MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

December 12, 2018

A Regular City Council Meeting was held on Wednesday, December 12, 2018, 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 6:04 p.m.

Councilwoman Koss introduced Pastor David Bryant of the Greater St. Paul Missionary Baptist Church who provided the invocation and Councilman Goins 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	Councilman
	Alex Goins	Councilman
	Lorraine Koss	Councilwoman
	Anthony Garganese	City Attorney
	John Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk
ABSENT:	Brenda Warner	Deputy Mayor

OTHER STAFF MEMBERS PRESENT:

Jack Walsh, 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; Tony Jones, Fleet Manager; Dodie Selig, Planning & Zoning Manager; Gail Bantugan, Leisure Services Manager; Jonathan Lamm, Deputy Fire Chief; Samantha Senger, Assistant to the City

Manager/PR Specialist; Abigail Diaz, Assistant City Engineer; Lorne Stinnet, Human Resources Manager; and Jason McCuen, Helpdesk Support Tech.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of December 12, 2018 (18-616)
2. Minutes: (a) District 3 Town Hall Meeting of August 21, 2018 (18-527)
   (b) Regular City Council Meeting of October 10, 2018 (18-529)
   (c) District 4 Town Hall Meeting of October 16, 2018 (18-617)
   (d) Regular City Council Meeting of October 24, 2018 (18-630)
   (e) Regular City Council Meeting of November 14, 2018 (18-631)
   (f) Special City Council Meeting of November 20, 2018 (18-618)

* **MOTION by Councilwoman Koss; Seconded by Councilman Boisvert, to approve the Agenda as presented for the Regular meeting of December 12, 2018.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

In reference to the minutes, Councilwoman Koss asked if she should abstain from voting since she was not on Council for which some of these minutes are for.

In response, Attorney Garganese explained that this was a procedural issue and that the City Clerk would note in the minutes for this meeting that the three new Council members were not on Council at the time the minutes were taken.

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, to approve the Minutes for the following meetings: District 3 Town Hall Meeting of August 21, 2018; Regular City Council Meeting of October 10, 2018; District 4 Town Hall Meeting of October 16, 2018; Regular City Council Meeting of October 24, 2018; Regular City Council Meeting of November 14, 2018; and Special City Council Meeting of November 20, 2018.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

* **Please note that Mayor Williams, Councilman Goins, and Councilwoman Koss were not elected to City Council until November 6, 2018, and were not present for the meetings of August 21, 2018; October 10, 2018; October 16, 2018; October 24, 2018; and November 14, 2018.**

III. AWARDS AND PRESENTATIONS:

None.

IV. DELEGATIONS:

Paul Kamus, 116 Olive Street, Cocoa, expounded on the issue that he was here previously for which was the City's dental insurance. He thanked staff for the expedited removal of the pepper trees on Forrest Avenue and of a wreck that happened at the corner of King St. and Brevard Avenue. It is a very dangerous intersection. Lastly, he was impressed with the heart of the kids on the Cocoa High School football team. Many of them were hurt but still got out there and played. They won his heart and are a great bunch of kids.

Jane Naylor, 413 North Indian River Drive, Cocoa, spoke about the homeless situation and mentioned that she volunteers with various feeding programs. She mentors a homeless man and through help and support he has received temporary housing and a part time job. There is not a shelter in Cocoa, only the Sharing Center that opens its doors on the coldest nights. She believed a committee that could look into the broader issue of homelessness would be a great first step for Cocoa, as the homeless are human beings too and felt the City as a whole could do better.

Donna Kettner, 111 Harrison Street, Cocoa, owner of Green Apples, welcomed all of the new council members and the new Mayor. She thanked staff for pressure washing the sidewalks as they look much better. However, there is a problem because the sidewalks will not stay clean since restaurants have to wheel their garbage and grease to the dumpsters. She feels it is a shame that they cannot come up with a solution for this. There should be containers that are monitored and used only for dispensing oil and grease. Additionally, this is the second year in a row that there were thousands in the Village for the marathon and all garbage cans were collected. She had people walking in with their hands full.

She spoke about the homelessness issue and hoped that solutions could be brought forth to help with the problems in the City, although it is a problem across America. Lastly, she mentioned that it is getting harder and harder for businesses to survive with street closures every single weekend.

Councilwoman Koss asked about the FOG program and if restaurants that need to capture grease were inventoried. In response, Mr. Walsh explained that there are two City employees that go and inspect and meet with business owners on a fairly regular basis.

Sara Ann Conkling, 1305 South Lakemont Drive, Cocoa, spoke about a good transportation opportunity, which would be to add additional bus service on Saturdays. Currently, there is only one bus on Saturday and none on Sunday. She explained grant monies that were available and the opportunities that the City could have if interested in this. She wanted to assess whether or not there was any interest in becoming a partner with Space Coast Area Transit for another stop on the weekend route 6. She added that many work a second job on the weekend and this would help.

Councilman Goins asked if the bus would be a big transit bus or smaller bus. In response, she stated it would be a big bus, as they have found when you increase the routes the usage multiplies. Additionally, all buses are accessible by all who need services.

Councilman Goins asked her to send an email to Commissioner Lober as well. She felt it would be great to have the City as a partner.

Councilwoman Koss mentioned that one thing she heard over and over again during her campaign was that although Cocoa has a good amount of affordable housing, that one reason it might be less appealing was due to the ability to get to and from work.

Demetrius Waters, 911 School Street, Cocoa, has been a community advocate for twenty three years. He took over for Clarence Rowe. He thanked all for being elected and for their service and urged them all to continue on in their efforts.

V. CONSENT AGENDA:

1. Approve Task Order 2019-94 with CH2M Hill Engineers, Inc. for SCADA Support for Routine Maintenance and On-call Services of the Wonderware Archestra SCADA System at the Dyal Water Treatment Plant. (18-533). (Utilities Director)

2. Approve the FY 2018-2019 HOME Disbursement Agreement between the City of Cocoa and Brevard County in the amount of $446,472.26 and to approve a Resolution amending the FY2019 budget. (18-548). (Community Services Director)

3. Approve an exemption to the Competitive Bidding Process in the best interest of the City for the Purpose of Making a Purchase through E.H. Wachs for Twin Turner Valve Maintenance Trailer and Associated Equipment. (18-571). (Utilities Director)

4. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of Two (2) New Replacement Chillers from Trane U.S. Inc., Maitland, Florida, for the Dyal Water Treatment Plant; To Approve a Resolution Amending the FY2019 Budget. (18-578). (Utilities Director)

5. Council approve the purchase of 25 new MSA Self-Contained Breathing Apparatuses and related equipment for $159,955.70 that is in the Fiscal Year 2019 Capital Improvement Plan, through the use of Lake County's Contract. (18-609). (Fire Chief)

6. Award Bid #B-19-09-COC, Reactor Clarifier #1 Effluent Pipe Replacement, Series 2018B Bond Project No. WS18DP to E&D Contracting Services Inc., Savannah, Georgia, in the Amount of $260,795; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not To Exceed $26,079.50 (10% of the Contract Amount) for a Total Series 2018B Bond Related Project Cost of $286,874.50. (18-613). (Utilities Director)

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, to approve the Consent agenda.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

VI. PUBLIC HEARINGS:

1. Conduct a Public Hearing in accordance with the requirements of 24 CFR 91.105(c), with the intent to request 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. (18-622). (Community Services Director)

   Ms. Bunt explained that as a member of the Brevard County HOME Consortium, the City of Cocoa is required to follow the Brevard County's Citizen Participation Plan (CPP). The CPP was adopted by the Brevard County Board of County Commissioners on March, 3, 2015 in accordance with CFR 24, Part 91.105 (b) and Part 5, Subpart A, Section 5.158 when soliciting public comments with the intent to request a substantial amendment to its 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. Notice of Availability Subject to Approval and Public Hearings on the proposed substantial amendment to the FY2018/2019 Action Plan shall allow for an $894,445 Section 108 Loan from HUD Community Development Block Grant (CDBG) funds for the development of a new Dr. Joe Lee Smith Center located at Parcel ID: 24-36-33-00-264, adjacent to the current location at 419 Washington Street.

   Ms. Bunt pointed out that the new center is proposed at approximately 16,000 square feet, which is substantially larger than the size of the existing center at 5,992 square feet. While the center would retain its programming of recreational activities, the center would be more of a neighborhood community center capable of offering multi-programming services such as both youth and senior programming, health care services and community meeting space. Additionally, office space for the Cocoa Police Department's PAL officer and the City's partner Alliance for Neighborhood Restoration would be available in addition to space for parks and recreation staff of Brevard County. The City is also in discussion with the Brevard County Action Team to relocate their offices from Provost Park to the new Center.

   A legal advertisement was provided on November 26, 2018.

   There will be two public hearings on this item, one of which is tonight and the second and final public hearing will take place on January 23, 2019.

   As required by the participation plan, a local meeting will be held at the Diamond Square CRA meeting on Monday, December 17, 2018, at 6 p.m. Additionally, a

public meeting will be held at the Joe Lee Smith Center on Wednesday, December 19, 2018.

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

* **MOTION by Councilman Goins; Seconded by Councilman Boisvert, to approve a request of 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.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Ordinance No. 12-2018/2nd Reading: Adopt the revised Landscape Ordinance. (18-624). (Community Services Director)

City Attorney Garganese read Ordinance No. 12-2018 into the record by title only, as follows. He advised that this was second and final reading and no changes have been made since it was passed on first reading.

ORDINANCE NO. 12-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ARTICLE XIII, SECTION 22 OF THE CODE OF THE CITY OF COCOA TO MODIFY THE LANDSCAPE REQUIREMENTS RELATED TO TREE PROTECTION AND PRESERVATION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

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

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, to approve Ordinance No. 12-2018 on Second and Final Reading.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Approve with conditions The Cottages preliminary subdivision consistent with Chapter 18 of the City of Cocoa Code in order to subdivide three (3) parcels totaling +/- 1.03 acres into eighteen (18) townhome lots. (18-625). (Community Services Director)

Ms. Selig provided a presentation[1] and provided a project summary noting the following details:

- The applicant is seeking approval for a Preliminary Subdivision for 18 unit townhome lots on 3 parcels at the northeast corner of Rosa L. Jones Dr. and Florida Ave.
- The project was initially granted approval through the use of a Developmental Agreement by City Council on October 10, 2018.
- A Modification of the Development Agreement was approved by the City Council on November 28, 2018, which allowed a reduction to the rear setback for lots 1-4 resulting from a shift of those lots due to an FPL easement.
- Additionally, an FPL easement exists over the proposed Lot 5. A condition of approval has been added to address the future development of Lot 5.

She reviewed the preliminary subdivision plat and advised that on December 5, 2018, the Planning & Zoning Board recommended approval to City Council of the Preliminary Subdivision Plat with conditions.

Lastly, she provided the recommended motion, which is to accept the Planning & Zoning Board's recommendation of approval of the Preliminary Subdivision, with the following conditions:

1. Any unresolved review comments from City of Cocoa staff or its designated reviewers shall be addressed prior to Final Plat approval by City Council.
2. The creation of Lot 5 shall be conditioned upon the vacation of the Florida Power & Light easement, and should the vacation not occur, Lot 5 shall be removed from the plat, and the plat will be renumbered.
3. Tract A shall be owned, maintained and controlled by the Cottages at Cocoa Homeowner's Association for the purposes of private road, private

[1] EXHIBIT A: Preliminary Subdivision "The Cottages at Cocoa Village"

storm water management facilities, private walkways, common area, and recreational amenities. A perpetual easement shall be dedicated to the City of Cocoa over the entirety of Tract A for the purposes of 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. Further, a perpetual public utility easement over the entirety of Tract A shall be dedicated to the City of Cocoa and other utility providers, as provided in the Development Agreement, for the purpose of installation, operation, and maintenance of public utilities.

4. The Cottages at Cocoa Homeowner's Association shall grant to the present and future owners of all lots and their guests and invitees, and to deliver, pick-up and fire protection services, police and other authorities of law, United States mail carriers, representatives of utilities, holders of mortgage liens on such lands, and such other persons as owners, their successors and assignees, may from time to time designate, a non-exclusive and perpetual right of ingress and egress over and across Tract A.
5. The applicant shall be required to provide updated title work within 30 days of the Planning and Zoning's Board's recommendation to the City Council.
6. The plat note related to Tract B shall be amended as necessary to reflect the maintenance responsibility of the sidewalk installed.

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

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, to approve with conditions The Cottages preliminary subdivision consistent with Chapter 18 of the City of Cocoa Code in order to subdivide three (3) parcels totaling +/- 1.03 acres into eighteen (18) townhome lots.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

4. Pass on First Reading Ordinance 13-2018: A Zoning Map Amendment for approximately 27.62 acres of land from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential), subject to a Development Agreement

between the City of Cocoa and Victory Judgment, LLC. (18-635). (Community Services Director)

City Attorney Garganese read Ordinance No. 13-2018 into the record, by title only as follows. He mentioned this was the first reading of the ordinance and in this case the rezoning that is being recommended is subject to a Binding Development Agreement, which is being approved simultaneously with the rezoning approval by Council.

ORDINANCE NO. 13-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 27.62 ACRES, MORE OR LESS, AND GENERALLY LOCATED ON THE WEST SIDE OF CLEARLAKE ROAD, APPROXIMATELY 0.25 MILES SOUTH OF STATE ROAD 520 (WEST KING STREET), IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED ON EXHIBIT "A" ATTACHED HERETO, FROM RU-1-7 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO RU-2-15 (MULTIPLE FAMILY DWELLING DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a presentation[2] and a project summary which laid out a detailed history of the project.

- The subject property (approximately 27.62 acres) is located on the west side of Clearlake Road, roughly 0.25 miles south of SR520.
- The property was annexed from Brevard County in 2003 with an AU/Agricultural zoning designation. The City rezoned to RR-1 (Rural Residential) District.
- On April 11, 2006 the City Council approved a rezone of the property from RR-1 to RU-1-7 (Single Family Residential) District.
- The applicant has requested an amendment to the Zoning Map designation from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential) as depicted on Exhibit "A".
- The applicant intends to construct a single-family subdivision with 87 lots (approximately 5 units per acre).

[2] EXHIBIT B: Zoning Map Amendment Lakeside Palms West

She showed a location map and explained that this was west of Clearlake Road and Ms. Selig explained the details of the zoning map amendment, which are as follows:

- RU-1-7 zoning district is a low-density residential zoning designation which allows up to 7 single-family dwelling units per acre. The RU-2-15 zoning district would allow up to 15 multiple-family dwelling units per acre.
- However, single-family development in the RU-2-15 district is regulated by the RU-2-10 district which allows a smaller lot dimension and does not require provisions for tree preservation and usable common open space and recreational facilities as are required under the RU-2-15 zoning district.
- Importantly, however, this application for rezoning shall be considered in conjunction with a binding Development Agreement, which limits the uses that may be constructed on the property to single-family development.
- Although more intense uses are generally allowed through RU-2-15 zoning, those uses will not be permitted to be constructed in this case.

Ms. Selig, in furtherance, provided the details of the Development Agreement also being approved in conjunction with this Ordinance, which are as follows:

- The RU-2-10 (Low-Density, Single-Family and Multiple-Family District) zoning district was intended to promote compact urban infill development and primarily used in the Heart of Cocoa and older grid-designed neighborhoods, which are already close to urban amenities and services.
- Utilization of RU-2-10 standards in the development of new subdivisions with smaller lot sizes of 5,000 square feet (minimum lot width 50 ft. and minimum lot depth 100 ft.) without corresponding shared amenities can result in single-family housing without a sense of community and prone to economic depression.
- For that reason, on October 24, 2018, the Cocoa City Council gave direction to staff to prepare an amendment to the Zoning Ordinance of the City of Cocoa specifically related to developing single-family housing utilizing the provisions of the RU-2-10 zoning district regulations outside of the Heart of Cocoa and other infill and or redevelopment areas.
- That amendment will be placed on a future P&Z Board agenda for consideration.
- Because the application for this rezone was already received by the time the City Council gave its direction to staff on October 24, 2018, the

applicant agreed to enter into a Development Agreement, taking into consideration the City Council's direction.

- The Development Agreement restricts future development on the property to single-family construction based on RU-2-10 lot standards, but requires the developer to provide amenities for the future subdivision.
- Specifically, a tot lot, benches, pavilion and multi-use field, a pedestrian crosswalk, boardwalk and viewing deck over water, and a board walk and viewing deck over wetland area will be provided.
- The creation of common amenities reduces the number of homes from the 89 lots initially proposed to 87 lots. The applicant submitted a revised Preliminary Subdivision and a revised Plat (Exhibit "B") showing the proposed subdivision inclusive of the wetland conservation area and the 2 tracts dedicated to open space and recreation.

The preliminary subdivision plat was shown, and Ms. Selig provided staff's recommendation which is to pass on First Read Ordinance 13-2018: A Zoning Map Amendment consistent with Appendix A. Zoning, Article XXII, to change the Zoning Map designation for one parcel (approximately 27.92 acres) from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential) as depicted on Exhibit "A", subject to a Development Agreement between the City of Cocoa and Victory Judgment, LLC.

Ms. Selig explained the location of the boardwalk due to a question posed by Councilwoman Koss.

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

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, to Pass on First Reading Ordinance 13-2018: A Zoning Map Amendment for approximately 27.62 acres of land from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential), subject to a Development Agreement between the City of Cocoa and Victory Judgment, LLC.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

5. Postpone until the regular City Council meeting of January 9, 2019 consideration of the Lakeside Palms West Preliminary Subdivision. (18-636). (Community Services Director)

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, to Postpone this item until a date certain of January 9, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

6. Postpone until the regular City Council Meeting of January 9, 2019 consideration of the London Cove preliminary subdivision. (18-639). (Community Services Director)

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, to Postpone this item until a date certain of January 9, 2019.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

VII. COUNCIL BUSINESS:

1. Approve the requested 2019 street closures in association with the proposed Special Events. (18-597). (Leisure Services Manager)

Ms. Bantugan presented this and explained that these closures were for 2019. She likes to try to get all closures done at one time. She further explained the Special Events Ordinance and how street closures worked and how many were allowed per year.

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

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. City Council Liaison Appointments and Appointment of the Space Coast League of Cities Voting Delegate and Alternate, and Florida League of Cities Voting Delegate and Alternate for 2019. (18-615). (Administrative Services Director)

Ms. Gemmati presented the item and pointed out that the City Clerk had listed everyone's current liaison appointments, as well as what they were requesting for 2019.

Discussion was held about the primary and alternate members for the Space Coast League of Cities, Florida League of Cities, and Space Coast TPO.

Councilwoman Koss stated she that she had requested to be on Space Coast League of Cities but would give that up as she was interested in the TPO.

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, for Mayor Williams to be Primary and Deputy Mayor Warner to be the Alternate on the Space Coast League of Cities.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, for Mayor Williams to be Primary and Deputy Mayor Warner to be the Alternate for the Florida League of Cities.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

Ms. Gemmati summarized the board listing for the rest of the boards from the agenda item.

Mayor Williams advised that he is interested in the Brownfields Advisory Board as well the others mentioned in the item.

City Manager Titkanich advised that they vote on each board individually and the votes are as follows:

* **MOTION by Mayor Williams; Seconded by Councilman Goins, for Councilman Boisvert to be liaison to the Code Enforcement Board.**

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, for Councilman Goins to be liaison to the Diamond Square CRA.**

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, for Mayor Williams to be liaison to the Housing Authority.**

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, for Mayor Williams to be liaison to the Planning & Zoning Board.**

* **MOTION by Councilman Goins; Seconded by Councilman Boisvert, for Mayor Williams to be Primary and Councilwoman Koss to be Alternate on the Space Coast TPO.**

* **MOTION by Mayor Williams; Seconded by Councilman Goins, for Councilwoman Koss to be liaison to the Sustainability Advisory Committee.**

* **MOTION by Mayor Williams; Seconded by Councilman Goins, for Councilman Boisvert to be liaison to the US 1 CRA.**

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, for Councilwoman Koss to be liaison to the Utilities Advisory Board.**

* **MOTION by Councilman Goins; Seconded by Councilman Boisvert, for Councilwoman Koss to be liaison to the Affordable Housing Committee.**

* **MOTION by Councilman Goins; Seconded by Councilman Boisvert, for Deputy Mayor Warner to be liaison to the Board of Adjustment.**

* **MOTION by Councilman Boisvert; Seconded by Councilman Goins, for Mayor Williams to be liaison to the Brownfields Advisory Board.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Consideration of a Code Lien Satisfaction Agreement with Gladys Thomas. (18-638). (City Attorney)

Attorney Garganese reminded Council that this item came before them at the last meeting and since that time they were able to work out an agreement.

He explained that the first item of business with this item tonight would be to remove the three items that were tabled to the January 9, 2019 meeting so that they can conduct the business tonight.

* **MOTION by Councilman Goins; Seconded by Councilman Boisvert, to remove the Tabled items from the November 28, 2018 meeting. They are items 18-539, 18-542, and 18-562.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

Attorney Garganese reminded Council that this item involved several code liens and there was also an issue as to whether or not the applicant still owned the property at 1040 Azalea Lane. They learned it had been sold at a Tax Deed Sale to a different person, and further learned that there were surplus funds paid to the City of Cocoa. These funds will pay some of the assessment liens. There are also a few code enforcement actions that the Code brought forth.

Under those circumstances, they are asking that an agreement be done in order to resolve all of the code liens remaining that involve Gladys Thomas. Attorney Garganese explained what the City would receive and what would be resolved and pointed out that there would still be approximately $700,000 in liens that remain against 1040 Azalea Lane, but she would no longer be in charge of those liens.

A partial release will be done which would release her from those. The two liens will be the burden of the new owner of the Azalea Lane property. The amount they owe would be due to the City within sixty days.

Councilman Boisvert is satisfied with the Attorney's recommendation.

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

Councilman Goins stated that he had an issue with this at the last meeting because the property had been a mess for a long time, but he appreciated both attorney's coming to an agreement and is satisfied with this.

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

4. City Council direction regarding the placement of picnic tables at the Lee Wenner Park Pavilion. (18-640). (Assistant City Manager)

Councilwoman Koss provided a brief background on the purpose of the item and requested that the tables and chairs be brought back for an event happening at Lee Wenner Park on December 18, 2018. The event is a Christmas event for the homeless. She believed that this is a very interesting group and she had the opportunity to attend one of the dinners and was impressed by the fellowship and community both serving and receiving the meal.

The community in service has come to know many of these homeless by name and they are able to follow up with them week by week. She believed that there are things in place that will make them all feel welcome.

She further explained that last April the tables and chairs were removed from the park, and the owner of Rockledge Gardens has graciously been paying her employees to bring in tables and chairs.

Councilwoman Koss is aware that those who live in the Village are concerned with attracting more homeless to the area. The City Manager had also suggested the use of the old Fire Station #1, as that is where the tables and chairs were taken to.

She showed a photo of "Stroller Strong Moms" who use the park and recalled a time when she lived in North Carolina where a church choir would meet and sing at the park. She feels that the park can be utilized better and make more feel welcome. She would personally like to see the park open on Tuesday nights to feed the homeless dinner but understands that there is a lot of opposition to this.

Councilwoman Koss also understands that this is a big problem everywhere, and it cannot be solved by ourselves. However, there is enough humanity and heart in Cocoa that they can at least do a little better to let people know that we are a community with heart.

Mayor Williams understands her concerns and would like to hear what everyone has to say about the issues out there. This is a problem that goes throughout the state but feels that this is a start.

Councilman Boisvert hears what Councilwoman Koss is saying but feels that they should wait until the next Council meeting when all members are present to vote on the issue.

Councilwoman Koss stated that they live in a vulnerable area.

Nancy Elliott, 3406 Indian River Drive, Cocoa, and a property owner at 318 Delannoy Avenue, is interested in this as an adjacent property owner. She is also speaking on behalf of HCVA. There are a lot of events and activities in the Village and when you invite people here, there is a certain level of public safety and other requirements involved, based on the number of people. She asked how many people would be at this event and in response, Councilwoman Koss stated approximately 15 in service and probably 35-40 others.

Ms. Elliott pointed out that they always have to provide fire, police, and food safety. These are things that go along with protecting the City and the people who attend. She believed that they should use a developed venue and utilize the City's Leisure Services Department, and follow the same guidelines as everyone else. This would not require Public Works setting up picnic tables.

Councilwoman Koss noted that after this event they would be using Fire Station #1 where the tables exist.

Ms. Elliott stated this is all for protection.

Pam Shaia, 308 Brevard Avenue, Cocoa, does not understand the urgency of this and saw that it was put on the agenda at the last minute. She remembers when the tables were removed after the hurricane and the area was unsafe. There was a lot of vandalism and a lot of different activities going on. There are a lot of challenges in the Village but the homelessness situation is handling itself at the moment. She was able to collect over seventy signatures in thirty minutes from those residents and businesses that do not want the benches and tables back in Lee Wenner Park. She believed they needed to use Leisure Services, as there are other venues they can use.

Councilwoman Koss corrected Ms. Shaia and stated that they have been serving dinner on Tuesdays and Thursdays. They have been bringing in tables and chairs at their own expense. This item came on last minute due to it being Christmas and thought they could have a dignified dinner. After this they will use Fire Station #1.

Ms. Shaia felt that they would be putting the City at risk, as it does anytime someone does not use Leisure Services.

Councilwoman Koss pointed out that this was not a City activity. In response, Ms. Shaia stated they would be using a City facility.

Scherri Glooehon, 215 Brevard Avenue, Cocoa, welcomed Councilwoman Koss to the City Council, and has been working the Village for several years. She agreed with her and stated that everyone feels the same way for those who are cold and hungry. All merchants are collecting donations to be given to the Sharing Center. She believed that with all of the churches in the community, there should never not be a place for people to sleep. They should be opening their doors for things like this.

Ms. Shaia agreed that there are a lot of people on board, and no one ever wants to see anyone cold. Some of the merchants have even given the homeless jobs.

Mayor Williams reminded everyone that they are being talked to as a Council not just as individuals.

Candace Rogers, 93 Delannoy Avenue, Cocoa, believes this has been addressed by Ms. Shaia and others, but also Lee Wenner was not always what it is today, which is a construction site. The City has a vision to do something with the waterfront and the Civic Center. There is a homelessness problem, but this is going to take the leaders of the County and City Council to work with federal agencies, faith based groups, and other people who have had success and have worked with the homeless. We are not here to judge someone else's compassion. Orlando has an excellent record. She urged the City to look at groups like them who have been successful. It is an overwhelming plan but will need guidance from the leadership of the City.

Mayor Williams agreed that this is a tough subject and sees a lot of it. It is even in schools which is unfortunate. It would be nice if everyone could come together to put resources together to come up with a plan. He knows where the merchants are coming from and believes education is the key. He thought that Fire Station #1 would be a nice, general location. He would also like to see other organizations come together to hold events on other nights.

Councilman Goins asked Attorney Garganese if a resident like himself did not rent a facility and served people food, could the City be liable if someone gets

sick. In response, Attorney Garganese stated that a park is a public forum and is open for people to come and go. However, it is a loaded question and he could not answer. There are cities like Orlando who have agreed to permit and feed large groups.

Mayor Williams mentioned that other cities have a lot more to offer their youth and our parks do not compare to other communities. He stressed the need to start looking into activities for kids and families to enjoy.

Councilwoman Koss wants to make the park an asset and encourage other activities there. None of the women were concerned about safety or an uncomfortable encounter and she knows that the merchants and those in the Village have compassion.

Mayor Williams feels that this item should be brought back with more information.

* **MOTION by Councilwoman Koss; Seconded by Mayor Williams, to form an ad hoc committee that will inventory other services in the area, look at models, and come back with actionable items for Council.**

She knows that everything cannot be fixed but hoped to make small changes.

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

City Manager Titkanich advised that the mom's group does rent the facility, and after this they will continue at Fire Station #1. There is currently stuff in the bays, but in the event of inclement weather the bays could possibly be used.

City Manager Titkanich assured Council that he would work with the City Attorney to bring back a resolution for an ad hoc committee to the January 23, 2019 City Council meeting.

A citizen in the audience asked for the final status of the Christmas meal and in response, Councilwoman Koss stated it will be at the park and they plan to bring in tables and chairs. City Manager Titkanich reiterated that they are renting the facility.

He further pointed out that this was the reason for the late addition to the agenda, as the dinner is December 18th. The tables will stay at Fire Station #1.

Ms. Shaia asked for clarification, as she understands that the event will happen at Lee Wenner Park and they have filled out all of the forms with Leisure Services. Everyone knows that they will be there and are regulated by the State and everyone else. This is what everyone else has to do when they have events.

In response, City Manager Titkanich mentioned that they are serving food, not selling it. Ms. Shaia stated any food has to be approved by the State, as it is in the paperwork. City Manager Titkanich stated the mom's group was renting the facility and he would look into everything, as he did not have a copy of the paperwork on hand.

Mayor Williams knows there are a lot of events in the Village where people just rent a spot and sell various items.

Ms. Shaia stated that the forms in Leisure Services are quite clear and certain rules have be followed. She asked if this event was preplanned and if prior to coming to Council the notification was sent that they were using Lee Wenner Park.

Ms. Senger clarified that the mom's group does goes through Leisure Services and they have all of the proper agreements in place. The group that Councilwoman Koss is referring to has no paperwork in place.

Ms. Shaia reiterated that the group serving the meal on December 18th has no paperwork in place and they are going to allow this to happen. City Manager Titkanich stated that based on the direction of Council, yes.

VIII. CITY BUSINESS:

None.

MULTI-YEAR CONTRACTS:

1. Approve Task Order 2019-25 with Atlantic Development of Cocoa, Inc. for the North Tropical Trail Looping Improvements(Chase Hammock), Project No. WS1431, in the amount of $1,119,134.70; To Approve as a Multi-Year Contract from FY2019 through FY2020; To Approve a Resolution Authorizing the City

Manager to Approve and Execute Change Orders in an Amount Not To Exceed $111,913.47 (10% of the Contract Amount) for a Total Project Cost of $1,231,048.17; To Approve a Resolution Amending the FY2019 Budget. (18-583). (Utilities Director)

Mr. Walsh noted that this was on North Merritt Island. This project will improve the pressure and flow in the area.

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

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Approval of a First Addendum extending the term of the professional services agreement with Alcalde & Fay, LTD for federal lobbying services on behalf of the City of Cocoa through December 31, 2020. (18-623). (City Manager)

City Manager Titkanich advised that the current agreement that the City has with Alcalde and Fay expires on December 30, 2018 and staff was previously given direction to enter into another agreement for federal lobbying services. Alcalde and Fay has helped with hurricane issues, grant issuance, and keeping the City apprised of important issues and opportunities that might come forward. He spoke about Opportunity Zones and how Alcalde and Fay has helped in that area.

City Manager Titkanich added that in previous years, their fees have been as high as $60,000 but they have lowered their costs to be more than reasonable and with the new Congress it behooves the City to continue to engage their services. Staff is recommending a two year multi-year contract.

Councilwoman Koss asked for clarification of Opportunity Zones and in response, City Manager Titkanich explained this in detail.

Mayor Williams mentioned the fire safety program and City Manager Titkanich advised that the City's grants administrator reviews information to see if they can get grant dollars.

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

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

Mayor Williams commented that this is their second Council meeting as a new Council and with only a few days in they had a huge fight for saving the Diamond Square CRA. He is grateful for all of the residents, board members, and staff that showed up to the County Commission meeting. He further spoke about the County Commission meeting and asked that everyone work together to resolve items like this and asked for patience.

IX. INFORMATIONAL AGENDA:

1. Data showing the relation between the estimated and actual income and expenses to date. (18-614). (Finance Director)

2. Information on Waste Management Contract Services. (18-634). (Public Works Director)

X. REPORTS:

Mr. Jones introduced a new employee in Public Works, Ms. Abby Diaz, Assistant City Engineer.

Chief Prince mentioned that Lt. Sengel, the union president was supposed to be here to speak about the turkey dinner give away but he would have to come to a future meeting and apologized.

Ms. Bunt mentioned that one of the divisions under Community Services has a liaison that attends the Brevard Homeless Coalition meetings so if any Council member would like to attend she can let them know the dates of the meetings.

She reminded everyone that the Annual Economic Development Update Breakfast is January 11, 2019 at the Cocoa Civic Center and starts at 7:30 a.m.

Ms. Gemmati advised that there would be a blood drive here at City Hall tomorrow from 9 a.m. – 3 p.m. They will take walk-ins or you can make an appointment online.

She introduced the new HR Manager, Mr. Lorne Stinnett to Council.

City Attorney Garganese wished all a happy holiday.

City Manager Titkanich thanked all of the residents, board members, and everyone else for their support at the County Commission meeting.

He further thanked Council, Directors, and the City Clerk for their attendance at the City Council retreat and is looking forward to providing a final report to them.

He assured Council that staff would follow up with SCAT in regards to adding an additional bus route.

He mentioned that he would be on vacation from December 21-January 2, 2019 and he would work with the attorney on a resolution for an ad hoc committee.

In closing, he wished everyone a happy holiday and noted that he and the Assistant City Manager were making their rounds to hand out holiday cards to City employees, providing them a free day off of their choosing throughout the year.

Councilman Goins thanked Cocoa Police Department for the Shop with a Cop event and the Toy Train. They were able to provide a good Christmas for many kids. He further spoke about his attendance at the Children's Hunger Project and was astonished at the number of homeless children in Brevard County Schools, which is over 3,000 children. Until you have been there, you cannot judge someone else's life.

He advised that he spoke with the Housing Authority and they are going to do a presentation at the January 9, 2019 Council meeting to show all that is being done in District 1.

Endeavor Elementary is doing an Anti-Bullying event with a former WWE wrestler and there will be a job fair on December 15th at Emma Jewel Charter Academy.

He wished all a safe and happy holiday, and a happy New Year.

Councilwoman Koss advised that Trina Gilliam who is the new chair for the Sustainability Advisory Committee could not make it tonight. She clarified the correct process for the committee if they had items they wanted to bring forward to Council.

City Attorney Garganese explained the Sustainability Advisory Committee's duties.

Councilwoman Koss spoke of the committee's support for the Lagoon Friendly Lawn Program and the Litter Critter Program.

City Attorney Garganese clarified if the committee wanted to bring this back in the form of an item or a resolution.

City Manager Titkanich noted that they could reach out to Keep Brevard Beautiful to get the information. They already have a partnership with them and if they recommend that the City adopt a resolution, they can get an idea from them on what other communities have done. They can use their marketing materials and push out on social media.

Councilwoman Koss further stated that the Sustainability Advisory Committee would like to do a solar workshop at some point in 2019.

In closing, she wished all a Merry Christmas and stressed that she was not aware that this item would be brought onto the agenda tonight.

Councilman Boisvert spoke of his attendance at the Chris Daniel's Golf Tournament and thought it was a great event. He wished all a Merry Christmas.

Mayor Williams echoed Councilman Goins comments about the Project Hunger event and was shocked at the numbers they heard.

He thought the FEC Train was great and the Cocoa Police Department did a great job. It was a great experience.

Mayor Williams enjoyed the Holiday Parade and thanked the City Clerk's office, Fire, and Police for keeping everyone safe and coordinating the event for Council.

He further thanked the Cocoa Village Playhouse for their performance at the SCLC dinner and thanked staff for cleaning up Peachtree St. and the Speedway property.

Mayor Williams congratulated the Cocoa High School Football Team and would like to do something for them. They did not win but they are all still winners in his eyes.

He noted that Ms. Judith Cohns, who was an original part of the Consent Decree would love to come and explain the history and what all it entailed. He believed it would be good to educate everyone on the decree.

Lastly, he wished all a happy and safe Christmas and hoped all enjoyed the pizza today, as it was from all of Council.

XI. ADJOURNMENT.

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Koss, to adjourn the Regular meeting of December 12, 2018.**

AYES: Williams, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (4-0)

The meeting adjourned at 8:37 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

SEAL

FLORIDA

EXHIBIT A: Preliminary Subdivision "The Cottages at Cocoa Village"

COCOA
FLORIDA

Preliminary Subdivision
The cottages at Cocoa Village

December 12, 2018

Project Summary

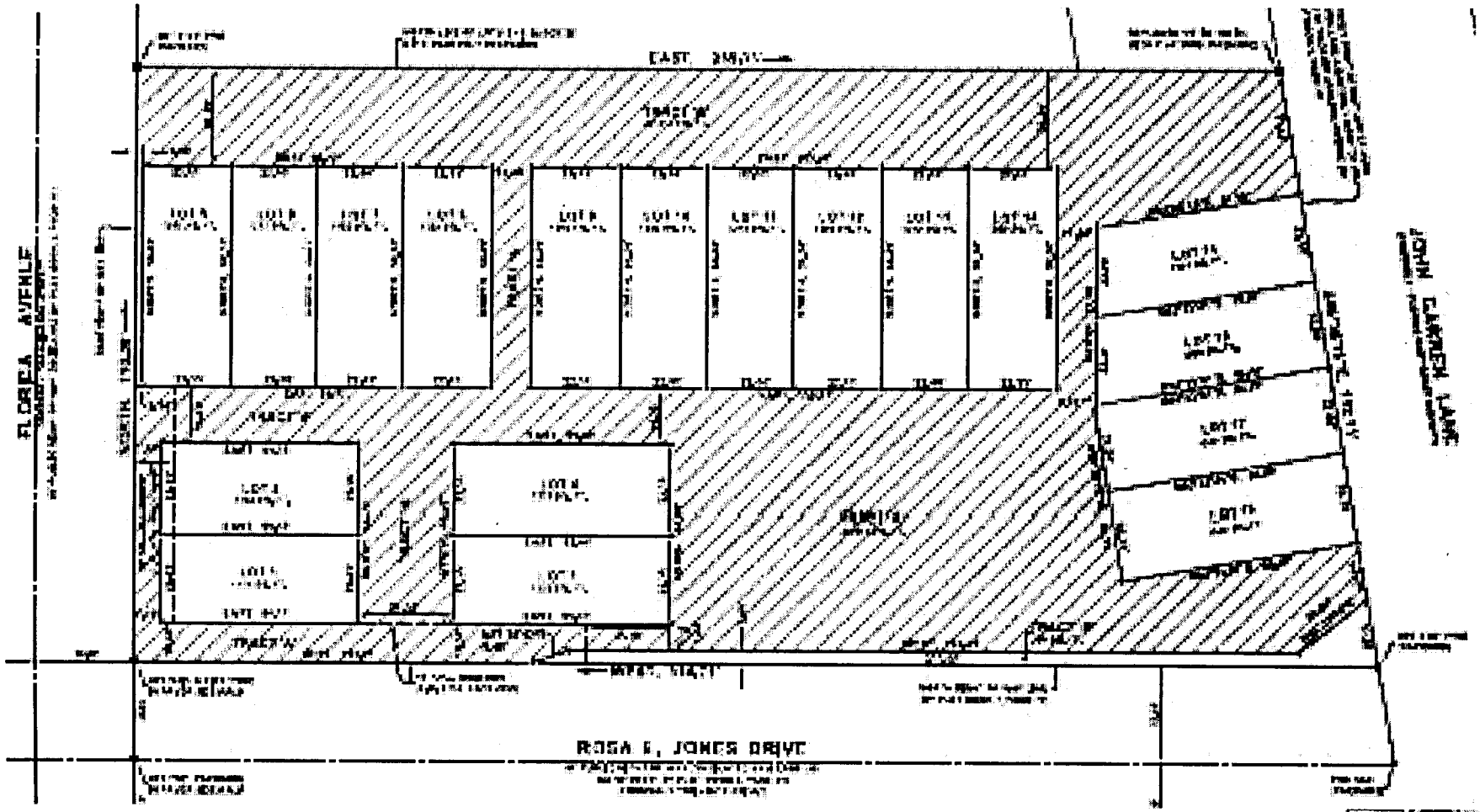
- The applicant is seeking approval for a Preliminary Subdivision for 18 unit townhome lots on 3 parcels at the northeast corner of Rosa L. Jones Dr. and Florida Ave.

- The project was initially granted approval through the use of a Developmental Agreement by City Council on October 10, 2018.

- A Modification of the Development Agreement was approved by the City Council on November 28, 2018, which allowed a reduction to the rear setback for lots 1-4 resulting from a shift of those lots due to an FPL easement.

- Additionally an FPL easement exists over the proposed Lot 5. A condition of approval has been added to address the future development of Lot 5.

Preliminary Subdivision Plat



COCOA FLORIDA

Recommended Motion

Previous Action:

On December 5, 2018, the Planning & Zoning Board recommended approval to City Council of the Preliminary Subdivision Plat with conditions.

Recommended Motion:

Accept the Planning & Zoning Board's recommendation of approval of the Preliminary Subdivision, with the following conditions:

1. Any unresolved review comments from City of Cocoa staff or its designated reviewers shall be addressed prior to Final Plat approval by City Council.

2. The creation of Lot 5 shall be conditioned upon the vacation of the Florida Power & Light easement, and should the vacation not occur, Lot 5 shall be removed from the plat, and the plat will be renumbered.

Recommended Motion

3. Tract A shall be owned, maintained and controlled by the Cottages at Cocoa Homeowner's Association for the purposes of private road, private storm water management facilities, private walkways, common area, and recreational amenities. A perpetual easement shall be dedicated to the City of Cocoa over the entirety of Tract A for the purposes of 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. Further, a perpetual public utility easement over the entirety of Tract A shall be dedicated to the City of Cocoa and other utility providers, as provided in the Development Agreement, for the purpose of installation, operation, and maintenance of public utilities.

COCOA FLORIDA

Recommended Motion

4. The Cottages at Cocoa Homeowner's Association shall grant to the present and future owners of all lots and their guests and invitees, and to delivery, pick-up and fire protection services, police and other authorities of law, United States mail carriers, representatives of utilities, holders of mortgage liens on such lands, and such other persons as owners, their successors and assigns, may from time to time designate, a non-exclusive and perpetual right of ingress and egress over and across Tract A.

5. The applicant shall be required to provide updated title work within 30 days of the Planning and Zoning's Board's recommendation to the City Council.

6. The plat note related to Tract B shall be amended as necessary to reflect the maintenance responsibility of the sidewalk installed.

EXHIBIT B: ZONING MAP AMENDMENT
LAKESIDE PALMS WEST

COCOA
FLORIDA

Zoning Map Amendment
Lakeside Palms West

December 12, 2018

Project Summary

- The subject property (approximately 27.62 acres) is located on the west side of Clearlake Road, roughly 0.25 miles south of SR520.

- The property was annexed from Brevard County in 2003 with an AU/Agricultural zoning designation. The City rezoned to RR-1 (Rural Residential) District.

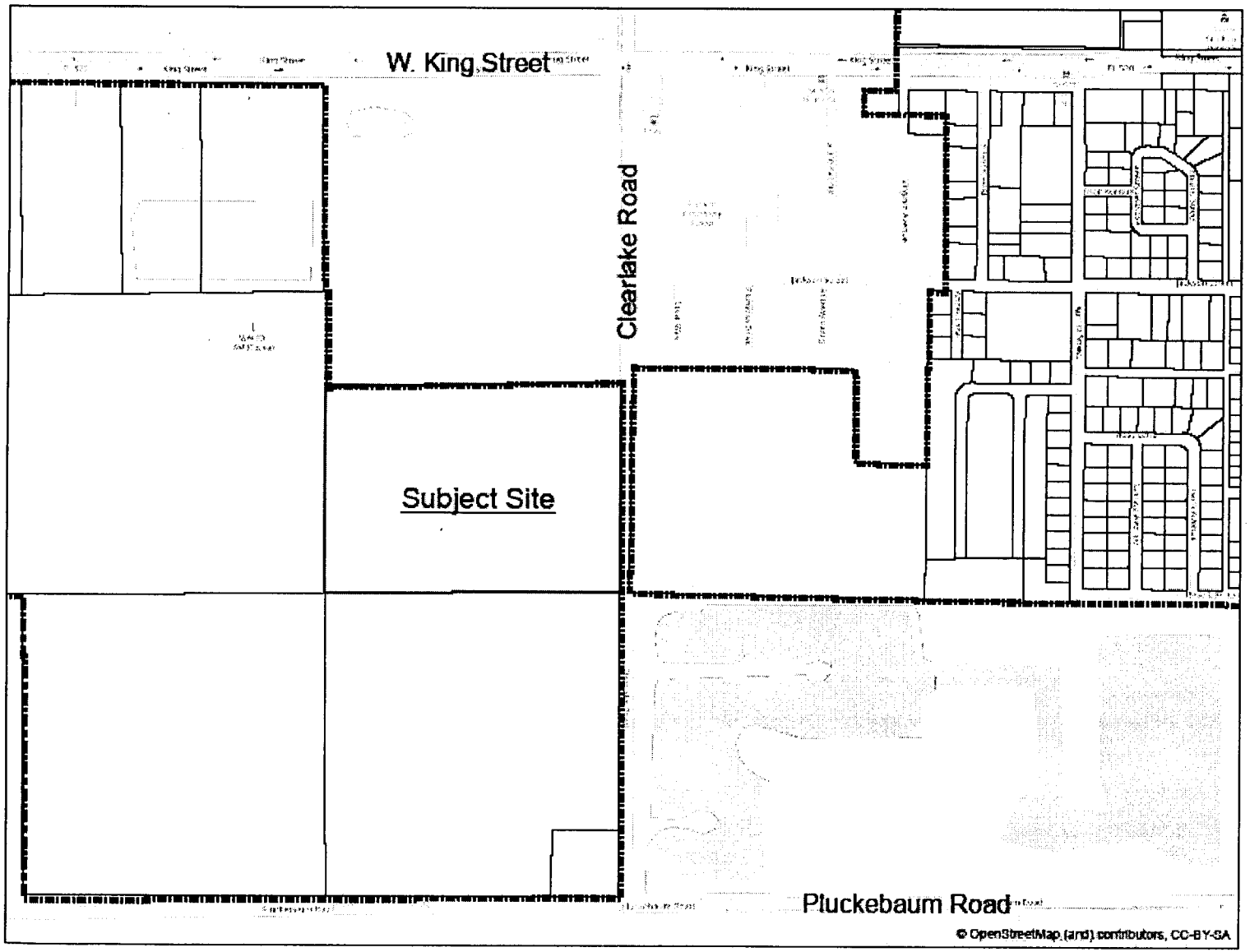
- On April 11, 2006 the City Council approved a rezone of the property from RR-1 to RU-1-7 (Single Family Residential) District.

- The applicant has requested an amendment to the Zoning Map designation from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential) as depicted on Exhibit "A".

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

COCOA FLORIDA

Location Map



COCOA FLORIDA

Zoning Map Amendment

- RU-1-7 zoning district is a low-density residential zoning designation which allows up to 7 single-family dwelling units per acre. The RU-2-15 zoning district would allow up to 15 multiple-family dwelling units per acre.

- However, single-family development in the RU-2-15 district is regulated by the RU-2-10 district which allows a smaller lot dimension and does not require provisions for tree preservation and usable common open space and recreational facilities as are required under the RU-2-15 zoning district.

- Importantly, however, this application for rezoning shall be considered in conjunction with a binding Development Agreement, which limits the uses that may be constructed on the Property to single-family development.

- Although more intense uses are generally allowed through RU-2-15 zoning, those uses will not be permitted to be constructed in this case.

Development Agreement

- The RU-2-10 (Low-Density, Single-Family and Multiple-Family District) zoning district was intended to promote compact urban infill development and primarily used in the Heart of Cocoa and older grid-designed neighborhoods, which are already close to urban amenities and services.

- Utilization of RU-2-10 standards in the development of new subdivisions with smaller lot sizes of 5,000 square feet (minimum lot width 50 ft. and minimum lot depth 100 ft.) without corresponding shared amenities can result in single-family housing without a sense of community and prone to economic depression.

- For that reason, on October 24, 2018, the Cocoa City Council gave direction to staff to prepare an amendment to the Zoning Ordinance of the City of the Cocoa specifically related to developing single-family housing utilizing the provisions of the RU-2-10 zoning district regulations outside of the Heart of Cocoa and other infill and or redevelopment areas.

- That amendment will be placed on a future P&Z Board agenda for consideration.

COCOA FLORIDA

Development Agreement

- Because the application for this rezone was already received by the time the City Council gave its direction to staff on October 24, 2018, the applicant agreed to enter into a Development Agreement, taking into consideration the City Council's direction.

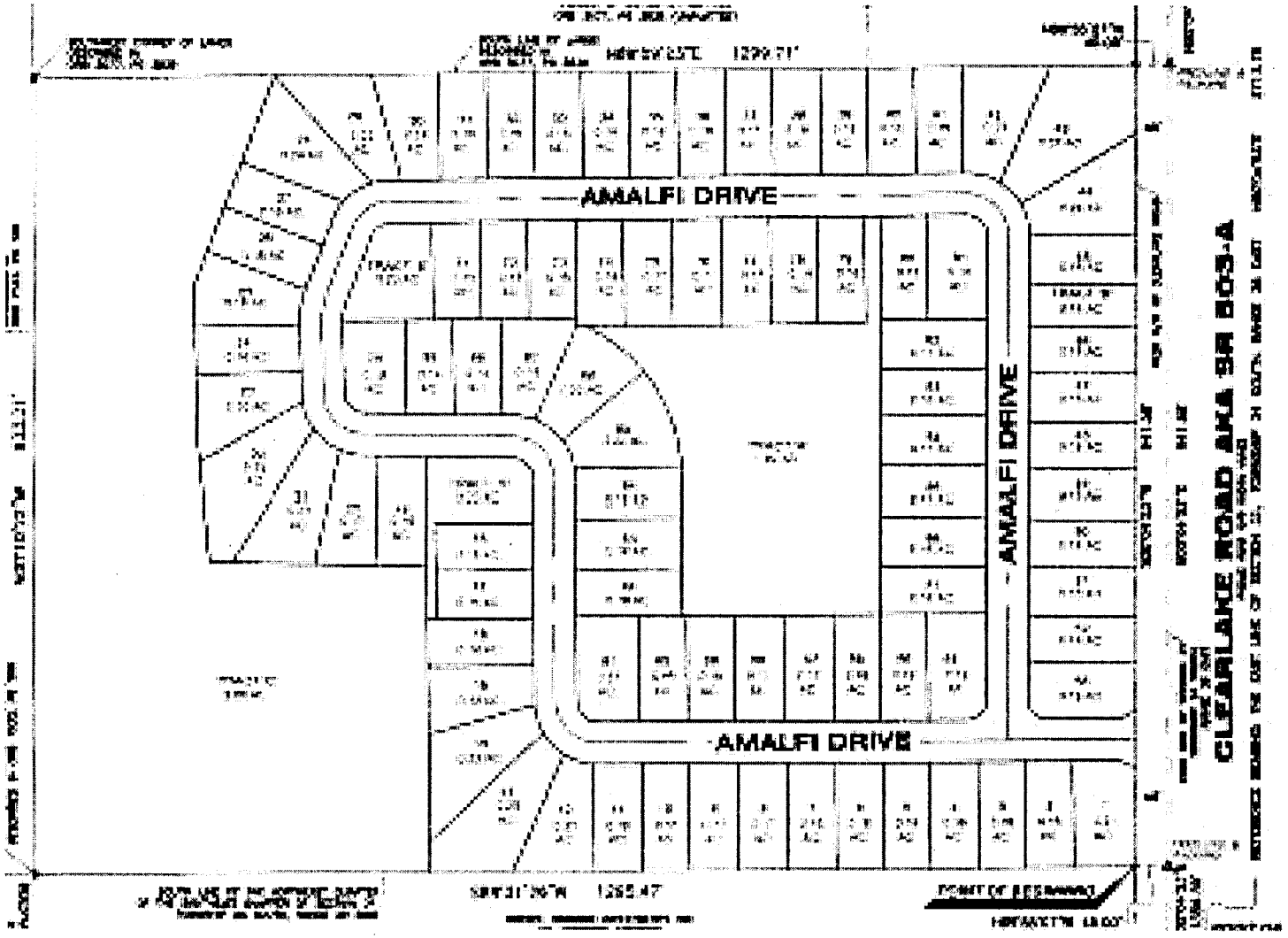
- The Development Agreement restricts future development on the property to single-family construction based on RU-2-10 lot standards, but requires the developer to provide amenities for the future subdivision.

- Specifically, a tot lot, benches, pavilion and multi-use field, a pedestrian crosswalk, boardwalk and viewing deck over water, and a board walk and viewing deck over wetland area will be provided.

- The creation of common amenities reduces the number of homes from the 89 lots initially proposed to 87 lots. The applicant submitted a revised Preliminary Subdivision and a revised Plat (Exhibit "B") showing the proposed subdivision inclusive of the wetland conservation area and the 2 tracts dedicated to open space and recreation.

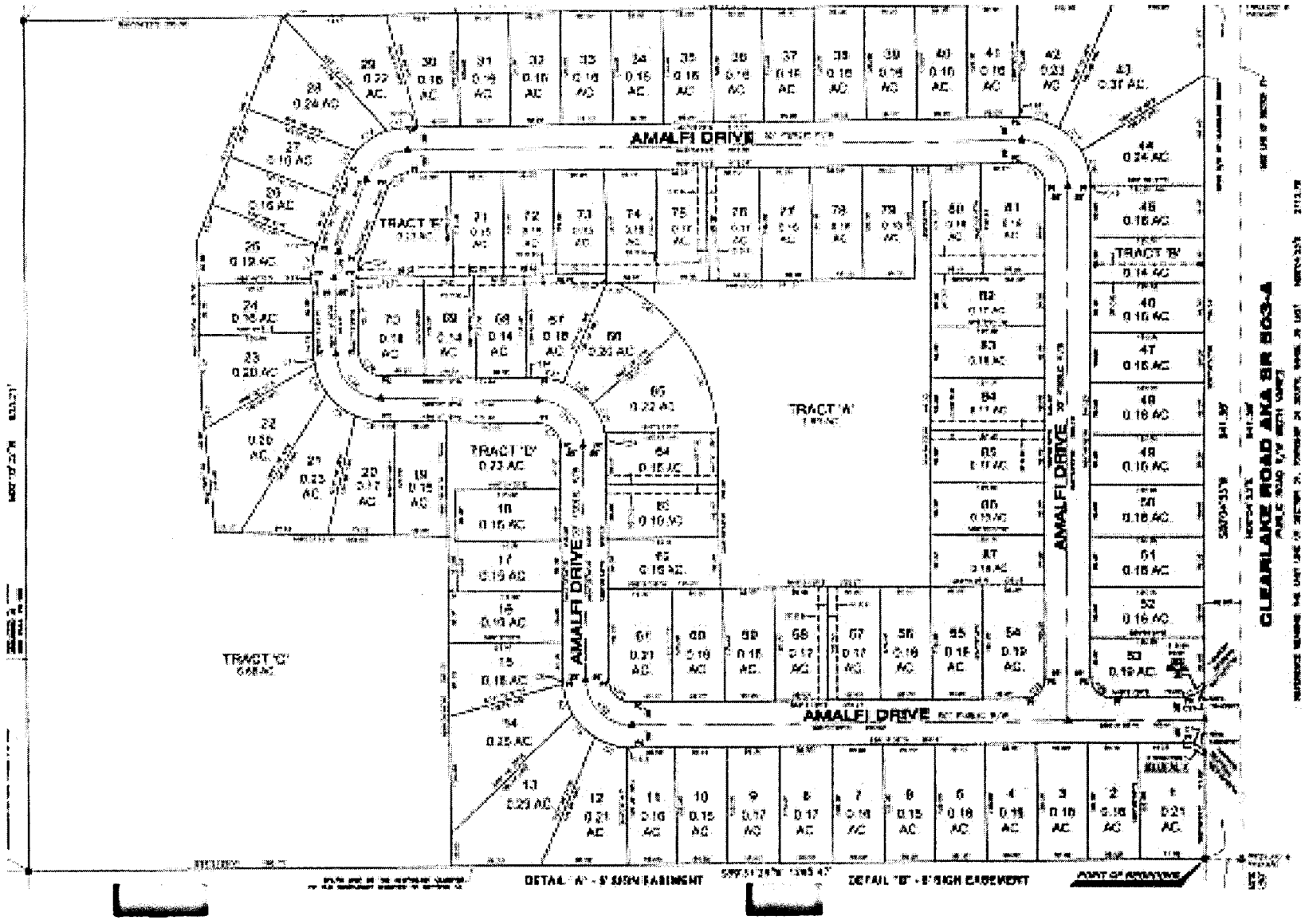
COCOA FLORIDA

Preliminary Subdivision Plat



COCOA FLORIDA

Preliminary Subdivision Plat



COCOA FLORIDA

Recommendation

Previous Action:

The proposed Zoning Map Amendment, along with the proposed Development Agreement and Preliminary Subdivision, was heard at the December 5, 2018 Planning and Zoning meeting. The P&Z Board recommended approval of the Zoning Map Amendment.

Recommended Motion:

Passing on First Read Ordinance 13-2018: A Zoning Map Amendment consistent with Appendix A. Zoning, Article XXII, to change the Zoning Map designation for one parcel (approximately 27.92 acres) from RU-1-7 (Single Family Residential) to RU-2-15 (Multiple-Family Residential) as depicted on Exhibit "A", subject to a Development Agreement between the City of Cocoa and Victory Judgment, LLC.