

Agenda
City of Cocoa
Regular Meeting of The City Council

Date: December 11, 2019

Time: 6:00 p.m.

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 December 11, 2019 (19-609)
2. **Minutes:** N/A

III. Awards and Presentations:

1. Presentation to Councilmember Koss for the completion of the FHWA Bikeway Selection Guide Workshop on November 6, 2019. (19-612). (Mayor Williams)
2. Proclamation: Presented to Shane Austin Layman, who completed his Eagle Project at the Community Garden in Cocoa. (19-613). (Mayor Williams)
3. Recognition of the Cocoa Youth Athletics Flag Football Super Bowl Champions, ages 5 & 6. (19-648). (Deputy Mayor Goins)

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

V. Consent Agenda:

1. Approve a letter of support committing to a Municipal Services Capital Contribution Agreement between the City of Cocoa and Brevard Public Schools, subject to, and for the purposes of obtaining a grant from the Florida Department of Economic Opportunity (DEO) Florida Job Growth Grant Fund for the Brevard Adult Education Career and Technical Education Center. Should the Grant be Awarded, Staff will return to City Council to Accept the Revenue and prepare the appropriate FY2020 Budget Adjustments. (19-391). (Community Services Director)
2. Approval of new agreement between the City of Cocoa and Nationwide Retirement Solutions for the 457(b) Plan to add new ProAccount Program for employees. (19-511). (Administrative Services Director)
3. Award Bid No. B-20-05-COC Transfer Pump #3 VFD Replacement to CE Power Solutions, LLC, Tampa, FL. (19-552). (Utilities Director)
4. Approve Participation in a Cooperative Purchasing Agreement with Goodson Paving, Inc., Cocoa, Florida, utilizing Brevard County Bid No. B-4-19-07, Concrete Sidewalk, Curb and Gutter, effective January 14, 2019 through January 13, 2022; Approve Participation in a Cooperative Purchasing Agreement with Goodson Paving, Inc., Cocoa, Florida, utilizing Brevard County Bid No. B-4-18-50, Asphaltic Concrete, effective June 21, 2019 through June 20, 2020 (19-575). (Public Works Director)
5. Approve Fiscal Year 2020 Funds to Cover Remaining Costs Associated with Fiscal Year 2019 Purchase Order 74422 and Authorize City Manager to Approve Related Purchase Order for \$77,355. (19-576). (Utilities Director)
6. Approval to submit costs associated with the named storm event Hurricane Dorian to the Florida Division of Emergency Management for potential reimbursement, and to approve a resolution authorizing the City Manager or Finance Director to sign any contracts and amendments related to these reimbursements. (19-590). (Finance Director)

7. Authorize Change Order #1 to C&D Construction for the Day Slips and T-Dock Project #ES17HI in the amount of \$53,981.71 and approve the Resolution amending the total construction budget and authorizing the City Manager to approve additional change orders or additional service contracts related to the project in an amount not to exceed \$40,000. (19-594). (Public Works Director)
8. Approve Amendment No. 1 to Task Order 2019-09 with Carollo Engineers Inc., Orlando, Florida, for the Influent Pump Station and Transfer Pump Rehabilitation Project (portions of the Flow Improvements Project) at the Jerry Sellers Water Reclamation Facility, Project No.WS16SF. (19-607). (Utilities Director)
9. Approve a Budget Resolution Amending the Fiscal Year 2020 budget using General Fund Contingency, to replenish account 001-1600-513.49-00 Other Charges and Obligations. (19-611). (Administrative Services Director)
10. Approve entering into a co-operative purchasing agreement with Granite Inliner (formally Layne In-Liner LLC) in the amount of \$106,739.00, plus a 10% contingency of \$10,673.90 for a total of \$117,412.90, using Polk County Bid 17-326 approved April 21, 2017 through February 28, 2020 to reline various sized pipes on Barbara Jenkins Street and approve City Manager authority to approve the related purchase order. (19-622). (Public Works Director)
11. Approve the donation of four ballistic canine vests by Streamlight, Inc. to the City of Cocoa for use at the Cocoa Police Department. (19-623). (Chief of Police)

VI. Public Hearings:

1. Ordinance No. 14-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of twenty (20) parcels totaling 118.66 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-599). (Community Services Director)
2. Ordinance No. 15-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of four (4) parcels totaling 19.73 acres from Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-600). (Community Services Director)
3. Ordinance No. 16-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of six (6) parcels totaling 16.67 acres from

Brevard County IU (Light Industrial) to City of Cocoa M-1 (Light Industrial and Warehouse District). (19-601). (Community Services Director)

4. Ordinance No. 18-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of two (2) parcels totaling 2.06 acres from Brevard County IU (Light Industrial) to City of Cocoa C-G (General Commercial District). (19-602). (Community Services Director)
5. Ordinance No. 19-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.24 acres from Brevard County BU-2 (Retail, Warehousing and Wholesale Commercial) to City of Cocoa C-G (General Commercial District). (19-603). (Community Services Director)
6. Ordinance No. 20-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.75 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa C-G (General Commercial District). (19- 604). (Community Services Director)
7. Ordinance No. 21-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 0.03 acres from Brevard County PIP (Planned Industrial Park) to City of Cocoa INST (Institutional District). (19-605). (Community Services Director)
8. Ordinance No. 22-2019/ 2nd Reading: Approval of a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of a single parcel totaling 1.08 acres from Brevard County IU (Light Industrial) to City of Cocoa M-2 (Manufacturing and Industrial District). (19-606). (Community Services Director)
9. Ordinance No. 24-2019 / 1st 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. (19-631). (Community Services Director)
10. Ordinance No. 25-2019/ 1st 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. (19-634). (Community Services Director)

11. Ordinance No. 23-2019/2nd and Final Reading: Regarding Amending Chapter 14 of The Code of The City of Cocoa to Establish Civil Penalties for the Possession of Cannabis (Marijuana) for Amounts under Twenty (20) Grams and Possession of Drug Paraphernalia; Setting Forth Penalties and Enforcement Responsibilities for a Violation of this Code. (19-643). (City Attorney)

VII. Council Business:

1. Approve the requested 2020 street closures in association with the proposed Special Events. (19-578). (Assistant to the City Manager/Public Relations Specialist)
2. Consider the appointment of one of the following applicants as a member of the Sustainability Advisory Committee: Ms. Kaylyn Palmer, Ms. Cynthia Castro, or Mr. Jeffrey Myron. (Administrative Services Director). (19-595). (Administrative Services Director)
3. Consider the appointment of Mr. Dan Quattrocchi as a Regular member of the Board of Adjustment, through May 2022, Ms. Patricia Weeks as 1st Alternate, and Ms. Marisol Soto-Lanza as 2nd Alternate. (19-596). (Administrative Services Director)
4. Consider the Appointment of Ms. Kimberly Curtis and Mr. Vinnie Richardson as 1st and 2nd Alternates to the Code Enforcement Board. (19-597). (Administrative Services Director)
5. City Council Liaison Appointments and Appointment of the Florida League of Cities Voting Delegate and Alternate for 2020. (19-608). (Administrative Services Director)
6. Seek Council direction for extension request from Broadmoor Acres Community Restoration and Preservation, Inc. (BACRAP) on the Code Enforcement Lien Reduction Agreement between the City of Cocoa and BACRAP executed December 15, 2017. This agreement conditionally provides a reduction of the code enforcement liens associated with 408 Kentucky Ave., 1115 Broadmoor Dr., 1057 Mitchell St., 401 N Carolina Ave., 1102 Broadmoor Dr., and 300 N Varr Ave., to \$0 providing BACRAP complies with the conditions set forth in the agreement. (19-665). (Community Services Director)

7. Confirm the Mayor's Reappointment of Ms. Marian Jackson as a Regular member of the Housing Authority of the City of Cocoa through December 31, 2023. (19-624). (Administrative Services Director)
8. Consideration of a donation application for the Sister City's Sharing Space Together Program. (19-629). (Administrative Services Director)

VIII. City Business:

1. Approve Resolution No. 2019-106 authorizing the execution of a Section 108 Contract for Loan Guarantee Assistance under Section 108 of the Housing and Community Development Act of 1974, as amended, pledging appropriate Non-Ad Valorem Revenues for payment of principal and interest, and authorizing the Mayor, City Manager, and City Attorney to execute the Contract, Note, and any related documents pertaining to the Section 108 Loan Guarantee Assistance. Approve Budget Resolution 2020- recognizing the \$894,000 in debt proceeds that will be utilized to fund the Dr. Joe Lee Smith Community Center. (19-561). (Community Services Director)
2. Award Bid #20-08-COC Cocoa Riverfront Park Promenade Improvements to the lowest most responsible and responsive bidder Canaveral Construction Co. for \$958,709 as the lowest most responsible and responsive bidder and Authorize the City Manager to negotiate the related contract. Authorize the City Manager to issue a Purchase Order in the amount of \$958,709 to Canaveral Construction Co. Approve a Resolution authorizing the City Manager to issue Change Orders up to \$74,200 related to the Project Contingency. Approve BAF #20-018-A and a Budget Resolution Amending the FY20 Budget to re-budget the revenue for the previously awarded FIND Grants. (19-615). (Public Works Director)
3. Approve the removal of an oak tree in the right-of-way adjacent to 4034 Pinyon Drive with a replacement oak tree to be planted at Bracco Pond. (19-632). (Community Services Director)
4. Approve the removal of an oak tree in the right-of-way adjacent to 2340 W. Sherwood Circle with a replacement oak tree to be planted at Bracco Pond. (19-633). (Community Services Director)
5. Approve Ordinance No. 26-2019 regarding Local Vendor Preference on First Reading. (19-642). (Finance Director)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Cumulative purchase approvals over \$35,000 and under \$50,000 for period 10/01/2019 to 10/31/2019. (19-554). (Finance Director)
2. General and Police Pension Board Annual Reports for Informational purposes only. (19-630). (Administrative Services Director)

X. Reports:

- Advisory Boards and Committees
- City Administration
- City Attorney
- City Manager
- City Council

XI. Adjournment:

XII. Notice To The Public:

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@cocoafl.org.

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.