MINUTES

CITY OF COCOA

REGULAR MEETING OF THE CITY COUNCIL

August 14, 2019

A Regular City Council Meeting was held on Wednesday, August 14, 2019, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. OPENING MATTERS:

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

Pastor Rich Lively with the First Baptist Church of Cocoa provided the invocation, and Councilmember 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
	Brenda Warner	Deputy Mayor
	Don Boisvert	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk
ABSENT:	John A. Titkanich, Jr.	City Manager

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Nancy Bunt, Community Services Director; Michael Cantaloupe, Chief of Police; Gene Prince, Fire Chief; Jonathan Lamm, Deputy Fire Chief; Ed Wegerif, Public Works Director; Rebecca Bowman, Finance Director; LeShawn Hinton, Helpdesk Support Technician; Samantha Senger, Assistant to the City Manager/ Public Relations Specialist; Dodie Selig, Planning Manager; and Lora Howell, Deputy Finance Director.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of August 14, 2019 (19-384)
2. Minutes: (a) Regular Meeting of June 12, 2019 (19-345)
   (b) Regular Meeting of June 26, 2019 (19-381)
   (c) Regular Meeting of July 10, 2019 (19-382)

Assistant City Manager Fuhrer advised that there was a proposed change to the agenda, which would be to add a Resolution relating to Port Canaveral. This would be Council Business VII.2. Additionally, there would be a Cocoa YMCA presentation under Awards and Presentations, and that would be Item III.4.

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Warner, to approve the agenda as amended for the Regular meeting of August 14, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve the Minutes of the Regular meeting of June 12, 2019, the Regular meeting of June 26, 2019, and the Regular meeting of July 10, 2019.**

The motion was opened for discussion.

Councilmember Koss had an amendment to the June 12, 2019 minutes. She stated that on page 16, the last paragraph it should read the following: She felt that Reverend Watson channeled and viewed Barbara Jenkins strength in the face of adversity to everyone in attendance.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve the minutes as noted above with amendments.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. "Family Promise of Brevard" Presentation. (19-353). (Councilmember Koss)

Councilmember Koss introduced Tara Pagliarini with Family Promise of Brevard who presented on faith-based help for the homeless.

Ms. Pagliarini advised that they were a non-profit and a community response to ending family homelessness. They provide families with support and help them to have long standing stability. They have helped over 1,900 households while utilizing what was already in the community.

Hand-Up is an initiative to work with families before they become homeless. There are many homeless students in the community because of the gap of income and housing. Income remains stagnant but home costs rise.

Furthermore, there are many families working two job and still cannot afford housing. Families have no reserves and then fall into homelessness. They work in collaboration with the Central Brevard Sharing Center and can help families with back rent, mortgages, etc.

Their main collaboration is the Emergency Shelter Program. They went out to faith-based communities and asked if they would be willing to provide a safe spot for these families. They provide bedding and meals. There have been 122 families helped through this model. Every dollar donated is matched by $3.00 of goods and in-kind services. Christ Central is one of the churches that participates. The families stay from Sunday to Sunday and after that another church takes over. First Baptist of Cocoa will be the thirtieth church to join the program.

Ms. Pagliarini advised that the City can help by educating others. She provided a packet of information to all Council members. She asked that her name be shared as they need partners, volunteers, etc. because unless more is done they would continue to see families struggle.

She had a video to show but was unable of Janet and Jonathan, who went through the program and are now homeowners.

Councilwoman Koss mentioned that her thought was with the sixty plus churches in the City of Cocoa and with Council's help a summit of some sort could be

organized. By doing this they could provide information about the program and Council could be a part of it as well.

Ms. Pagliarini stated that they would be honored to be a part of a summit and agreed to email the video to Council.

2. Proclamation: "Florida Water Professionals Month". (19-383). (Mayor Williams)

Councilmember Koss read the proclamation into the record.

3. Update on the Cocoa Village Playhouse. (19-385). (Dr. Staci Hawkins-Smith)

Staci Hawkins-Smith thanked Council for allowing them to speak early as they have their first audition of the year at 7 pm tonight. She introduced some of the Playhouse employees who were in attendance with her.

She advised that they were working in collaboration with many organizations, one being Cocoa High School. They held a concert this past weekend and raised $7,799.52.

Councilmember Koss added that does not include the $20,000 raised in sponsorships.

Dr. Hawkins-Smith mentioned that the Playhouse was more than performing arts as they also have community projects. She provided brochures of the new season and stressed that tickets prices were being kept affordable.

This weekend Hot Pink would be performing a Motown Concert. They are a local band who will be playing on their stage.

Deputy Mayor Warner asked how many years she had been with the Playhouse. In response, Dr. Hawkins-Smith announced they were celebrating thirty seasons.

Council felt that the Playhouse and the City were very fortunate to have her.

4. Cocoa YMCA Presentation. (Mayor Williams)

Mr. Dan Ekis spoke on behalf of the Cocoa YMCA and introduced their board members, including Deputy Mayor Brenda Warner.

He provided a presentation[1] to all Council members and to those in attendance. He gave a brief history of the Cocoa YMCA and mentioned that in 2004 they were provided the opportunity to locate at Brevard Community College. He thanked Council for the City's initial investment of $350,000 which helped them get where they are today.

Mr. Ekis provided photos of programs that were provided at the YMCA and acknowledged all of their sponsors and partners.

Discussion was held on renovations and finances. They asked the City for a one time gift of $350,000 or help to figure out how to keep the YMCA going.

Mayor Williams felt that this was an issue happening throughout the City and there were several amenities that should be helping sell Cocoa, yet no one has sat down with anyone to see what could be done.

Councilmember Koss stated that the YMCA was in her district and has been involved with them as both an adult and a child. She mentioned that she had met with Stockton Whitten and became aware of some of their concerns. Sh knows that they have invested a lot into the Titusville Y and asked why the same investments have not been made in Cocoa.

In response, Mr. Ekis advised that in the beginning of the presentation he spoke about investments and how they look at all twenty seven locations. They look at how they can help each one and they also look at the community and what that community could use.

Councilmember Koss clarified that Cocoa would be a focus of their mission since most of the City's population is underprivileged. Mr. Ekis confirmed that the funding being paid for would stay in this community. Money stays in the community where it is raised.

Mayor Williams pointed out the issues with the pool and HVAC issues.

Deputy Mayor Warner further mentioned that the pool was used by the Cops and Kids Program. She wanted to give direction to City management to sit down with the YMCA and the college to see if a plan could be thought of to keep the YMCA open. She believed that some pressure should be placed on the college and that the college looked abandoned. She was aware that they have been

[1] EXHIBIT A: Cocoa YMCA Family Center

concentrating on the Melbourne campus but felt that they had the funds for every campus except for Cocoa.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Boisvert, to direct management to sit with both the YMCA and the college to see if there was something that could be done in order to keep the YMCA open.**

Mayor Williams announced that the college does have plans which will turn it into more of a technical school. He has also heard there were plans for the old Clearlake Middle School.

Assistant City Manager Fuhrer provided an update and mentioned that a meeting was scheduled with EFSC this upcoming Wednesday and they will follow up with the YMCA to schedule a meeting.

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IV. DELEGATIONS:

Robert Jackson, 1229 Bolle Circle, Rockledge, voiced concerns regarding a convenience fee of $2.99 to pay his water bill online. He felt that this was excessive and has to write a check for the bill. He felt that this charge should be re-negotiated when the contract comes up.

Aleck Greenwood, 640 Brevard Avenue, Cocoa, provided a history about Jan Stewart's qualifications to be on the Cocoa CRA. He mentioned that the question was her having an occupational license. He spoke about the history of the CRA and that it goes back to 1981. He stated the intent was to take care of the blighted area which is now Cocoa Village. He noted that the opinion regarding Ms. Stewart's qualifications did not include the property owners and taxes that remain in the CRA. The original requirements were done verbally and he would like this issue to come up for discussion.

City Attorney Garganese stated that the issue was regarding a person's eligibility to serve on a CRA. He provided a brief history of the situation and noted that she maintains ownership of property in the City but does not run a business anymore. You have to meet the qualifications of statutes, it is not a matter of local qualifications. You have to reside in the area of the CRA or be engaged in

business and explained what that means. In his opinion, based on what little authority there is, owning a property, even being a landlord and leasing it out, does not mean you are engaged in business. Council could seek another opinion or the Attorney General's opinion.

A question was asked if they are required to file a Business Tax License. He noted the City Council has the authority to make the rules more clear.

City Attorney Garganese cited a couple of other cases like this one and felt that the court would agree that owning a property is not being engaged in business.

Lastly, he pointed out that the Council was bound by the statutes.

Marlene Weiss, 2415 Tulane Drive, Cocoa, thanked Council for the stop sign that was put in her neighborhood. She believes it has made a huge difference. She felt that it has been harder to live in this community the last few years. Cocoa has a lot of potential and she feels that it is disturbing. She is struggling to see any actions from the Sustainability Advisory Committee, of which she serves as a member. The City and residents need to have a voice in the development that is happening and they need to property manage the greenspaces.

Bill Morris, 1908 Manor Drive, Cocoa, spoke about the YMCA and that he uses the exercise machines and the pool daily, and he is 75 years old. Closing it would be a tremendous hit to his health, as he spoke in furtherance about all of the benefits the YMCA provides. There are many issues that need to be corrected within the facility but he urged the city to do what they could to save an asset.

Mayor Williams read a letter from Donna Kettner into the record[2], as she could not be in attendance.

Assistant City Manager Fuhrer provided an update on this situation and that there were a couple of businesses being impacted in the way she describes. The problem is coming from adjacent private property. Any solution would have to be developed or constructed on private property. Typically, the City does not play a part in this but due to the situation, they have worked together to come up with a solution and some changes have been made this week. If these changes work it will be considered to make them permanent. They will continue to

[2] EXHIBIT B: Letter from Donna Kettner read into the Record by Mayor Williams

monitor the situation and stressed that they were working with the property owners to work on a solution.

V. CONSENT AGENDA:

1. Approve a Municipal Services Agreement with Alliance for Neighborhood Restoration of Brevard for Fiscal Year 2020, pending the final approval of the City of Cocoa Fiscal Year 2020 budget. (19-347). (Chief of Police)

2. Approve Change Order #2 to P.O. 73370 with Flowers Chemical Laboratories, Inc. to Pay Invoices Through the End of FY2019. (19-375). (Utilities Director)

3. Approve Two Mitigation Credit Agreements with Craig Chown related to the Joint Purchasing Agreement between the City of Cocoa and the City of Melbourne for the Pineda Causeway Water Transmission Main Project including authorization to expend funds to cover the City of Cocoa's share of the costs associated with the Purchase of Wetland Mitigation Bank Credits for $39,200. (19-376). (Utilities Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Williams announced that he along with other members of City Council and the City Manager would be traveling to the Florida League of Cities Annual Conference on the following dates:

- Mayor Williams: August 14-17, 2019
- Deputy Mayor Warner: August 15-17, 2019
- Councilmember Goins: August 15-17, 2019
- Councilmember Koss: August 15-17, 2019
- City Manager Titkanich: August 14-17, 2019

VI. PUBLIC HEARINGS:

1. Pass on Second Reading Ordinance No. 12-2019: A Zoning Text Amendment amending Appendix A, Article XI, Section 22 of the City of Cocoa Code to allow

parking as a Special Exception use in the Cocoa Village Sub-district of the Cocoa Waterfront Overlay District. (19-354). (Community Services Director)

City Attorney Garganese read Ordinance No. 12-2019 into the record, by title only as follows. He advised that this was the second and final reading and the only change made was a technical change. He explained that for the first reading there was an exhibit that showed the properties, text was changed to incorporate that information into the City Code and therefore, there is no longer an exhibit.

ORDINANCE NO. 12-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ARTICLE XI, SECTION 22 OF THE ZONING ORDINANCE OF THE CITY OF COCOA TO ALLOW PARKING AS A SPECIAL EXCEPTION USE IN THE COCOA VILLAGE SUBDISTRICT OF THE COCOA WATERFRONT OVERLAY DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Councilmember Koss stated that this was such a prime piece of property and hoped it would be developed into something in the future.

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Warner, to approve Ordinance No. 12-2019 on second and final reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Consideration of a Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company to allow the developer to construct up to 249 apartments in 5 apartment buildings not to exceed 57 feet in height, with 5 parking garage buildings, a community clubhouse and certain public amenities on 2 parcels of land (Parcel ID: 24-35-13-00-750 and 24-35-24-00-1) totaling 150.35 acres and located on the south side of State Road 524 between Westminster Dr. and London Blvd. (19-355). (Community Services Director)

Ms. Selig provided a presentation[3] and noted that this item was for the consideration of a Binding Development Agreement between the City of Cocoa and Integra Land Company to allow the developer to construct up to 249 apartments in five apartment buildings, not to exceed 57 feet in height, with five parking garage buildings, a community clubhouse and certain public amenities on two parcels of land.

She provided a project summary and pointed out that both parcels are on the south side of State Road 524 between Westminster Drive and London Boulevard.

A development history was provided and she mentioned that on November 9, 2014, the City's Board of Adjustment granted a height variance to allow for an increase in height from 35 to 45 feet.

Additionally, the Planning and Zoning Board conditionally approved a site plan on April 8, 2015 in order to allow for the development of a project known as "The Preserve at Cocoa". Both of these approvals have expired.

Ms. Selig provided renderings of the concept plans and noted that the developer will be required to develop the project to include certain amenities.

Consistency with the Comprehensive Plan Policies and Objectives were discussed, as well as concurrency management.

She explained that if this was approved, the development agreement will be signed and recorded in the official records of Brevard County, subject to applicable conditions.

The Planning and Zoning Board recommended approval of this item at their meeting on August 6, 2019.

Mayor Williams applauded the Planning & Zoning Board and mentioned that they asked a lot of questions. Additionally, the TPO is looking at moving the widening project up on SR 524.

David McDaniel, International Parkway, the Developer, noted that he has been building multi-family housing for thirty-three years. He found this location to be very attractive.

[3] EXHIBIT C: Development Agreement Integra Land Company

Mayor Williams spoke about the solar panel issue and the Sustainability Advisory Committee. Mr. McDaniel agreed that they would consider solar and would make an effort to use it in some areas, however, they probably could not do the whole development.

Mr. Larry Koss, 2115 North Indian River Drive, Cocoa, is on the Planning & Zoning Board and has seen development companies come and go through the process and during this time, he has listened to those people who live nearby. Many feel that their property will be flooded. They then bring in fill and if their neighbor has lower elevation, they will then be flooded. He was aware that the City approved someone to build without a stormwater management plan, but with more development there will continue to be a problem. He is okay with the development, he just urged the City to be smart about it. He noted he was reiterating concerns that he has heard.

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

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to approve the item.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. City Council consideration and public comment on the allocation of the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of $22,166. (19-374). (Chief of Police)

Chief Cantaloupe explained what this purchase would entail and noted that all officers and vehicles would be equipped with same equipment.

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

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. COUNCIL BUSINESS:

1. Consider the Donation Application request from Brevard Schools Foundation, Inc., on behalf of Cocoa High School, for the Cocoa High School Chorus Carnegie Hall Trip. (19-389). (Administrative Services Director)

Dr. Misty Martinez from Cocoa High School introduced herself.

Councilmember Koss added that this past weekend they raised more funds towards the New York trip.

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Warner, to approve the item.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

City Attorney Garganese agreed that this was a great endeavor and he was inspired when he heard the students perform here in Council Chambers. On behalf of his firm they would like to contribute $1,000 towards the trip.

2. Resolution regarding Port Canaveral's support of the Indian River Lagoon. (This item was added)

Assistant City Manager Fuhrer stated that this was a walk on item and was being done at the request of Rep. Tyler Sirois. He read the Resolution into the record.

RESOLUTION NO. 2019-073

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, URGING THE CANAVERAL PORT AUTHORITY TO CONSIDER JOINING THE COMMUNITY-WIDE EFFORT TO HELP RESTORE THE INDIAN RIVER LAGOON: PROVIDING FOR REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. CITY BUSINESS:

1. Approve a Resolution amending and updating the Utility Handbook for changes in existing policy and to Approve the Schedule B: Miscellaneous Utility Rates, Fees, & Charges and to approve the ability of staff to make administrative changes to the Utility Handbook that do not alter the approved policies contained therein. (19-254). (Finance Director)

Ms. Bowman advised that this item was in regards to an update to the Utility Handbook. She explained what the change entailed. This is a comprehensive handbook for customers and staff which includes policies, ordinances, etc. This would also change some of the fees which are all included in the cover memo of the agenda item.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to approve the item.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Pursuant to Resolution No. 2016-87 establishing water, sewer and reclaimed water charges and usage rates, accept Stantec's FY 2019-20 Utility Rate Study, validating the implementation of an automatic five percent (5%) increase to the water, fire lines, hydrant, wastewater and reclaimed water fixed monthly charges and usage rates effective October 1, 2019; and provide for the update of Utility Handbook Schedule A: Utility Rates, Fees, & Charges. (19-255). (Finance Director)

Ms. Bowman presented the item and reminded Council that the City contracts with Stantec. They review the plan annually and based on their recent review they are requesting a five percent increase.

Mr. Walsh added that the Utilities Advisory Board met last week at which they saw Stantec's presentation and they unanimously recommended to approve the 5% increase.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Councilmember Koss mentioned that there were a lot of increases coming up and Cocoa has a large base of fixed incomes.

Mayor Williams understood her concerns and from a citizens' standpoint, we want to know and see where the money is going. He felt that the City should be more transparent as to where the monies are going.

MULTI-YEAR CONTRACTS:

3. Consider approval of a multi-year contract between the School Board of Brevard County and the City of Cocoa for three School Resource Officers for the 2019-2020 School year, July 1, 2019 through June 30, 2020. Also approval for authorizing the City Manager and City Attorney to finalize and execute the contract with the School Board. (19-357). (Chief of Police)

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Boisvert, to approve the item.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. INFORMATIONAL AGENDA:

1. Data showing the relation between the estimated and actual income and expenses to date. (19-370). (Finance Director)

2. Cocoa Police Department District Event Statistics for the months of April, May, and June, 2019. (19-371). (Chief of Police)

X. REPORTS:

Mr. Wegerif provided an update on the paving on Brevard Avenue. It has been milled and they hoped to get the asphalt down tonight, weather permitting. Next week they will start Delannoy, again, weather permitting.

Public Works is also working on the planting in the medians. They required 8,000 plants and 2,000 have been planted, however, the weather is not helping. They are being put in by City crews working overtime. Mulch has been put out by the contractors. They hoped to have the project completed by the end of the year.

Mayor Williams stated there was some concern about pavers and mentioned nothing had been done where there was supposed to be pavers. Mr. Wegerif advised that there would be some temporary repairs and pavers would be done in time. He assured them that something would be done on a temporary basis.

Ms. Bowman noted that with all of the rain it has been challenging to get out and read all of the meters so some bills would be estimated on this upcoming cycle. She further spoke about the credit card fees and stated that it was the standard charge and was comparable to the other fees charged by companies for credit card processing. There is not a fee if automatic payment is set up.

Mr. Walsh spoke about an email forwarded to them about a week ago. He noted that the final proof came back and a notice would be going out in water bills. He asked that inquiries be directed to either himself or Don Downs. He assured everyone that the water has always been safe to drink and explained the issue was with the alkaline. There was strong language in the notice going out to customers.

He further commented on the Mayor's comment about dollars being spent and capital projects. He advised that all of this is available on the website. All projects and schedules are shown online as they are attempting to be as transparent as they can. Without these increases these projects would not have been done.

Mayor Williams stated that there was a portion of the community without internet access and he just wanted to ensure that we are reaching as many individuals as we can.

Assistant City Manager Fuhrer reminded everyone that applications for the Cocoa CRA vacancy are due tomorrow.

He also spoke in regards to transparency and mentioned that the City was in the process of developing a page relating to stormwater which would include projects and an interactive setting so that citizens can view their own properties.

Lastly, he announced that tomorrow morning is City Hall Selfie Day at City Hall, at 9:00 a.m. The first fifty people will get a t-shirt.

At the request of Councilmember Koss, City Attorney Garganese announced that he received the Municipal Attorney of the Year Award, which is a very prestigious honor. He stated that it was always a pleasure to represent the City.

Councilmember Koss spoke about the IEMO training and her request to move Reports up to fall under Delegations on the agenda.

* **MOTION by Councilmember Koss; Seconded by Councilmembers Goins, to approve the proposed change to move Reports under Delegations on the agenda.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

City Attorney Garganese stated he would also bring back an item to amend the rules at some point in the future.

Councilmember Koss mentioned the investment broker who spoke at the last meeting and the investments that the City had in fossil fuels.

* **MOTION by Councilmember Koss to give guidance to the City's financial investment to move away from fossil fuels.**

Mayor Williams felt that more information was needed but understood her feelings.

Assistant City Manager Fuhrer advised that staff could work with the investment advisor on this.

Councilmember Koss asked about the status on a resolution regarding the East Central Florida Regional Resilience Collaborative. In response, Assistant City Manager Fuhrer assured her that the City Manager has been working with staff at the East Central Florida Planning Council.

Deputy Mayor Warner mentioned that Council entered into an agreement a little over a year ago with Broadmoor Acres to forgive liens providing that they build

homes. Yesterday they broke ground on two of those lots. She thanked 93 year old Ms. Sheriff who was an original property owner and has lived in Broadmoor Acres all of her life. Ms. Laura West also did an amazing job speaking to Channel 6 News. She thanked all who came out and supported the ground breaking for 1115 Broadmoor and 1102 Broadmoor. Land clearing will begin tomorrow providing that the weather holds out.

Councilmember Goins asked Mr. Wegerif about the right of ways and the process of evaluating those that need the grass cut. Mr. Wegerif advised that there was a schedule and between inmate crews and staff, they do their best to get it done. Grass is growing like crazy but they are aware of the areas that need serviced.

He was concerned that code violations were being given to residents with grass above twelve inches but some of the areas that we maintain are above twelve so it makes it difficult when he has to meet with citizens who contact him. He requested a listing of where the inmate crews cut and he would like certain areas cut.

Mr. Wegerif mentioned that property owners were required to maintain the right of ways at their house. The Housing Authority maintains those in front of their properties but there were some that the City was responsible for.

Councilmember Goins stated the he had also spoken with Rockledge and knows that the inmates do not do a good job. They do not edge and they do not pick up trash prior to cutting.

In response, Mr. Wegerif agreed to discuss this issue with them but generally a crew picks up trash, then they edge, then cut.

Mayor Williams agreed with Councilmember Goins and has the same issues with the right of ways. Everyone, including the contractors know when the rainy season is but he feels like we have been treated like second hand citizens and believes the contractors should be doing a better job.

He referenced an area on Jackson Street and other areas throughout the City where green waste was not being picked up and that was through Waste Management.

Additionally, the Speedway on SR 520 and Fiske Boulevard had palm fronds all over. It looks bad when people are driving through the City. We deserve better.

Furthermore, the storm drains on Jackson Street are covered and Washington Street has flooding. 1108 Peachtree Street and the daycare now has flooding and this was after the Peachtree project was done. There is not a storm drain where the water can run off. All of the mulch is almost gone at Provost Park and there is water under the swings. There is a lot of little things that need to be addressed. We need to change what is happening if we want to attract people here.

Councilmember Goins asked how plans were reviewed after a engineer brings a project forward to the City.

Mr. Wegerif explained that plans are usually prepared by professional engineers which go through the water management district and staff review before being approved. He explained that Peachtree was flat and when you add curbing it can make things difficult. He assured Council that the daycare situation would be fixed.

Mayor Williams mentioned the Sharing Center and that there were not any sidewalks. It was disheartening to see students waiting on the school bus without sidewalks. Something needed to be done about that.

Councilmember Goins reminded staff that he had brought up mobile vending in the City. He asked about the status on that. Assistant City Manager Fuhrer noted that there had been some staff discussion, and this would be brought back in the form of a workshop.

XI. ADJOURNMENT.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to adjourn the Regular meeting of August 14, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:20 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie E. Shealy, MMC, City Clerk

YMCA of Central Florida

Cocoa YMCA Family Center

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

EXHIBIT A: YMCA Presentation

Embracing the Space Coast

In 2002, The YMCA of Central Florida merged with the Brevard County Y, to be named the Titusville YMCA, after a successful capital campaign led by Robin Fisher, a 30-year Y volunteer. This paved the way for a unique partnership in Brevard County: The Cocoa YMCA Family Center.

In April of 2004, the YMCA of Central Florida launched its Cocoa YMCA Family Center at Brevard Community College.

The City of Cocoa contributed $350,000 toward this comprehensive YMCA partnership.

This YMCA served Cocoa residents, as well as college students, faculty and staff, and alumni and still does today.

Cocoa YMCA Family Center – 2018 Activity

4,940
People served
Membership & Programs

286 Silver Sneakers
418 Youth Sports
236 Aquatics

100% Cocoa Y members are on reduced rate (Brevard County Membership rate which is lower than rest of Central Florida YMCAs)

60% of members are on Financial Assistance

17% of members also receive a scholarship (ranging from a 30%-50% discount on their membership)

Since opening its doors in 2004, an average of 3,500 people have been served at the Cocoa Y each year

SilverSneakers Fitness Program

Redefining aging through fitness and friendship

286 Cocoa Seniors Members participate in SilverSneakers yearly

The SilverSneakers® Fitness program is an innovative health, exercise and wellness program helping older adults live healthy, active lifestyles.

Regular participation in SilverSneakers can help you build muscular strength, improve joint mobility and increase cardiovascular endurance, leading to improved health and greater independence.



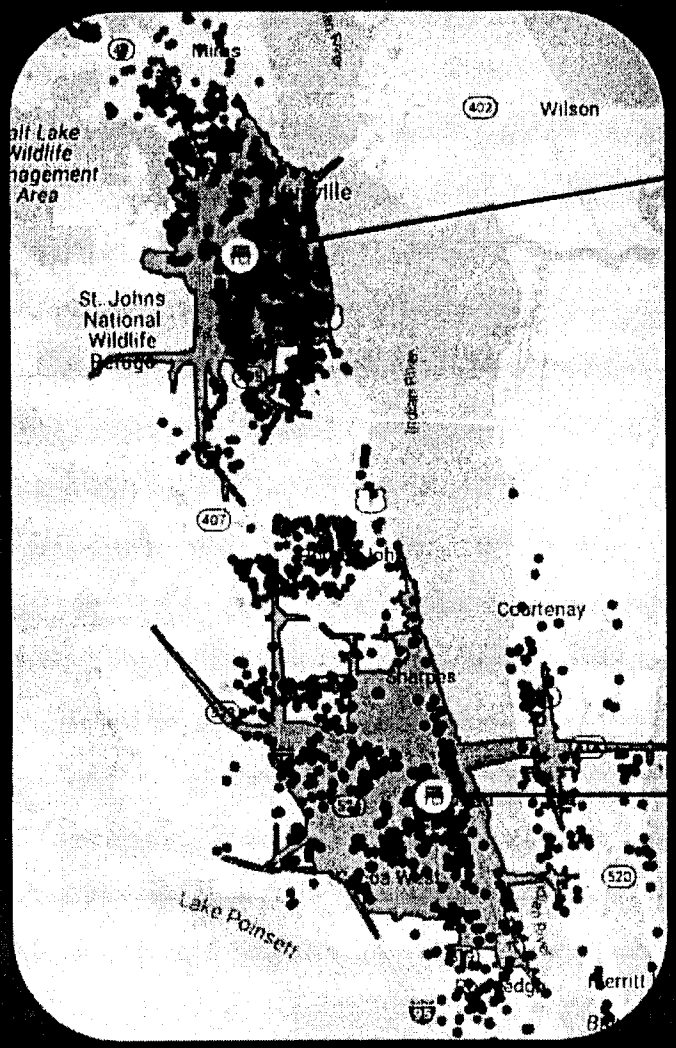
"I am 75 and work out in group classes 6 times a week thanks to the SilverSneakers YMCA program."

2013-2019 Community Impact

MEMBERSHIP	
Total # of individual members	22,539
# of Silver Sneakers members	3,024
Total individuals impacted by membership	25,563
PROGRAMS	
Sports registrations	7,272
Aquatic registrations	6,253
Camp Weeks	4,441
Total program registrations	17,966
DONORS	
# of individual donors	1,372

YMCA of Central Florida Association Outreach
Demographic Comparison - 12-minute Drive Time Area

2018	Cocoa	South Orlando	Wayne Densch	Osceola
Population	40,720	81,108	117,174	52,620
Pop. 14 and under	7,329	16,090	25,811	10,346
14&U % of total	18.0%	19.8%	22.0%	19.7%
Average age	42.5	33.5	33.2	35.1
Households	17,093	28,644	41,564	19,810
Household income				
Median	$40,758	$38,243	$38,676	$34,685
Average	$57,313	$56,200	$53,050	$44,938
% > $75K	22.7%	20.3%	19.1%	14.1%
% Hispanic	11.3%	37.2%	17.1%	63.8%
% Black	22.8%	35.8%	61.3%	13.6%



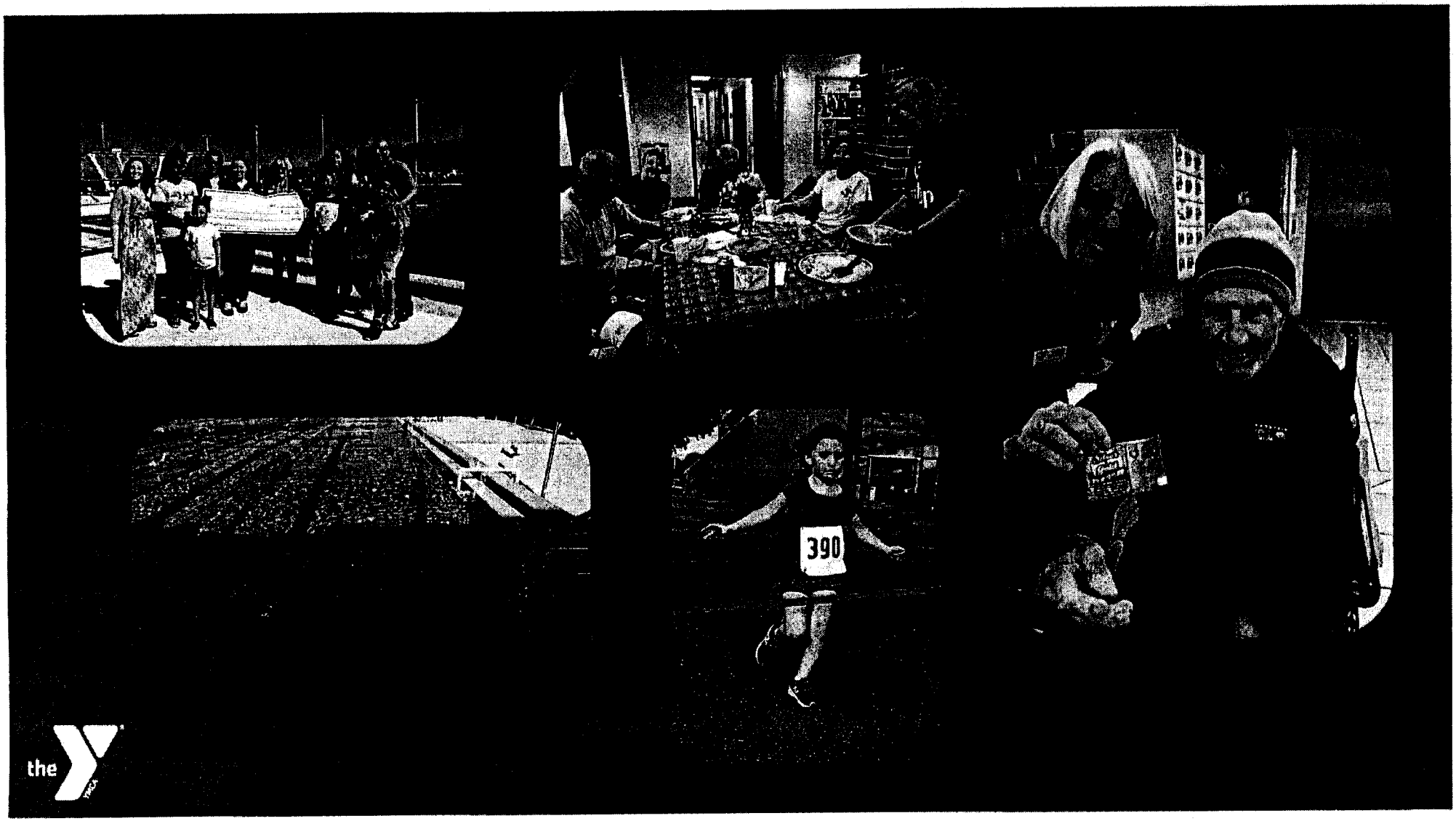
Titusville YMCA

Brevard County 12-minute Drive Time Areas

Cocoa YMCA

Current Community Partners




390
the

Member Testimonial

Cocoa YMCA Member, Ben Radar, was a size 50 inch waist nine months ago.

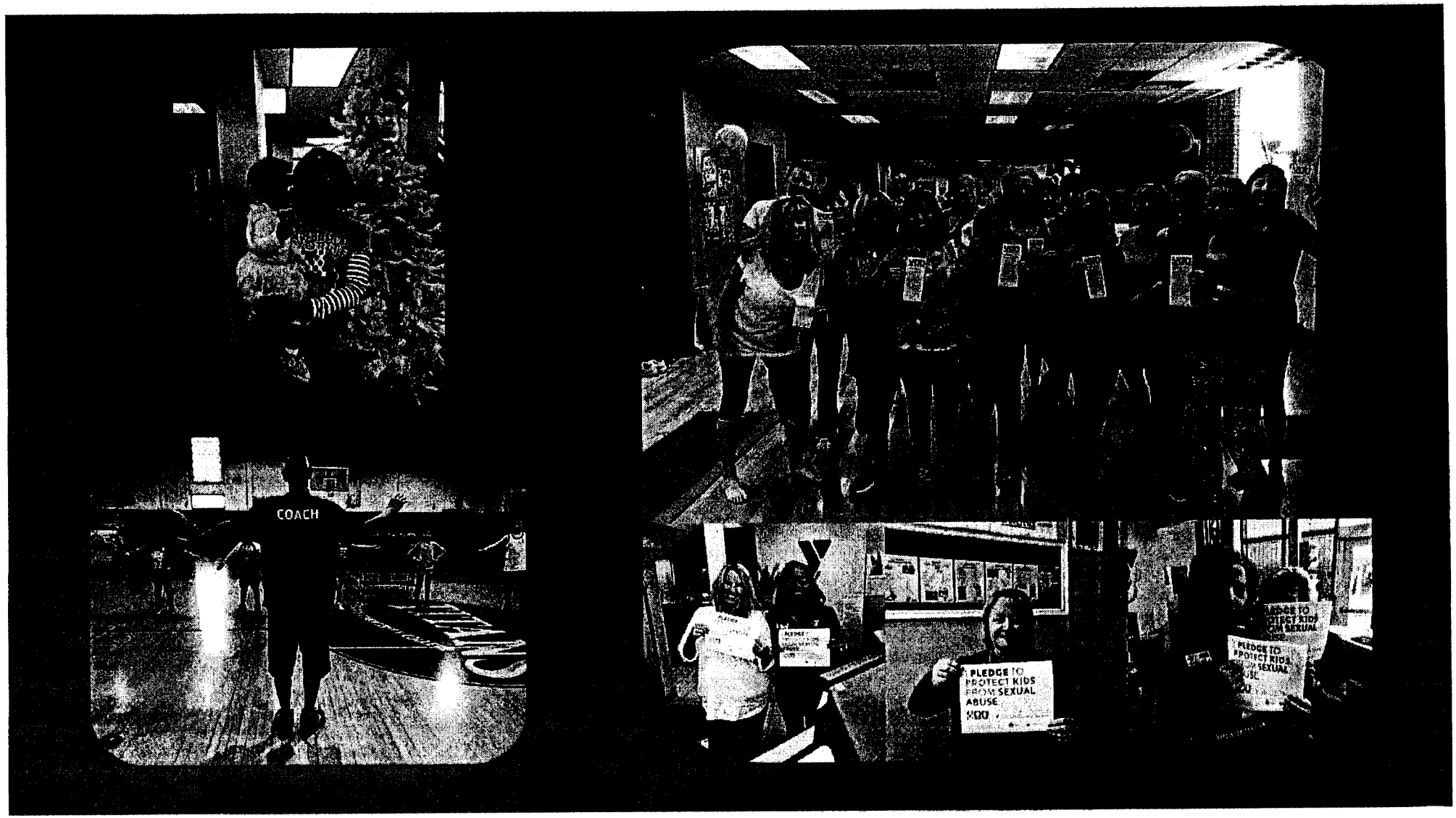
Today he celebrates losing 100 pounds and shrinking his waist size to 36 inches!

Ben is off blood pressure medicine and no longer carries a oxygen tank or his handicap sticker!

He attributes much of his success to the Cocoa YMCA.



the YMCA


COACH
PLEDGE TO PROTECT KIDS FROM SEXUAL ABUSE

Cocoa Member Goals

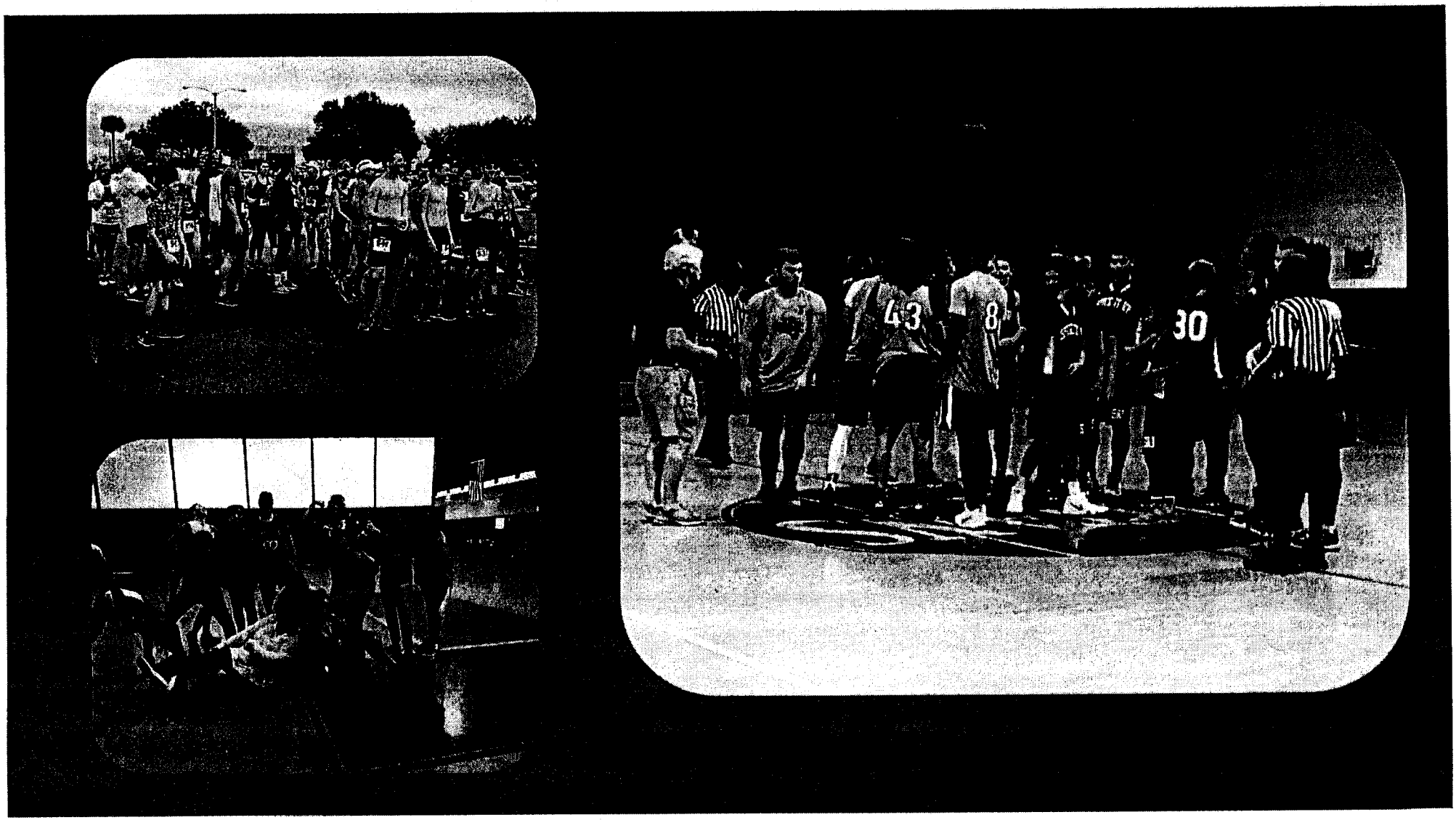
- Debra is a Stage 4 cancer survivor, and is in remission. She is in her early 70s and is on her quest to battle her fear of the water by taking swim lessons.

- Two other members are also on their quest to lose 100 pounds together so they can safely get their knee surgeries.



SUPPORTING WELLNESS TOGETHER

the YMCA


43
8
30

Member Testimonial

The Cocoa YMCA is not just a gym to me and my 5 kids – It's a family. I renamed it "My Happy Place." They offer so many classes that I believe all can be modified for a beginner or up the level for the more fit bunch. It's pure fun while getting healthy, but most of all taught you are not just a member of a gym - you are family. Daycare is the biggest plus – They treat each and every child as their own.



"I love the Cocoa YMCA - nothing but a pure blessing to my family."

the YMCA

Why the Y?

Across the country, issues such as unemployment, chronic disease, educational disparities, and poverty affect the strength of our communities. But where society falls short, the Y steps in to affect lasting, meaningful change. Every day our impact is felt when an individual makes a healthy choice, when a mentor inspires a child and when neighbors come together for the common good. Everything the Y does is in service of making us – as individuals and a community – better.

By rallying community leaders, uniting neighbors, and establishing trust across cultures, we will provide a safe haven for children built around a culture of respect.

The best part is, you'll become part of the Y family – a non-profit movement established in Central Florida in 1885 and committed to improving lives and strengthening community.

the YMCA

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

The Power of US

It's amazing what is possible when we work together to help our neighbors. Donors, volunteers, staff, and members drive our Mission forward.

Together, we can transform the community and provide opportunities for all.

- That's The Power of US



The Power of US

The YMCA of Central would like to ask The City of Cocoa for a one-time gift of $350,000 so that we will be able to keep the doors open at the Cocoa YMCA

COCOA FLORIDA

the YMCA

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

Thank you & Questions?



EXHIBIT B: Letter from Donna Kettner read into the Record by Mayor Williams

August 9, 2019

To: Mayor Jake Williams
Councilman Alex Goins
Deputy Mayor Brenda Warner
Councilman Don Boisvert
Council Member Lorraine Koss
City Manager John Titkanich
Assistant City Manager Matthew Fuhrer

Greetings all,

My name is Donna Kettner. I own property in the City of Cocoa, 103 Derby Street and 111 Harrison Street in Cocoa Village.
I would have attended this meeting personally, however I am out of town on business. I am sure many of you are sad about my absence. :-)

But on a more serious note,I want to express the amount of stress, deep frustration and exhaustion which has been inflicted upon me due to the flooding. I did come before you with the concern this would happen if you allowed him, Troy Stephan, to build higher than my property. And I was assured everything would be approved by code and my business would not be affected. In all the years I have operated my business here in the village (over 35yrs) this is the first year I have ever had flooding. Thanks to the City approving The Beer Garden.

After flooding it takes three people, two days to clean up the mess that occurs after a flood in my store. And while the clean-up goes on, I have to lock the front door, and my business has to be closed while this clean-up goes on. So that is loss of income, paying employees to slop up the store and get things up and running again in a clean environment. Payroll expenses, without being open for a profitable business gets expensive. Also expenses for a water restoration company to bring drying fans in an effort to keep mold from growing.

This can not go on, There has to be a solution to this mess. The rainy season will be here for the summer months. I can not imagine what would happen if a hurricane hits us.

Waiting for your reply.

Kind regards,

Donna Kettner

J. Kettner
118 Harrison St.
Cocoa, FL 32922

ORLANDO FL 328

30 AUG 2019 PM 2 L

USA
FOREVER

Mayor Jake Williams
65 Stone St
Cocoa FL 32922

RECEIVED
AUG 12 2019
OFFICE OF THE CITY CLERK

32922-798265



Development Agreement
Integra Land Company

August 14, 2019

EXHIBIT C: Development Agreement
Integra Land Company

Project Summary

Requested Action: Consideration of a Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company to allow the developer to construct up to 249 apartments in 5 apartment buildings, not to exceed 57 feet in height, with 5 parking garage buildings, a community clubhouse and certain public amenities on 2 parcels of land (Parcel ID: 24-35-13-00-750 and 24-35-24-00-1) totaling 150.35 acres.

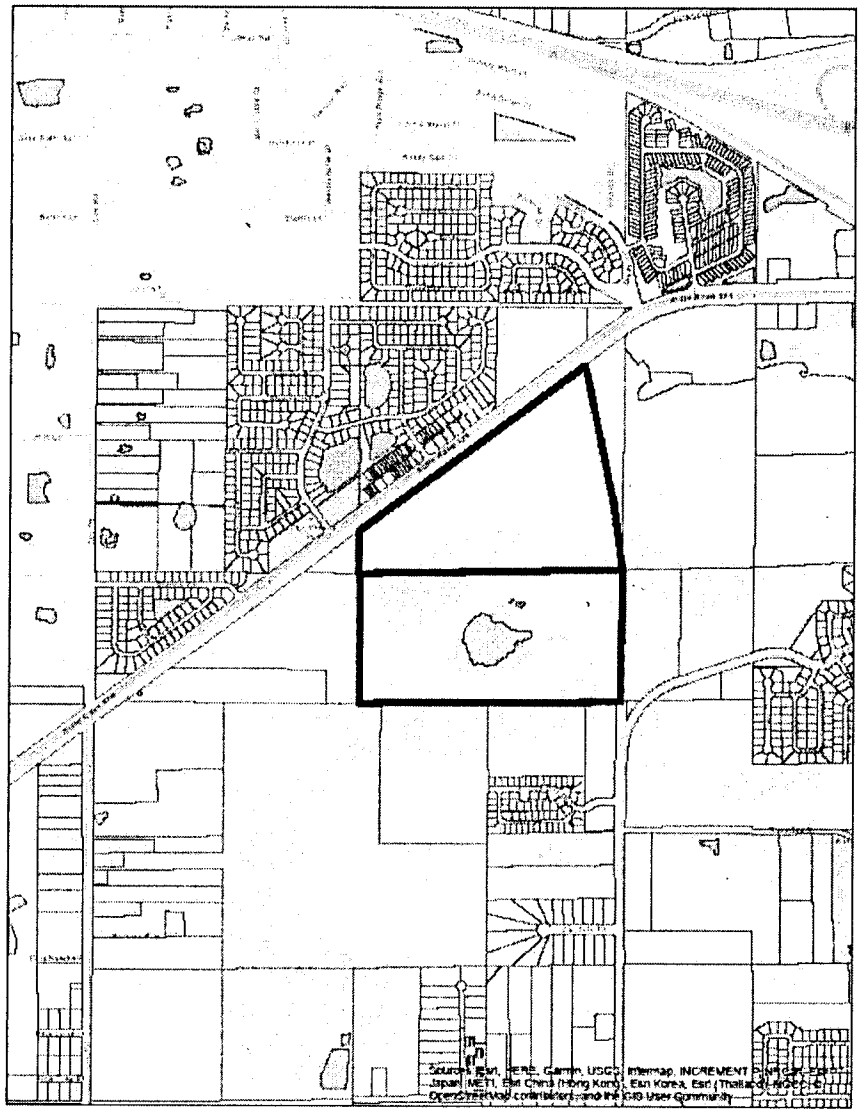
Project Summary

Location: Both parcels are on the south side of State Road 524 between Westminster Dr. and London Blvd.

- The developed area of the property will contain roughly 13 acres located along the frontage of SR 524.
- The main project entrance will be across from Lance Blvd.
- The remainder of the property, roughly 137 acres, is a wetland area commonly known as Mud Lake.

COCOA FLORIDA

Location Map



COCOA FLORIDA

Project Summary

Future Land Use:	Low Density Residential
	Medium Density Residential
	Neighborhood Commercial
Zoning District:	RU-1-7 (Single-Family Residential
	RU-2-15 (Multi-Family Residential
	C-N (Neighborhood Commercial)
Existing Use:	Vacant Land

Development History

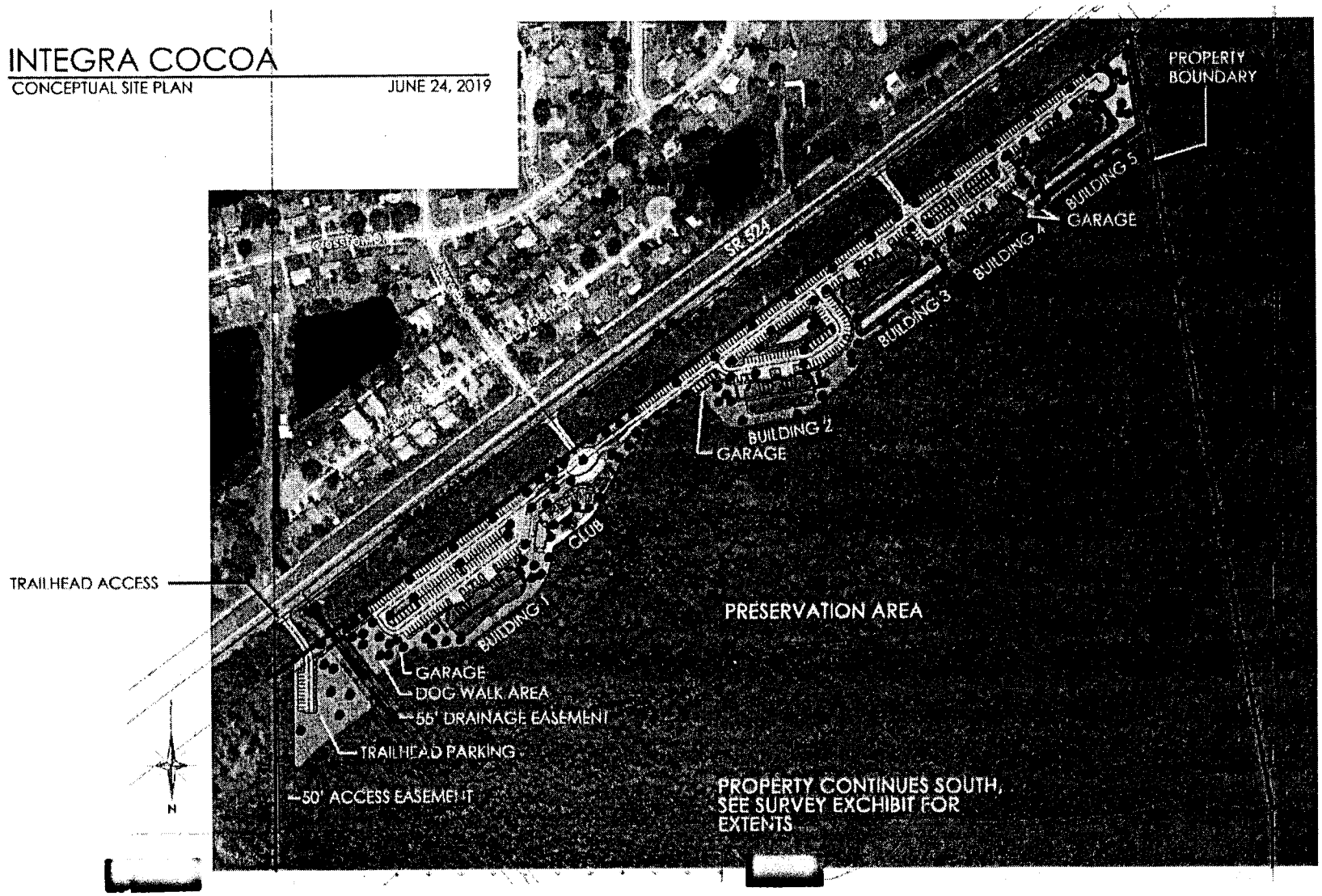
- The City's Board of Adjustment previously granted a height variance on November 9, 2014, to allow for an increase in height from 35 feet to 45 feet.

- In addition, the City's Planning and Zoning Board conditionally approved a site plan on April 8, 2015, to allow for the development of a project know as "The Preserve at Cocoa" (formerly the Tree Tops development), which would have consisted of eight (8) apartment buildings with a total of 248 market-rate apartment units.

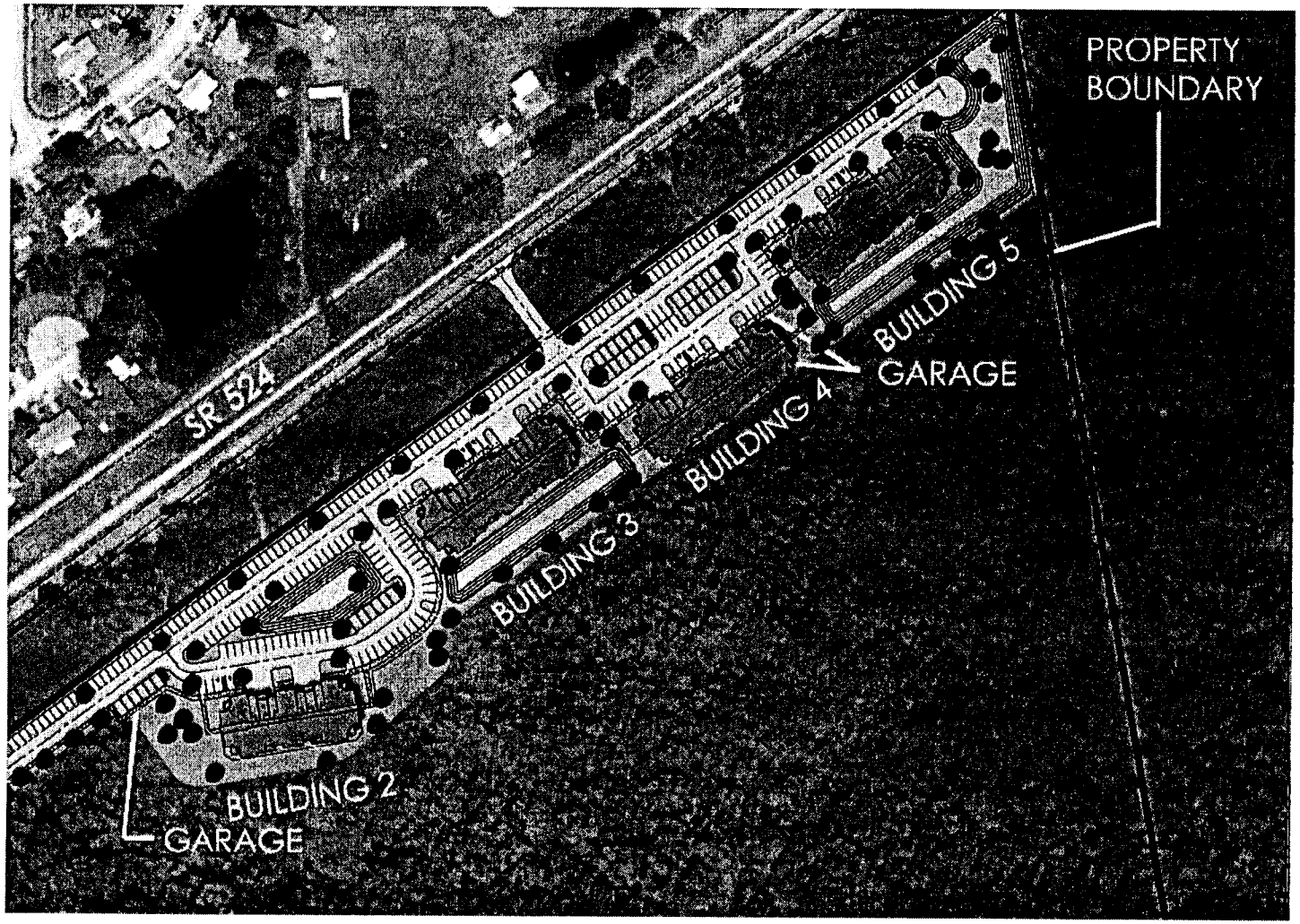
- Both of these approvals have expired.

COCOA FLORIDA

Concept Plan

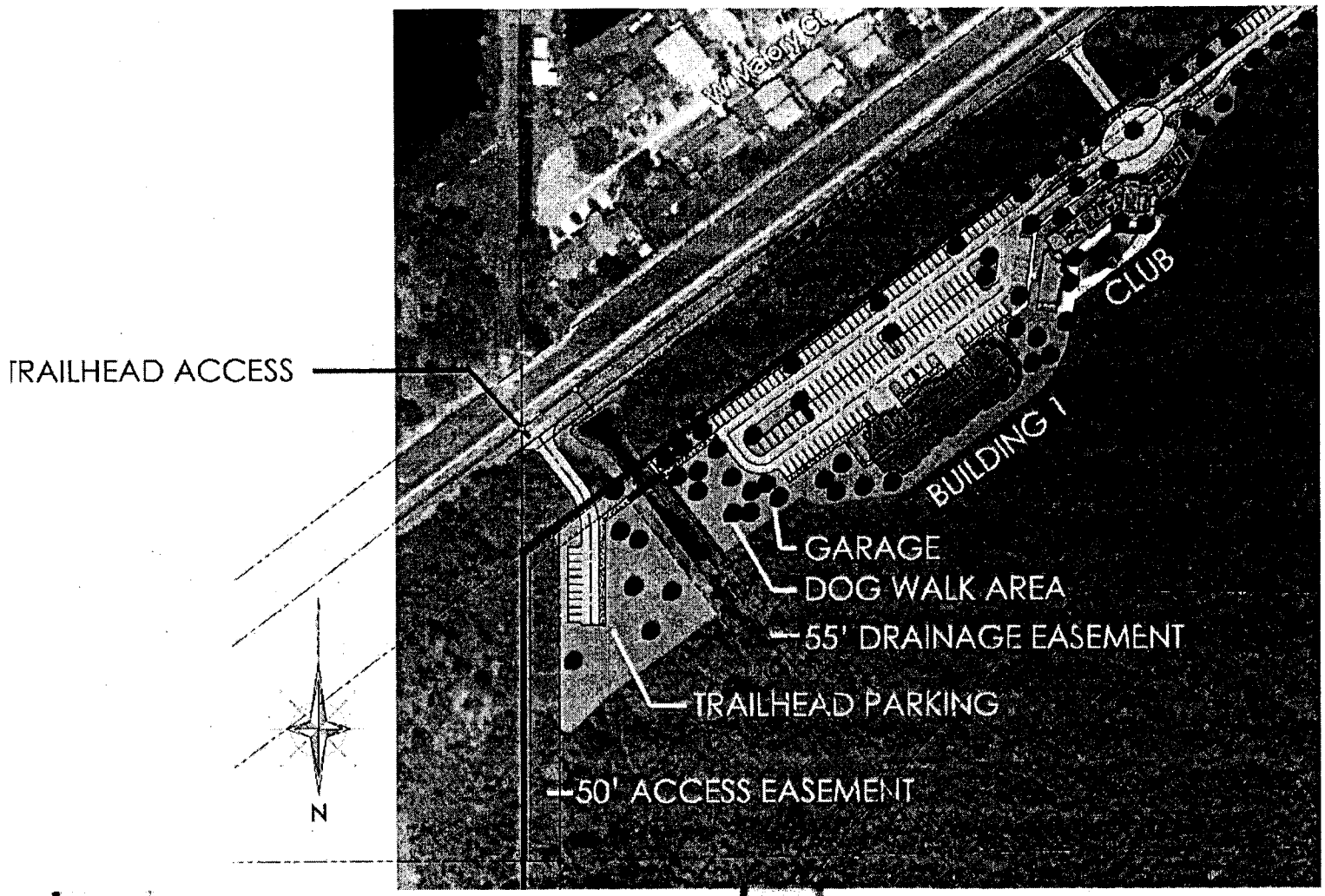


Concept Plan



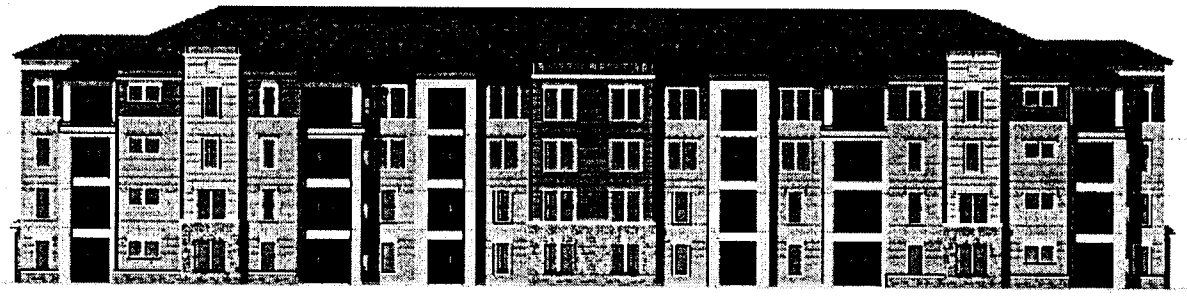
COCOA
FLORIDA

Concept Plan

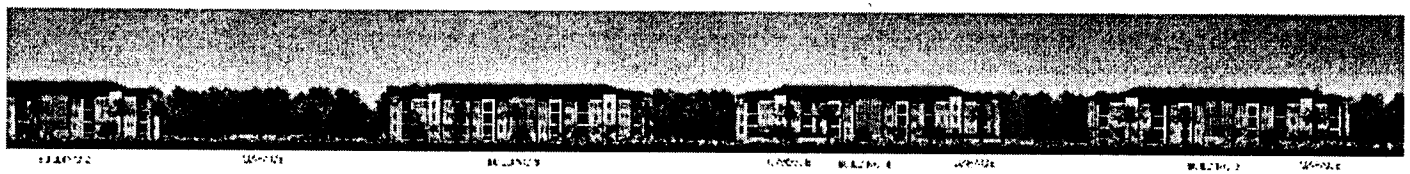


COCOA FLORIDA

Elevation – Typical Building



TYPICAL BUILDING ELEVATION



VIEW FROM SR 524

INTEGRA COCOA

CONCEPTUAL ELEVATION

JUNE 24, 2019

NIMBV

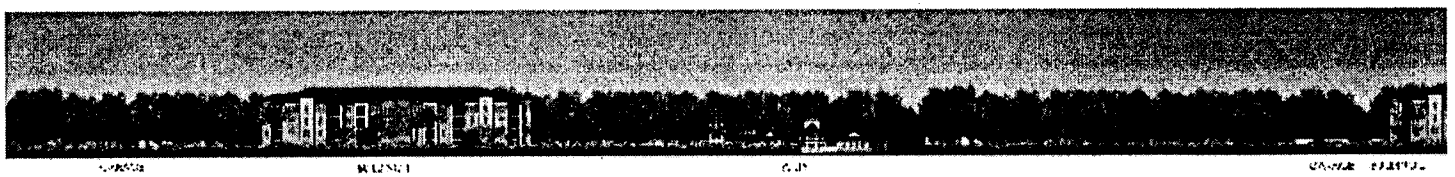
INTEGRA

COCOA FLORIDA

Elevation – Clubhouse Building



CONCEPTUAL CLUB ELEVATION



VIEW FROM SR 524

INTEGRA COCOA

CONCEPTUAL ELEVATION

JUNE 24, 2019

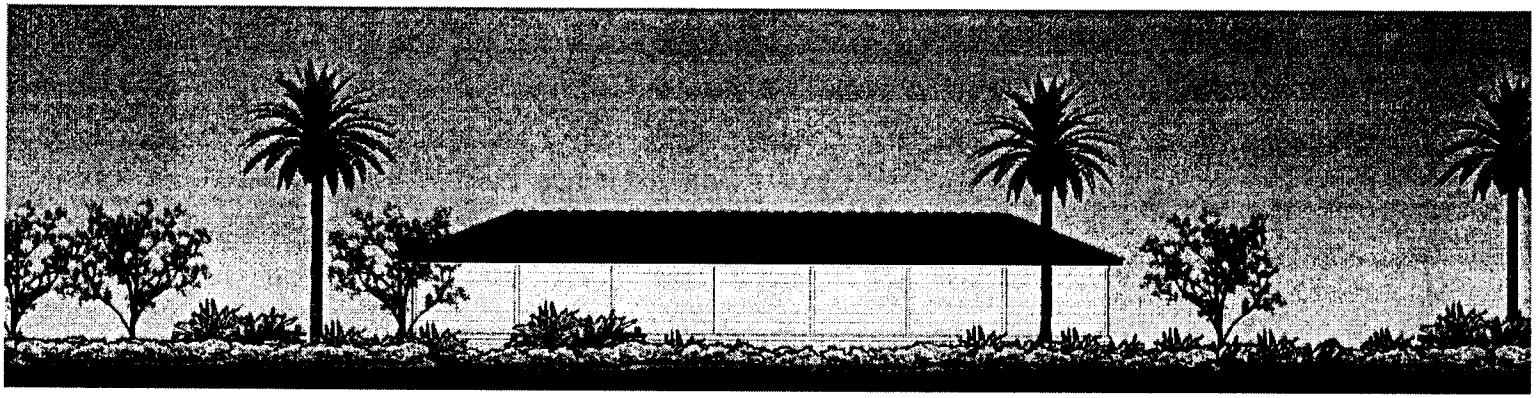
NMBV

INTEGRA

cbc

COCOA FLORIDA

Elevation – 6 Car Garage



VIEW FROM SR 524

BACK ELEVATION



FRONT ELEVATION



SIDE ELEVATION

INTEGRA COCOA

6 CAR GARAGE BUILDING

ILC INTEGRA LAND COMPANY

cba charlan·brock & associates architects & planners

COCOA FLORIDA

Project Summary

The applicant (Developer) will be required to develop the Project to include certain amenities:

a. The Developer agrees to include a community clubhouse with an exercise/workout room, business center, and "party room" that may be reserved by residents for events; swimming pool; and two (2) Level 3 (30 minute) electric car charging stations;

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

Project Summary

c. The project shall incorporate enhanced landscaping along SR 524 including tree plantings at 40 foot intervals and mixed-species hedges;

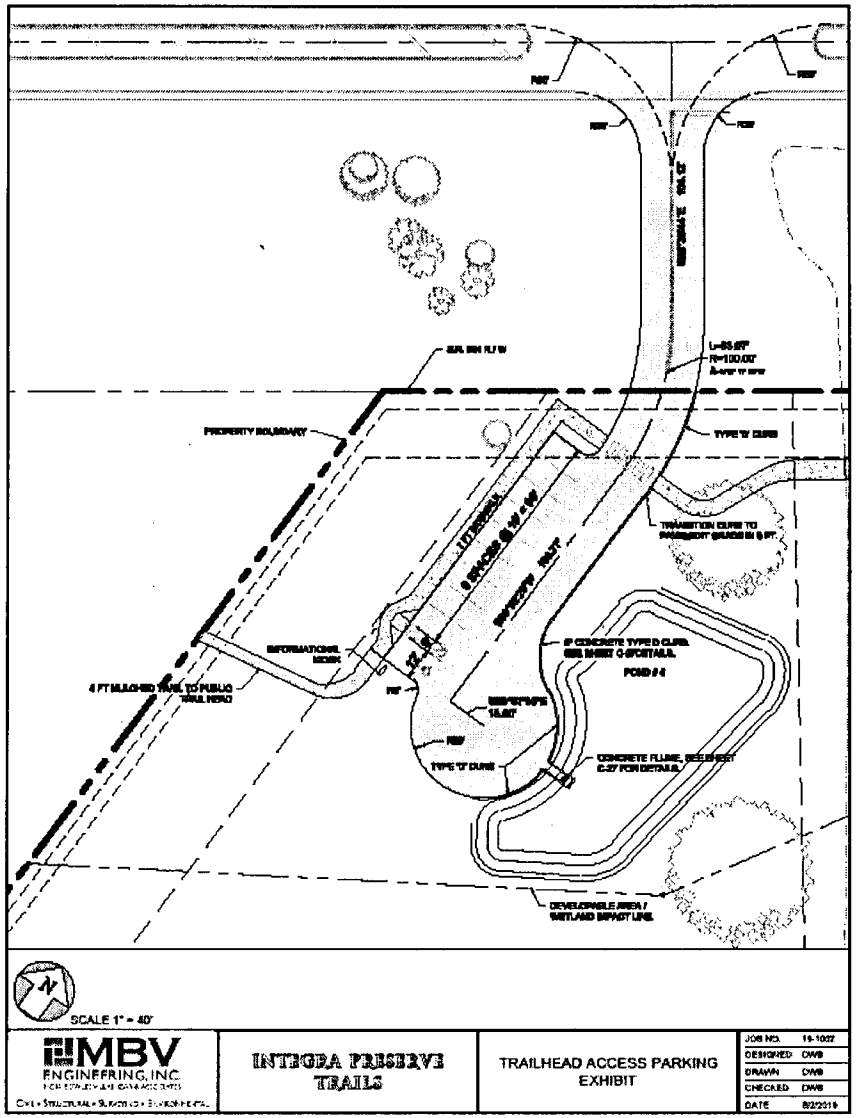
d. The Developer shall provide a public parking area on the western side of the Property as generally depicted in the Concept Plan, consisting of ten (10) parking spaces with a cul-de-sac to allow for fire truck access and turnarounds. The Developer shall further construct a trailhead access stub-out, which shall consist of a four (4) foot walking trail into the Cocoa Conservation Area from the parking area for a distance of 10 feet, with overhanging branches cleared to eight (8) feet high. The Developer shall also install an informational kiosk at the trailhead access point.

Project Summary

e. The Developer shall provide overhead lighting for the public parking area and a conduit to allow for future installation of an electric car charging station.

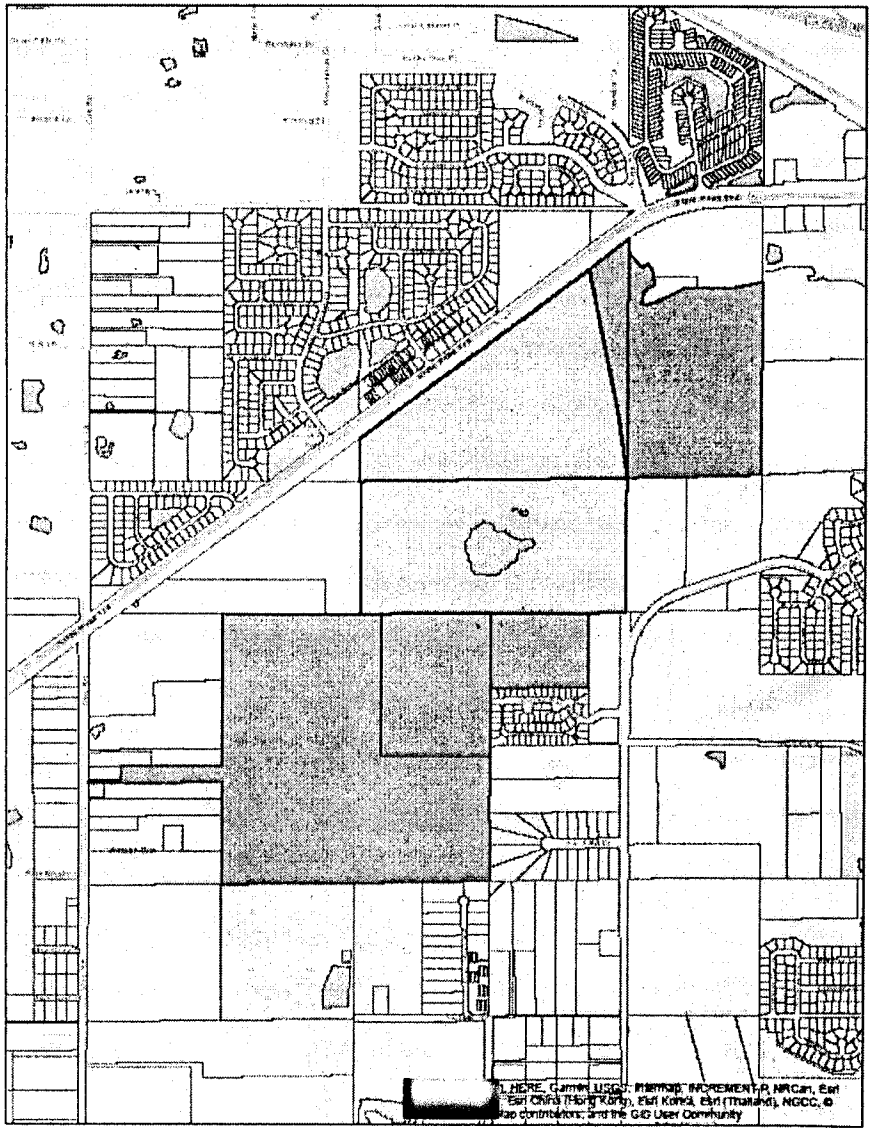
f. The Developer will deed approximately 137 acres of wetlands located south of the developed portion of the project, including the area known as Mud Lake, to the City. The deeded portion will also include the area at the western end of the subject property and adjacent to SR524 that will be developed as a trailhead parking area accessible to the public and providing for a future connection to the Cocoa Conservation Area.

Concept Plan



COCOA FLORIDA

Subject Parcels



Project Summary

Variances and Waivers

In accordance with Section 15-21 of the City Code and, in exchange for the significant project enhancements described above, the City Council hereby approves the following variance and waiver from the City Code:

a. Appendix A Zoning, Article XI, Section 5(E) RU-2-15. The maximum building height may be increased from thirty-five (35) feet to fifty-seven (57) feet for apartment buildings. Communal buildings and parking garages shall be no more than thirty-five (35) feet in height.

Project Summary

b. Appendix A Zoning, Article XI, Section 5(K) RU-2-15. The maximum building width may be increased from 200 feet to 233 feet for apartment buildings.

c. Appendix A Zoning, Article XI, Section 5(F) RU-2-15. The minimum living area requirement for one-bedroom apartments shall be decreased from eight hundred (800) square feet to six-hundred thirty-eight (638) square feet for a maximum of 79 one-bedroom apartment units.

Project Summary

Consistency with Comprehensive Plan Policies and Objectives

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

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

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

Project Summary

Consistency with Comprehensive Plan Policies and Objectives

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

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

Project Summary

Concurrency Management

Staff has done a preliminary concurrency review of services required by the project. A final concurrency review will be completed during the Site Plan review process.

Next Steps

If approved, the development agreement will be signed and recorded in the Official Records of Brevard County, subject to applicable conditions.

Previous Action

The Planning & Zoning Board recommended approval of this item at its meeting on August 6, 2019.

Recommendation

Staff recommends **approval** of the Binding Development Agreement and attached Concept Plan, subject to the following condition(s) of approval:

1. The Developer shall provide the City with a School Capacity Availability Determination Letter (SCADL), satisfactorily verifying available school capacity for the proposed Project prior to approval of the Project Site Plan.
2. The Developer shall provide the City with a revised Concept Plan depicting the cul-de-sac at the trailhead parking area.