MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

October 10, 2018

A Regular City Council meeting was held on Wednesday, October 10, 2018, in City Council Chambers, located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida, as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 6:12 p.m.

Councilman Whipple provided the invocation and Councilman Boisvert led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Henry U. Parrish III	Mayor
	Jeri Blanco	Deputy Mayor
	Don Boisvert	Councilman
	Brenda Warner	Councilwoman
	Clarence Whipple, Jr.	Councilman
	Anthony Garganese	City Attorney
	John Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Monica Arsenault	Assistant City Clerk

OTHER STAFF MEMBERS PRESENT:

Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Karen Hamilton, Community Services Director; Mike Cantaloupe, Chief of Police, Gene Prince, Fire Chief; Ed Wegerif, Public Works Director; Rebecca Bowman, Finance Director; and LeShawn Hinton, Helpdesk Support Tech.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of October 10, 2018 (18-489)

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Warner, to approve the Agenda for the Regular meeting of October 10, 2018 as presented.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Minutes: (a) Budget/CIP Workshop on August 8, 2018 (18-442)
(b) Special City Council Meeting on September 5, 2018 (18-445)
(c) Regular City Council Meeting on September 11, 2018 (18-490)
(d) Special City Council Meeting on September 13, 2018 (18-491)

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Warner, to approve the Meeting Minutes of August 8, 2018, September 5, 2018, September 11, 2018, and September 13, 2018 as written.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. Proclamation: Recognizing Cocoa Rotary for their many contributions to the City of Cocoa. (18-492). (Deputy Mayor Blanco)

   Deputy Mayor Blanco read the proclamation into the record. Several members of the Cocoa Rotary stood and a photo was taken in recognition of their efforts.

2. Recognition of Mr. Chome Diefenderfer for the generous donation of trees around the Retention Pond at Wawa and the Dollar General Store. (18-493). (Deputy Mayor Blanco)

   Deputy Mayor Blanco announced that Mr. Diefenderfer is being recognized for his generous donation of trees that were planted by Public Works crews around the Retention Pond near Wawa and the Dollar General Store. She announced that she is accepting a plaque on his behalf as he was unable to attend this evening.

3. FY17 CAFR Award Presentation. (18-502). (Finance Director)

Ms. Bowman announced that the City of Cocoa received a CAFR award for FY17 which is the highest honor. She congratulated staff on their hard work and presented Ms. Quesada and Ms. Howell with the certificate and award.

City Manager Titkanich added that the City received a AA positive Moody rating.

IV. DELEGATIONS:

Matt Phillips, 540 Riverside Ave., Merritt Island, noted that he is an owner of a cruise transportation business. He read a letter[1] into the record and explained the deals they offer regarding parking for cruises. They are seeking to utilize a property that is not being used, however, they intend to vacate the property within six months once the landlord is ready to lease to other tenants. There will be no view of cars from the highway or from the parking lot.

City Manager Titkanich asked that Council refrain from commenting at this time as it needs to go through the Board of Adjustment first and then the application will come before Council.

Laura Houston, 109 Fiske Blvd., Cocoa, shared that she has spoken with members of City staff who are undercompensated, and she asked that Council consider raising minimum wage to fifteen dollars an hour. In response, City Manager Titkanich added that the lowest wage is ten dollars and ten cents per hour, however, wage adjustments have recently been made. Ms. Houston noted that she would like to push the issue as she feels minimum wage should be fifteen dollars an hour.

Rip Dyal, 3807 Parapet Dr., Cocoa, mentioned he has been working with the kennel club and announced an event taking place this Saturday at Cocoa High School. He noted that admission is free and they will have obstacle courses for the canines. He thanked the sponsors and the PAL kids and pointed out that there were ten kids that came out to help. He thanked Jake Williams, Joe Champion, Larry Sinclair, Chief Cantaloupe, Chief Prince, and others as well. He encouraged all to come out to enjoy the event.

V. CONSENT AGENDA:

1. Approve entering into a co-operative purchase agreement with, and issuing a Purchase Order to Goodson Paving, Inc. in the amount of $339,796.50 for the

[1] Exhibit A: Letter from Matt Phillips

annual milling and paving of various city streets,(Project # PW08SP), utilizing Brevard County Bid # B4-18-50, effective June 21, 2018 through June 20, 2019. Approve a Resolution adjusting the Fiscal Year 2019 budget. (18-454). (Public Works Director)

2. Approve entering into a co-operative purchase agreement and issuing a purchase order in the amount of $85,320.00 to Goodson Paving for the removal and re-construction of ADA Compliant curb ramps (PW18SM) in the Cocoa Village area as part of the milling and paving project (PWO8SP) utilizing Brevard County Bid B-4-17-02, effective October 1, 2018 through December 31, 2018. Approve a Resolution adjusting the Fiscal Year 2019 budget. (18-455). (Public Works Director)

3. Approve expenses for electric services budgeted in FY2019 and authorize the City Manager to approve the monthly invoices. (18-480). (Finance Director)

4. Approve a Resolution Amending the FY 2018 Budget and Approve a Budget Transfer for electrical repairs at the Fleet Fuel Island and Fleet Building electrical wiring. (18-481). (Public Works Director)

* **MOTION by Councilman Boisvert; Seconded by Deputy Mayor Blanco, to approve the Consent agenda.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. PUBLIC HEARINGS:

1. Ordinance No. 09-2018/2nd & Final Reading: Related to changes in the Firefighters' Retirement Plan due to changes in the City of Cocoa and IAFF Collective Bargaining Agreement effective October 1, 2018 to September 30, 2021, amending Section 2-321, Retirement Dates; and amending Section 2-332, Share Plan. (18-484). (Administrative Services Director)

City Attorney Garganese announced that this is the second and final reading and added that nothing has changed since the first reading. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 09-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VIII, FIREFIGHTERS' RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF COCOA BY AMENDING SECTION 2-321, RETIREMENT DATES; AMENDING SECTION 2-332, SHARE PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

The hearing was opened to the public. There being no response, the public portion of the hearing was closed to the audience.

* **MOTION by Councilman Boisvert; Seconded by Deputy Mayor Blanco, to approve Ordinance No. 09-2018.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No. 10-2018/1st Reading: Approving the Cocoa Community Redevelopment Agency Plan Update. (18-494). (Community Services Director)

City Attorney Garganese announced that this was the first reading of the item. He read the ordinance into the record by title only as follows:

ORDINANCE NO. 10-2018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING SECTIONS 8-21 AND 8-22 OF THE CITY CODE TO ADOPT AN UPDATED REDEVELOPMENT PLAN FOR THE COCOA COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

City Manager Titkanich provided a brief background and shared a timeline of the plan's creation. He noted that the last time the plan was updated was in 1997. The plan, by statute, is only good for thirty years. The plan was never amended or updated because all of the projects that have been completed since then were consistent with the 1997 plan. He pointed out that post Hurricane Irma, the Cocoa CRA retained GAI Consultants and in April 2018 the CRA approved the Waterfront Master Plan update.

He explained why the Community Redevelopment Plan should be modified and adopted and added that the Cocoa CRA Plan will expire in FY27. If adopted, the life of the CRA will be extended to April, 2041.

He mentioned that there have been several modifications made to the plan which include updated data, reanalyzed conditions, revised maps, the incorporation of frameworks for proposed improvements, revised community goals and policy objectives, and the incorporation of the updated Capital Improvements Plan.

City Manager Titkanich referenced Section 163.360(2)(a), Florida Statutes, which requires the Community Redevelopment Plan to "conform to the comprehensive plan for the municipality as prepared by local planning agency under the Community Planning Act." He explained that prior to the Cocoa CRA's consideration of an update to its Redevelopment Plan, the City's Land Planning Agency (LPA) and the Planning & Zoning Board reviewed the proposed Plan for conformance with the City's Comprehensive Plan.

He noted that the projects included in the Capital Improvements Plan were reviewed as they are required to be consistent with the City's Comprehensive Plan as well.

City Manager Titkanich shared the findings of the Planning and Zoning Board. He explained that the Board's role was to consider whether the draft Community Redevelopment Plan was consistent with the Comprehensive Plan. He added that on September 10, 2018 the Board found the Community Redevelopment Plan, as amended, was consistent with the 2010-2020 Comprehensive Plan.

He shared the 2008 Master Plan map which depicts the CRA boundary lines as well as a rendering of the waterfront vision. He spoke in regards to the 2008 recession and what was involved in the waterfront master plan.

He presented the Master Plan update post Hurricane Irma. He mentioned that there are projects that are incorporated into the new plan but noted that the CRA cannot expend any funds on projects outside of their boundaries and also if the project has not been included in the plan.

He shared a snapshot of the Waterfront Conceptual Master Plan. He noted that there is potential for a mooring field or the possibility of creating islands which would create waves to protect infrastructure.

City Manager Titkanich announced a notice to taxing authorities and mentioned the legal advertisement that was issued in the Florida Today paper.

He explained that the requested action is for Council to approve the first reading of Ordinance No. 10-2018 approving the 2018 Cocoa Redevelopment Agency Plan update.

Mayor Parrish spoke in regards to the damage that has been caused by the hurricanes and added that in his lifetime he has seen three or four docks blown down.

Councilwoman Warner noted that Captain Ed is probably the only member of the Cocoa CRA that has been on the board long enough to have seen all of the changes. She pointed out the CRA has been an instrumental tool in all of the great modifications that have been made in the Village. She thanked staff for all of their hard work.

Mayor Parrish added that since the City has acquired all of Lee Wenner Park it has really helped tremendously and they are hopeful to protect and enhance the area. He added that the City has an opportunity to create the best waterfront area from here to St. Augustine.

Councilman Whipple expressed that he is very happy with the way the plan is going. He asked about the Heart of Cocoa Community Center and asked City Manager Titkanich to elaborate briefly on the topic. In response, City Manager Titkanich noted that the Community Room is nearing completion and there are several surrounding lots that have opportunity for development. Councilman Whipple asked that staff include information regarding that particular area in future CRA meetings.

City Manager Titkanich elaborated on all of the hard work that staff has done to create this vision. He spoke about all of the efforts that each department provided.

Mayor Parrish pointed out that because developers tend to look at income levels in the City we do not tend to see as much development as Viera or certain parts of Melbourne, even though he feels we are the best City. He added that he agrees with Councilman Whipple and that the City also needs to focus more on the north side of Cocoa.

Deputy Mayor Blanco shared that she feels the City is building a legacy for our children and grandchildren and this plan is only going to enhance what has already been accomplished.

Mayor Parrish opened the hearing to the public. He extended speaking time to five minutes.

Judy McCluney, 1908 Manor Dr., Cocoa, thanked[2] all staff for their hard work with the Waterfront Plan. She pointed out that it is the duty of the Agency to address areas of the City that qualify as being slum or blighted and referenced the CRA's plan update. She added that there is an area of the City that is south of the Village and along the southern City limits, west of Brevard Avenue, east of the Indian River, with Derby and Church Street to the north that is home to a neighborhood of modest, single family homes and expressed that these homes are historic and should be protected. She pointed out that the current zoning for that area is multiple-family dwelling and the future land use is zoned medium density residential. She expressed that her concern is that if the zone is kept as a higher density than there will not be single-family homes and blight will spread.

City Manager Titkanich pointed out that this plan does not amend any of the zoning district regulations and it was found in conformance with the Comprehensive Plan by the Planning and Zoning Board.

Councilman Whipple asked City Manager Titkanich what the solution would be to satisfy Ms. McCluney's concern about increasing the density. City Manager Titkanich reiterated that the plan will not change the zoning.

Aleck Greenwood, 640 Brevard Ave., Cocoa, referenced the Consent Decree. He noted that there was never really a budget for the maintenance of that area when it was renovated and the City lost street lights and approximately forty (40) oak trees due to lack of funds to water and maintain them. He pointed out that he owns property there and asked staff to consider budgeting money to correct these issues and to prevent these types of issues from happening in the future.

City Manager Titkanich added that some of the lights had been replaced in that area and pointed out that initially when the CRA began the streetscape project in the Heart of Cocoa the primary emphasis was going to be on Hughlett Avenue to create an attraction to that corridor coming into the neighborhood but the residents asked staff to focus their efforts more on the residential streets. He mentioned that

[2] Mayor Parrish left the room at 7:15pm & returned at 7:18pm

street trees were planted, many of which were on private property where there was reuse, but they were not watered properly.

Councilman Whipple asked Mr. Wegerif to provide an update on the trees and lights that needed repair or replacing. In response, Mr. Wegerif shared that the lights have been replaced and mentioned a car wreck that took out an electrical box several years ago that was replaced as well. He stated there was a lot of work that had to be done.

There being no further comments the discussion was closed to the public.

Mayor Parrish notated comments made by Mayor Joe Riley in regards to preserving and expanding the beautification of Riverfront Park.

* **MOTION by Councilman Boisvert; Seconded by Councilman Whipple, to approve the first reading of Ordinance No. 10-2018, approving the Cocoa Community Redevelopment Agency Plan update.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. COUNCIL BUSINESS:

1. Approve the reduction of the current Code Enforcement lien for the property located at 2228 Salem Drive from $34,250.00 to $3,425.00 as recommended by Staff, so related City expenses and Staff time are reimbursed. (18-384). (Chief of Police)

Chief Cantaloupe read the item into the record.

* **MOTION by Councilman Boisvert; Seconded by Councilman Whipple, to approve the reduction of the current Code Enforcement lien for the property located at 2228 Salem Drive from $34,250.00 to $3,425.00 as recommended by Staff.**

AYES: Parrish, Blanco, Boisvert, Whipple
NAYS: Warner

THE MOTION CARRIED (4-1)

Councilwoman Warner expressed that she does not feel a reduction is warranted when the lien ran for two hundred and forty (240) days and no effort was put into picking up the trash and debris in the yard.

Councilman Whipple added that this was better than not receiving any money at all and at the very least the City would be reimbursed for staff time and City expenses.

2. Review City staff report regarding the ownership and operation of McFarland Park, and to provide any comments and direction as deemed appropriate by the City Council. (18-472). (City Manager)

Assistant City Manager Fuhrer read the item into the record and pointed out that additional petitions were submitted by property owners residing in the Carleton Terrace subdivision.

He explained that staff had facilitated a meeting in August with residents surrounding Carleton Terrace to discuss the park and the maintenance of it. He shared information regarding the history of the park and when it was established. He noted that the Brevard County Property Appraiser has since labeled the City of Cocoa as the owner of the park.

He mentioned that safety concerns have been raised by the residents which includes twenty four (24) hour access to the park, the vegetation at the entrance and also a large drop off that is a potential hazard. There is a gate that the residents locked and unlocked at night for a period of time and then Brevard County had staff that maintained the gate as well, however, the residents have found that locking the gate is simply not enough.

Assistant City Manager Fuhrer shared that although Brevard County Property Appraiser labels the City as the owner of the park, there has been no record of ownership found. He shared that there are certainly liability issues and noted that City Attorney Garganese can elaborate further.

City Attorney Garganese added that this park has been maintained for several years through an Interlocal Agreement between the City of Cocoa and Brevard County, however, there is no record that can be found that shows that the land was conveyed to the City.

Mayor Parrish added that this issue arose back in the 1960's or 1970's as well.

City Attorney Garganese added that there have been situations where cities have been able to obtain park easements through the Court. He noted that this can be fact intensive and facts would need to be provided in order for a determination to be made. He shared that this is not a guarantee but an option.

Councilwoman Warner asked if there is a voting mechanism where the residents could have the option to vote to either keep the park or deed it to the City. In response, City Attorney Garganese shared that it is his understanding that they do not have a Homeowner's Association but the property has been dedicated to the lot owners as a recreational park.

Councilwoman Warner asked if the lot owners would have a financial responsibility to this park. In response, City Attorney Garganese explained that a title report was done and there were no findings to prove that the City owns the property and that 1926 was the last time a dedication was recorded.

Councilwoman Warner inquired if all of the property owners share ownership of this park, who would be responsible if there was a code case or a utility issue, etc. In response, City Attorney Garganese explained that these are legitimate questions and that maybe the owners would pay a fee towards the maintenance of the park.

Assistant City Manager Fuhrer shared comments regarding the gate and noted that it is secured.

Troy Orender, 2401 N. Indian River Dr., Cocoa, shared that the initial plat generated by the Davis Brothers was in 1924 and then there was an amended plat in 1926. He added that the City acknowledges they have no recorded interest in the park and that the City has no record of when or why they maintained the park. He pointed out that a governmental entity can accept responsibility of the park by resolution and added a point of fact that for the last fifty-three (53) or so years the land owners have been lead[3] to believe that they are not responsible for the park. He noted that the County requires proof of ownership before entering an entity as a record owner, however, they were unable to produce such record. He reiterated that the title search showed that the City is not the owner, but the City has been, for whatever reason, maintaining the park. He pointed out that this is not the only time the City has incorrectly shown ownership of the park and mentioned an instance in which the City showed incorrect ownership when they sent a document

[3] Mayor Parrish left the room at 7:58pm & returned at 8:00pm

to the Army Corps of Engineers. He also mentioned several existing issues in the park such as drug use, etc.

Barry Meneghelli, 2119 MacFarland Dr., Cocoa, asked what the responsibilities will be if the owners are found responsible for the park. He asked what the process is regardless of the documentation or lack thereof found by the City.

Barry Slack, 300 Carleton Dr., Cocoa, pointed out that his parents bought property there a long time ago. He shared a story and noted that he passed a petition around and no one he talked to refused to sign it as none of the property owners were aware that they owned a piece of that property.

John Callahan, 2006 N. Indian River Dr., Cocoa, thanked the City Manager and Assistant City Manager for their help and support. He shared his biggest concern is the liability issue as no one has insurance on this park.

Councilwoman Warner asked if the City has liability since we have been maintaining the park. In response, City Attorney Garganese provided clarification and explained that he is unsure if homeowner's insurance would cover liability or not and that it would be an issue the property owners would need to figure out. He explained that this would need to be addressed in Court and that it is not up to the City Council to make the decision.

Councilwoman Warner expressed that she did not feel it was right for the City to take the park away from the property owners if it is theirs.

Councilman Boisvert added that when he was a V-Cop he used to patrol the area frequently and found that there was always trouble. He expressed that he feels the park should be locked until this can be resolved.

Assistant City Manager Fuhrer noted that a legal action needed to be taken in order for the City to turn over ownership.

City Attorney Garganese suggested that the Council consider approving a resolution and to have it recorded so that the issue can be corrected with Brevard County Property Appraiser to show the City is not an owner of the park.

Pedro Olavarria, 2515 MacFarland Dr., Cocoa, asked if the City might be interested in having shared ownership. In response, Councilwoman Warner suggested that the property owners get together and decide how they want to

move forward. It was noted that Council members were not sure if this was an option, however they have an open mind to share the property.

City Manager Titkanich offered the Civic Center to the property owners to meet over the issue.

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Warner, to close the park until further notice until the issue can be resolved.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

City Attorney Garganese cautioned staff that this issue should not remain in limbo and should be addressed as soon as possible.

Assistant City Manager Fuhrer asked that the point of contact for Carleton Terrace reach out to him. It was noted that there has already been discussion to form a park association.

* **MOTION by Councilwoman Warner; Seconded by Councilman Boisvert, to move forward with a resolution and accept City Attorney Garganese's recommendation.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Consider the Approval of a Resolution concerning Amendment 1 to the Florida Constitution. (18-496). (City Manager)

City Manager Titkanich presented the item and explained the resolution. He explained that this will result in a tax shift to commercial property owners, non-homesteaded property owners, and those paying taxes on properties worth less than one hundred thousand dollars ($100,000.00)[4]. He explained the requested action and what this resolution could mean in terms of the tax shift.

Mayor Parrish added that the City has already made adjustments to help people pay their taxes.

[4] City Attorney Garganese left the room at 8:27pm & returned at 8:29pm

Councilwoman Warner expressed her concerns and shared that she feels this will hurt people more than it will help them.

* **MOTION by Councilwoman Warner; Seconded by Deputy Mayor Blanco, to approve a Resolution concerning Amendment 1 to the Florida Constitution.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. CITY BUSINESS:

1. Approve the Construction Cost and Authorize the Payment to Brevard County to Relocate/Replace Water Mains within the Cone Road Drainage and Sidewalk Improvements and Cone Road Infrastructure Improvements Projects, WS17CD; To Approve the Payment of the Construction Bid Cost of $108,213; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not To Exceed $10,821 (10% Contingency) for a Project Total of $119,034; To Approve a Resolution Amending the FY2019 Budget through the use of Water/Sewer Contingency. (18-469). (Utilities Director)

   Ms. Ennis read the item into the record.

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

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Authorize the City Manager to execute an Interlocal Cost Share Agreement known as: "Save Our Indian River Lagoon Project Cost-Share Interlocal Agreement between Brevard County, Florida and City of Cocoa. Agreement Number: SOIRL 18-14" as modified by the City Attorney. Approve a Resolution Amending the FY2019 Budget, accepting Stormwater Reserves Revenue. (18-473). (Public Works Director)

   Mr. Wegerif read the item into the record. He explained that this is in regards to a baffle box on Church Street.

* **MOTION by Councilman Whipple; Seconded by Councilman Boisvert, to authorize the City Manager to execute an Interlocal Cost Share Agreement known as: "Save Our Indian River Lagoon Project Cost-Share Interlocal Agreement between Brevard County, Florida and City of Cocoa.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approval of a Development Agreement between the City of Cocoa, Florida and 120 Barnacle Bay, LLC to allow the developer to construct 18 townhomes on three (3) parcels of land (tax parcel ID's: 24-36-33-80-20-5, 24-36-33-80-20-4, and 24-36-33-80-20-2) totaling 1.03 acres and located on the north side of Rosa L. Jones Drive between Florida Avenue and John Garren Lane. (18-475). (Community Services Director)

Ms. Hamilton read the item into the record. She provided a background on the project and noted that the applicant is in attendance to answer any questions.

Ms. Selig provided a project summary was provided as well as the requested action. She explained that there are eighteen town homes that are being proposed and she shared renderings of the property as well as a site plan.

Deputy Mayor Blanco noted that these types of homes are seen in larger metropolitan areas and this would be a first for our City. She added that she feels this is a great concept and commended staff for putting this together.

Ms. Selig pointed out the need and justification for change as well as several waivers and variances that the developer is seeking. She briefly shared the depth and setback requirements. She also shared some issues that the developer may be facing. She pointed out the proposed enhancements which includes parking and explained the relationship and consistency with the Comprehensive Plan as well as the next steps that will be taken by the developer.

There was a consensus among Council that the concept is different and desirable.

City Manager Titkanich thanked the developers and their team.

* **MOTION by Councilman Boisvert; Seconded by Councilwoman Warner, to approve a Development Agreement between the City of Cocoa, Florida and 120 Barnacle Bay, LLC.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Parrish inquired about groundbreaking dates. The developer shared that they are going to push the ribbon cutting back a few weeks as they are waiting on permits.

4. Approval of the usage of Forfeiture Funds in the Amount of $5,000.00 to be used for Gun Buy Back Program to purchase Gift Cards and to approve a Resolution amending the FY2019 budget. This expenditure is deemed consistent with the provisions under Florida State Statute 932.7055(5)(a). (18-487). (Chief of Police)

Chief Cantaloupe read the item into the record.

* **MOTION by Councilwoman Warner; Seconded by Councilman Boisvert, to approve of the usage of Forfeiture Funds in the Amount of $5,000.00 to be used for Gun Buy Back Program to purchase Gift Cards and to approve a Resolution amending the FY2019 budget.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Approval for the Mayor to sign the Subaward and Grant Agreement with the Florida Division of Emergency Management, and to approve a Resolution authorizing the City Manager and Finance Director to sign all future amendments to this contract. (18-488). (Finance Director)

Ms. Bowman read the item into the record and provided a brief explanation.

* **MOTION by Deputy Mayor Blanco; Seconded by Councilwoman Warner, to approve for the Mayor to sign the Subaward and Grant Agreement with the Florida Division of Emergency Management, and to approve a Resolution authorizing the City Manager and Finance Director to sign all future amendments to this contract.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

MULTI-YEAR CONTRACTS:

6. Pursuant to the Taylor Creek Reservoir/St. Johns River (TCR/SJR) Water Supply Agreements with Orange County, Toho Water Authority, Orlando Utilities Commission and East Central Florida Services, Approve the Final Ranking of the Short-Listed Firms for RFQ-18-18-COC, Technical Consulting Permitting Services for the TCR/SJR Water Supply Project; To Authorize the City Manager and City Attorney to Negotiate and Execute a Multi-Year Contract with the Top-Ranked Firm (HDR, Inc.). (18-463). (Utilities Director)

Ms. Ennis read the item into the record.

* **MOTION by Councilman Boisvert; Seconded by Councilman Whipple, to approve the Final Ranking of the Short-Listed Firms for RFQ-18-18-COC, Technical Consulting Permitting Services for the TCR/SJR Water Supply Project; To Authorize the City Manager and City Attorney to Negotiate and Execute a Multi-Year Contract with the Top-Ranked Firm (HDR, Inc.).**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Parrish asked if anyone from an advisory board or organization wished to speak. No comments were made.

IX. INFORMATIONAL AGENDA:

1. Cocoa Police Department District Event Statistics for the month of August, 2018. (18-466). (Chief of Police)

X. REPORTS:

Chief Cantaloupe reiterated information regarding the canine competition on Saturday.

Ms. Hamilton made an announcement regarding a walking tour of Florida Avenue on October 22nd around 5:30 pm.

Ms. Gemmati made an announcement regarding the upcoming Toy Drive.

City Manager Titkanich reported that a public workshop took place this past Wednesday and was well attended. The city has received the report and a legal

advertisement has been placed. The 2nd and final reading will be on the October 24th agenda. He pointed out that it is also Breast Cancer Awareness month. He added that thoughts and prayers are being sent to those effected by Hurricane Michael.

Councilman Whipple pointed out an assault that took place in Virginia Park. The suspect has been apprehended and it was on the news. He expressed the importance of safety and thanked Chief Cantaloupe for his hard work. Chief Cantaloupe added that the security cameras were instrumental in helping the police department solve the case as fast as they did.

Deputy Mayor Blanco announced that the District 4 Town Hall meeting will be held at Fire Station #1 next Tuesday, October 16th. She thanked Chief Prince for allowing her to host her town hall meeting there.

Additionally, she announced the rededication of Dick Blake Stadium on October 18th.

She thanked staff on their report regarding the CRA.

Mayor Parrish shared that he attended Senator Hukill's funeral over the weekend. He noted that her passing is unfortunate and he recalled a memory he shared with her.

XI. ADJOURNMENT.

* **MOTION by Councilman Boisvert; Seconded by Deputy Mayor Blanco, to adjourn the meeting of October 10, 2018.**

AYES: Parrish, Blanco, Boisvert, Warner, Whipple

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 9:12 p.m.

Henry U. Parrish III, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk
(Transcribed by Monica Arsenault, Asst. City Clerk)

PROPOSAL & BENEFITS

PROPOSAL

The back lot of the old Home Depot property, located at 2320 Hwy 524, remains vacant at this time and the property owner believes it may take 3 - 3.5 years until new tenants are secured. In the meantime, we bring you a mutually beneficial agreement for use of the property. As cruise transportation providers, we'd like to fence in the back of the property to utilize it for our Port Canaveral cruisers' vehicle storage.

Though traditional parking lots charge their customers per day for parking, we operate differently. Instead of charging a typical pay-per-day fee, we offer complimentary parking with the purchase of round-trip cruise transfers. We do not charge customers for the storage of their vehicles. We charge only for the transportation to and from the cruise port.

In addition to adding fencing, we would have the space lit and video monitored as well to provide utmost safety. Our traffic impact on the surrounding area is negligible as we store a small amount of vehicles and operate a limited amount of hours: 8 AM - 11AM on cruise days only.

We would agree to use the property only until the owner leases the space again, in which case we would vacate promptly within 6 months.

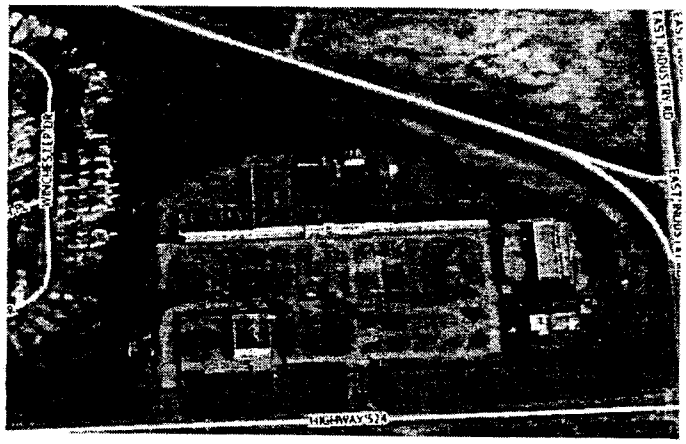
PROPOSAL & BENEFITS

BENEFITS

We'd love to bring the economical benefits that Port Canaveral and Cocoa Beach experience daily because of the cruise industry to Cocoa.

On average, our lot would bring in 150-200 cars per cruise day. These cruisers typically spend an average of $20-$40 per person on gas, merchandise, and food while in the area. Altogether, this would equate to approximately $8,000 per cruise day, $24,000 per week, and $1.25 million annually in revenue for the local Cocoa area businesses.

Some of these businesses include: McDonalds, Cocoa Commons & Publix, Sunoco Gas Station, Walmart, Taco Bell, Dollar Tree, Aldi's, and many more.



ABOUT US

FLORIDA CRUISE PORTS

Florida Cruise Ports is the largest destination management company in Florida for pre and post cruise travel services. We specialize in online booking services marketed to cruise travelers that include hotel, transportation, and parking packages designed to complement their cruise.

CONTACT INFORMATION

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matt@floridacruiseports.com
www.floridacruiseports.com

Cocoa Redevelopment Agency
Redevelopment Plan
Agenda Item V1.2 (14-484)
1st Public Hearing

City Council
October 10, 2018

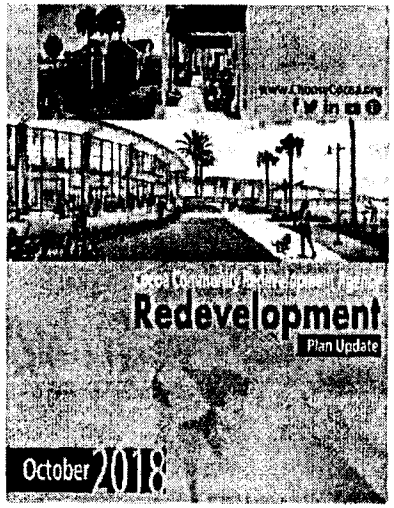
EXHIBIT B: CRA PLAN PRESENTATION

- Community Redevelopment Act of 1969, Chapter 163, Part III, Florida Statutes
  - Provides Authority to Undertake Community Redevelopment
    - City of Cocoa City Council adopted a Resolution on July 8, 1980, determining a Necessity for Redevelopment of Blighted Areas
    - City of Cocoa City Council adopted a Findings of Necessity Resolution on April 14, 1981
    - City Cocoa City Council established the Cocoa Community Redevelopment Agency on April 14, 198 with the adoption of Ordinance No. 10-81

- Power to modify Community Redevelopment Plan
  - Section 163.361, Florida Statutes

- **2018 Proposed Amended Community Redevelopment Plan**
  - 1997 Community Redevelopment Plan
  - 2008 Waterfront Master Plan (covered entire redevelopment area)
    - Plan was not amended at the time as projects and initiatives were found to be consistent with the 1997 Community Redevelopment Plan
  - 2018 Waterfront Master Plan update **(post Hurricane Irma)**

- **Cocoa CRA Community Redevelopment Plan was last modified and adopted in June 1997**



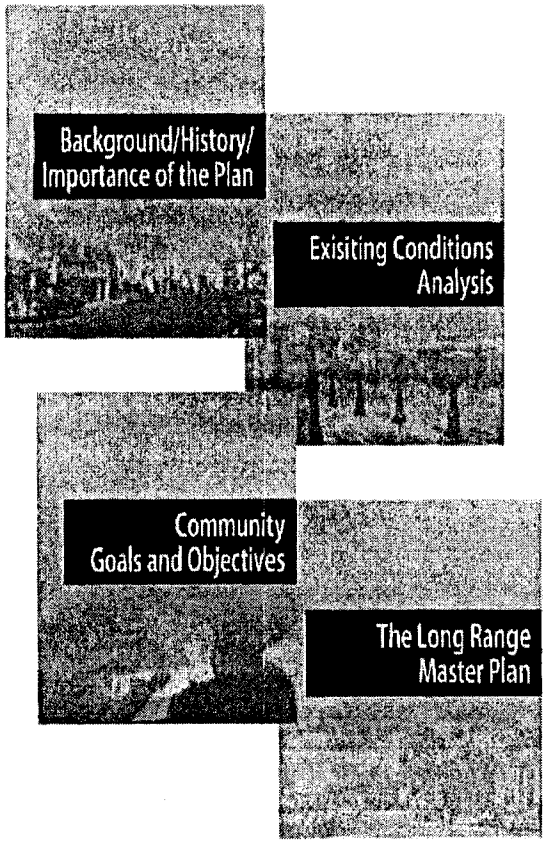
  - CRA Plan is a living document and projects, goals and activities should be evaluated and updated generally every 5 – 10 years.

  - **City Comprehensive Plan Policy 1.1.4.9**

    "On a continuing basis, the City shall review and update, as necessary, the Redevelopment Area Plans."

  - Pursuant to Section 163.387, Florida Statutes, a modified plan cannot exceed 30 years – **thus, the 1997 Cocoa CRA Community Redevelopment Plan will expire in Fiscal Year 2027.**

  - Modifying and adopting new community redevelopment plan the Cocoa CRA will extend its life to the full life of CRA 60 years, which would **extend the agency until April 2041** enabling Cocoa CRA to undertake redevelopment projects and activities contained in plan.



- Background/History – updated data,
- Existing Conditions – updated current conditions and maps and revised as appropriate
- Incorporated Frameworks for proposed Improvements
  - Establishment of sub-districts from 2008 Waterfront Master Plan
- Revised Community Goals, Policy Objectives & Plan Strategies
- Updated Capital Improvements Plan incorporating capital projects, **with established priorities and timelines**, from 2008 Waterfront Master Plan and (2018) Waterfront Master Plan Update



Plannng & Zoning Board
Consistency Analysis

- Prior to the Cocoa CRA's consideration of an update to its Community Redevelopment Plan, the City's Land Planning Agency (LPA), the Planning & Zoning Board, must review the proposed Plan for conformance with the City's Comprehensive Plan.

  Section 163.360(2)(a), Florida Statutes, requires the Community Redevelopment Plan, "Conform to the comprehensive plan for the ...municipality as prepared by local planning agency under the Community Planning Act."

[redacted]

The Cocoa CRA Community Redevelopment Plan was evaluated for consistency with the City's Comprehensive Plan:

- Future Land Use
- Transportation
- Housing
- Solid Waste Management
- Stormwater Management
- Coastal Management
- Recreation and Open Space

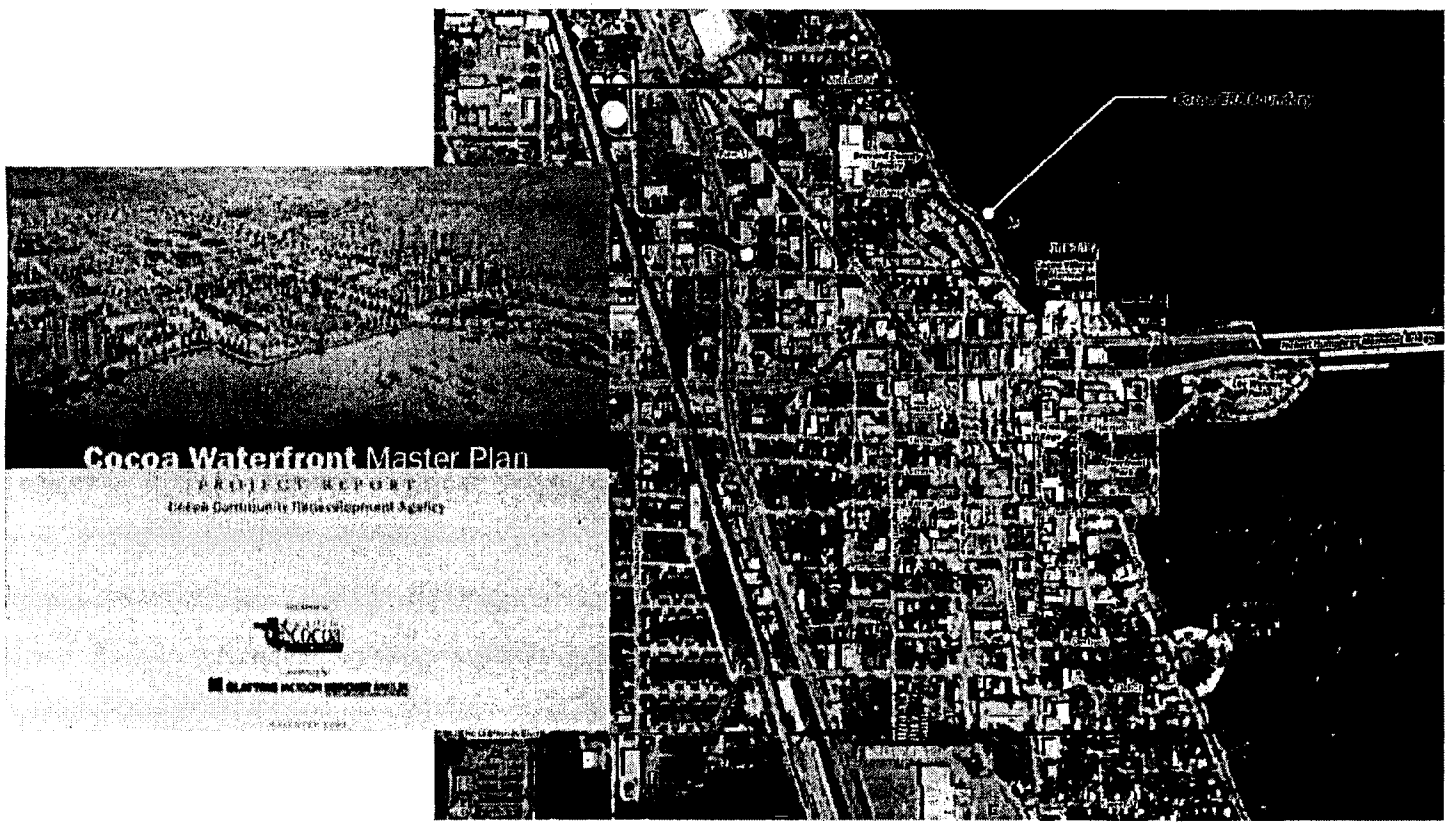
- Waterfront Improvements and Enhancements
- Lee Wenner Park
  - Recognizes Acquisition from Brevard County BOCC
  - Eliminated projects inconsistent
  - Location of New Civic Center
- Riverfront Park
- CRA Projects
  - Parking improvements
  - Provisions to improve and promote infill housing including workforce and affordable housing
  - Specific Sub-District Projects
- Catalytic Mixed-Use Development Sites
- Wayfinding – Gateways and Signage
- Streets

[redacted]

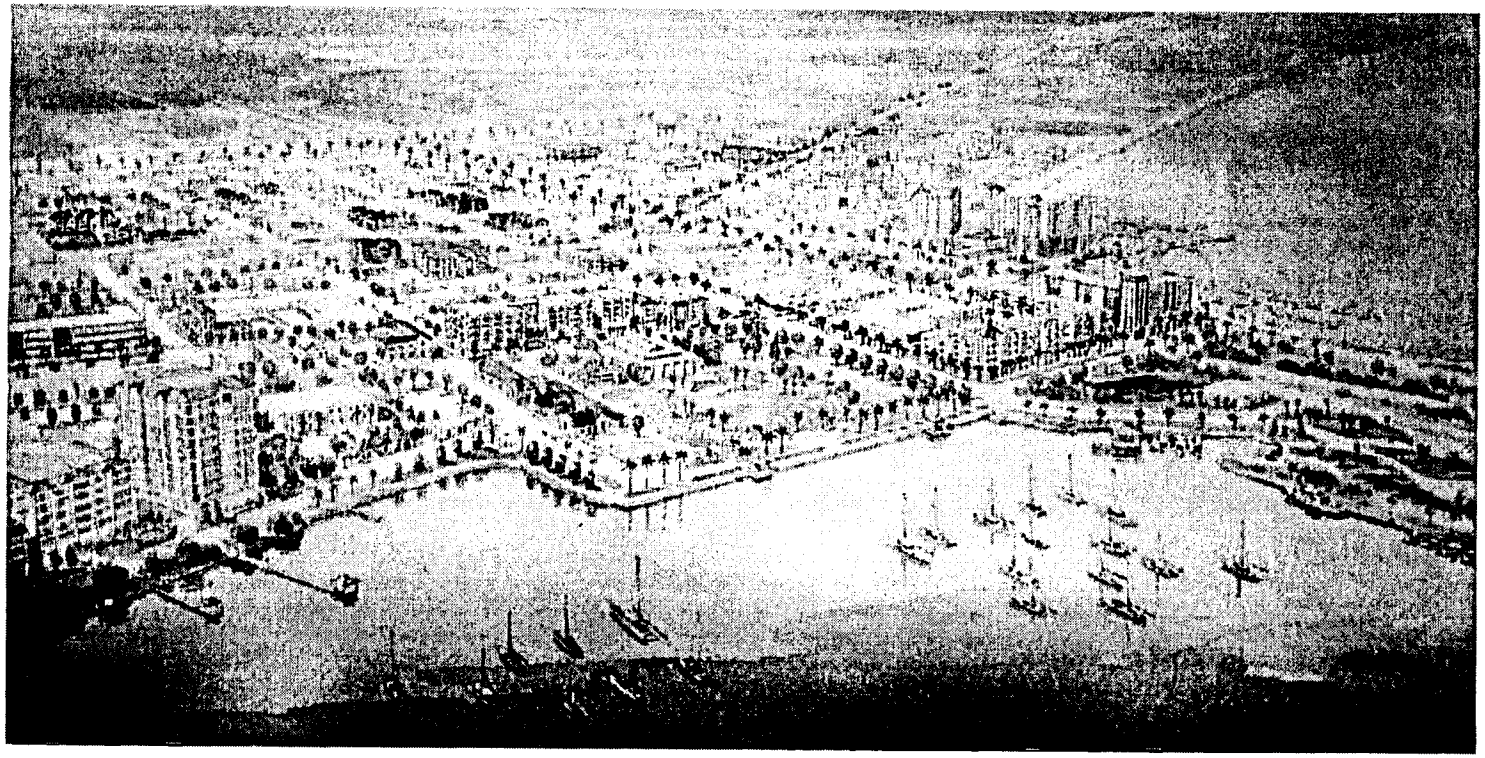


- Planning & Zoning Board role was consider whether the proposed draft amended Community Redevelopment Plan was consistent with the City's Comprehensive Plan.

  - **On September 10, 2018, the Planning & Zoning Board found the 2018 Cocoa Community Redevelopment Plan as amended was consistent with the City's 2010-1020 Comprehensive Plan.**


Cocoa Waterfront Master Plan
PROJECT REPORT

[redacted]



a. US1 Streetscape Improvements

b. New City Hall developed (LEED Silver)

c. Rosa Jones Park / Square Designed (not yet built)

d. Form-Based Code Adopted
   a. Waterfront Overlay
   b. Development and Design Guidelines

e. Wayfinding Finding (Program and guidelines developed...entry signs erected)

f. SR520 Improvement – FDOT Corridor Study

g. Florida Avenue Streetscape

h. Lee Wenner Park Conveyed from County to City

i. Acquired Oaks Mobile Home Park

j. Parking Study Report 2017 Update

k. Gateway Signage Elements

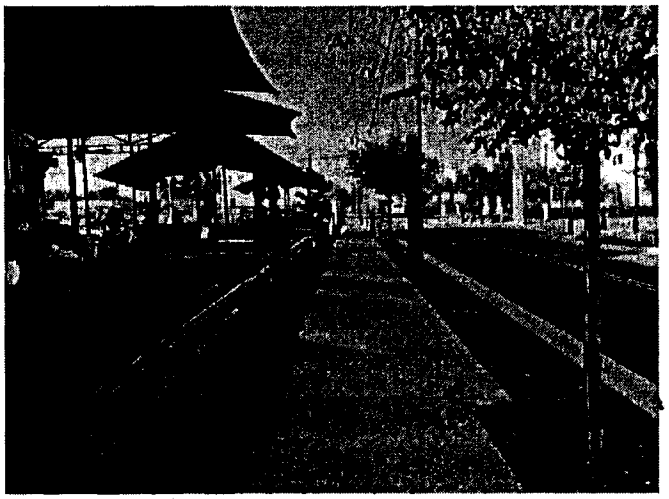
l. Referendum preserving Public Use / Scenic Vista water's edge use.

m. Pre-Development Activities – Brownfields Environmental Site Assessments

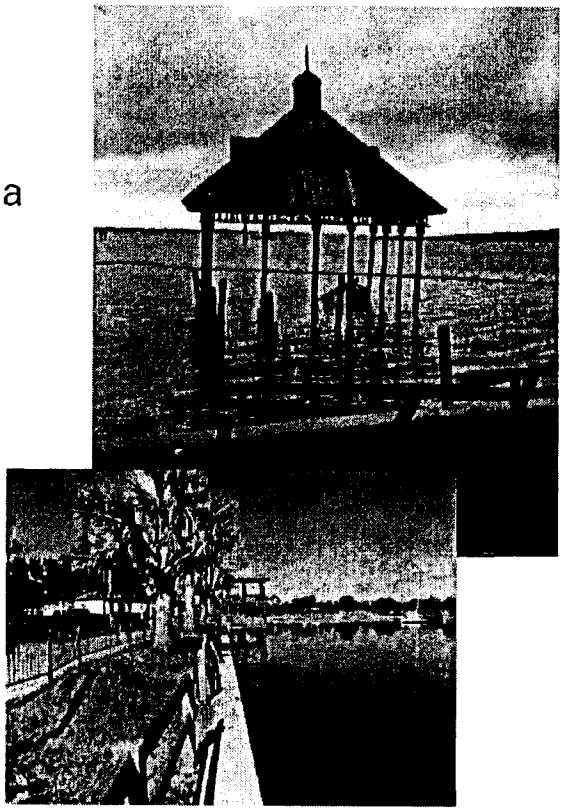


Rosa Jones Square Vision, now designed to construction document level

Florida Avenue Streetscape and new Business Development

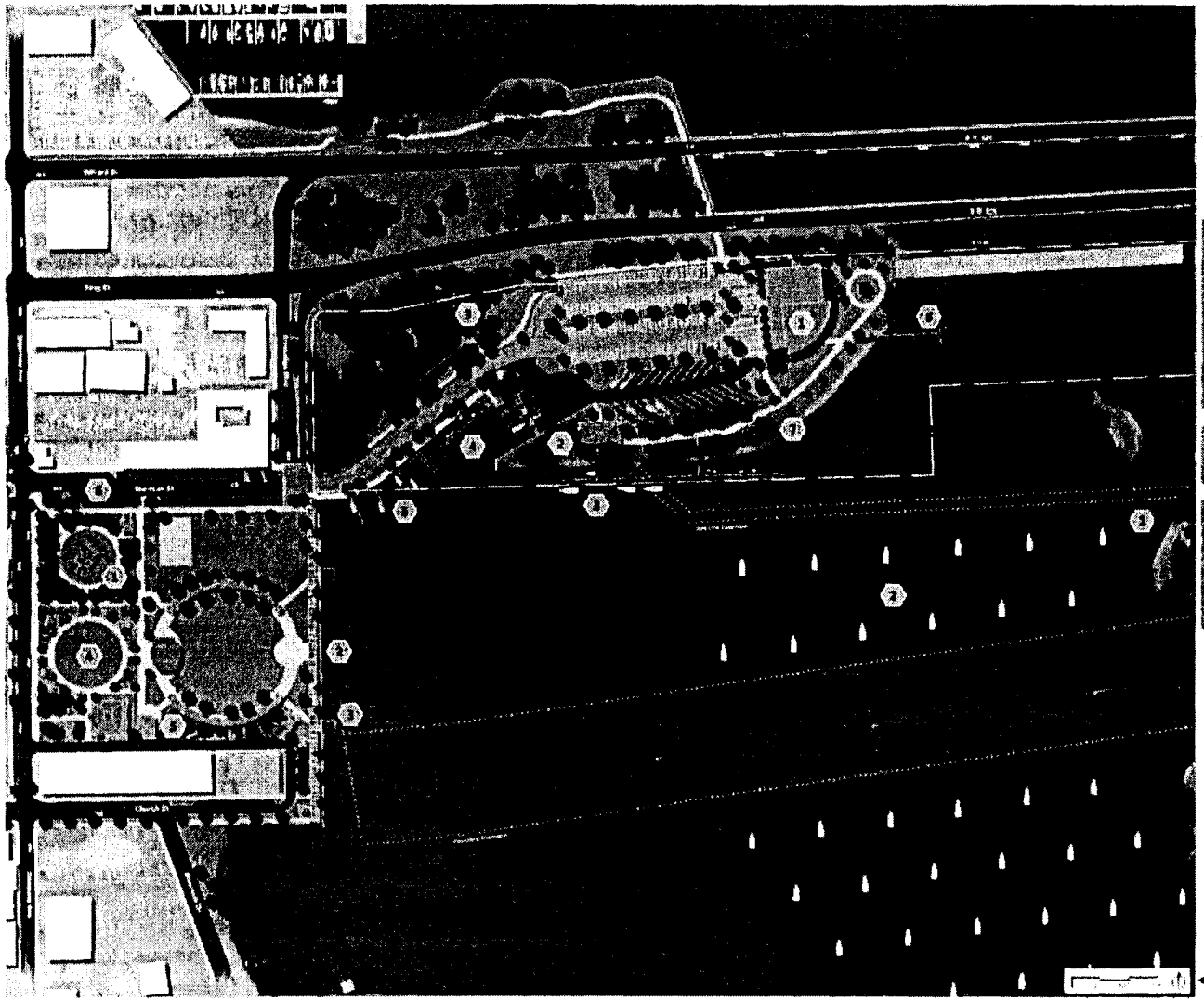


- Build Upon 2008 CRA Approved Master Plan
- Acknowledge Projects Completed Since 2008
- Recognize Repair Efforts due to Hurricane Irma
- Incorporate Lee Wenner Park acquired from Brevard County BOCC
- Incorporate Projects Already Underway
- Include Broad Community Input for Key Goals
  - 10 Year Action Plan
  - Long Term Objectives
  - Conceptual Level Planning
  - Order of Magnitude Budgeting



A High Level, Direct, Planning Effort...

...What do we want to put back, change or add?



City of Cocoa

Waterfront Conceptual Master Plan

April 09, 2018

LEGEND:

[redacted]

COCOA
FLORIDA

Cocoa CRA Board Action: Cocoa CRA Board considered and approved the updated Cocoa Redevelopment Agency Redevelopment Plan at Special Cocoa CRA Meeting on September 18, 2018. The Cocoa CRA Board recommends City Council approve the 2018 Cocoa Redevelopment Agency Plan.

Public Hearing: Pursuant to s. 163.361,(3)(a), Florida Statutes, the governing body (Cocoa City Council) shall hold a public hearing on a proposed modification on any community redevelopment plan.

- Pursuant to s. 163.361,(3)(a), Florida Statues, the City of Cocoa noticed the Brevard County Board of County Commission Chairperson and County Manager via email on September 21, 2018 and Certified Mail.
  - Extended an offer to provide a presentation to the BOCC.

- Pursuant to s. 163.361,(2), Florida Statues, the City of Cocoa legally advertised the public hearings for the Ordinance to adopt the updated Cocoa CRA Redevelopment Plan in the Florida Today newspaper on Septemeber 25, 2018.

[redacted]

COCOA
FLORIDA

Cocoa CRA Board Action: Cocoa CRA Board considered and approved the updated Cocoa Redevelopment Agency Redevelopment Plan at Special Cocoa CRA Meeting on September 18, 2018. The Cocoa CRA Board recommends City Council approve the 2018 Cocoa Redevelopment Agency Plan.

Requested Action: Approve the First Reading of Ordinance 10-2018 approving the 2018 Cocoa Redevelopment Agency Plan Update.



Questions and Public Comment

[redacted]

April 10, 2018	CRA Board – Presentation by GAI on Waterfront Master Plan Update
June 12, 2018	CRA Board directed staff to draft amendments to modify CRA Redevelopment Plan.
August 29, 2018	Cocoa CRA Plan Public Meeting
September 4, 2018	Special Cocoa CRA Meeting – Update CRA on Draft Plan
September 10, 2018	Special Planning & Zoning Meeting
September 18, 2018	Special Cocoa CRA Meeting To Approve Plan
October 10, 2018	**City Council First Reading**
October 24, 2018	**City Council Second Reading**