MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

February 13, 2019

A Regular City Council Meeting was held on Wednesday, February 13, 2019, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. OPENING MATTERS:

Mayor Williams called the meeting to order at 6:03 p.m.

A student at Emma Jewel Charter Academy and the President of SGA provided the invocation and Cocoa High School JROTC cadets led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	Don Boisvert	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Matt Fuhrer	Assistant City
	Carie Shealy	City Clerk
ABSENT:	Brenda Warner	Deputy Mayor
	John Titkanich, Jr.	City Manager

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Katie Ennis, Deputy Utilities Director; Nancy Bunt, Community Services Director; Mike Cantaloupe, Chief of Police; Gene Prince, Fire Chief; Ed Wegerif, Public Works Director; Rebecca Bowman, Finance Director; Lora Howell, Deputy Finance Director; Gail Bantugan, Leisure Services Manager; LeShawn Hinton, Helpdesk Support Technician; Tony Jones, Fleet Manager; Charlene Neuterman, Deputy Director

of Community Services; Samantha Senger, Public Relations Specialist/Assistant to the City Manager; Dodie Selig, Planning Manager; and Jeremy Ondo, Police Lieutenant.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of February 13, 2019 (19-49)
2. Minutes: Minutes for the Regular meeting of January 9, 2019 (19-50)

Mayor Williams advised that Deputy Mayor Warner was not in attendance due to the passing of her mother.

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to approve the agenda as presented for the Regular meeting of February 13, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve the Minutes as written for the Regular meeting of January 9, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

III. AWARDS AND PRESENTATIONS:

1. Presentation by Miriam Moore of the Homeless Coalition. (19-43). (Councilmember Koss)

Councilmember Koss introduced Dr. Miriam Moore with the Brevard Homeless Coalition. She is currently a teacher at FIT and writes all of the grants for the coalition.

Dr. Moore advised that she lives in Cocoa and she shared both the vision and mission for the coalition. She mentioned that they are the provider for seventy-five plus organizations.

She pointed out that poverty rates in Cocoa have always been of concern and she discussed the poverty among various age groups in Cocoa. She further discussed home ownership versus rentals in Cocoa. Families with children are the largest percentage of the homeless population in Cocoa.

There were 518 calls for shelter last year alone in Cocoa which is the highest in the county per capita for the need of housing assistance.

Bed utilization rates were explained and she advised that they have to report these numbers to HUD.

Dr. Moore stressed that the annual cost of homelessness in 2015 in Brevard County was approximately $22 million. There is a big move towards providing preventive services.

Additionally, she spoke about projects such as "The Street to Home Project" and the "Safe Overnight Stay Program".

The Coalition needs the community to spread accurate information in order to make people aware of what homelessness is. They need the police, politicians, and health care organizations to assist the Coalition. This is a community issue and it will be only be solved by putting people in homes.

Council thanked her for the valuable information.

2. Proclamation: Proclaiming the month of February 2019 as Black History Month. (19-45). (City Manager)

Councilmember Koss read the proclamation into the record proclaiming the month of February 2019 as Black History Month.

3 Proclamation: Recognition of Ms. Bettye Ann Rackston. (19-51). (Councilman Goins)

Councilmember Goins advised that he is a firm believer in giving accolades when people are alive and he noted that Ms. Rackston was a teacher of his and he would like to take a moment to recognize her.

Councilmember Goins read the proclamation into the record recognizing Ms. Bettye Ann Rackston.

Ms. Rackston spoke and thanked everyone. She provided a brief history on how she, along with Dr. Wells and Rudy Stone would walk and sing "We Shall Overcome" and the doors were open for Cocoa and everyone was welcome. She further spoke about being the first African American hired as a secretary at the Cocoa Police Department in the detective unit. She stated that if everyone learned to love regardless of color and to get along and take care of each other, we would have a beautiful world. In closing, she recited a few lines from a poem entitled "A House By the Side of the Road."

Councilmember Goins stated this is what it is all about. There is a lot of rich history in the City and as a Council they believe in the City.

4. Emma Jewel Step Team Performance. (19-52). (Councilman Goins)

Councilmember Goins introduced the Emma Jewel Charter Academy Step Team. The President and Secretary of the Student Government Association brought greetings on behalf of the school. The secretary stated that when the school opened they served 200 scholars and they are now serving over 300 scholars. She noted that the City has been a blessing in supporting their school.

The Step Team provided a performance.

They presented Mayor Williams with an Emma Jewel Charter Academy polo shirt.

IV. DELEGATIONS:

Ms. Janis Smith, 2107 Clermont Drive, Cocoa, presented a petition[1] to Council from the residents of Carleton Terrace. It is relating to public access of McFarland Park and stated she is asking that Council reconsider this. Many want this returned as a public park to be reopened and managed by the City. She advised that they expect to have more signatures as time goes on. She read the petition into the record.

Mr. Larry Sinclair, 1052 Mitchell Street, Cocoa, stated that his first issue was a motion that was made at the January 23, 2019 City Council meeting that had a first and a second but was not cleared out. He has reviewed both the video and draft minutes of that meeting. He believes that the motion that was made prior to the board appointments is still hanging and he will bring litigation if it is not

[1] Exhibit A: Petition submitted by residents of Carlton Terrace

figured out. He spoke about the McFarland Park and posts that are on the NextDoor app and how certain people were getting away with posting on that. Lastly, he noted that as of 4:27 p.m. a petition had been filed against Mayor Jake Williams, Jr.

V. CONSENT AGENDA:

1. Approve Participation in a Cooperative Purchase Agreement for the Purchase of a 4 X 4 Loader Backhoe with Canopy Utilizing Florida Sheriffs Association Contract #FSA18-VEH16.0 Specification #28 Through Trekker Group in Orlando, Florida, for the Dyal Water Treatment Plant. (18-534). (Utilities Director)

2. Approve Task Order 2019-99 with CH2M Hill Engineers for Dyal Groundwater WTP Disinfection Byproduct Formation Management; Phase 2 - Demonstration Testing, Project No. WS18DT. (19-12). (Utilities Director)

3. Approve a revised Concept Plan for The Cottages at Cocoa Village Binding Development Agreement between the City of Cocoa and 120 Barnacle Bay, LLC. (19-46). (Community Services Director)

4. Approve an assignment of The Cottages at Cocoa Village Binding Development Agreement between the City of Cocoa and 120 Barnacle Bay, LLC to the Villas of Cocoa Village, LLC, upon closing of the sale of the affected Property. (19-53). (Community Services Director)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve the Consent agenda.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

VI. PUBLIC HEARINGS:

1. Postpone until the regular City Council Meeting of February 27, 2019 a request to submit a substantial amendment to the City's approved FY2018/2019 Action Plan in connection with a proposed application to the U.S. Department of Housing & Urban Development (HUD) for a $894,445 Section 108 Loan. (19-15). (Community Services Director)

This item was Postponed along with Item VI.2 to the regular meeting of February 27, 2019.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to postpone both Items VI.1 & VI. 2 to the regular City Council meeting of February 27, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Postpone until the regular City Council Meeting of February 27, 2019 consideration of the London Cove preliminary subdivision. (19-29). (Community Services Director)

This item was Postponed along with Item VI.1 to the regular meeting of February 27, 2019.

3. Approve an Addendum to the Binding Development Agreement between the City of Cocoa, Florida and 2075 W. King Street Land Trust and its successors to allow the developer to construct up to 312 apartment units and associated amenities on a parcel of land (Tax Parcel ID: 24-36-31-00-265) totaling 130.66 acres and located on the south side of W. King Street (SR520) between Range Road and Clearlake Road. (19-30). (Community Services Director)

Ms. Selig presented this item pointing out that a binder had been distributed prior to the meeting that included pictures for Cocoa Grand. She provided a detailed presentation on the project[2].

She reviewed the requested action which is to approve an addendum to the Binding Development Agreement between the City of Cocoa, Florida and 2075 W. King Street Land Trust and its successors to allow the developer to construct up to 312 apartment units and associated amenities.

The project location is a single parcel of land (Tax Parcel ID: 24-36-31-00-265) and totals 130.66 acres. A map was shown on the location.
She reviewed the original concept plan as well as the revised concept plans, and provided a detailed summary of the project.

[2] EXHIBIT B: Presentation on the Addendum to a Development Agreement Cocoa Grand Apartments

Ms. Selig explained how this project is consistent with the Comprehensive Plan and concurrency was discussed and she advised that staff has done a preliminary concurrency review of services required by the project and determined that there are sufficient facilities to meet the needs of the proposed development.

If approved, the addendum will be signed and recorded in the Official Records of Brevard County, subject to applicable conditions. The developer will then need to submit a Site Plan application.

The Planning & Zoning Board recommended approval of this item at the February 6, 2019 meeting.

Mayor Williams mentioned that he attended the Planning & Zoning Board meeting when this was discussed and was very impressed with the plans.

Phillip Nohrr, 1795 W. Nasa Blvd., Melbourne, and Justin Trimback, developer, 3517 Retail Drive, Alabama advised that they look forward to working with the City of Cocoa. Mr. Trimback advised that they build one, two, and three-bedroom units. He discussed the square footage of each home and pointed out that each unit has large walk in closets, fire protection, sprinkler systems, granite counter tops, tile back splash, etc. They are good, family-oriented units.

Councilmember Boisvert is very impressed and asked if they built these in Titusville. The developers stated yes, the units are on Knox McRae Drive and they were finished in March, 2018.

Mayor Williams opened the hearing to the public. There being no response, the public portion of the hearing was closed.

Councilmember Koss asked what the average rent would be. In response, Mr. Trimback stated between $1,300-$1,600. She confirmed that there would be three units dedicated to police officers for rental. He answered in the affirmative and mentioned they offer the discount to police officers but have yet to do so for teachers.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve an Addendum to the Binding Development Agreement between the City of Cocoa, Florida and 2075 W. King Street Land Trust and its successors to allow the developer to construct up to 312 apartment units**

and associated amenities on a parcel of land (Tax Parcel ID: 24-36-31-00-265) totaling 130.66 acres and located on the south side of W. King Street (SR520) between Range Road and Clearlake Road.

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

4. Approve a Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Lakeside Palms West subject to conditions identified in the agenda item. (19-31). (Community Services Director)

Ms. Selig provided a presentation[3] and noted that the requested action was to approve a preliminary subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Lakeside Palms West subject to conditions identified in this agenda item.

She provided a location map and noted that this property is a single parcel of land (Tax Parcel ID: 24-36-31-00-750) totaling 27.62 acres located on the west side of Clearlake Road, approximately 0.25 miles south of SR520. The land was formerly an orange grove but is now vacant. The property is zoned RU-2-15 and has a Single-Family Residential Future Land Use.

This property is directly to the east is the Lakeside Palms subdivision.

Ms. Selig provided the project background and summary, noting that the applicant intends to construct a single-family subdivision with 87 lots (approximately 5 units per acre).

Ms. Selig further explained how this project is consistent with the Comprehensive Plan. She further mentioned that staff has done a preliminary concurrency review of services required by the project and determined that there are sufficient facilities to meet the needs of the proposed development.

She explained the next steps which if approved, the Preliminary Subdivision will allow the developer to begin construction of the site improvements and infrastructure once all the required conditions have been met. The Final Subdivision must be applied for within one year of approval of the Preliminary Subdivision.

[3] EXHIBIT C: Preliminary Subdivision Lakeside Palms West

The Planning and Zoning Board recommended approval with conditions of the Lakeside Palms West Preliminary Subdivision at its December 5, 2018 Meeting. Some conditions recommended by the Planning & Zoning Board have been resolved since the meeting and have not been included in this recommendation.

Councilmember Koss spoke about FPL and how they are putting infrastructure underground. Ms. Selig noted that for electrical services the overhead is cheaper but in Cocoa we are susceptible to salt water. They will be underground for this project.

Andy Karbach, 505 N. Harbor City Boulevard, Melbourne, Florida stated that this project looks just like Lakeside Palms East. He knows there is a concern with the trees as there is an overhead power line on Clearlake Road. The trees run right along the property line, so they will have to adjust the trees somewhat.

Mayor Williams opened the hearing to the public. There being no response, the public portion of the hearing was closed.

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to approve a Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Lakeside Palms West subject to conditions identified in the agenda item.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

5. Approve a Resolution of Intent, inclusive of Exhibit "B" Legal Description of Incorporate Cocoa City Boundaries, to allow the use of the "Uniform Method of Collecting Non-Ad Valorem Special Assessment", for the continuing costs of providing Stormwater Services and Capital Projects, commencing Fiscal Year 2020, and to Approve the City Manager's authority to negotiate with the Property Appraiser's Office the Agreement of this Collection Method. This Public Hearing was advertised in the Florida Today Newspaper for four consecutive weeks, in accordance with Florida Statutes 197.3632. (19-47). (Finance Director)

Ms. Bowman explained that this item is requesting approval for a Resolution of Intent to bill stormwater services on tax bills. Currently the city bills stormwater on utility bills. An analysis was done and when property is vacant the City is not collecting money for stormwater so they are hoping to be more equitable with the passing of this resolution.

She explained that this is only one step. State statute requires that a Resolution of Intent be done and later on in the summer two other ordinances will be done.

Subsequently, staff will be working on getting the tax rolls in order to get information to the tax appraiser. Other decisions in regards to this will be made at later times.

Councilmember Koss asked if this would bring down the average bill since more people will be assessed.

In response, Ms. Bowman reminded Council that on January 23, 2019 a study was approved to do a ten-year capital plan and at that time staff will work with consultants to see what the capital needs are and a rate study would be done. Based on the current information the fund barely has enough to operate. All of the information will be brought back at a later date.

Assistant City Manager Fuhrer pointed out that the previous approval was for Stantec and they will provide a breakdown for Council.

Mayor Williams opened the hearing to the public.

Mr. Larry Sinclair, 1052 Mitchell St., stated that everyone pays a utility bill in Cocoa. He has come to Council for four years complaining about paying a stormwater bill because when it rains the water sits in his front yard. He asked when this drainage project would be started. He felt that if money was going to be invested in stormwater then get a system that works. He noted that the previous mayor bragged about the millions the City has in infrastructure, but nothing is being done. He was not sure if giving the City Manager preliminary approval authority to do assessments to get this put back on the tax roll was the right thing to do.

Mayor Williams agreed and he reiterated that this was just a Resolution of Intent.

There being no further response, the public portion of the hearing was closed.
Ms. Bowman clarified the City Manager's authority and what he would be approving.

Councilman Goins asked when this will come back to Council. Ms. Bowman stated July.

Councilmember Koss noted that the reason this is being presented was that we are going forward and after the resiliency workshop we need to do some work. The purpose is to bring down the average costs and those changes are going to be presented anyway. The impact of this was to bring down the average costs to spread it out over the land owners. Currently, it is just being paid to water customers. It is already on the bill which she feels is a high charge. There needs to be solutions to this.

* **MOTION by Councilmember Koss; Seconded by Mayor Williams, to approve the Resolution of Intent, inclusive of Exhibit "B" Legal Description of Incorporate Cocoa City Boundaries, to allow the use of the "Uniform Method of Collecting Non-Ad Valorem Special Assessment", for the continuing costs of providing Stormwater Services and Capital Projects, commencing Fiscal Year 2020, and to Approve the City Manager's authority to negotiate with the Property Appraiser's Office the Agreement of this Collection Method. This Public Hearing was advertised in the Florida Today Newspaper for four consecutive weeks, in accordance with Florida Statutes 197.3632.**

AYES: Williams, Koss
NAYS: Boisvert, Goins

THE MOTION TIED (2-2)

Attorney Garganese advised that there is a statuatory guideline of March 1st on this and Mayor Williams advised that this is going to come back for discussion.

Attorney Garganese noted that this resolution is to employ a different payment method and in order to keep it on the table they would have to adopt this by March 1st in order to keep this in play. He stressed Council was not binding themselves to this resolution.

Mayor Williams stated there was a two/two motion. He asked if there was a motion to reconsider the previous vote.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to reconsider and rescend the last motion and to vote on Item VI.5.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve the Resolution of Intent, inclusive of Exhibit "B" Legal Description of Incorporate Cocoa City Boundaries, to allow the use of the "Uniform Method of Collecting Non-Ad Valorem Special Assessment", for the continuing costs of providing Stormwater Services and Capital Projects, commencing Fiscal Year 2020, and to Approve the City Manager's authority to negotiate with the Property Appraiser's Office the Agreement of this Collection Method. This Public Hearing was advertised in the Florida Today Newspaper for four consecutive weeks, in accordance with Florida Statutes 197.3632.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

Assistant City Manager Fuhrer assured Council that by approving this the rates are not being raised. He felt that may be a concern. This does provide an opportunity to control these rates going forward and maybe provide some rate relief. This is a very common practice amongst other municipalities in the County. They are not approving the collection method yet, but this will allow for staff to negotiate an agreement with the property appraiser to undertake this.

Councilmember Koss requested that when this item comes back to Council they include information on the other municipalities.

VII. COUNCIL BUSINESS:

1. Approve the request of two street closures in association with the proposed Special Events. (19-25). (Leisure Services Manager)

Ms. Bantugan provided a background on the number of street closures and how many are allowed during the year. She noted that for 2019 there are currently twenty-two (22) closures and with these approvals, there will be twenty-four (24). They want to get these on the books in order to continue to bring people to the village.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve the item.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

Councilmember Koss looked forward to these events but would like everyone to keep the merchants in mind when closing the streets. While these events benefit shop keepers, they effect the salons and others with parking issues.

Ms. Bantugan advised that they do a rolling street closure for safety due to the number of people in the streets, however, streets are opened back as soon as possible after the event.

2. Consider the Cancellation of the Regular City Council Meeting on March 27, 2019 due to FLC Legislative Action Days and the Cancellation of the Regular City Council Meeting on December 25, 2019 due to the Christmas holiday. (19-55). (Administrative Services Director)

Mayor Williams advised that he will be staying an extra day in Tallahassee so he would not make it back.

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, to approve the item.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

VIII. CITY BUSINESS:

1. Approve the relocation of one restroom and one pavilion from Dr. Joe Lee Smith Park to Manor Park (Autumn's Place) and baseball field lighting from Dr. Joe Lee Smith Park to the Provost Park west recreational field. (19-34). (Assistant City Manager)

Assistant City Manager Fuhrer mentioned that this item came about due to the new Joe Lee Smith Center. The site plan changed and some of the amenities need to be removed. They are trying to maximize the entire site and this provides an opportunity to relocate certain items to other parks in the City. Manor Park is being recommended for the restroom, however sewer access would have to be installed. He stressed that given the state of the Indian Rivera Lagoon it would be unwise to have septic associated with it.

The other item is the baseball field lighting, of which there is a need for at Provost Park on the west side of the recreational field. The lights would not

cover the full field so they are looking at how they could utilize the lights at Stradley Park. They are looking to maximize the amenities at all parks.

Councilmember Koss asked if Autumn's Place was appropriate and felt that might be a better use. In response, Assistant City Manager Fuhrer stated they had been approached about a pavilion so that birthday parties could be held there since they have the playground.

Councilmember Goins asked if the lights did not go into Provost, could they potentially add lighting at some point. In response, Assistant City Manager Furher advised that they were working with the County and one primary project is to provide lighting at that field.

Councilmember Goins stated that he would like to review the rugby contract in order to make sure other citizens can utilize the park. There are a lot of leagues with year-long contracts with the County and it prohibits anyone else from using the facility. Assistant City Manager Fuhrer stated that the west side was quite a bit larger and felt that space could be maximized.

Assistant City Manager Fuhrer reiterated that this item was just providing staff the ability to relocate these amenities to other Cocoa parks.

Mayor Williams does not feel that everyone knows what is going on in these parks. He feels it is silly that you have to go to the County just to get the keys for the parks. He is aware that the police department has keys to all parks and is aware of what is happening in them.

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to approve the item.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Approval of an additional position in the City Manager's Office, Digital Communications Coordinator and Approve a Resolution Amending the FY2019 Budget through the use of General Fund Contingency to fund the position. (19-40). (City Manager)

Ms. Senger spoke in regards to this item and explained in detail what the requested position would entail. This person would be in charge of training staff to make things ADA compliant moving forward, making the website ADA compliant, handling social media and other duties. This would free up the work load of the current PIO as the ADA compliancy issues are very important and need to be heavily focused on.

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss, to approve the item.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

MULTI-YEAR CONTRACTS:

None.

IX. INFORMATIONAL AGENDA:

1. Data showing the relation between the estimated and actual income and expenses to date. (19-57). (Finance Director)

X. REPORTS:

Ms. Bowman requested that if any utility customers contact Council to address concerns to please direct their concerns to Lora Howell. She further pointed out that they all received a budget book tonight and the Finance staff is trying to get an award for their budget. This book is laid out differently than in the past. This is their first attempt at trying to get the award, however, they will not know for about six months. She believes they have a good chance.

Mayor Williams asked if there was anyone from an advisory board or committee who wished to speak.

Chief Cantaloupe mentioned the Tribute to the Legends parade and event in Provost Park. It will be from 11 a.m.-4 p.m. on Saturday, February 23, 2019. Ms. Debra Dukes and her team would be cooking fish and chips. On February 24, 2019 they will have Gospel in the Park.

Chief Prince reminded everyone of the Fire Department's Swearing In and Awards Ceremony on February 22, 2019 at the Civic Center.

Ms. Bunt reminded everyone of the Habitat for Humanity's Shovel Ceremony for the Women's Veteran's Project on February 25 at 9:00 a.m. on Whaley Street. This will be for six houses. She further announced that Ellen Heuser, the Housing Program Coordinator is retiring. She has assisted the City tremendously in keeping us in compliance and she will be greatly missed.

Lastly, she announced that the City's CRA Program Manager Charlene Neuterman was promoted to Deputy Community Services Director. Ms. Neuterman attended the review board for the Moore Center to be placed on the register for historic places in Tallahassee. They were very impressed with the City and would like to use us as an example for their pamphlets and website. She thanked Ms. Neuterman and Public Works for getting that designation.

Assistant City Manager Fuhrer asked that all nominations be submitted for the Police Advisory Board. They are planning for their first meeting to be in April and it will require about thirty days to get requirements done.

Mayor Williams asked if there was a citizen on another committee could they be on more than one. In response, Attorney Gargenese stated he would have to review the resolution and Code.

Councilmember Goins asked if nominations have not been made by the set date could others make another nomination. Attorney Garganese stated that he did not have the resolution in front of him but each councilmember has to nominate someone.

Attorney Garganese was aware of the one small change that was brought forth regarding training requirements and perhaps these other issues could be addressed when that comes forward.

Councilman Goins asked if a date for the first meeting was actually set. Mayor Williams noted that he has two nominations in mind, however, one is on a board, and the other is not.

Councilmember Koss stated that her nomination would be applying by Friday. She asked why this is a committee and not a board.

Assistant City Manager Fuhrer reminded all that Mardi Gras is on Saturday, February 16th and the Mardi Paws event is on Sunday, February 17th.

He advised that on February 2nd he attended a neighborhood meeting regarding McFarland Park and answered a lot of questions from residents. There seem to be conflicting opinions amongst residents. There will be a recommendation to resolve this sooner than later and staff would like to bring an item back to the next meeting.

Assistant City Manager Fuhrer thanked the Finance department for what they did with the budget books. He thanked Anthony Hagen, Lea Taylor, and Lora Howell for their hard work.

In closing, he congratulated Ms. Neuterman and advised that she would be keeping her position on the CRA boards.

Additionally, he reminded all of the upcoming Mayor's Town Hall meeting on Tuesday, February 19th at 6 p.m. at the Cocoa Civic Center.

Councilmember Goins spoke about Tashaun Jackson who is missing in Cocoa. She has four girls. He stressed that if anyone knows anything to please get in touch with the police department. He thanked Chief Cantaloupe and Yvonne Martinez for their conversations with the media.

He reminded everyone that tomorrow is Valentine's Day.

On February 23rd there would be an event starting at 8 a.m. to do a clean up called "Roses on Rosa L. Jones". They are trying to do all that they can to bring awareness to the community.

Lastly, he commended staff in the water and finance departments. They deal with a lot of issues and they are always swift with having information.

Councilmember Koss spoke about a webcast that she attended and she learned that Florida has very dangerous streets. There is a movement to make streets safer. She mentioned that the Diamond Square ribbon cutting was an example of making streets safer.

She spoke about her attendance at the Transit One Meeting and of her attendance at a meeting at Melbourne City Hall where the issue of fluoride was voted on. Mr. Walsh also attended that meeting

She mentioned that on January 28th she went with Lt. Dellatorre and Officer Hattaway and took inventory of the homeless. They actually went into the camps. Officer Hattaway is very smart and very compassionate. It struck her that every woman had a history of domestic abuse and that had a triggering effect of them ending up homeless. The other surprise was that many of them spoke about the great careers they had and how later in life they spiraled downward.

Councilmember Koss noted that she met with the principal of Cambridge Elementary, who spoke very highly of the Cocoa Police Department. They would love to have a resource officer there. They have lost three teachers this year and it is hard to have a cohesive education when teachers keep leaving.

She reiterated her wish for affordable housing to allocate teacher incentives.

Councilmember Koss advised that she met Dr. Wilson at Cocoa High School and it was very eye opening in several regards. They are very well known for their sports and their chorus is nationally acclaimed and has been invited to perform at Carnegie Hall. This is a very big deal and information needs to be put out in the community about this. Additionally, there will be twenty seven students graduating with their AA's.

In closing, she mentioned that she has attended several ribbon cuttings and was impressed with the resiliency workshop help last night.

Mayor Williams wants everyone to know they are busy and are all working hard to try to make a difference in the community.

He acknowledged Ms. Lora Howell for winning the SCLC scholarship. They were all very impressed with her information. The City Clerk of Rockledge was also a recipient.

Mayor Williams stated that he attended an event this morning at Endeavor Elementary and former astronaut Winston Scott was there.

Lastly, he mc'd a fashion show for the League of Women Voters. He thanked Bobby's at Parkside for providing the clothing, and Councilmember Koss and Councilmember Goins for participating. He also thanked Simone Archer from Men's Warehouse for providing clothing.

Moving forward, Council is doing this together and they will make this City great. Cocoa is strategically located to be a great City.

He reiterated the Town Hall Meeting being held on Tuesday, February 19th. There will be a short presentation and then he will speak and the residents will have a chance to speak as well.

XI. ADJOURNMENT.

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, to adjourn the Regular meeting of February 13, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

The meeting adjourned at 8:26 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie E. Shealy, MMC, City Clerk

CITY OF COCOA CORPORATE SEAL FLA

EXHIBIT A: Petition submitted by resident of Carlton Terrace

Notice to City of Cocoa
By Residents of Carleton Terrace
Relating to Public Access
of MacFarland Park

Each of the undersigned is a resident of Carleton Terrace. We wish to explore options keeping MacFarland Park available to the public.

While ownership with the Park belongs to residents of Carleton Terrace, both residents of and visitors to our neighborhood have enjoyed this space for decades. The Park, while not technically "public," has operated as such for 54 years. We wish to see the Park remain as a destination for families and individuals in this area. As such, we, the undersigned, are petitioning the City of Cocoa to explore possible options concerning operating MacFarland Park as a public space, free and accessible to all peoples. We petition the City to also explore methods of transferring the ownership of the park to the City itself.

Executed this 9 day of FEB, 2019.

NAME	SIGNATURE	ADDRESS
Miss LaDiena Nicholls	Miss LaDiena Nicholls	2611 Dixie ct Cocoa Fl 32922
Margret Strauchman	Margret Strauchman	2701 Dixie Ct.
David Brandon	David Brandon	2603 Dade ct cocoa fl 329.
Christa Owens	Linda Owens	337 Bellair Dr. Cocoa FL 32922
John D. Murphy Princess Park		335 Bellaire Dr. Cocoa, FL 32922
		328 Bellaire Dr. C. "
Carol Mott		340 Bellaire Dr
Arvie Mott		340 Bellaire Dr
Ron Bates		314 LUCERNE DR.
Elizabeth Timmons		111 COQUINA DR
Wilson R Timmons, Jr.	Wilson R Timmons Jr	111 Coquina Dr, Cocoa FL 32922
Lydia Smith	Lydia Smith	2107 Clairemont Dr. Cocoa Fl 32922
Janice Smith	janice Smith	2107 Clairemont Dr Cocoa, Fl. 32922
J Smith	JAMES R SMITH	2107 CLAIREMONT DR Coc 32

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Executed this 8 day of FEB, 2019.

NAME	SIGNATURE	ADDRESS
Penny Jaspers	Penny J. Jaspers	332 Bellair Dr. Cocoa
Robert Jaspers		332 Bellair Dr, Cocoa
Kyle J. Hughes		2606 Direct Cocoa
Wayne Noble	Wayne Noble	2684 Direct Cocoa
STEVEN BENNETT	Steve Bennett	2702 DIXIE CT COCOA FL
JOHN B. Archibald		317 Mcleod dr. Cocoa Fl.
Jennifer C Granger	J Grainger	325 Mcleod Dr Cocoa FL.
JOHN C PAPPAS		330 Mcleod Dr Cocoa, FL
Sherry & Ben Stroman	Sherry Stroman	332 Mcleod Dr Cocoa, Fl
Annette Anderson Rey	Annette D Anderson	344 Mchead Dr Cocoa FL
[illegible]	MIA GOFORTH	317 McLeod Dr. Cocoa, FL
Barry Menegheli	BARRY MENEGHELLI	2119 MACFARLAND DR, COCOA FL
Denise Moneghelli	Denise Moneghelli	2119 MacFarland Dr.
Cynthia S. Johnson	Cynthia Johnson	2703 N. Indian River Dr. Cocoa, FL 32922

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Executed this 10th day of February, 2019.

NAME	SIGNATURE	ADDRESS
Charlie C Weaver	Charlie C. Weaver	265 Coquina Dr. Cocoa, fl. 32922
Kimberly Devine	Kimberly Devine	212 Coquina Dr
Lacy Lantz	Lacy Lantz	2110 Clairemont COCOA FL
Pete Tossios		301 Lucerne dr.
Stephanie L. Lewis		24 Carleton Dr.
MARTHA FORKNER-VERNON		19 CARLETON DR.
Peter T. Johnson		2703 N. Fiddlers River Dr. Cocoa, FL 32922
Kenneth Chaulk		207 Coquina Dr Cocoa 32922
Michael C. Clontz		1655 Lisle Blvd. #206E
Virginia C. Weaver	2303 Maryland Cocoa 32922	Rockledge-206 Coquina Dr #202

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Executed this 7th day of February, 2019.

NAME	SIGNATURE	ADDRESS
Linda Dolphin	Linda Dolphin	200 N Indian River Dr.
William Dennis Childs	[illegible]	2100 N. Indian River Dr.
Ralph Perrone Sr	[illegible]	2120 N. Indian River Dr.

EXHIBIT B- PRESENTATION ON THE ADDENDUM TO A DEVELOPMENT AGREEMENT COCOA GRAND APARTMENTS

COCOA
FLORIDA

Addendum to a Development Agreement

Cocoa Grand Apartments

February 13, 2019

Project Summary

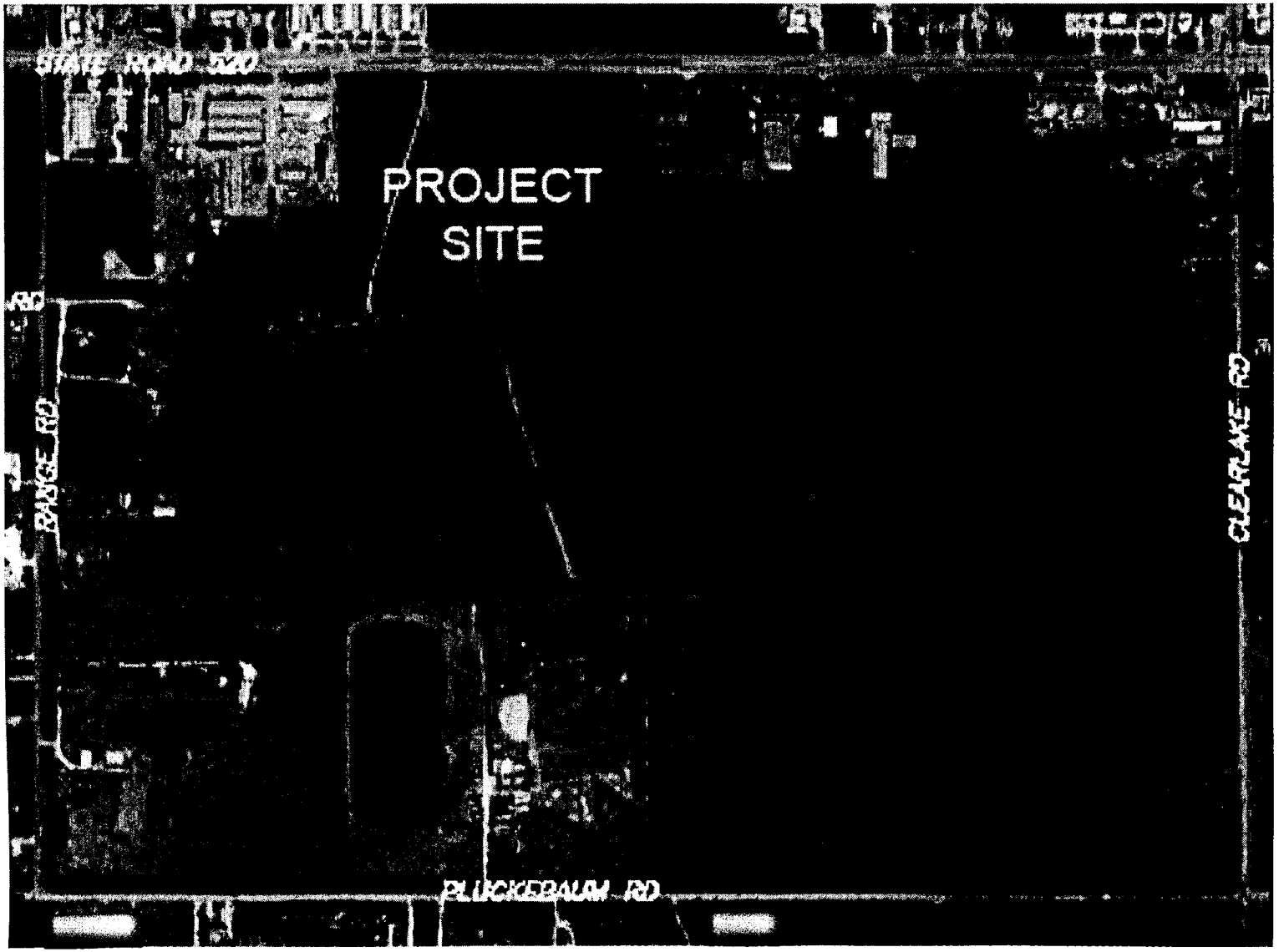
Requested Action

- Approve an Addendum to the Binding Development Agreement between the City of Cocoa, Florida and 2075 W. King Street Land Trust and its successors to allow the developer to construct up to 312 apartment units and associated amenities.

Project Location

- A single parcel of land (Tax Parcel ID: 24-36-31-00-265) totaling 130.66 acres.

Location Map



COCOA
FLORIDA

Project Summary

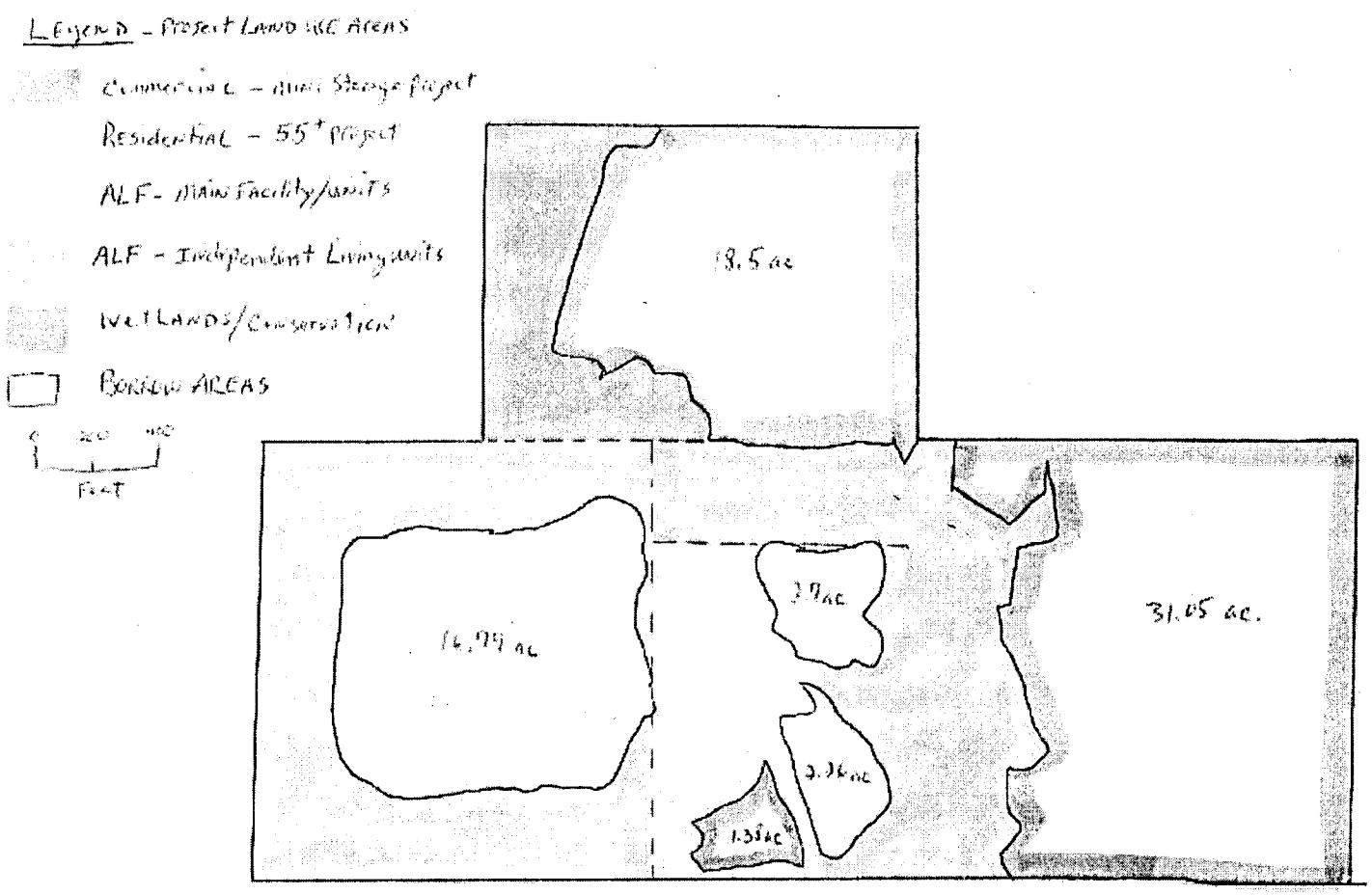
Project Background and Summary

- On October 17, 2017 City Council approved a Binding Development Agreement for the subject parcel utilizing its Home Rule power.

- The Concept Plan for the Agreement consisted of an ACLF (Adult Congregate Living Facility) comprised of 11 buildings totaling 100 units along with an independent living residential area and a 55-and-older residential area to be constructed on the southern portion of the parcel and around the existing lake with some commercial use on the northern portion of the property abutting SR520.

- In conjunction with the Binding Development Agreement, Council approved certain changes to the southern portion of the subject parcel: a Future Land Use change from Low Density Residential to Medium Density Residential, a designation of Conservation over the area of wetlands, and a rezoning from RR-1 (Rural Residential) to RU-2-15 (Multiple Family Residential).

Original Concept Plan



Land use map
City of Cocoa
Exhibit "B"

N

Date: ———

COCOA FLORIDA

Project Summary

- The original project was never developed and the property is now under contract to a developer who wishes to construct a market rate apartment community in the center portion of the southern (residential) portion of the property. No commercial use is planned for the northern portion of the parcel at this time.

- On September 17, 2018 the applicant held a public meeting to gather feedback from nearby residents regarding the proposed project.

- Five property owners attended and expressed concerns related to the proximity to their property and potential stormwater impacts.

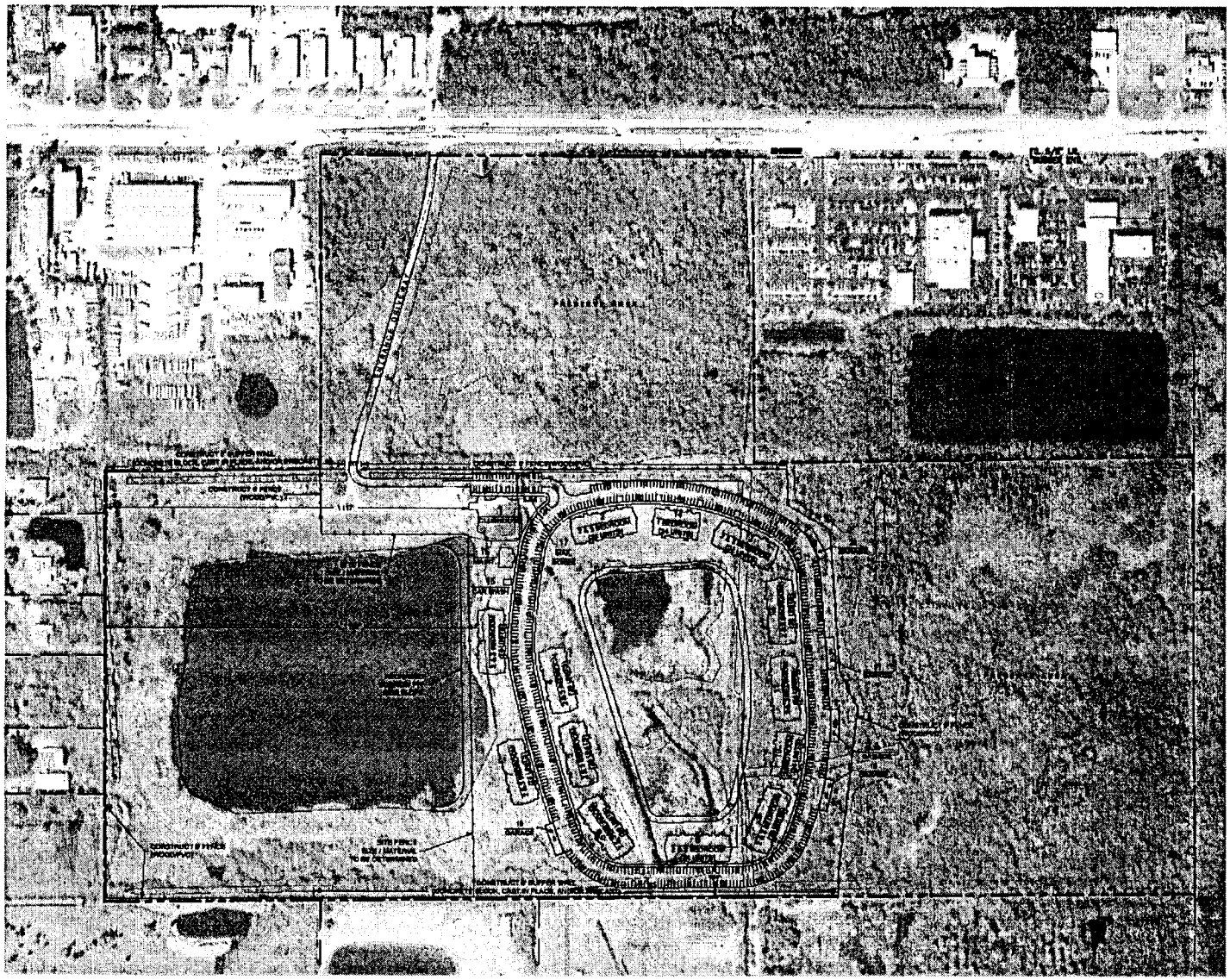
Project Summary

- As a result of this feedback the applicant redesigned the project layout to move the apartments from the perimeter of the existing borrow-pit lake at the western end of the parcel to a location in the center of the parcel.

- The new layout will include a stormwater pond in the center of the apartment buildings to provide a water view for residents as well as control stormwater on site.

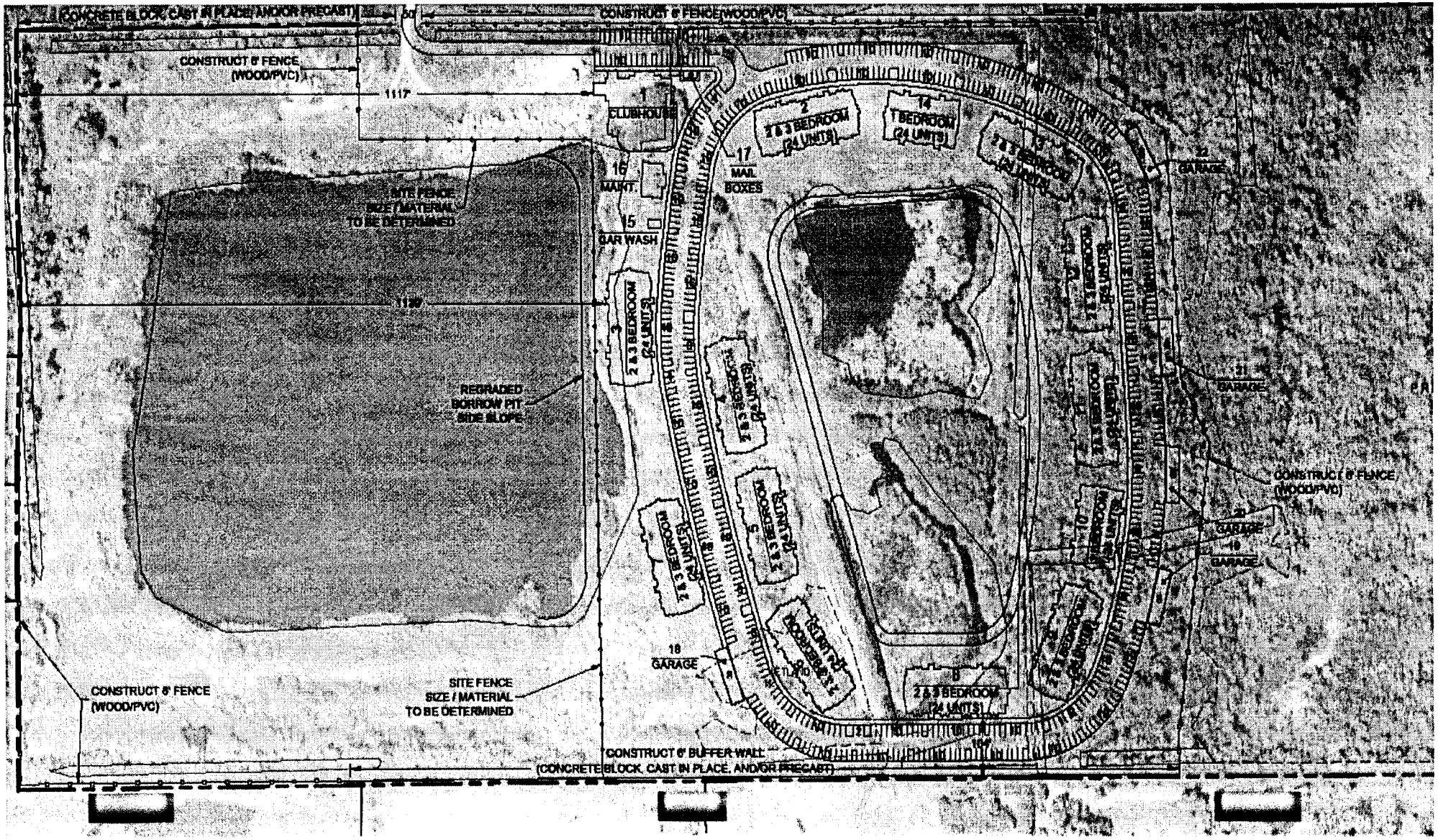
- The new design includes a clubhouse, a car wash and a maintenance building and retains the original plan for fencing and a concrete block wall separating the project from abutting residential and commercial properties.

Revised Concept Plan



COCOA FLORIDA

Revised Concept Plan



Project Summary

Staff Analysis

In recognition that the Concept Plan has been prepared prior to engineering and floodplain review, the Concept Plan may be slightly modified in the future to accommodate changes required by the City Code, including for drainage and flood storage, but may not be modified to include:

1) a different use of the Property;
2) an increase in the proposed number of units;
3) a reduction in the required amenities; or
4) a deviation from any condition.

Project Summary

The addendum also includes the following requirements of the developer:

1) Within six (6) months from the Effective Date of this Agreement, the Developer/Owner, at its expense, shall prepare and file all required applications, information, and engineering plans with the City of Cocoa that are necessary to obtain floodplain development approval, final site plan, and final engineering approval for the Project consistent with the Concept Plan.
2) The Owner shall obtain approval of the site plan within twelve (12) months of the Effective Date of this Agreement.
3) If the Project fails to obtain such final approval from the City (a/k/a - a final development order) within the aforesaid twelve (12) months, the City shall have the right to declare the Owner in default.
4) If the Owner does not cure the default within the cure period, the City shall have the right, but not obligation to, terminate the Agreement without penalty.

COCOA FLORIDA

Project Summary

The Project shall further be subject to the following conditions:

a) The apartment units shall meet the minimum living area requirements for apartments in the RU-2-15 Zoning District.

b) The apartment and communal buildings shall be no more than thirty-five (35) feet in height.

c) No development, other than buffer walls or fences, shall be permitted on the west side of the existing 16.79-acre lake (former borrow pit).

Project Summary

The Developer/Owner shall be specifically required to develop the Project to include certain amenities, which shall be maintained in good and working condition throughout the life of the Project, shall be of adequate size to service the intended number of residential units, and shall be incorporated into the final site plan:

a) The Developer/Owner agrees to include a clubhouse with an exercise/workout room, sauna, business center, and "party room" that may be reserved by residents for events; swimming pool; playground; dog park; car wash; sidewalk around the interior retention pond; and two (2) electric car charging stations;

b) The Developer/Owner agrees to incorporate the use of energy efficient lighting systems, insulation and ENERGY STAR rated windows, low-flow water fixtures, modern heat pumps, and energy-efficient HVAC systems;

COCOA FLORIDA

Project Summary

c) Developer/Owner shall construct and maintain a six foot (6') buffer wall along certain portions of the subject property perimeter:

- Along the southern boundary of the Property from the point of the western boundary of Tax Parcel ID 24-36-31-00-506 to the western edge of the Conservation area on the Property, except that a fence may be provided within the natural gas easement area, if necessary to accommodate such easement.
- Along the northern boundary of the Property to the western edge of the driveway entrance.

Further, a six foot (6') opaque fence shall be constructed and maintained along certain portions of the property:

- Along the boundary between the commercial and RU-2-15 zoning on the Property, from the eastern edge of the driveway entrance to the western edge of the Conservation area, provided that Developer/Owner acknowledges and agrees that future development on the commercially-zoned portion of the Property shall require an additional or replacement buffer, in the form of a wall or other vegetative buffer, upon request of the City and provided that applicable environmental permits may be obtained.
- Along the western boundary of the Property and along the southern boundary of the Property where the buffer wall is not required.

COCOA FLORIDA

Project Summary

d) The Developer/Owner shall install full-cutoff, low-light emitting or LED streetlights and outdoor lighting fixtures.

e) The Developer/Owner shall reserve a minimum of three (3) two-bedroom apartment units for City law enforcement officers to be rented at a fifty percent (50%) discounted rate, to be made available on a first-come, first-serve basis, at the time of initial leasing until there are no other two-bedroom apartments available at the facility.

In addition, the Developer/Owner shall provide a lease preference above other tenant applicants to City law enforcement officers and firefighters, along with EMS and local school teachers, on a first-come, first-serve basis as long as it does not violate Federal Fair Housing statutes.

Project Summary

Consistency with the Comprehensive Plan

Objective 3.1.1: Energy Efficiency. The City shall encourage energy efficiency in the design, construction and rehabilitation of new and existing residential buildings in the City and incorporate alternative energy technologies in the land development regulations.

GOAL 3.7: The City shall promote opportunities for the creation of housing and infill development within the City.

GOAL 11.1: The City of Cocoa will ensure, through effective planning and coordination with the School District, that adequate school capacity is available to accommodate enrollment demand for City residents.

Project Summary

Consistency with the Comprehensive Plan

- Objective 11.1.2: The City shall ensure adequate public school capacity exists to accommodate new students generated by residential development. The City shall forward all applications for a residential development permit to the School District for a school concurrency evaluation and determination.

- Policy 11.1.2.2: The City shall not approve any non-exempt residential development application for a new residential preliminary subdivision, site plan or functional equivalent until the School District School has issued a School Capacity Availability Determination Letter (SCADL) verifying available capacity.

COCOA FLORIDA

Project Summary

Concurrency

- Staff has done a preliminary concurrency review of services required by the project and determined that there are sufficient facilities to meet the needs of the proposed development. In addition, the City has received the School Capacity Availability Letter showing sufficient capacity exists within the adjacent service area to serve the needs of the project.

- A final review will be completed with the Site Plan application.

Recommendation

Next Steps

If approved, the addendum will be signed and recorded in the Official Records of Brevard County, subject to applicable conditions. The developer will then need to submit a Site Plan application.

Previous Action

The Planning & Zoning Board recommended approval of this item at the February 6, 2019 meeting.

Recommendation

Accept the Planning & Zoning Board's recommendation of approval of the Addendum to the Binding Development Agreement and attached Concept Plan.

EXHIBIT C: PRESENTATION ON PRELIMINARY SUBDIVISION LAKESIDE PALMS WEST

COCOA
FLORIDA

Preliminary Subdivision

Lakeside Palms West

February 13, 2019

Project Summary

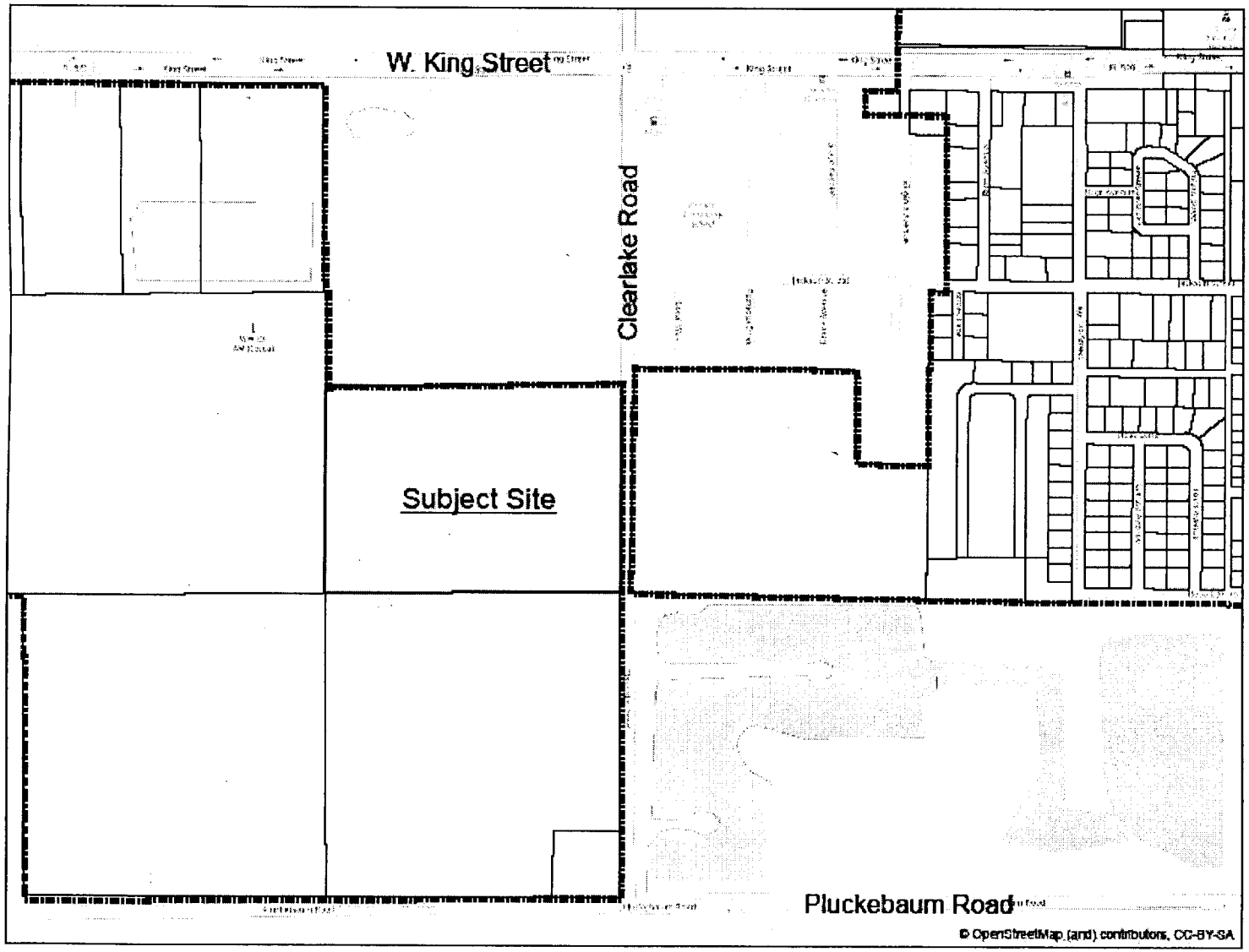
Requested Action

Approve a Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Lakeside Palms West subject to conditions identified in the agenda item.

Project Location

A single parcel of land (Tax Parcel ID: 24-36-31-00-750) totaling 27.62 acres located on the west side of Clearlake Road, approximately 0.25 miles south of SR520. The land was formerly an orange grove but is now vacant. The property is zoned RU-2-15 and has a Single-Family Residential Future Land Use.

Location Map



COCOA FLORIDA

Project Summary

Project Background and Summary

- The applicant intends to construct a single-family subdivision with 87 lots (approximately 5 units per acre).

- The current zoning on the property (RU-2-15) allows single family homes to be constructed utilizing the minimum bulk, yard, and living area standards of the RU-2-10 zoning district.

- Council provided staff direction to limit the applicability of the RU-2-10 zoning designation at the October 28, 2018 Council Meeting. Thereafter, the Applicant agreed to enter into a Development Agreement to ensure that amenities would be provided to serve the proposed subdivision and to limit uses on the property to single-family residential.

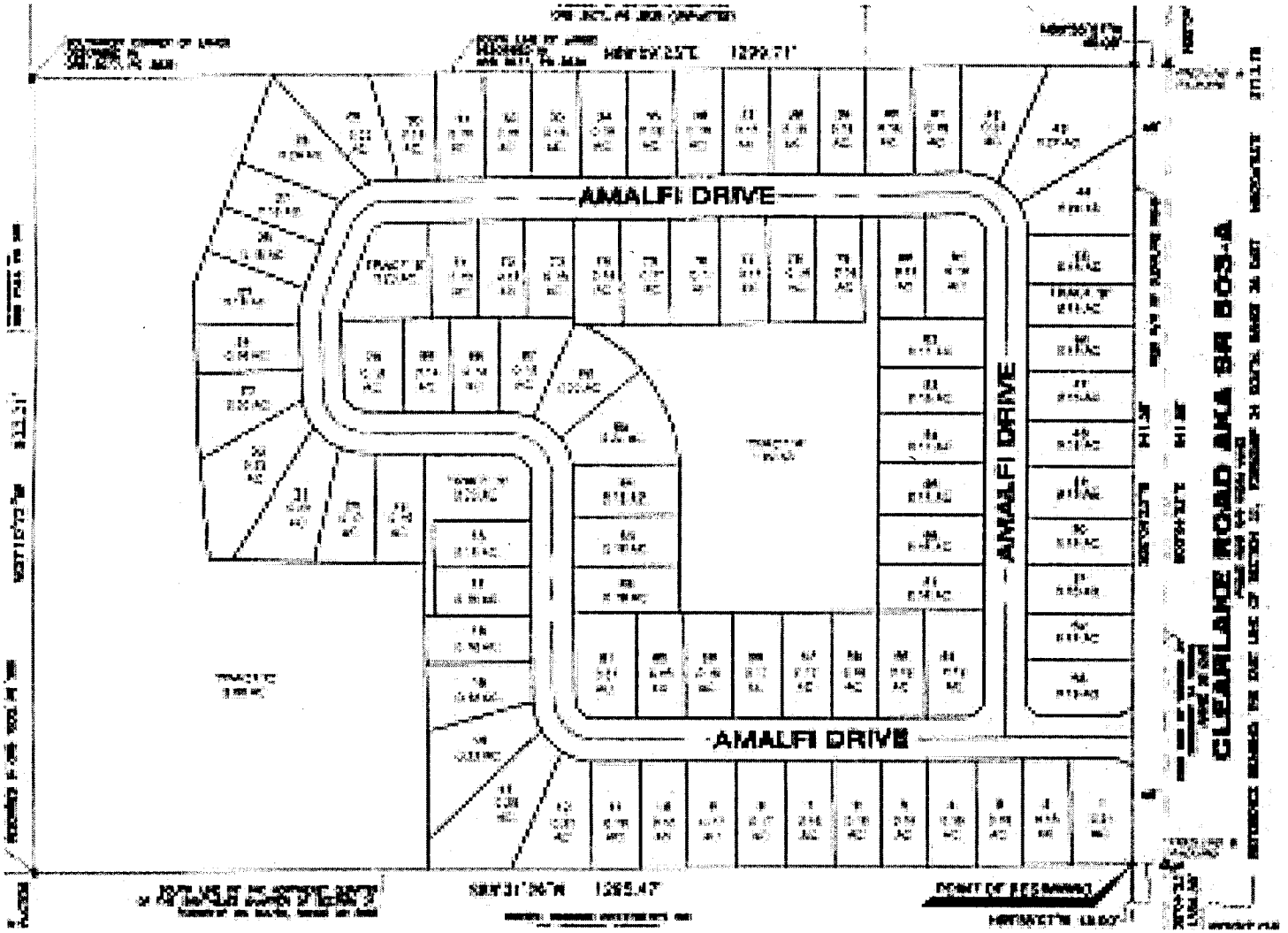
Project Summary

- The original subdivision application proposed 89 lots with no amenities. The Applicant has revised their subdivision plan to convert 2 of those lots into common open space areas for community amenities as outlined in the Development Agreement.

- The amenities will include a tot lot, benches, pavilion and multi-use field area, a pedestrian crosswalk, boardwalk and viewing deck over the stormwater pond, and a board walk and viewing deck over the wetland area.

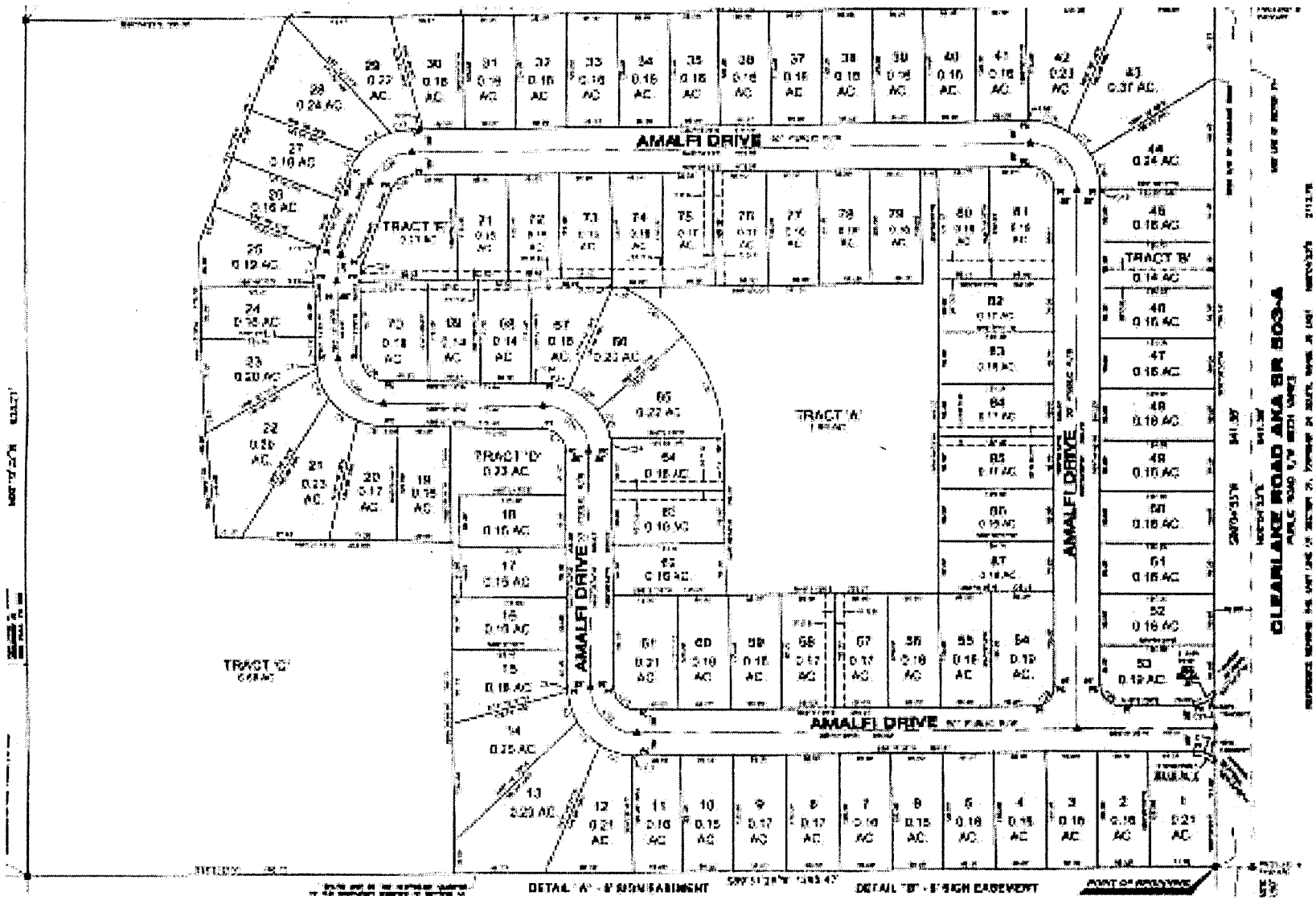
COCOA FLORIDA

Preliminary Subdivision Layout



COCOA FLORIDA

Preliminary Subdivision Plat



COCOA FLORIDA

Project Summary

Staff Analysis

Staff has reviewed the Preliminary Subdivision application under the RU-2-10 zoning district regulations as follows:

- Minimum Lot Area: 5,000 sq.ft.
- Minimum Lot Width: 50 ft.
- Minimum Lot Depth: 100 ft.
- Maximum Lot Coverage: 40%
- Maximum Height: 35 ft.

Project Summary

- The majority of the lots created by this subdivision are between 56 and 58 feet in width and 125 feet in depth which equates to 7,000 sq.ft. of lot area.

- Lots on roadway curves are allowed a minimum width of 25 feet, and corner lots are required to be 15% larger than interior lots.

- This subdivision plat meets these requirements. The Lot Coverage and Maximum Height requirements are addressed when a building permit is applied for.

Project Summary

- The buildable portion of the property is impacted by the existing wetland such that it is largely located in the AE flood zone area. This necessitated an additional review step which was handled by Geosyntec Consultants. Their review found the following:

1) The boundary and topographic survey were updated with the SFHA boundary. Based on the updated survey and the additional explanation provided in the comments response letter, the proposed project is considered to be in compliance with Sec. 6-356 (1) of the City's code.

2) The additional explanation provided in the technical memorandum is considered sufficient to demonstrate compliance with Sec. 6-330 of the City's code.

Project Summary

3) The hydrologic and hydraulic analysis provided in the technical memorandum indicates that the 100-year design storm runoff volume captured and removed from contributing to the floodplain is greater than the volume of proposed fill. Based on this analysis, the applicant has stated that the project will not impact the 100-year floodplain and base flood elevation. The additional explanation and analysis provided are considered sufficient to demonstrate compliance with Sec. 6-332 (2) of the City's code.

4) The additional explanation provided in the comment response letter states the permits that are and are not needed for this project and for compliance with Sec. 6-329 of the City's code. The applicant anticipates approval of an environmental resource permit from SJRWMD prior to commencement of the development.

Project Summary

Consistency with the Comprehensive Plan

- GOAL 3.7: The City shall promote opportunities for the creation of housing and infill development within the City.

- GOAL 11.1: The City of Cocoa will ensure, through effective planning and coordination with the School District, that adequate school capacity is available to accommodate enrollment demand for City residents.

Project Summary

- Objective 11.1.2: The City shall ensure adequate public school capacity exists to accommodate new students generated by residential development. The City shall forward all applications for a residential development permit to the School District for a school concurrency evaluation and determination.

- Policy 11.1.2.2: The City shall not approve any non-exempt residential development application for a new residential preliminary subdivision, site plan or functional equivalent until the School District School has issued a School Capacity Availability Determination Letter (SCADL) verifying available capacity.

Project Summary

Concurrency

- Staff has done a preliminary concurrency review of services required by the project and determined that there are sufficient facilities to meet the needs of the proposed development. In addition, the City has received the School Capacity Availability Letter showing sufficient capacity exists within the adjacent service area to serve the needs of the project.

- A final review will be completed with the Final Subdivision application.

Recommendation

Next Steps

If approved, the Preliminary Subdivision will allow the developer to begin construction of the site improvements and infrastructure once all the required conditions have been met. The Final Subdivision must be applied for within one year of approval of the Preliminary Subdivision.

Previous Action

The Planning and Zoning Board recommended approval with conditions of the Lakeside Palms West Preliminary Subdivision at its December 5, 2018 Meeting. Some conditions recommended by the Planning & Zoning Board have been resolved since the meeting and have not been included in this recommendation.

Recommendation

Approve a Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for Lakeside Palms West subject to the conditions set forth below:

1. All unresolved review comments from City of Cocoa staff, or other reviewers on behalf of the City, shall be addressed prior to the Final Subdivision application being heard by City Council unless an earlier deadline is established below.
2. Provide revised Preliminary Subdivision plans and plat addressing the following comments:

Recommendation

Planning Division

1) The landscape plan depicts live oak trees along the Clearlake Road perimeter. As there is an overhead electrical power line along that side of Clearlake Road the City would prefer that a different tree species be planted that will not grow up into the power lines. Resolution of tree species can be coordinated with the Public Works or Planning Department prior to purchase.

Recommendation

Utilities Department - Sewer

1) The sewer lateral to Lots 1 and 2 should run directly to the lot corner. There should not be any bends under the asphalt.
2) Label the Clearlake Road directional bore "Fusible PVC".
3) The bore plan provided does not reflect a directional bore installation. Provide a proposed directional bore profile. The profile needs to show the pipe entrance location, pipe exit location, clearance from existing utilities, and proposed fittings for the tie in connections to the bore pipe.
4) Add an Air Relief Valve at the top 45 degree bend on the west side of the Clearlake Road directional bore.
5) Move the 50' x 50' Lift Station site to the east end of Tract B. This will allow for the remainder of Tract B to be accessed and maintained by the City. Provide an access driveway to the Lift Station site.
6) Reconfigure the Lift Station site so that the Lift Station structures have a minimum 10 feet clearance edge to edge from the of the 36" storm pipe.

COCOA FLORIDA

Recommendation

Public Works Department

1) Swale along the East, North, and South sides of the property to be owned and maintained by Victory Judgement LLC, or HOA, not the City of Cocoa.

Additional Plat review comments provided by the City Attorney's office as follows:

1) The dedication shall be updated with the correct name of the property owner. Streets shall be dedicated to the public.
2) Updated title work shall be provided within 30 days of the City Council's approval.
3) Utility easements shall be furnished on all side and rear lot lines and shall be at least 10 feet wide and 5 feet on each side of the lot line.

Recommendation

4) The following easements shall be dedicated to the Lakeside Palms West Homeowner's Association of Brevard, Inc.:

- 5-foot access easement for the purposes of maintaining fences or buffer walls for the subdivision along the rear of lots 29 through 53 and 1 through 13.
- 5-foot drainage easements along the side of each tract shall be dedicated to the Lakeside Palms West Homeowner's Association of Brevard, Inc.

5) A conservation easement for Tract C shall be provided in accordance with s. 704.06, Florida Statutes.

Recommendation

6) A perpetual easement shall be dedicated to the City of Cocoa over all drainage easements, and Tract A for the purposes of drainage and emergency maintenance and inspection of such private facilities, but under no circumstances shall the City of Cocoa have any obligation, burden, responsibility, or liability to enter upon the subject property and take any action to repair or maintain a private system, facility, or amenity.

<u>City Surveyor and Flood Plain Management</u>

1) All comments generated by the City's surveyor must be addressed prior to the Final Subdivision application being heard by City Council.
2) Provide copy of St Johns River Water Management District permit prior to any site work commencement.