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MINUTES
City of Cocoa
Regular Meeting of The City Council

September 24, 2024

A Regular City Council Meeting was held on Tuesday, September 24, 2024, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

Mayor Blake called the meeting to order at 6:05 p.m.

Councilmember Goins provided the invocation and Councilmember Koss led the assembly in the Pledge of Allegiance.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor (via phone)
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Patricia Weeks	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Monica Arsenault	City Clerk

ABSENT:

OTHER STAFF MEMBERS PRESENT:

Abby Morgan, Public Works Director; Lora Howell, Deputy Finance Director; Charlene Neuterman, Community Services Director; Samantha Senger, Communications and Economic Development Director; Evander Collier, Police Chief; Jonathan Lamm, Fire Chief; Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Mitch Lawyer, Systems and Support Manager; Megan Crutcher, Help Desk Support Tech; and Jennifer Webster, Senior Planner.

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of September 24, 2024. (24-572).

* **MOTION by Mayor Blake; Seconded by Councilmember Weeks to approve the agenda for the Regular meeting of September 24, 2024 with several amendments to add a Lead and Copper presentation to Awards and Presentations, to add City Business item VIII.1 to approve a Collective Bargaining Agreement for the International Association of Firefighters; City Business item VIII.2 to approve a three year contract with the Coastal Florida Police Benevolent Association; City Business item VIII.3 to approve a three year contract with LIUNA; City Business item VIII.4 to adopt Resolution No. 2024-095 declaring a State of Emergency for Tropical Storm Helene; and to move Multi-Year Consent item V.10(b) to City Business item VIII.5.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Minutes: (a) Regular Meeting of July 23, 2024. (24-571).

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss to approve the minutes for the Special City Council meeting of July 23, 2024 as written.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Lead and Copper Presentation. (Utilities Director) Walk-on Item.

Mr. Walsh gave a presentation[1] and provided Council with information regarding lead and copper pipes.

IV. Delegations:

[1] Exhibit A: Lead and Copper

Aleck Greenwood, 640 Brevard Ave., Cocoa, informed Council that he plans on meeting with the City Manager soon to address some loopholes in the City's ordinances and the City Charter guidelines.

Additionally, with the holidays coming up he would like to see a discussion about the permittance of golf carts come back to Council. He reminded everyone of how successful the golf cart parade was last year and would like to see it happen again.

V. Consent Agenda:

(A) General Consent Items:

1. To Approve Task Order No. 2025-47 to Jacobs Engineering Group, Inc. to Provide Program Management/Administration, Design Management and Construction Project Support Services for Operating Revenue funded Cocoa Utilities Capital Improvement Plan Program Projects related to Water Supply and Water Treatment; Pending Approval of the FY 2025 Budget (24-486). (Utilities Director)

2. To Approve Task Order No. 2025-44 with Jacobs Engineering, Inc. (Jacobs) to Provide Assistance with Project and Asset Management, Contractor Coordination and Documentation, Data Management and Quality Control, and Strategic Planning for Water Field Operations and the Cross-Connection Control Program; Pending Approval of the FY 2025 Budget. (24-488). (Utilities Director)

3. To Approve Task Order 2025-08 with Carollo Engineers, Inc., Orlando, Florida, for Critical Information Technology Infrastructure. (24-494). (Utilities Director)

   *****This Item is Confidential per FS 119.0725 and Not for Public Release*****

4. Approve Task Order 2025-46 with Jacobs Engineering Group (Jacobs) for Program Management Services, Project No. WS1221, and Task Order 2025-45 for Plan Review Services to include Engineering Land Development Review; Pending Approval of the FY2025 Budget. (24-505). (Utilities Director)

5. To Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making Sole Source Purchase of Cal~Flo Liquid Lime from Burnett Lime Co., Inc., Campobello. SC.; To Authorize the City Manager to Approve Change Orders in an Amount not to Exceed the Total FY2025 Budget for Chemicals, pending approval of the FY25 Budget. (24-545). (Utilities Director)

6. To Approve the FY25 Renewal of Existing Chemical Supply and Delivery Agreements for Water and Wastewater Treatment with Allied Universal Corp. (Contract B-22-12-COC-B) for the Purchase of Sodium Hypochlorite. To Authorize the City Manager to execute Contract, Approve Annual Renewals, Amendments, and Change Orders to Individual Purchase Orders or between Chemical Providers in an Amount not to Exceed the Total Estimated FY2025 Adopted Budget for Chemicals, pending approval of the FY25 Budget. (24-547). (Utilities Director)

7. Approve Resolution 2024-092 Amending Fiscal Year 2024 Budget, BAF #24-133-A; Requesting settlement authority for the tentative settlement agreement between City of Cocoa Police Officer Benjamin Landis and the City of Cocoa authorizing the payment of the Workers' Compensation settlement. (24-559). (Administrative Services Director)

8. Authorize the City Manager to contract for and issue payment for the renewal of maintenance, licensing, and cloud agreements for a critical infrastructure system utilizing GSA Contract #GS-35F-303DA in an amount not to exceed $95,000 for FY 2025, and further authorize the City Manager to contract for and issue payment for associated future renewal years (with increases up to 6% each subsequent year) for the remainder of the useful life of the critical infrastructure. Pending the Adoption of the FY25 Budget. (24-560). (Chief Technology Officer)

*****This Item is Confidential per FS 119.0725 and Not for Public Release*****

9. Resolution to approve official street names for private roads serving Allegra at Cocoa Apartments. (24-563). (City Planner)

(B) Multi-Year Contracts:

~~10. Approve a multi-year renewal of United Healthcare Medicare Advantage Plan for eligible retirees 65 and over from January 1, 2025 to December 31, 2025 and payments to eligible retirees for Medicare Part B reimbursement. FY2025 Expenditures are Pending the Adoption of the FY2025 Budget. (Administrative Services Director) (24-518). (Administrative Services Director)~~ Moved to City Business VIII.5.

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

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Second Reading: Consideration of final adoption of Ordinance 08-2024, a City-initiated Zoning Map Amendment to change the Zoning category of (18) parcels of real property totaling approximately 3.1 acres from City of Cocoa RU-1-7 "Single-Family Residential" to C-N "Neighborhood Commercial". (24-550). (City Planner)

City Attorney Garganese announced that this is the Second and Final Reading and read the title into the record as follows:

Ordinance 08-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP FOR TWENTY (20) PARCELS OF REAL PROPERTY WITHIN THE CITY OF COCOA TOTALING 3.36 ACRES, MORE OR LESS, AND GENERALLY LOCATED ALONG COCOA PLACE, WEST OF THE INTERSECTION OF COCOA PLACE AND NORTH COCOA BOULEVARD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; CHANGING THE FUTURE LAND USE MAP DESIGNATION OF SAID PARCELS FROM "COMMERCIAL" TO "NEIGHBORHOOD COMMERCIAL;" PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, INCORPORATION INTO THE COMPREHENSIVE PLAN, AND AN EFFECTIVE DATE AND LEGAL STATUS OF THE PLAN AMENDMENT.

Ms. Webster provided Council with a brief presentation[2] and let Council know that nothing has changed since the First Reading.

Mayor Blake opened the Hearing to the public.

There being no questions or comments, the public portion of the Hearing was closed.

* **MOTION by Councilmember Goins; Seconded by Councilmember Weeks to approve Ordinance 08-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

[2] Exhibit B: Ordinance 08-2024 Presentation

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Second Reading: Consideration of final adoption of Ordinance 09-2024, a city-initiated Zoning Map Amendment to change the Zoning category of (18) parcels of real property totaling approximately 3.1 acres from City of Cocoa RU-1-7 “Single-Family Residential” to C-N “Neighborhood Commercial”. (24-551). (City Planner)

City Attorney Garganese announced that this is the Second and Final Reading and read the title into the record as follows:

Ordinance 09-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE OFFICIAL ZONING MAP DESIGNATION OF EIGHTEEN (18) PARCELS OF REAL PROPERTY TOTALING 3.1 ACRES, MORE OR LESS, AND GENERALLY LOCATED ALONG COCOA PLACE, WEST OF THE INTERSECTION OF COCOA PLACE AND NORTH COCOA BOULEVARD, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND DESCRIBED ON EXHIBIT “A” ATTACHED HERETO, FROM RU-1-7 (SINGLE-FAMILY RESIDENTIAL) TO C-N (NEIGHBORHOOD COMMERCIAL DISTRICT); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Webster provided Council with a brief presentation[3] and let Council know that nothing has changed since the First Reading.

Mayor Blake opened the Hearing to the public.

There being no questions or comments, the public portion of the Hearing was closed.

* **MOTION by Councilmember Weeks; Seconded by Councilmember Goins to approve Ordinance 09-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Conduct the final public hearing for the updated Propose Action Plan for Fiscal Year 2024-2025 and Citizen Participation Plan for submission to HUD; and authorize the Mayor to sign all subsequent certification and agreements.

[3] Exhibit C: Ordinance 09-2024 Presentation

Authorize the City Manager to make adjustments to the FY2025 budget as necessary. (24-553). (Community Services Director)

Ms. Neuterman explained at the May 28, 2024 City Council meeting, staff presented CDBG allocation estimates for the City of Cocoa. After the May 28th Council meeting, Staff received the allocation for Fiscal Year 2025. The estimated allocation presented at the May 28th meeting was $128,609. The new allocation for CDBG funding for Fiscal Year 2025 is $119,567. Additionally, at the May 28, 2024 Council meeting, it was noted that the HOME funds also decreased to $63,294.02. The actual allocation after deducting the County's portion is $63,255.47.

Staff is requesting Council approve the updated, proposed FY2024/2025 Action Plan, approve the plan for submission to HUD, and authorize the Mayor to sign all subsequent certifications and agreements.

Mayor Blake opened the Hearing to the public.

There being no questions or comments, the public portion of the Hearing was closed.

* **MOTION by Mayor Blake; Seconded by Councilmember Weeks to approve the item.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. Consider the reappointments of Mr. Elliott Zimmerman and Mr. Milton Norris Park as members of the Board of Trustees for the Firefighters' Retirement Plan through September 30, 2028. (24-570). (Administrative Services Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Weeks to approve the reappointment of Milton Norris Park and Elliott Zimmerman as members of the Board of Trustees for the Firefighters' Retirement Plan through September 30, 2028.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Approve the Collective Bargaining Agreement between the City of Cocoa and the International Association of Firefighters (IAFF) for the contract term of October 1, 2024 through September 30, 2027. (24-562). (Administrative Services Director) Walk-on Item.

   Ms. Gemmati provided a brief explanation of the item.

* **MOTION by Mayor Blake; Seconded by Councilmember Goins to approve the Collective Bargaining Agreement between the City of Cocoa and the International Association of Firefighters (IAFF) for the contract term of October 1, 2024 through September 30, 2027.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a three-year contract between the City of Cocoa and the Coastal Florida Police Benevolent Association (CFPBA) for the contract term of October 1, 2024 through September 30, 2027, contingent on a passing ratification vote with CFPBA. (24-569). (Administrative Services Director) Walk-on Item.

* **MOTION by Councilmember Weeks; Seconded by Deputy Mayor Hearn to approve a three-year contract between the City of Cocoa and the Coastal Florida Police Benevolent Association (PBA) for the contract term of October 1, 2024 through September 30, 2027.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approve the three-year contract between the City of Cocoa and the Laborers' International Union of North America (LIUNA) Local 630 Union for the contract term October 1, 2024 to September 30, 2027, contingent on LIUNA having a passing ratification vote. (24-567). (Administrative Services Director) Walk-on Item.

* **MOTION by Councilmember Weeks; Seconded by Mayor Blake to approve the three-year contract between the City of Cocoa and the Laborers' International Union of North America (LIUNA) Local 630 Union for the contract term October 1, 2024 to September 30, 2027, contingent on LIUNA having a passing ratification vote.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Adopt Resolution No. 2024-095 Declaring a State of Emergency for Tropical Storm Helene.

Chief Lamm talked about the storm and provided an update of the movement and impacts of the storm on the state.

* **MOTION by Mayor Blake; Seconded by Councilmember Weeks to approve Resolution No. 2024-095 declaring a State of Emergency for Tropical Storm Helene, and to add a condition to the Resolution that the City Manager and Mayor may agree to adjust the effective date and time as necessary and to notify Council of any changes.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Approve a multi-year renewal of United Healthcare Medicare Advantage Plan for eligible retirees 65 and over from January 1, 2025 to December 31, 2025 and payments to eligible retirees for Medicare Part B reimbursement. FY2025 Expenditures are Pending the Adoption of the FY2025 Budget. (Administrative Services Director) (24-518). (Administrative Services Director)

Ms. Gemmati provided a brief explanation of the item.

* **MOTION by Councilmember Koss; Seconded by Councilmember Weeks to approve a multi-year renewal of United Healthcare Medicare Advantage Plan for eligible retirees 65 and over from January 1, 2025 to December 31, 2025 and payments to eligible retirees for Medicare Part B reimbursement. FY2025 Expenditures are Pending the Adoption of the FY2025 Budget.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. Informational Agenda:

1. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (24-565). (Finance Director)

2. Data showing the relation between the estimated and actual income and expenses to date. (24-566). (Finance Director)

3. FY 2024 August Budget Adjustment Report. (24-567). (Finance Director)

4. Bi-weekly Report from September 9 - September 20, 2024. (24-573). (City Manager)

5. Informational Only – The City of Cocoa's Open Board Vacancies. (24-574). (City Clerk)

X. Reports:

Ms. Senger reminded everyone of the Provost Park grand opening from 4-7pm one week from today. This will be held right before the National Night Out event.

The first session of Citizen's Academy will also be taking place at 5:30pm at Cocoa City Hall that same evening.

Councilmember Koss announced that her District 4 Townhall meeting will be on October 15, 2024 at the Travis Park Recreation Center beginning at 6pm.

Councilmember Weeks talked about several events she recently attended which included the Cocoa High School football game where they won the game.

She also attended the Fiddler on the Roof play at the Cocoa Village Playhouse which she thought was really great.

Lastly, she will be doing a meet and greet on October 9th at Lost Lakes to meet with the residents and will be handing out giveaways for anyone who is interested in attending.

Councilmember Goins shared some photos from events he recently attended. He gave a shout out to the Knot Bar in Cocoa Village and shared information about the upcoming Oktoberfest at the Village Bier Garten from September 20th through October 26th.

Mayor Blake asked everyone to prepare themselves for the upcoming storm. He will be visiting Cocoa High School tomorrow to speak to the children there.

Additionally, on Thursday there will be a Florida League of Mayors breakfast meeting at the Cocoa Civic Center that he will be attending.

XI. Adjournment:

*** MOTION by Councilmember Weeks; Seconded by Councilmember Goins to adjourn the Regular meeting of September 24, 2024.**

AYES: Blake, Hearn, Goins, Koss, Weeks

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 7:55 p.m.

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Michael C. Blake, Mayor

ATTEST:

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Monica Arsenault, City Clerk