MINUTES
City of Cocoa
Regular Meeting of The City Council

February 9, 2021

A Regular City Council Meeting was held on Tuesday, February 9, 2021, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

Mayor Blake called the meeting to order at 6:00 p.m.

Councilmember Hearn provided the invocation and Councilmember Dyal led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	James Goins	Deputy Mayor
	Rip Dyal	Councilmember
	Lavander Hearn	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Matthew Fuhrer, Assistant City Manager; Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; John Hankins, Interim Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Nancy Bunt, Community Services Director; Jason McCuen, Helpdesk Support Tech; Rob Beach, Chief Technology Officer; Samuel Byrd, Deputy Fire Chief; Robert Seeber, District Fire Chief; Dodie Selig, Planning Manager; and Samantha Senger, Assistant to the City Manager/PR Specialist.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of February 9, 2021 (21-105)

2. **Minutes:** (a) Regular Meeting of January 12, 2021 (21-129)
(b) City Council Priority Planning Workshop on January 19, 2021 (21-126)

* **MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to approve the Agenda as presented for the Regular meeting of February 9, 2021 as presented.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Goins, to approve the Minutes for the Regular Meeting of January 12, 2021 and the City Council Priority Planning Workshop on January 19, 2021 as written.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Black History Month Proclamation. (21-123). (Mayor Blake)

Mayor Blake read the Proclamation into the record.

2. Fire Department Equipment Presentation. (21-125). (Chief Lamm)

Chief Lamm introduced Mr. and Ms. Diaz from Firehouse Subs in Rockledge, along with representatives from DMS who were in attendance. He spoke about the grant that was received by the City and showed various pieces of equipment such as the jaws of life, cutters, and a few others that were purchased with the grant funds.

Chief Lamm felt it was important to show what a joint partnership could do for the City. He thanked them all again.

Mayor Blake thanked them all and agreed with the importance of partnerships with the City.

Councilmember Hearn spoke as a firefighter and knows how important the tools are. He also thanked them for their support.

IV. Delegations:

Rev. J. B. Dennis, 3710 Catalina Drive, Cocoa, thanked the City for doing an outside search for the new Police Chief. He pointed out that there was not one black police officer in Cocoa in a leadership position and believed that the search could continue. He further mentioned that at the last meeting he spoke in regards to a petition and would like that on an agenda.

Allen Chapman, Executive Director of HCVMS, mentioned the upcoming Brewers Bash at Riverfront Park. Entertainment will be provided and there will be other food and drinks booths as well. Admission is free and tickets for tasting are $40. It will be a safe event, with booths spread out and social distancing and masks will be required. The event is on February 13th beginning at noon.

V. Consent Agenda:

1. Approve Task Order 2021-21 with Bussen Mayer Engineering Group, Inc. for Professional Engineering and Consulting Services for the Lakes at Cocoa Grove - Utility Extensions, Project No. WS21CG; To Approve a Resolution Amending the FY2021 Budget, BAF #21-045-T. (21-66). (Utilities Director)

* **MOTION by Councilmember Dyal; Seconded by Councilmember Koss, to approve the Consent agenda.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Pass on 1st Reading; Ordinance 03-2021: a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of one (1) parcel totaling 15.74 acres from General Commercial to Mixed-Use Planned Unit Development, and consideration of a Binding Development Agreement / Final Planned Unit Development / Preliminary Subdivision consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code for the Cirrus Mixed-Use PUD project on this same parcel. (21-122). (Community Services Director)

Attorney Garganese read Ordinance No. 03-2021 into the record by title only as follows. He advised that this was first reading of the ordinance. He noted there are some recommended conditions for this ordinance and a proposed

development agreement running with this ordinance. The intent is for the development agreement to be approved during the second reading of this ordinance. The agreement is not subject to final approval tonight but at the second reading.

ORDINANCE NO. 03-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE OFFICIAL ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY, TOTALING 15.74 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON STATE ROAD 524, DIRECTLY SOUTH OF STATE ROAD 528 AND WEST OF EAST INDUSTRY ROAD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM GENERAL COMMERCIAL (CG) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Bunt pointed out that this was going to be a 280-unit apartment complex in the old Winn Dixie Plaza.

Ms. Selig provided a presentation[1] regarding the project.

She provided the project application summary and mentioned that the Planning and Zoning Board heard this at their meeting and recommended approval.

The project location and future subdivision rendering was shown.

Lastly, Ms. Selig provided the rezoning analysis and staff's recommendation.

Councilmember Koss asked what DBH stood for and Ms. Selig explained it was Diameter at Breast Height. She further spoke about possible issues in the area and what the requirements in our Code entailed.

Councilmember Koss spoke in favor of the project and believed it would be a great addition to the neighborhood.

Deputy Mayor Goins asked if there was an update on the FDOT improvements on SR524. Ms. Selig does not have a true update at this time.

Mr. Smith advised that SR 524 was in PD & E phase now and when the study was complete they would move to the next step of design.

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1 EXHIBIT A: Zoning Map Amendment Project Cirrus Presentation

Councilmember Dyal recalled that when Winn Dixie was first put in there was a flooding issue in Coventry. He asked if there would be work done to stop that from happening. In response, Ms. Selig stated there is a stormwater pond and wetlands and stormwater will have to be kept onsite.

Mayor Blake was in favor of the project as well.

Mayor Blake closed the hearing to Council and opened the hearing to the public.

There being no response, the public portion of the hearing was closed.

* **MOTION by Councilmember Dyal; Seconded by Councilmember Hearn, to approve Ordinance No. 03-2021 on First Reading.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. Approve the current Code Enforcement Lien for the property located at 5555 SR 524, be reduced to $1,306.90 as recommended by the Code Enforcement Board. (21-100). (Interim Chief of Police)

* **MOTION by Councilmember Koss; Seconded by Councilmember Dyal, to approve the current Code Enforcement Lien for the property located at 5555 SR 524, be reduced to $1,306.90 as recommended by the Code Enforcement Board.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the current Code Enforcement Lien for the property located at 2610 N. Cocoa Blvd., be reduced to $2,000.00 as recommended by the Code Enforcement Board. (21-101). (Interim Chief of Police)

Interim Police Chief Hankins informed Council that the owner was in attendance and would like to speak in regards to the item.

Larry Curvin, 225 Florida Blvd, Merritt Island, provided a history of this property from the time that he acquired it until now.

He explained that the City did not have a building official at the time of purchase and he was given a permit to proceed with the work. As soon as a building official was hired he was he had to stop the job. He was told that if they got an inspection

every six months and passed they would be fine. During the last inspection he was informed that he could not continue as the property had been rezoned.

Mr. Curvin stated that he was guilty of letting the property go and was not aware that it had been in violation for over 277 days at $100 per day. He did not receive a letter and understands that process now.

Mayor Blake was aware of the administrative costs and had to stand by those.

Councilmember Koss sympathized with Mr. Curvin but lives close to the neighborhood and neighbors felt it was bringing down their property values.

Deputy Mayor Goins asked what his plans were for future use. In response, Mr. Curvin explained that he sold it and was waiting to close and had to drop the price due to the property being rezoned.

* **MOTION by Deputy Mayor Goins; Seconded by Mayor Blake to approve the current Code Enforcement Lien for the property located at 2610 N. Cocoa Blvd., be reduced to $2,000.00 as recommended by the Code Enforcement Board**.

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approve a Partial release for 1053 Hickory Ln. from the properties located at 1045 Olive St. & 1115 Broadmoor Dr., be reduced to administrative cost of $100.00 as recommended by the Code Enforcement Board. (21-81). (Interim Chief of Police)

Interim Chief Hankins mentioned that this property was tied to several other properties sold to another developer. This will release the single piece of property.

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Goins, to approve a Partial release for 1053 Hickory Ln. from the properties located at 1045 Olive St. & 1115 Broadmoor Dr., be reduced to administrative cost of $100.00 as recommended by the Code Enforcement Board, with discussion.**

Deputy Mayor Goins asked where the original code violation was at and in response Interim Chief Hankins noted there were violations on all of the properties.

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. City staff is seeking approval to continue negotiations for a two week period with Waste Management for solid waste services for customers within the City of Cocoa. (20-138). (Public Works Director)

Mr. Smith mentioned that per Council's direction at the January 19, 2021 workshop staff extended negotiations with Waste Management. Staff is requesting a little more time to address four items and would like to continue those negotiations for a two-week period.

Dina Reider-Hicks, 3303 Lake Drive, Cocoa, and with Waste Management Public Affairs spoke about their history with the City and of a survey that was done a few months ago. The majority of the residents who responded, which was 93.8% want to keep the relationship with Waste Management. Additionally, Waste Management appreciates the effort that staff has put forth to keep their relationship. She further thanked them for the continued two-week negotiation period and for their trust and confidence in Waste Management.

Joanne Stanley, Republic Services, Palm Bay, and the Municipal Services Manager, advised that they now have the City of Palm Bay and hoped that this contract goes out to bid as they are interested.

Platt Loftis, Waste Pro, 2951 W. King St., Cocoa, stated it was great to be back and would support a bid if one was to happen. They were in favor of an RFP. He noted they have audited the city routes and know where the issues are. He asked Council to consider the rates and those being proposed. He thanked all who have met with him.

George Galetko, with Waste Management, spoke on three points. He mentioned the rate structure in comparison with Cape Canaveral and Palm Bay. He further advised that there are costs that you can negotiate out that you cannot with an RFP. Lastly, he spoke about fuel and the M.R.F. (materials recovery facility) and that Waste Management was the lowest. They appreciate Cocoa's business.

Mayor Blake clarified that what Mr. Smith was looking for was a two-week extension to negotiation with Waste Management and during that period if we do not like what was being presented we could go in a different direction. Mr. Smith responded in the affirmative.

City Manager Whitten noted that they would bring back a recommendation to either go with Waste Management or go out for an RFP.

Councilmember Koss mentioned that recycling was going through a change. In response, Mr. Galetko advised that this was a competition that drives price and

service. Ms. Reider-Hicks thanked Councilmember Koss for touring the M.R.F. (materials recovery facility) and was glad that she could see everything first hand. There have been dramatic changes in regards to recycling and Waste Management is committed to recycling and keeping it viable. She assured Council that they are looking at all ends to keep recycling going.

* **MOTION by Councilmember Koss; Seconded by Councilmember Hearn, to continue negotiations with Waste Management for two weeks.**

AYES: Blake, Goins, Hearn, Koss

NAYES: Dyal

THE MOTION CARRIED (4-1)

VIII. City Business:

Multi-Year Contracts:

1. Approve Participation in a Cooperative Purchase Agreement with Insituform Technologies, LLC, for Cured in Place Pipe (CIPP) Rehabilitation Services and Sanitary Sewer Cleaning & CCTV Inspections of Main Line Sewers Utilizing the City of Daytona Beach Contract No. 0118-2600, effective February 6, 2019 through February 5, 2020, Renewal February 6, 2020 through February 5, 2022. (21-94). (Utilities Director)

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Goins, to approve the item.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. Informational Agenda:

None.

X. Reports:

Mr. Walsh mentioned that yesterday there was a large story that hit the news about a water plant security breach in their water system. He assured all those listening that Cocoa has a robust security system and everything was in place to protect het plant from something happening.

Additionally, he advised that notification would be going out in water bills regarding a chemical change in the water system. This change will be made in the beginning of March and they will slowly go back to the chlorine system currently being used.

Ms. Senger mentioned that Cocoa High School was planning on doing a Black History Month Celebration at Riverfront Park. This is usually held at the school. The chorus and orchestra will be performing and a fee waiver was being requested.

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve the fee waiver for Cocoa High School's use of Riverfront Park for their Black History Month Celebration.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Ms. Senger mentioned that in July, 2019, the Rosa L. Jones' family reached out to the City about doing a traffic signal wrap in honor of her. They raised $5,000 and decided after receiving that much to do a mural instead. Ms. Senger has been meeting with Ms. Jones' granddaughter Lena Baker, along with Ms. Nancy Elliott.

They have not been able to locate a good place for a mural and have decided on an art installation at the entrance of Rose L. Jones Drive as they are adamant about it being the Village. They would like to make it moveable as well as they know there will be work done in that area. Additionally, they will work with Public Works to ensure safety in the area. This would be a mirage of her life and they would like to see it completed by August 2021 as they are having a family reunion and would like to unveil it at that time.

Ms. Senger pointed out that they needed Council's blessing to do this project.

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Goins, to approve the proposed art installation project for Rosa L. Jones.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Interim Police Chief Hankins spoke about the Drug Take Back Initiative where the community can bring in prescriptions or other medicines and place in a lock box

at the Police Department. Last year, they were approached by Elastic and they are donating a new box for the same purpose to the Police Department.

Secondly, he advised that there were eleven openings at the Police Department and they swore in five brand new officers yesterday for the City.

Chief Lamm provided a COVID update. In the State of Florida there are currently 1,783,720 cases with 27,815 deaths. There are 31,006 in Brevard County with 77 active cases in the City of Cocoa.

In regards to vaccinations, 72,849 have been given in Brevard County and some of those have completed both shots. They are still working closely with Brevard County to get vaccinations and to start serving more citizens in the County.

On February 12, 2021, from 10 am until 1 pm at the Joe Lee Smith Center and in City Hall, they will be running the program again to help citizens get on the waiting list for the vaccination. He encouraged Council to let people know.

Chief Lamm further advised that the Governor recently announced that Walmart and Publix will be giving vaccinations as well. This will not be all of the stores and the location in Cocoa will be at Sams Club. Ms. Senger will push out information as soon as it is available and you do not have to be a member to get vaccinated there.

Lastly, there will be a program at Cocoa West and it will be through five of our local churches. Signups have been completed and are full.

He asked all to remain patient as it is a tough time for families and local leaders. They are pushing as hard as they can to get vaccinations here in the City.

Deputy Mayor Goins asked about the numbers for the sign up locations last week. In response, Chief Lamm mentioned it was about fifteen people but not to get discouraged as it was a quick advertisement. Phone calls are still being taken and people are still being signed up. Citizens are also being invited to the fire station and City Hall if they need help.

City Manager Whitten mentioned that at the last workshop there was some confusion regarding 915 Florida Avenue. The request was to either continue with attempts to negotiate a development agreement or to go back to the drawing

board. He felt that the following points should be included if they proceed with a development agreement.

Attorney Garganese noted late this afternoon they received a letter from the developers attorney and he explained to Council what that letter entailed.

City Manager Whitten provided a presentation[2] and discussed the Development Agreement requirements in detail. Staff's proposed timeline was discussed as well.

Mayor Blake asked how long the current developers have had to complete this project. It was pointed out that it has been over two years. Mayor Blake further asked if any legal issues incurred during this time, of which the City Manager was not aware of any.

Mayor Blake reiterated that they have had over two years to start this project. He understands the guidelines and what the attorney was saying, but he wanted the best use for the property and is tired of waiting.

Councilmember Dyal questioned an incident where a crane hit a supportive wall. He asked if an independent group came out to inspect that. Ms. Bunt answered in the affirmative.

Deputy Mayor Goins asked when the potential meeting would be. City Manager Whitten advised as soon as the attorney can draft the agreement and get it to them.

Deputy Mayor Goins felt that it was going to be a lot of going back and forth and would be wasting time. He feels that they will not meet the City's guidelines and should go out for an RFP.

Mayor Blake asked if the City could automatically go out for an RFP if the guidelines are not met.

City Manager Whitten stated yes and that Council could provide a date for that. He stressed that all of those items were on the table when he became City Manager and further reminded Council that a draft never got to Council.

Furthermore, it is his desire to maintain ownership of the property as there is billboard revenue on it. It makes sense to update the appraisal and the best and highest use analysis.

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2 EXHIBIT B: 915 Florida Avenue Presentation

City Manager Whitten reiterated the conditions in detail. He was not sure how the developer can claim there was an agreement that cannot be changed.

Councilmember Hearn confirmed that this would be presented to the developer and an updated appraisal would be done. He further asked what the timeline would be if it goes out for an RFP.

Ms. Bunt pointed out that they were waiting on the best and highest use and hoped it would be back this month and that the appraisal would be done by the end of March.

Councilmember Dyal felt that a two-week timeline should be given once the developers receive the agreement to accept it or not.

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Goins, to approve a two week turn-around from the date of the receipt of the agreement by the developers to accept it or not.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Lastly, City Manager Whitten spoke about a subject brought up a few weeks ago regarding a structure that is surplus property. The City's policy states that staff can donate items when they are not sold at auctions; however, we can only donate to other municipalities, but Council can donate to individuals or auction them to individuals.

He was requesting that Council approve the donation of the shade that was requested by Dakota's Carwash to use as a cover to help out her business but wanted the City to be held harmless with regard to the condition of the structure. It would also be up to the requestor to remove it and obtain a permit if needed.

Mayor Blake clarified that it must be declared a surplus. In response, City Manager Whitten stated that the City no longer has a use for it and asked that the motion include the conditions set forth by staff.

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to donate the poll and shade at the Harry T. Moore Center to Dakota's Carwash with the stipulation set forth by the City Manager.**

Councilmember Koss asked if this would be setting a precedent.

Deputy Mayor Goins felt that it was at Council's discretion. This structure has been sitting and was surplus property and the owner knows that it would help her business.

Councilmember Dyal had no problem with this donation but it might cost to take it down as well.

Attorney Garganese advised that this needs to be a surplus property and there needed to be a clear understanding that there was no municipal purpose for this structure, and that the City would not incur any costs for the removal. Additionally, there would be an economic benefit for the repurpose of this.

Mayor Blake reiterated that the key word was "surplus" and he did not want to set a precedent.

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Councilmember Hearn stated that this Saturday they would be doing a community cleanup starting at Carl Anderson Park and would work up to N. Fiske to 7-Eleven on Dixon Blvd. They will have gloves and other items to pick trash up with. This will be from 8 a.m. until 11:30 a.m.

Mayor Blake felt that this was excellent timing as people were asking why one area gets more attention than others.

Councilmember Hearn spoke about former Cocoa High student Jamel Dean who earned a Super Bowl ring this weekend and it was a big statement for Cocoa. It shows how far one can take their vision.

Councilmember Koss thanked Mayor Blake for attending the trash cleanup at Provost Park. Fifteen bags of trash were collected by Cocoa Rotary.

She announced that this Saturday at 10 a.m. is the Mayor's Fitness Challenge at Travis Community Center. They would do about ¾ of a mile around Clearlake Loop.

The Clearlake Loop will be opening March 1st and she thanked the Sustainability Advisory Board for making that happen. She will be walking there every Wednesday at noon for anyone who would like to join her.

On Wednesday, February 17th there would be a special walk to commemorate and celebrate former Mayor Jake Williams, Jr. as it will be his birthday and is the first day of Lent.

Councilmember Koss showed a photo[3] of the path at the Cocoa Conservation Trail. Mr. Smith worked with a homeowner who would be available to open and close the gates. A photo was also shown of an eaglets nest.

Deputy Mayor Goins stated that at the recent Diamond Square CRA meeting Economic Development did a presentation about their small business pilot program and pointed out that staff has been working on this for a while. It is a great program and will help a lot of businesses out. It will start in the Diamond Square area.

Deputy Mayor Goins spoke in detail about Jamel Dean, who plays for the Tampa Bay Buccaneers and is a Super Bowl LV winner.

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to award Jamel Dean a Key to the City and to proclaim February 7th as Jamel Dean Day in the City of Cocoa.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Blake asked that a letter be sent to all of the businesses in Cocoa to recognize Jamel Dean on their marquees or in other ways. Let them know it is optional but would be nice. Mr. Dean is well established, well rounded and had a 3.5 g.p.a. while in school. He is very proud of him and thanked the City for acknowledging him on the City's marquees.

There will be a recognition event on February 20th in conjunction with Cocoa High School for Mr. Dean. More details are to follow.

Mayor Blake noted that on March 12, at 10 a.m. in conjunction with St. Mark's is a walk with their students and parents for the Mayor's Fitness Challenge. He asked

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3 EXHIBIT C: Photos provided by Councilmember Koss

that staff possibly be out during that time to pass out water and cheer them on as they come by.

On March 13th at 9 a.m. they will be back in the Village for the Mayor's Challenge at Riverfront Park.

Deputy Mayor Goins mentioned that on March 20th there will be food trucks and a DJ at the pond by Barbara Jenkins St. in Diamond Square to get people out walking around that area.

He reminded all of the Community Watch meeting tomorrow at Satsuma St. from 6-7 p.m.

Councilmember Dyal invited everyone to join him on February 18th at the Tiger Den at 10 a.m. to walk.

Councilmember Dyal further mentioned his attendance at the Citizens Academy which was at Fire Station #1. They got to see some of the equipment used and pointed out that Cocoa Auto Salvage brought a junked car so the firefighters could demonstrate how the equipment was used.

Councilmember Dyal asked Interim Chief Hankins about car noise. In response, Interim Chief Hankins noted that there is case law which makes it a non-enforceable statute. He agreed it was annoying but their hands are tied due to litigation.

Mayor Blake spoke about the Manufacturer's Tour on January 25th and thanked Ms. Essing as she was an instrumental part of making that tour happen.

He spoke about a Zoom meeting he did with students at Cambridge Elementary and thought the third grade class did a great job.

Mayor Blake asked the status of the Day of Prayer event on February 27th. In response, Ms. Senger advised that about six pastors have called and responded and each of them are bringing about three to four people. They are also all announcing them at their ministries.

He acknowledged Arbor Day and that the City had received a letter for being recognized as a Tree City USA.

Lastly, he congratulated the 2021 Brevard County Teacher of the Year from Cocoa High School, Karrie Hieber.

XI. Adjournment:

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to adjourn the Regular meeting of February 9, 2021.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:05 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie E. Shealy, City Clerk

City of Cocoa SEAL FLORIDA



Zoning Map Amendment

Project Cirrus

February 9, 2021

EXHIBIT A: Zoning Map Amendment
Project Cirrus Presentation

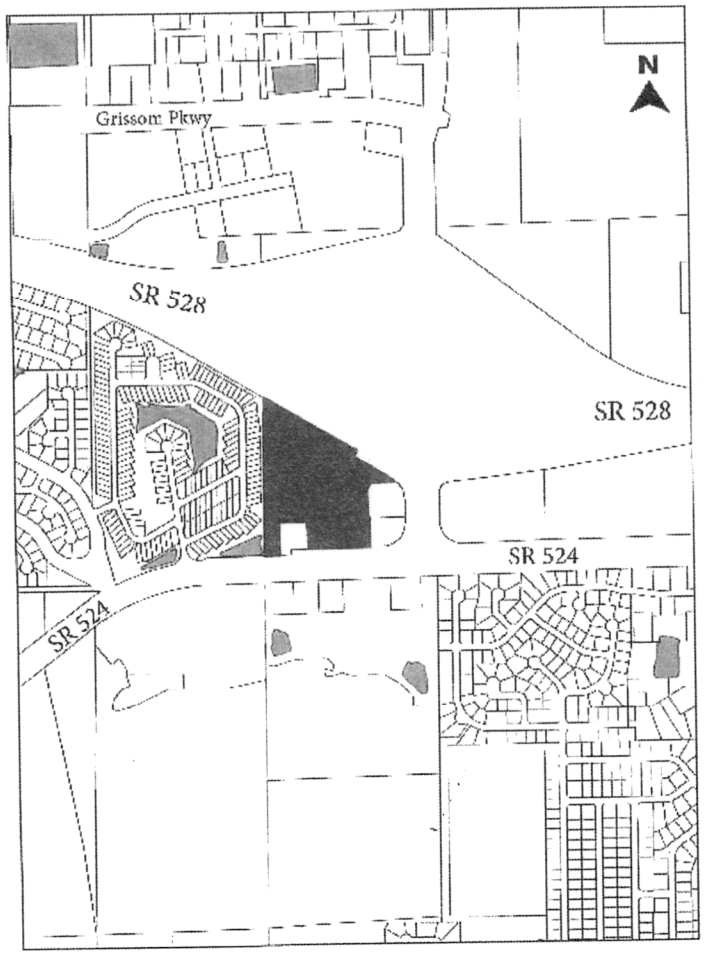
Project Application Summary

Applications tied to the redevelopment of this property:

- Binding Development Agreement
  - Exhibit B - Overall Site Plan
- Rezoning from General Commercial to Mixed-Use PUD
  - Ordinance 03-2021
- Final Planned Unit Development (PUD)
- Preliminary Subdivision
- Large-Scale Site Plan

Project Location

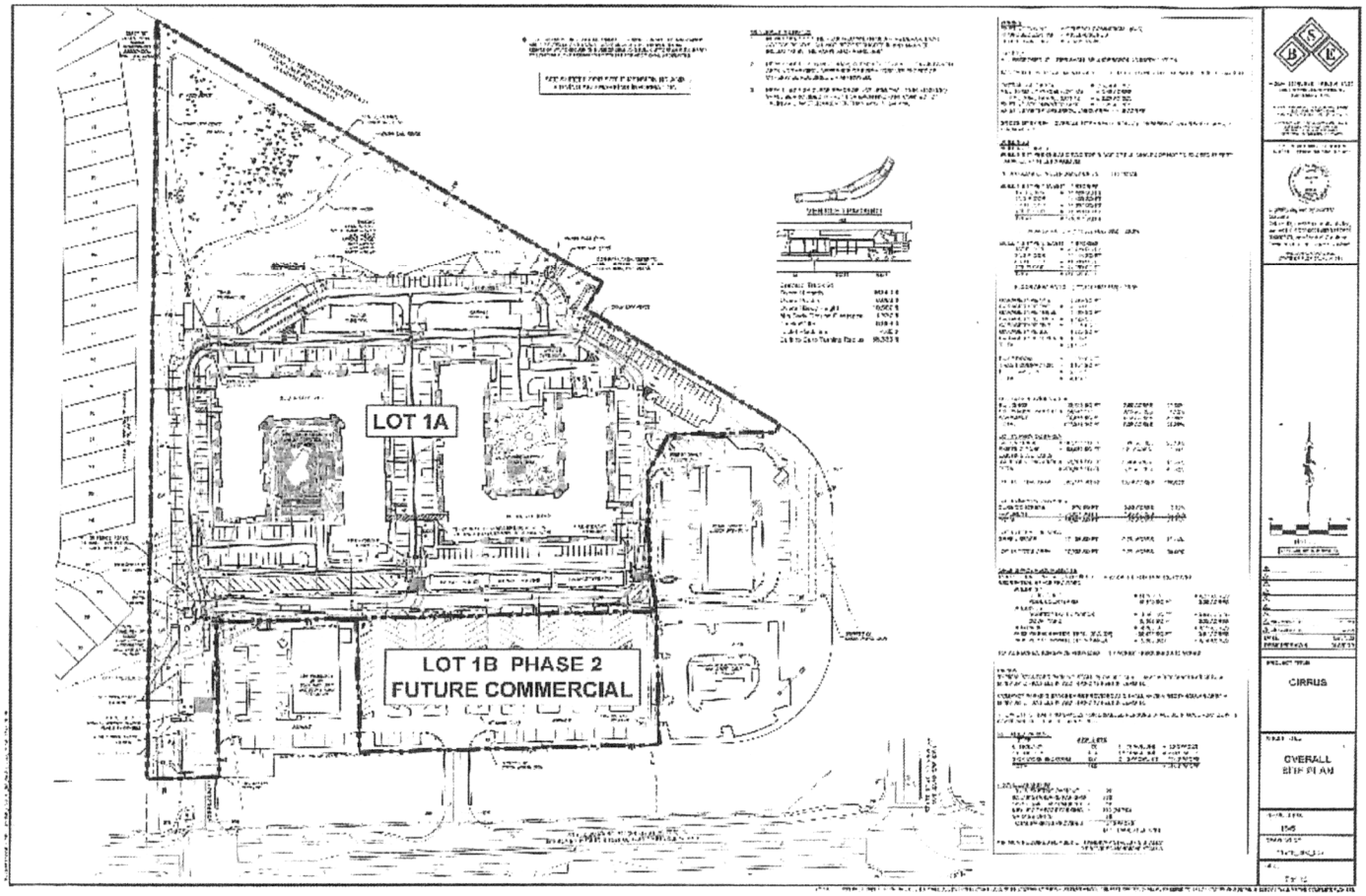
Cirrus Apartments



COCOA
FLORIDA

Future Subdivision

Exhibit B



Cirrus Rendering



COCOA
FLORIDA

Rezoning Analysis

Future Land Use Designation:	Commercial
Existing Zoning District:	C-G (General Commercial)
Proposed Zoning District:	Mixed-Use PUD

- Established land use pattern of nearby districts
- Public facilities impact
- Compliance with the Future Land Use Map and the Comprehensive Plan
- Adversely influence living conditions in the neighborhood
- Traffic congestion or public safety
- Adverse effect property values in the adjacent areas
- Deterrent to the improvement or development of adjacent property
- Change suggested is out of scale with the needs of the neighborhood

COCOA FLORIDA

Recommendation

Pass on 1st Reading; Ordinance 03-2021: a ZONING MAP AMENDMENT consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of one (1) parcel totaling 15.74 acres from General Commercial to Mixed-Use Planned Unit Development with the conditions stated in the agenda item recommended motion.

915 Florida Avenue



EXHIBIT B: 915 Florida Avenue Presentation

COCOA FLORIDA

Development Agreement Requirements:

1) The city shall retain ownership of .54-acre parcel
2) Sales price shall be based on current appraisal
3) Payment of one parcel will be at transfer of title
4) Except for the first mortgage by the primary lender, the Villas shall not encumber the Property with any other mortgages, liens, easements or other encumberances

Development Agreement Requirements:

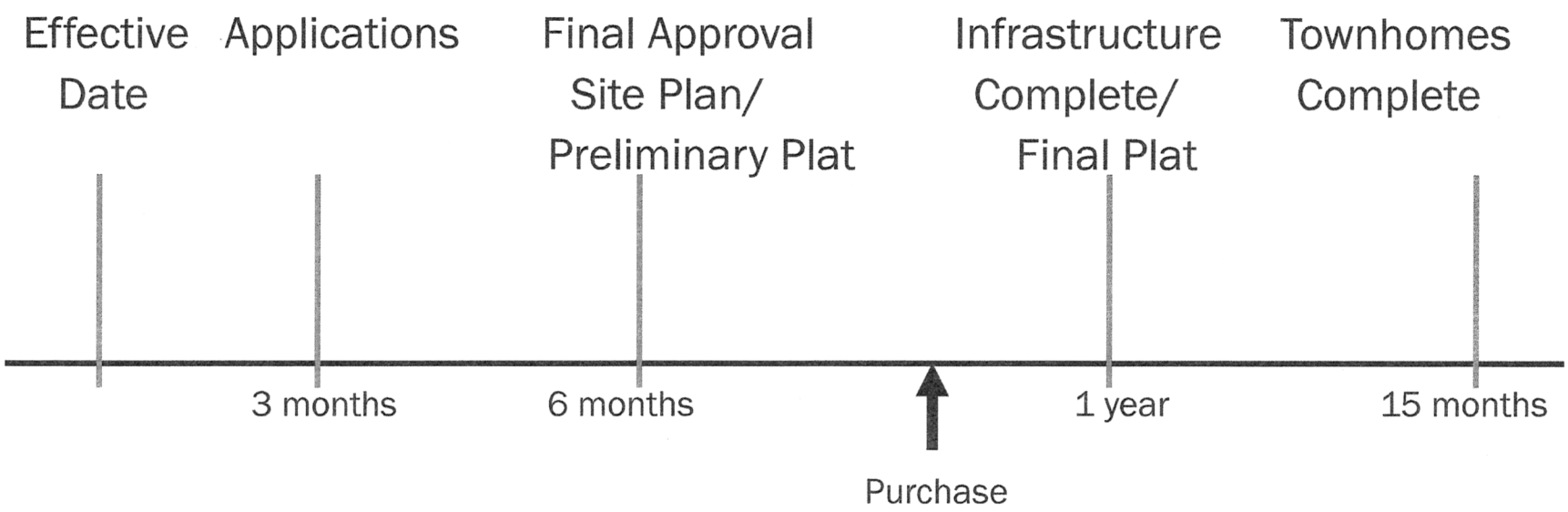
5) The Villas shall provide and deliver to the City the following prior to closing:

- ***Financing.*** Written proof of a binding financing commitment to construct the applicable portion of the Project from a bona fide lending institution, private lender or equity group indicating that the Project has been financed to commence and complete construction in accordance with the terms and conditions of this Agreement. Such proof shall also include any documentation of proof of pre-sales or pre-leasing associated with the financing secured as referenced above and of any personal or business guarantees or collateral to be used to obtain the financing commitment.

Development Agreement Requirements:

6) Project will be completed in One Phase
7) The timeline should follow the City's Code for Final Plat Approval and all of the utilities and infrastructure, including the stormwater management facilities and roadways for the entire project should be completed and accepted prior to recording of final plat.
8) The timeline shall have an 18-month timeframe from final plat approval for the entire project.

Staff's Proposed Timeline:



Options for Council based on 2/1/2021 Presentation

- **OPTION 1**: Terminate negotiations with The Villas of Cocoa Village, LLC. and reject all other proposals received under RFP#P-18-11-COC
- **OPTION 2**: Instruct the City Attorney and City Manager to continue to negotiate a final draft Development Agreement for Council's consideration and approval

EXHIBIT C: Photos provided by Councilmember Koss





Carie Shealy

From: Samantha Senger
Sent: Tuesday, February 9, 2021 5:00 PM
To: Carie Shealy
Subject: Fwd: additional covid seating

Sent from my iPhone

Begin forwarded message:

> **From:** Pub Americana <pubamericana@gmail.com>
> **Date:** February 9, 2021 at 4:26:01 PM EST
> **To:** Samantha Senger <ssenger@cocoafl.org>
> **Subject: additional covid seating**

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

Hello,

I apologize as my last email was sent by accident. The below email is the one that I would like to be introduced at tonight's council meeting.....

I am unable to make tonight's meeting but I would like to have my comments regarding extending the time frame for the Covid outdoor seating read and introduced to the council for their consideration.

About 6 months ago , the Economic Development Mgr. for the city of Cocoa, Angela Essing, reached out to myself and a few other local Cocoa Village business owners about the city's idea for the outdoor Covid seating. I know that all of us local merchants looked at this as a potential lifeline in keeping our business open . And a lifeline is what it has truly turned into. The additional outdoor seating helps people feel comfortable enough to actually go out to restaurants. One look at all the Facebook Brevard culinary pages will show you the concerns that potential diners still have when deciding whether they go out to restaurants or they stay home for safety's sake. We see the concern for personal safety when we see our masked community members walking through the village and all around Cocoa. At this time , with only a small percentage of the community vaccinated , personal safety is still a concern of a majority of folks out there today. At Pub Americana we have some days when all of our tables outside are taken and only a handful of the seats inside are taken. People are drawn to the outdoor seating for the safety factor. And if people feel that Cocoa Village has safe dining options during the pandemic , they will come to Cocoa Village and all the merchants here will benefit from it, not just food and hospitality. I respectfully request that the city extends the temporary additional outdoor Covid seating, till there is a majority of our community vaccinated, so that business can continue to survive and operate for all merchants in Cocoa Village and all of Cocoa.

Thank you for allowing my comments to be heard.

--

Patrick Evangelista

Pub Americana

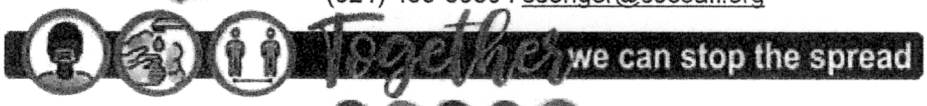
405 Delannoy Ave.
Cocoa Florida 32922
321-877-3456 Business
917.418.4861 Mobile

Carie Shealy

From: Samantha Senger
Sent: Tuesday, February 9, 2021 4:08 PM
To: Carie Shealy
Subject: FW: New eComment for City Council

Here is a comment that was received. There is no name or address so we do not need to include in record. Thanks.

Samantha Senger, APR, APIO
Assistant to the City Manager and
Public Information Officer
65 Stone St., Cocoa, FL 32922
(321) 433-8685 I ssenger@cocoafl.org



Stay Connected: www.CocoaFL.org

From: noreply@granicusideas.com <noreply@granicusideas.com>
Sent: Tuesday, February 9, 2021 2:32 PM
To: Samantha Senger <ssenger@cocoafl.org>
Subject: New eComment for City Council

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

New eComment for City Council

Guest User submitted a new eComment.

Meeting: City Council

Item: AGENDA:

eComment: Businesses who have utilized the extended outside dining option, would like to see an extension made for an additional month, through March, especially since business isn't

completely back to 'normal', and the weather is beautiful this time of year. The outside area has given us an opportunity to welcome guests who don't feel comfortable coming inside yet.

View and Analyze eComments

This email was sent from https://granicusideas.com.

Unsubscribe from future mailings

submitted for 2/9/2021 council mtg.

Carie Shealy

[redacted]

From: Jeri Blanco <jeriblanco@gmail.com>
Sent: Monday, March 15, 2021 1:23 PM
To: Carie Shealy
Subject: Re: minutes of last council meeting March 9th

EXTERNAL MESSAGE - USE CAUTION WITH LINKS AND ATTACHMENTS!

Hi Carie,

When I called you last month to ask why the e comment was not read you informed me of the change due to the Governor lifting the restrictions on the size of public meetings. You took the time to look for the comment and found it and then proceeded to tell me that it would be included in the minutes at the next meeting. It was submitted under delegations at the February 9th meeting. I kept a copy of the comment and have included it below. Please advise if you are able to include it in the minuets of the next meeting.

Thank you,

Jeri

[redacted]

Good evening Mayor and Council,

At the December 8th 2020 meeting during reports a council representative who is also the board liaison for the Sustainability Board made several comments I would like to address here tonight. I'm paraphrasing but the comments made went like this; some folks have come forward and questioned the interest in sustainability and resiliency efforts. It's been argued at times that Cocoa is too poor to have sustainability, Cocoa is too poor to be resilient and Cocoa is too poor to bring in storm water measures. I take offense to these remarks and strongly disagree. Sustainability and resiliency are vital components of smart growth and development. To imply that Cocoa is too poor to move in that direction is completely misconstrued. As a concerned resident I support both sustainability and resiliency as long as the cost of implementing these types of measures are not cost prohibitive to its most vulnerable residents.
I have lived in Cocoa for close to 16 years. I like many residents, witnessed the city decline during the mortgage crisis only to rebound and come back stronger from it. Real estate is not the only driver in a strong economy but it certainly is one of the more resilient ones. Cocoa is on the cusp of becoming a desirable location to move too. New housing developments are being built, new luxury apartments are also in the process of being built and new businesses are opening in the city. The future for Cocoa has never looked brighter. Let's keep the momentum going and make Cocoa the desirable city it can be.

Thank you,

[redacted]

Jeri Blanco
Cocoa 32922

Jeri Blanco