 Public Safety.pdf](#)

- VI.3** [21-645](#) Approve a Settlement Implementation Agreement between Beachline Partners, LLC and the City of Cocoa including a preliminary site plan, amenities and amenities schedule, construction timeline, utilities requirements and other development matters for a residential subdivision, commonly known as the former “Barrera Shores” or “Silvestri Property”, to implement that Stipulated Settlement Agreement, made and entered into December 11, 2007 and recorded in the Brevard County Official Records Book 5837, Page 2226: Parcel #: 24-35-10-00-502; To the extent necessary, authorize the City Manager and City Attorney to complete any outstanding technical issues and record the Agreement. (Interim Community Services Director)

Attachments: [Beachline Partners Settlement Implementation Residential Subdivision Agreement](#)
[BEACHLINE SITE PLAN 09-23-2021.pdf](#)
[500 ft notice.pdf](#)
[Legal Ad \(CC\) - Beachline Partners DA.doc](#)
[County Letter.pdf](#)

VII. COUNCIL BUSINESS:

- VII.1** [21-620](#) Request approval of the Council appointments for the City Districting Commission.

- VII.2** [21-633](#) Staff is requesting direction related to the budgetary requests in the draft Operations and Maintenance Lease and Agreement between Brevard Museum and Sciences Center Inc. and the City of Cocoa. (Public Works Director)

VIII. CITY BUSINESS:

- VIII.1** [21-626](#) Approve the contract revisions effective Fiscal Year 2022 for the three-year contract between the City of Cocoa and the Teamsters Local Union 769 Cocoa Fire District Chiefs for the contract term of October 1, 2020 through September 30, 2023. (Administrative Services Director)

Indexes: Fire; Labor; labor union; Teamsters

Attachments: [City of Cocoa DC Teamsters FINAL CLEAN FY 21-23 \(FY22 Wage Opener\).pdf](#)

- VIII.2** [21-627](#) Approve the contract revisions for the three-year contract between the City of Cocoa and the Coastal Florida Police Benevolent Association (CFPBA) Lieutenants for the contract term of October 1, 2020 through September 30, 2023, modifying Article 15 Wages to provide annual wage increases for Fiscal Year 2022. (21-627). (Administrative Services Director)

Indexes: Labor; labor union; PBA; Union

Attachments: [PBA Lieutenants Contract FY21-23 with FY22 Wage Opener \(FINAL\).pdf](#)

- VIII.3** [21-632](#) Staff recommends the approval of the following resolutions:(1)Resolution No. 2021-094 adopting a revised Master Fee Schedule for City Facility Rentals, Special Events and Parades;
(2)Resolution No. 2021-093 approving a revised form contract as the City of Cocoa Special Events Permit Application and Agreement; and
(3)Resolution No. 2021-092 approving a revised form contract as the City of Cocoa Facility Use Application and Agreement. (Asst. to the CM/PIO)

Attachments: [2021-092 Resolution adopting revised facility use application and agreement \(le Exhibit A - Facility Use Application and Agreement 2021 - final.doc](#)
[2021-093 Resolution revising special events permit application and agreement.c Exhibit A - Special Event Application and Agreement 2021 - final.doc](#)
[2021-094 Resolution adopting master fee schedule for special events parades e EXHIBIT A Fee Schedule 2021 - final.docx](#)

- VIII.4** [21-614](#) Approval of Ordinance No. 12-2021/first reading: Amending Chapter 2, Administration, Article VIII, Firefighters' Retirement Plan of the Code by amending: Section 2-271, Definitions, adding definition of death in the line of duty; Section 2-324, Disability, amending the benefit for a service incurred disability; Section 2-325, Preretirement Death, amending to create a new pre-retirement death benefit for members killed in the line-of-duty. (Administrative Services Director)

Attachments: [Ordinance No. 12-2021 Cocoa Firefighter Pension Ordinance.pdf](#)

IX. INFORMATIONAL AGENDA:

- IX.1** [21-613](#) Council request to review the cumulative purchase approvals over \$35,000 and under \$50,000 for period 10/01/2020 to 8/31/2021. (Finance Director)

Attachments: [PO Monthly Report to City Council 10.01.20 thru 8.31.21.pdf](#)

- IX.2** [21-615](#) Calls for service provided by the Cocoa Fire Rescue Department for the month of August 2021. (Fire Chief)

Attachments: [August 2021 Request for Service By Incident Type Report.pdf](#)

- IX.3** [21-637](#) 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: [CM-Change Orders 8-31-21.pdf](#)

- IX.4** [21-638](#) FY 2021 Budget Adjustment Report. (Finance Director)

Attachments: [August FY 2021 EXPENSE Budget Tracking Worksheet.pdf](#)
[August FY 2021 REVENUE Budget Tracking Worksheet.pdf](#)

- IX.5** [21-639](#) 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 Report -August 2021.pdf](#)

- IX.6** [21-646](#) Informational only - Indian River Drive Septic to Sewer. (Utilities Director)

Attachments: [Areas J and K exhibit 9.21.2021.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.

