MINUTES

(Amended)

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

May 22, 2019

A Regular City Council Meeting was held on Wednesday, May 22, 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 6:02 p.m.

Councilmember Koss provided the invocation and 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 (attended via phone)
	Don Boisvert	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk

Mayor Williams recognized Port Commissioners Wayne Justice and Colonel Bob Harvey, along with former Councilmember Greenwood.

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Nancy Bunt, Community Services Director; Mike Cantaloupe, Chief of Police; Jonathan Lamm, Deputy Fire Chief; Ed Wegerif, Public Works Director; Rebecca Bowman, Finance Director; Jason McCuen, Helpdesk Support Technician;

Samantha Senger, Assistant to the City Manager/ Public Relations Specialist; Dodie Selig, Planning Manager; and Courtney Jackson, Recording Secretary.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of May 22, 2019 (19-225)
2. Minutes: (a) Regular Meeting of April 10, 2019 (19-226)
   (b) District 1 Town Hall Meeting on April 16, 2019 (19-227)

* **MOTION by Councilmember Koss to amend the agenda, moving VII.3 to Item VII.1, and all other items would then be moved down.**

Councilmember Goins stated that the Cocoa High School Girls Track Team had a conflict due to graduation and requested that Item III.5 be tabled until a future meeting.

* **Councilmember Koss amended her motion to include all of the changes. The Motion was Seconded by Deputy Mayor Warner.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Boisvert to approve the Minutes for the Regular meeting of April 10, 2019 and the District 1 Town Hall Meeting held on April 16, 2019.**

Councilmember Koss requested that the minutes for the April 10, 2019 meeting be amended. She pointed out the change, noting it was on page 10, paragraph 3. She wanted the wording amended to read "On average, about 260 women are sheltered and last year that increased to 301".

* **Councilmember Boisvert amended his motion to accept the changes. The Motion was Seconded by Councilmember Goins.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. Presentation of Certificate of Completion to Deputy Mayor Warner for the IEMO III: The Leadership Challenge, through Florida League of Cities, March 1-2, 2019. (19-170). (Mayor Williams)

   Mayor Williams acknowledged Deputy Mayor Warner for the completion of the IEMO III. Deputy Mayor Warner thanked him and hoped that the new councilmembers enjoyed their institute as much as she did.

2. Proclamation: Proclaiming May 18-25, 2019 as "National Safe Boating Week". (19-228). (Mayor Williams)

   Mayor Williams read the proclamation into the record.

3. Proclamation: Proclaiming the first Friday in June (June 7, 2019) as: "National Gun Violence Awareness Day." (19-229). (Mayor Williams)

   Mayor Williams read the proclamation into the record.

4. Update on Port Canaveral provided by Port Commissioner Wayne Justice. (19-233). (Councilmember Koss)

   Councilmember Koss introduced Commissioner Wayne Justice and provided a brief background on him.

   Commissioner Justice thanked Council for having him and noted that it had been an exciting day at the Port. He provided a brief presentation[1] and pointed out that the Port was commissioned in 1953.

   He spoke about the Port's core business lines and mentioned that Cruise Terminal 1 is the newest terminal. That terminal is now home to the second largest cruise ship in the world.

   Commissioner Justice advised that things are going so well at the Port that they are now in need of another terminal. There is a new terminal being built and it is one of the top five projects in the greater Orlando area at this time.

   The newest and largest cruise ship built by Carnival will be brought to this terminal. He further pointed out that this cruise ship would be fueled by liquefied natural gas which is cleaner, cheaper, and made in the United States.

[1] Presentation not available to attach from Port Canaveral.

Additionally, it was announced today that Disney would have two new ships coming and they will arrive at the Port two years from now. A refurbishment to Terminal A was also approved today which will be around $48 million.

He spoke about the Port being a port of call destination and stated that they work hard to create outstanding options for tourists.

Commissioner Justice discussed the cargo part of the Port and spoke in detail about what comes in and out of the Port.

The recreation side of the port was discussed and he advised that they have signed with Brevard Zoo for an aquarium and he showed the potential location for that project.

In closing, he spoke about commercial space and their relationship with Space X and Blue Origin and spoke about various strategic partnerships that they have.

He thanked Council for allowing him to speak.

Councilmember Koss asked if the liquified natural gas comes from Jacksonville. In response, Commissioner Justice stated no, as Florida cannot produce the quantities needed by cruise ships. Shell Oil in Jacksonville gets a barge and brings it in from Georgia.

~~5. Recognition of the Cocoa High School Girls Track Team. (19-251). (Councilmember Goins)~~

This item was tabled until the next City Council meeting.

IV. DELEGATIONS:

Kathy Mardirosian, Sister City Program, thanked Council for allowing them to speak. She provided an update[2] and pointed out that since 2007, the Sister City Program of Cocoa and Beit Shemesh, Israel have been building relationships based on culture, art, education, business, and travel exchanges, creating lifelong friendships that provide prosperity and peace through "citizen diplomacy". She mentioned that former Mayor Blake visited Israel.

[2] EXHIBIT A: Sister City Program Presentation

She noted that a representative visited last week and provided the City with a photo of Beit Shemesh that shows all of the current archeological digs in the town. It was a gift from Mayor Block to Mayor Williams.

She read a letter written to Mayor Williams and she advised that Mayor Williams has the original letter and reiterated that this is an ongoing relationship between the City and Beit Shemesh.

Candace Rogers, 93 Delannoy Avenue, Cocoa, spoke about the promenade design and stressed that there is a waterfront master plan that expresses the wishes of many. Plans should be flexible and the elements should be resilient and sustainable, and one element supported by the residents would be to have a Waterfront Advisory Committee. By having a committee it would allow those who serve in those areas of expertise to have input. Over two hundred residents supported this and signed a petition which was presented to Council and the Cocoa CRA. She further spoke about the Cocoa Civic Center and why it should be located in the park. She believed that the Lee Wenner Park site is more suitable and hoped that Council would take that into consideration when discussing the new Civic Center site.

Bob Harvey, 29 Riverside Drive, Cocoa, is Chairman of the Board for BACRAP. It is a non-profit and he is aware that a letter with misinformation was sent to Council. He brought BACRAP's rebuttal letter with him and also submitted a letter from Broadmoor Acres longest living resident, Ms. Sheriff[3]. He read the letters into the record.

V. CONSENT AGENDA:

1. Approve Change Order #1 to FY2019 P.O. 74115 with Trane, Maitland, Florida, for the Replacement of a CHW Expansion Tank, CHW Air Separator and Air Vents for Two (2) Trane Chillers at the Dyal Water Treatment Plant; To Authorize the City Manager to Execute the Change Order; To Approve a Resolution Amending the FY2019 Budget. (19-208). (Utilities Director)

2. Approve Participation in a Cooperative Purchase Agreement with Danus Utilities, Inc. for Lift Station Rehabilitation Services Utilizing the City of Clermont Contract No. 2017-89, Effective August 8, 2017 through August 7, 2020; To Authorize a Budgeted Expenditure for these Services not to Exceed $90,200. (19-209). (Utilities Director)

[3] EXHIBIT B: Letters from BACRAP and Ms. Sheriff

3. Approve the attached Addendum (Change Order #1) to the Agreement with Community Housing Initiatives for an additional $30,000.00 from Community Development Block Grant(CDBG) Miscellaneous Revenue, to assist a moderate-income household. (19-232). (Community Services Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. PUBLIC HEARINGS:

1. Hold second and final Public Hearing to approve the City of Cocoa's FY 2019/2020 CDBG & HOME Action Plan; authorize submission of the Plan to the U.S. Department of Housing and Urban Development (HUD); and authorize the Mayor to sign all subsequent certifications and agreements. (19-213). (Community Services Director)

Ms. Bunt mentioned that the City anticipates receiving $177,490 in CDBG funds and $65,872.88 in HOME grant funds for FY 2019/2020 from the U.S. Department of Housing and Urban Development (HUD). The City receives HOME funds from HUD as part of the Brevard County HOME Consortium which is composed of the cities Cocoa, Melbourne, Palm Bay, Titusville, and Brevard County.

Ms. Bunt explained the overall purpose of the CDBG Program and advised that this public hearing was advertised in the Florida Today Newspaper and summarized the proposed projects and a 30-day public comment period which started April 18, 2019 and ended May 22, 2019. No comments have been received to date.

The proposed amounts are as follows:

PROPOSED FINAL STATEMENT OF CDBG PROJECTS FOR FY 2019/2020
PUBLIC SERVICES:

Community Services Council (*meals on wheels & seniors at lunch)*	$ 9,623
Central Brevard Sharing Center (*community kitchen)*	$ 11,000

Salvation Army *(domestic violence shelter meals)*	$ 6,000
CDBG Other AND PUBLIC FACILITIES IMPROVEMENTS:	
Park Improvements to Dr. Joe Lee Smith Park	$ 65,369
Repayments of Section 108 Loan the City is currently applying for	$ 50,000
ADMINISTRATION:	
CDBG Administration and Operational funds	$ 34,498
Fair Housing Education & Outreach	$ 1,000
TOTAL CDBG FUNDS:	**$177,490**

PROPOSED FINAL STATEMENT OF HOME PROJECTS FOR FY 2019/2020	
Housing: CHDO/Housing Activity	$ 60,603.05
HOME Administration and Operational funds	$ 5,269.83
TOTAL HOME FUNDS:	**$ 65,872.88**

Mayor Williams opened and closed the hearing to the public.

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

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Warner, to approve the City of Cocoa's FY 2019/2020 CDBG & HOME Action Plan; authorize submission of the Plan to the U.S. Department of Housing and Urban Development (HUD); and authorize the Mayor to sign all subsequent certifications and agreements.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the Fourth Modification to the Adamson Creek Binding Development Agreement between the City of Cocoa and DR Horton Inc. and authorize the City Manager to execute the same, provided that a revised performance bond in a form approved by the City Attorney is first received. (19-214). (Community Services Director)

Ms. Bunt explained this item and noted that based on some of the discussions with DR Horton and residents, it was determined that residents would like different amenities then what was originally proposed.

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 Councilmember Koss, to approve the Fourth Modification to the Adamson Creek Binding Development Agreement between the City of Cocoa and DR Horton Inc. and authorize the City Manager to execute the same, provided that a revised performance bond in a form approved by the City Attorney is first received.**

The motion was opened for discussion.

Councilmember Koss asked for clarification on what was being changed. In response, Ms. Bunt noted explained the modification in detail and provided the history on how it initially occurred. She added that they would be coming back with a fifth modification.

City Manager Titkanich assured Council that they would ensure that all things were done.

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approval of a Large-Scale Site Plan consistent with Appendix A, Zoning, Article IV, Section 2, to construct a new 18,148 sq.ft. community center building, along with associated parking and stormwater retention, at the site commonly known as the Dr. Joe Lee Smith Community Center, with conditions. (19-237). (Community Services Director)

Ms. Bunt explained the item and Ms. Selig provided a short presentation on the project[4].

Ms. Selig advised that the City was the applicant in requesting the approval of a large-scale site plan, which encompasses five parcels totaling approximately 3.63 acres. She further explained that the intent is to build a new community center with parking and retention areas on the northern parcel of this property where the current baseball field and playground are presently located.

A location map, site plan layout, site plan analysis was discussed in detail.

[4] EXHIBIT C: Large Scale Site Plan Dr. Joe Lee Smith Community Center Presentation

She spoke about the consistency with the Code of the City of Cocoa and mentioned that the site currently has a total of forty-seven (47) parking spaces. The new site layout would remove twenty-four (24) spaces but will add back forty-nine (49) for a net increase of twenty-five (25) spaces. This will result in a new total of seventy-five (75) parking spaces on the site. She explained that the inconsistency stems from how the number of parking spaces required for the site is calculated and explained what the Code required.

Ms. Selig noted that the proposed Large-Scale Site Plan was heard at the May 1, 2019 Planning and Zoning Board meeting and the Planning and Zoning Board recommended approval with conditions and suggestions for consideration by Council.

Lastly, she advised that the recommended motion was for Approval of the Large-Scale Site Plan for the Dr. Joe Lee Smith Community Center as depicted on Exhibit A, with the following conditions recommended by staff and consideration of the parking alternatives that follow as suggested by the Planning & Zoning Board.

1. Planning: Please change the reference from "Small Scale Site Plan" to "Large Scale Site Plan"

Additionally, all of the public works ground comments have been addressed along with the parking alternatives.

Councilmember Goins asked about the alternative from one hundred forty-three (143) parking spaces and in response, she advised that they are requiring seventy-five (75) and they can as a Council waive parking requirements. The board would like them to consider some other alternative if they have not already. She is fairly sure that staff has looked at all possibilities.

City Manager Titkanich pointed out that the basis for this design was Wickham Park and the Walter Butler Center. They were both looked at when designing this. A community center would have more pedestrian traffic and staff felt that the parking is reasonable. He further mentioned the issue of changing from small scale to large scale. If this was not a City property it would not require Planning and Zoning's approval, but if it is you have to go to the Board and then to Council for approval. This is essentially a small-scale site plan but is being treated as a large-scale.

Mayor Williams stated that there are other options for parking so if they run into an issue that can be easily resolved.

Councilmember Boisvert asked what the CDBG funds would be used for and in response, Ms. Bunt noted that they were being used for the construction.

Councilmember Goins questioned the seventy-five (75) spaces and if that is added to the forty-nine (49) or if it was seventy-five (75) total. Ms. Selig advised that it would be seventy-five (75) total.

Mayor Williams closed the hearing to Council and opened it to the public.

George Brown, Jr., 555 W. King St., Cocoa, stated that his property was close to this property and wanted to ensure that his zoning was not changed. Staff and Council both assured him that he would not be affected. He further asked if the baseball field would be taken away.

Councilmember Goins explained where the building would go on the property and City Manager Titkanich assured him that this would not affect his property, if anything, it would bring value to his property.

Dennis Childs, 2100 N. Indian River Drive, Cocoa, voiced concerns regarding the multi-function rooms and felt that if they were used for special functions it would take up a lot of spaces. He asked for the occupancy rate.

In response, City Manager Titkanich advised that this would be used for youth and senior activities and staff does not envision an issue.

Mr. Childs felt that staff and Council should proceed with caution on this parking issue as it could be overstressed at times if the occupancy rate is high.

Stephanie Carnigan, owner of the carwash and mechanic shop at the corner of U.S. 1, voiced her concern about the building utilization and why there are three retention ponds and a pool. She believed that agencies such as the Community Action Team, the Salvation Army, or other agencies that help the community should utilize that building.

In response to her concern, City Manager Titkanich noted that all of the offices on the left side would be occupied by such agencies.

Ms. Bunt assured her that all services provided by the Community Action Team will be relocated there. Summer camps and other programs will be able to utilize the multi-purpose room.

Ms. Carnigan asked about the need for retention ponds. Mr. Wegerif explained that they are dry retention areas and are less than one foott deep. If they had been eliminated they would have had to look else where and they are only ponds right after a storm. He assured her there would not be standing water in them.

Lastly, she asked for clarification on the park and basketball courts. Staff noted that the playground will be relocated and the pool will be refurbished.

Mayor Williams closed the hearing to the public.

Councilmember Goins asked about the contract with the Community Action Team and if the County allocated the money. In response, Ms. Bunt assured him that the County was putting it in their 2019 Substantial Action Plan and committed $175,000 October 1st.

Deputy Mayor Warner advised that every time she has been to the center parking is not heavily utilized and confirmed that with Ms. Selig. She knows that they are trying to make amenities for seniors and asked if a study had been done.

Ms. Selig was not aware of any issues with parking.

Deputy Mayor Warner asked if a bus stop would be close by and Ms. Selig pointed out that there is one on Washington Street and S.R. 520.

Ms. Bunt stated that having public transportation close by was a requirement of the Community Action Team.

Councilmember Goins knows that parking was not an issue at the old building but believed that this new building would be utilized more heavily by AAU tournaments. He has concerns with parking.

Mayor Williams liked the plan and reiterated if parking needs looked into again in the future there were options. He believed that this needed to be moved on.

City Manager Titkanich added that PAL tournaments typically get large vans to transport kids.

Councilmember Goins asked if additional parking would change the cost of construction. Mr. Wegerif responded in the affirmative and advised that the GMP is based on this plan.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Goins, to approve a Large-Scale Site Plan consistent with Appendix A, Zoning, Article IV, Section 2, to construct a new 18,148 sq.ft. community center building, along with associated parking and stormwater retention, at the site commonly known as the Dr. Joe Lee Smith Community Center, with conditions.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. COUNCIL BUSINESS:

1. Provide the City Manager and City Attorney direction on the Waterfront Advisory Committee. (19-253). (City Manager)

City Manager Titkanich provided a brief background on the request for a committee and provided a brief timeline regarding meetings that staff has had. In November, 2018, the Cocoa CRA voted in favor of creating a Waterfront Advisory Committee and advised that at this time, staff and the City Attorney need Council's direction in regards to this committee.

City Manager Titkanich discussed this committee in furtherance and stressed that the committee would be subject to the Sunshine Law.

He noted that the committee would provide recommendations to either the Cocoa CRA or the City Council. The composition would potentially be seven members, five being appointed by Council and two by consensus of the Cocoa CRA since the committee would be making formal recommendations. Cocoa Village is the downtown for the whole City. Additionally, eligibility for board members should meet similar CRA board member requirements. Lastly, he pointed out that the involvement of members and in being a member, you have to put on another hat in another setting.

He reiterated that they are seeking direction for the purposes of creating a resolution for the advisory committee.

Deputy Mayor Warner agreed with the City Manager on the fact that you might participate in a workshop but then go back and have to work as a committee. She also liked the idea of the CRA having input on the membership. She knows that there is a lot of good knowledge in the community and many who know a lot about the waterfront.

Ed Green, 104 Riverside Drive, Cocoa, thanked Council for the opportunity to speak on this item. He believed that it was becoming a little more complicated than needed. He agreed with Deputy Mayor Warner and he too, believes there is a lot of community knowledge. He felt that they have knowledge staff does not have. What they are proposing is not a board who would make decisions, but a group who could work side by side with staff and help when they might have questions that staff does not know the answers to. He believed that these citizens could help guide productive discussion and help them.

Additionally, Mr. Green did not feel that they would be making decisions out of the scope of the Sunshine Law and that they could be called in on short notice per say if there was a meeting or someone needed help. He reiterated that staff is making it more complicated than what it should be and that it would be a help and resource for staff.

City Manager Titkanich clarified that they were looking at more of an advisory role of staff versus an advisory role to Council or the CRA and in response, Mr. Green thought that this would alleviate the Sunshine Law restrictions as they would have the expertise.

Mayor Williams stated that we would be utilizing resources in the community who would be helping staff so it does not involve the Sunshine Law.

City Manager Titkanich cautioned that this would be augmenting the existing process that we have. He apologized and spoke about the timeline including meetings and public workshops regarding the waterfront after Hurricane Irma.

Councilmember Koss asked if this group would be self appointed.

In response, City Manager Titkanich mentioned that when you are submitting plans experts are brought in if we do not have the staff needed and he advised that there are two PE's on staff. All staff is qualified in different areas.

He pointed out that we had to bring in people for the hotel project.

Deputy Mayor Warner clarified that what Mr. Green was wanting was something like the Utilities Advisory Board. In response, Councilmember Koss advised that Board cannot develop their ideas because they are under the Sunshine Law.

She understood the concern and would like a list of those in community that she could pick up the phone to ask questions. She thought putting together a list of individuals would help everyone out.

Mr. Green said that when you are at the final stages and you need that expertise to finalize things, staff could have more of a finalized product.

~~Councilmember Koss advised that she moved this up on the agenda because she believed that this had moved further along and there would be direction for staff. She felt the next item has not had as much public opinion as she would have liked. She noted that she is a little jealous because of her background and was passed on a lot. She felt that there is a lot of passive resistance and that within the last few months a lot of things have been passed along.~~[5]

Attorney Garganese stated the agenda item was written in order to set up a committee and what Mr. Green is saying is different. He stressed that you still have to be careful as you can still be subject to the Sunshine Law.

He suggested that a volunteer program be set up if there were those who just wanted to provide their expertise to staff.

Mr. Green is aware of the City's volunteer program, unpaid interns and V-Cops, and what they are looking at is a group to come in and augment staff.

City Manager Titkanich advised that he and the City Attorney would meet with Mr. Green in order to have a better understanding of what they are requesting.

Deputy Mayor Warner felt that everyone was on the same page now and they could come up with something.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to Table this item until further notice.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Request Council's Direction for the final design concept of the Promenade and Overlooks Project to replace the boardwalk in Riverfront Park destroyed during Hurricane Irma. Consider additional concept for knee-wall, and other substitute railing options. (19-215). (Public Works Director)

[5] Minutes Amended at the Regular City Council meeting of July 24, 2019 by Councilmember Koss.

Mr. Wegerif introduced Mr. Tom Vill, from Infrastructure Solutions, and based off the direction of Council from the April 24th City Council meeting he is in attendance to show different options for the waterfront.

Mr. Vill provided a presentation[6] and a synopsis of the work that had been done since the last meeting. Several citizens also reached out to staff offering information and good input which was also considered when making these revisions as well as Council's comments. Infrastructure Solutions also prepared a memo addressing the main themes in the additional public comments.

He spoke about the knee wall concept and the design consideration and stressed that the Florida Building Code required a guard railing with a height of 42 inches along the open-sided walking surfaces when they are within 36 inches from a vertical drop of more than 30 inches.

He met with Val Perez, the City's Building Official and he indicated that a 42" guard railing was required if a walking surface is located within 36" of the edge. In order to satisfy that requirement the knee wall concept includes a 36" wide landscape strip to provide separation from walking surfaces.

He showed several examples of the new designs, including the following designs:

- Knee Wall
- Cast Stone Balustrade Concept
- Stainless Steel Cable-Railing

Mr. Vill compared each example and highlighted differences and requirements with each design.

The sign wall issue was also spoke about at the April 24th meeting and that decision also needed to be made as to whether they want the sign wall or not.

Construction costs estimates for each concept were discussed and he explained that these costs do not account for FEMA costs or FEMA reimbursements.

Several members of the public contacted City staff offering further comment and recommendations for consideration such as rip rap in front of the sea wall, arc shaped overlook in place of the two square overlooks, and there were comments regarding the plantings and window views through the park.

Additionally, he provided Infrastructure Solutions' input to the public comment and recommendations.

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[6] EXHIBIT D: Final Concept Waterfront Promenade presentation

Linda Dolphin, 2100 N. Indian River Drive, Cocoa, asked about FEMA and the possibility of them not paying for the knee wall. The knee wall was her favorite design and she asked about the reasoning behind FEMA not supporting the knee wall.
Mr. Vill has not been dealing with FEMA but knows there were discussions regarding this.

Assistant City Manager Fuhrer advised that City staff has had weekly meetings with FEMA and what they have learned was that there was no commitment on anything until you receive the money. There are different groups that go through and evaluate these projects and felt that it was important to keep in mind that these are replacement projects. This project is rebuilding an amenity that was lost and that was a wooden boardwalk with a wooden railing.

Staff has been working with FEMA on certain design elements to ensure that this could happen and there was not a single option not feasible for the City. He further explained the breakdown of costs associated with funding for this project.

He stressed that these were the best numbers that staff had to work off of and with what was budgeted feel this is feasible. There is documentation from FEMA that the knee wall would not be a part of their reimbursement.

FEMA stated that they do not receive good feedback on those and recommend the stainless-steel railing.

City Manager Titkanich clarified that the program began with the CRA and any money issues would have to go back through them.

Mr. Vill assured Council that with the knee wall design they could do all that they could to design it to withstand the forces of a storm. They are filled block with reinforced concrete.

Councilmember Koss asked about the nine lanterns and Bismarck trees. Mr. Vill recommended that they both be relocated.

Mr. Wegerif added that if the Bismarcks were relocated they would have to consider what was under the ground in the area they wanted to relocate them to.

Deputy Mayor Warner asked if the knee wall would have cut outs to allow water to flow back out. Mr. Vill noted that they would have to allow for drainage in the design.

Deputy Mayor Warner asked how far the drop would be from the top of the knee wall before she hit water. In response, Mr. Vill stated it was about seven feet and the water was about three feet deep. There was no rock and the wall cannot be sitting wall.

She felt if people cannot be stopped from standing on planters for events than they are not going to be stopped from sitting on a knee wall. Her concern was about erosion and she thought that the concept was to get the public closer to the water. To her, that means getting close enough to see what was going on in the lagoon but now that was being moved back three feet to where they cannot see. She felt that the concept was being taken away. She stated her objection to the Balustrade concept and was fine with the other two but does not like the idea of moving the public back further. She thought the designs were beautiful.

Councilmember Koss was okay with the cable at the T-docks and wherever it would serve a function but felt that the promenade tells a different story and felt it was like a prison fence.

Deputy Mayor Warner asked Councilmember Koss if she thought there was any other way to use the stainless concept but make it look a little better.

Deputy Mayor Warner had no problem with the cable but was not a fan of the plain poles.

In response to her comments, Mr. Vill assured Council that there were other railings that they could use and that were more substantial when looking at them. Wrought iron over the river would require a lot of maintenance. Deputy Mayor Warner asked if you could make stainless steel look like wrought iron.

Mr. Vill advised that they would not have the same flexibility if they were working with wrought iron and would have to work on this to come up with something.

Mayor Williams felt that too much was going into this and believed that all of the designs were excellent. Everyone has personal feelings but there is also a cost associated with this project.

Ms. Dolphin asked for clarification on the mitigation. In response, Assistant City Manager Fuhrer explained the costs in detail, noting that there are two parts to the cost. They look at what it costs today and then the other part is the life span and what you are doing to make it resilient. He explained the formula used to determine these costs. He mentioned this is the best knowledge we have to date of what we can receive in funding. There are some additional grant dollars from the FIND grant received for the T-docks and day slips.

Deputy Mayor Warner asked if this could be powder coated.

City Manager Titkanich stated that the Assistant City Manager has presented that all options are financially feasible, and we are in time constraints. He provided fairly aggressive timelines for the item and he understands there are concerns. He asked that we give Mr. Vill an okay to go with one of these designs, as we are

still looking at three months to do final design work and a bid package, as well as finalizing permitting. He provided a timeline of the project.

Councilmember Koss spoke in terms of urgency and felt that having to go through staff had been a slow process and felt that she has not been heard.

Deputy Mayor Warner stated that her vote would be for the stainless-steel option for the reasons she stated earlier; however, in the meantime she is hoping that some of the experts in the community can figure out a way to make the posts a little more pleasing and to allow for some design in the railing as opposed to the plain design being presented. Additionally, she felt that it was important other than the maintenance of plats to get them closer to the water.

Walt Roslin, 1628 Manor Drive, Cocoa, agreed that the landscape would be tramped and thought there was nothing uglier than wood. He loved the knee wall and the rails could be powder coated black.

Aleck Greenwood, P.O. Box 1088, Cocoa, thought you would get the best of both worlds with the knee wall. He hoped the City did not pick something that they would regret. Ms. Riggs, who also spoke with Mr. Greenwood, asked if FEMA would not pay for mitigation on the knee wall if they would pay for rip rap.

In response, Assistant City Manager Fuhrer explained that on the seawall they could do an inspection and see the condition at any time if repairs needed made. Additionally, Ms. Riggs asked if there was no other way to get the funding.

City Manager Titkanich noted that at the waterfront workshop it was discussed and they would not want money in for rip rap as they would have to remove something to where money was just put in. If FEMA comes in and audits they might ask for the money back. The City has to ensure compliance with FEMA.

Mr. Greenwood asked if monies received from late water bill fees could be used for this and in response, City Manager Titkanich explained that you cannot use utility monies for this project.

Mr. Greenwood then asked if the money could be loaned to us and thought that the designs were beautiful.

Councilmember Koss asked if there was a way to keep the Bismarcks. In response, Mr. Vill advised that they could look at those individually but warned of root growth and cracking of the walls. There would be a plan to relocate them.

Mayor Williams reiterated that Deputy Mayor Warner liked the stainless-steel cable railing, and he asked about the sign wall. Deputy Mayor Warner responded in the negative on the sign wall.

City Manager Titkanich urged Council to look at the potential advertising possibilities with the sign wall.

Councilmember Boisvert is fine with the stainless-steel cable railing as well and was for the sign. He thought that the sign should read "Welcome to Cocoa".

Councilmember Koss was in favor of the knee wall and the sign.

Councilmember Goins has listened to citizens and liked both the knee wall design and the "Welcome to Cocoa" sign.

Pam Shaia, 308 Brevard Avenue, owner of Tails at the Barkery, Cocoa, thanked Mr. Vill and stated that as a person who spends a lot of time in the Village, she understands the funding issue and that we could lose the funding. She stated that there was not enough lighting at the park and asked for better lighting and lighting on the ground, or solar. It could be hurricane proof also. She was in favor of the knee wall or a version of the knee wall.

Mayor Williams was in favor of the knee wall.

Councilmember Goins confirmed that there would be more lights than shown in the picture.

* **MOTION by Councilmember Koss: Seconded by Councilmember Goins, for the knee wall option and the signage wall stating "Cocoa".**

AYES: Williams, Goins, Koss
NAYES: Warner, Boisvert

THE MOTION CARRIED (3-2)

3. Appointment of a Council Liaison to the Police Community Relations Advisory Committee for 2019. (19-245). (Administrative Services Director)

Mayor Williams stated that he does not feel that they need a liaison to this board.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Boisvert, not to appoint a liaison to this committee.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. CITY BUSINESS:

1. Approve the final ranking and selection for Bid #Q-19-12-COC to the University of Central Florida for police department strategic planning services and allow the City Manager to negotiate and execute a contract not to exceed the fiscal year 2019-budgeted amount. (19-203). (Assistant City Manager)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Resolution waiving the competitive bidding process for the purpose of making an emergency single source purchase of a Trane 30 ton rooftop HVAC unit for the Utilities Water Field Operations Building in the amount of $76,688. Approve a Resolution amending the Fiscal Year 2019 Budget. (19-231). (Public Works Director)

Mr. Wegerif explained this item and noted it was more prudent to replace the unit and the item has been ordered.

Deputy Mayor Warner asked how old the current unit is and in response, Mr. Wegerif advised it was nine years old.

* **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)

3. Approve a Tree Removal Permit for an oak tree in the right-of-way adjacent to 2656 N. Indian River Drive with a replacement tree species and location as recommended by the Tree Board. (19-234). (Community Services Director)

Ms. Selig provided a short presentation[7] on this item. She mentioned that the applicant is requesting removal of the said tree and that in January 2019 he submitted an application for removal of the tree citing ill health of the tree.

[7] EXHIBIT E: Tree Removal Permit for 2656 N. Indian River Drive

She provided a project summary and addressed the city code and staff's findings and showed photos of the subject tree.
The proposed Tree Removal Permit request was heard by the City of Cocoa Tree Board at the May 1, 2019 Planning and Zoning Board meeting. The Tree Board recommended approval of the Tree Removal Permit with conditions. She noted that the recommended motion tonight was as follows:

Approval of a Tree Removal Permit for an oak tree in the right-of-way adjacent to 2656 N. Indian River Drive with a replacement tree species and location recommended by the Tree Board as follows:

- Tree to be replaced and planted at the southeast corner of Manor Drive and Beverly Road.

City Manager Titkanich advised that there was a question posed as to whether or not an arborist looked at this tree. Mr. Frank Mirabito looked at the tree and a memo was provided to Council. He provided a summary of the tree and noted that it appeared to be healthy with signs of decline.

Judy McCluny, 1908 Manor Drive, lives in the neighborhood where the tree is located and noted that it was in line with many other beautiful trees that line the road. It has character and those who live in that area take those trees very seriously. She hoped that citizen's concerns were considered and believed that when a tree was taken down it hurts the community. All of the trees on this road at times have lost branches and have not yet fallen. The tree was not inspected by an ISA arborist and there are no other chances for the tree once it is removed.

Walt Roslin, 1628 Manor Drive, Cocoa, felt that the ordinance needed to be amended and that the City should get rid of the tree expert because he is not an ISA. Mr. Roslin is an arborist but does not assess trees because he was not an ISA. The ordinance should include that the arborist should be an ISA. He believed that many people have bought homes in Cocoa because of the urban forest. He asked what gives the City the right to remove a tree without the proper knowledge and certification. Mr. Roslin provided many other facts as to why this tree should not be taken down and advised that it was our moral responsibility to protect these beautiful beings.

Linda Dolphin, 2100 N. Indian River Drive, Cocoa, spoke in reference to the report that she provided for the record[8]. This tree is a live oak and is

[8] EXHIBIT F: Report provided by Linda Dolphin

approximately 200 years old. There are three arborists who have stated that the tree was healthy. Evidence of ant colonization does not mean that a tree is dying. It is important for the health of the tree to block off the tree during construction to ensure that no further limbs are taken off. The tree should be tested again after construction. This person is willing to come to the next meeting and speak if Council was unwilling to take this report today.

Dennis Childs, 2100 N. Indian River Drive, Cocoa, echoed Ms. Dolphins' sentiments. He mentioned the idea of a septic system and his understanding is that a septic system cannot co-exist on that lot and whether or not it can be put down by the lagoon. His suggestion was to wait until the septic system project was done and make the decision on the tree removal at that time.

Barbara Kinsey, 1628 Manor Drive, Cocoa, spoke in regards to the report that Ms. Dolphin spoke about and that it was clear that the tree was healthy. Trees are invaluable assets to our community and they should be protected. The arborist also referred to other tests that are available. It is important to rely on scientific methods when making these decisions.

City Manager Titkanich stated that based on the memo from the arborist there were issues but the tree was otherwise healthy.

Deputy Mayor Warner mentioned that we have lost several oaks along River Road lately and recently lost a magnificent magnolia tree due to the carelessness of a contractor. She agreed that this should be looked at in more depth by the Planning and Zoning Board and agreed that at some point it might come down, but if it is healthy still then why take it down. Additionally, there is no need to remove it if it is not preventing the home from being built, but we need to ensure that the trees are protected during the construction process. She is not inclined to vote in favor of taking this tree down at this time.

Mayor Williams saw the only concern was the health of the tree.

Councilmember Koss spoke in regards to the report from the City's arborist and that some of these comments refer to all of the trees on Indian River Drive and she spoke in reference to the comment regarding power lines.

She advised that she would vote against this and had concerns about the ordinance, stating that it was very confusing. She would like the ordinance revisited and it was brought to her attention that there was a resolution in the

past for the City to be a Tree City USA. She would like that brought back also. She hoped that Tree City USA could help the community with education on trees. Ms. Bunt mentioned that the property owner was not notified about this item being on the agenda and the City Manager stated that if the property owner believed the tree was not healthy then he provide the City with his own assessment along with the arborist's report.

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to table this item and invite the applicant to come back and for the applicant to provide a report from an arborist with ISA credentials to make this analysis.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve a Resolution Amending the Fiscal Year 2019 Budget, and Approve a Change Order, through the use of our Professional Services Agreement with Stantec Consulting Services Inc., to Calculate a Tiered Stormwater Rate Structure on all Residential Stormwater Parcels Located within the City Limits of Cocoa. (19-252). (Finance Director)

Ms. Bowman reminded Council of their direction of staff at the recent Stormwater Workshop. This will provide funding for Stantec to provide a method for which stormwater fees are collected for and a tiered structure

* **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)

MULTI-YEAR CONTRACTS:

5. Approval of the second contract modification with Gehring Group, Inc. as the City of Cocoa's Insurance Broker of Record by mutual agreement between the City and Gehring Group to extend the term of the agreement until February 28, 2020. (19-207). (Administrative Services Director)

Ms. Gemmati mentioned that the City put out an RFP for this but after reviewing and comparing the proposals it was determined that it is the best interest of the City to continue with the Gehring Group at this time.

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

AYES: Williams, Warner, Boisvert, Goins[9]

THE MOTION CARRIED UNANIMOUSLY (4-0)

IX. INFORMATIONAL AGENDA:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2018 to 04/30/2019. (19-210). (Finance Director)

2. 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. (19-219). (Finance Director)

3. FY 2019 Budget Adjustment Report. (19-220). (Finance Director)

4. Cocoa Police Department District Event Statistics for January 2019-March 2019. (19-222). (Chief of Police)

X. REPORTS:

Councilmember Goins announced that he would be attending the Institute for Elected Municipal Officials, June 7-9, 2019, along with Councilmember Koss, in Palm Beach Gardens[10].

He reminded everyone of the upcoming Memorial Day event on Monday, May 27, 2019 at Riverfront Park and of the basketball tournament on May 25, 2019 at Fern and Prospect Park.

Councilmember Koss announced that she was able to welcome the Florida Sun Co-Op at the Florida Solar Energy Center. She further spoke about her attendance at the Boys and Girls Club Center for Innovation. Lastly, she

[9] Councilmember Koss left the meeting at 9:48 p.m. and did not vote on this item.
[10] Councilmember Koss returned to the meeting at 9:50 p.m.

mentioned that there would be a meeting tomorrow regarding the Cocoa Tigers Chorus and performance at the Cocoa Village Playhouse.

Deputy Mayor Warner attended the funeral service for Deputy Sheriff Adrian Moss-Beasley. She thanked the City Clerk's office on behalf of the family, for the multiple copies of the proclamation that could be shared among them. It was a lovely service and Adrian spent many hours volunteering and working throughout the City.

Mayor Williams thanked her for presenting the proclamation, as he heard that she did a great job and that she spoke very highly of Mr. Moss-Beasley.

Mayor Williams advised that he had the opportunity to attend the Space Coast Health Assessment Kick-Off and asked that the City Manager go to their website and pull information, as there was a lot of helpful data.

He was also a keynote speaker for Cocoa High School's SGA event when they were bringing in their new officers. It was nice to see how far the school has come and was very impressed.

Mayor Williams offered condolences to the family of Mike Ciccerrella, who passed away on Friday. He was on the Code Enforcement Board for a long time and was a great guy.

In closing, he gave kudos to the Police Department for the Cambridge Elementary School lemonade stand. He thanked Mr. Dyal and Lt. Dellatorre for giving their time and thought it was a great event. Tomorrow the lower grades will enjoy the festivities.

Lastly, he reminded everyone of the Memorial Day event and that Capt. Ed Lanni is the speaker.

XI. ADJOURNMENT.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to adjourn the Regular meeting of May 22, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 9:57 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie E. Shealy, MMC, City Clerk

EXHIBIT A: Sister City Presentation

Our Mission

- Since 2007, The Sister City Program of Cocoa, Florida and Beit Shemesh, Israel has been building relationships based on culture, art, education, business, and travel exchanges, creating lifelong friendships that provide prosperity and peace through "citizen diplomacy."



2008

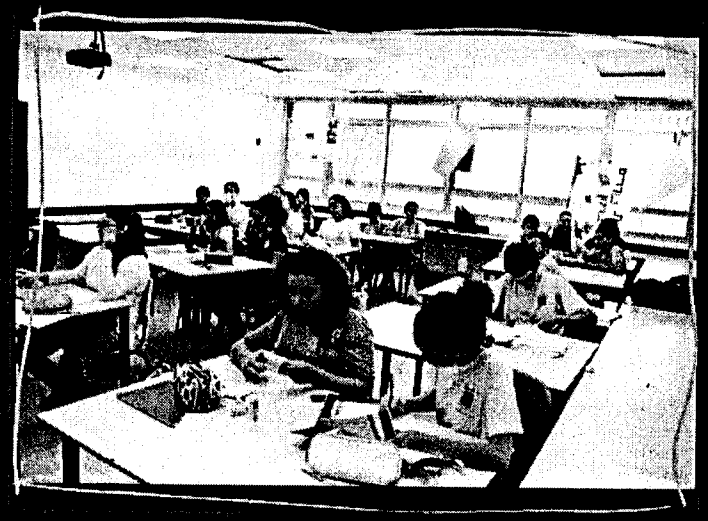




Branco Weiss High School

Largest High School in Beit Shemesh with over 1250 students

--devoted to enhancing individual and social growth and to reducing educational disparities in Israeli society.





Principal Aliza Bloch

Mayor Aliza Bloch



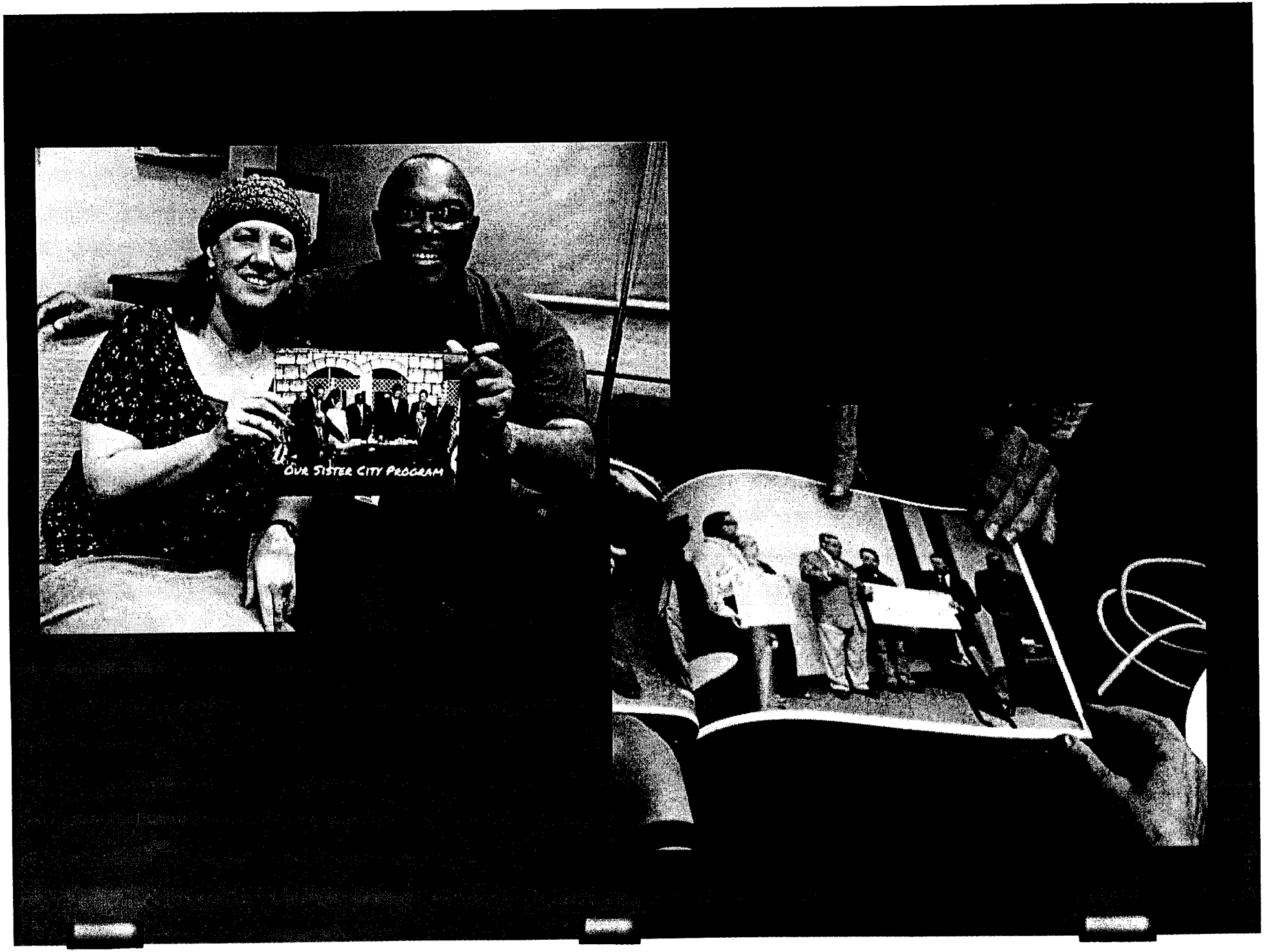


November 2018

Beit Shemesh Representative Sharona Catane






Our Sister City Program

[redacted] [redacted] [redacted]

[redacted]

Dear Mayor Williams,

I am the newly elected Mayor of Beit Shemesh, Israel and I would like to introduce myself and make your acquaintance.

For the past 15 years there has been a warm relationship between residents of our two communities. Our cities have enjoyed welcoming and hosting groups of high school students and adults for mutual visits, tours and cruises.

During my service as director of the largest high school in the city, I welcomed groups from the Cocoa area volunteering to teach English with my students and to work the gardens. One of your predecessors, Mayor Mike Blake, also enjoyed a week with us touring and visiting.

People from your community and from communities along the Space Coast have worked together to support educational projects in our elementary and secondary schools and we hope that in the summer of 2020 we will be able to send a delegation of grade 10 and 11 high school students to participate with their peers from the Space Coast in a STEM session at the Kennedy Space Camp.

We consider these projects a means to break down barriers and prejudices and to bring together people from different cultural backgrounds and it is important for us to continue these joint projects.

I sincerely hope you will be able to visit us here in Beit Shemesh in the near future and I will be honored to welcome you and show you the accomplishments of our communities working together.

Sincerely,

Dr ALIZA BLOCH
MAIRE DE LA VILLE

Upcoming Project with our Sister City

An Out-of-This-World Cultural Educational Opportunity

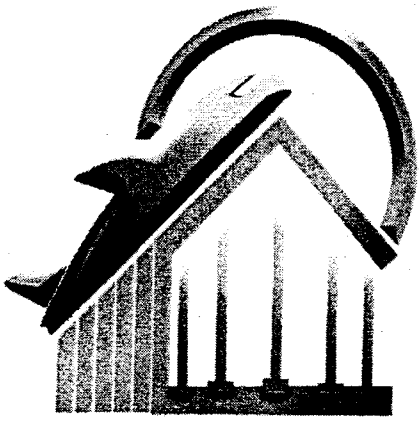
Sharing Space Together

Join us to support local and international students studying together for a bright future in space.

Sister City Program
COCOA FLORIDA
BEIT SHEMESH ISRAEL

For details, please visit
www. sistercityprogram.org

www.sistercityprogram.org



Lawrence Sinclair
Broadmoor Acres Community Restoration
and Preservation Inc
1035 Peachtree Suite B
Cocoa Florida 32922
321-735-8071

FL Division of Consumer Services
Registration Number CH48050

We Are a 501(c)(3) Tax Exempt Charity
Tax ID # 81-2169634
CCTCP Project Number CC-0502-C

May 16, 2019

Citizens of the City of Cocoa

John Titkanich, Cocoa City Manager
65 Stone St.
Cocoa, Florida 32922

Anthony A. Garganese,
Cocoa City Attorney
Garganese, Weiss, D'Agresta & Salzman,
111 N. Orange Avenue
Suite 2000
Orlando, FL 32801

Cocoa City Council
Jake Williams Jr;
Brenda Warner
James Alex Goins
Lorraine Koss
Don Boisvert
65 Stone St
Cocoa, Florida 32922

FL Division of Consumer Services Registration Number CH48050 "A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE"

Jennifer Lovitt Riggs
1629 N Indian River Dr
Cocoa, Florida 32922

Linda Dolphin-Childs
2100 Indian River Dr,
Cocoa, Florida 32922

Lorraine Koss (Individually)
2115 N Indian River Dr
Cocoa, Florida 32922

RE: April 22, 23 and 24, 2019 emails of Koss & Riggs regarding BACRAP

Dear Addressees:

This letter is being provided to address what BACRAP perceives as a misunderstanding as to its mission and work in the community..

BACRAP is a legally formed 501(c)(3) Florida registered not-for-profit charity registered with the Florida Dept of Agriculture and Consumer Services and a Florida Dept of Economic Development Community Contribution Tax Credit Program certified sponsor.

BACRAP was initially started as a community organization in the fall of 2015 after Larry Sinclair was the victim of a burglary. On Oct 29, 2015 more than 72 residents and property owners came together to talk with City officials; Cocoa Police and each other on how we can improve our community working together. The biggest issues at the time were slumlords, vacant properties, crime, the use of vacant lots for illegal dumping and the lack of community as a whole.

After waiting for a local attorney to file BACRAP organizational paperwork without it getting done, Larry Sinclair with 2 other homeowners in the community got it filed on April 30, 2016. Barbara Green and Larry Sinclair had already with our own money purchased 507 N Georgia Ave to get this unsafe building renovated. Today because BACRAP's efforts its insistence the buyer would have to obtain permits and completely rehab to current code, that house is a 4-bedroom 2.5 bath home with new plumbing, hyacinth, electrical, plumbing, roof etc…

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BACRAP was formed to restore the Broadmoor Acres community to a clean safe family friendly community with owner/occupied housing; to promote and build affordable housing for families as owners; to aid in the repairs and improvements by homeowners on limited income and work together to combat crime and drugs that had overtaken this community for years.

BACRAP Board Members are not paid in any way and in fact expend their own money to aid the organization in accomplishing our goals.

The City of Cocoa has not conferred any benefit to BACRAP that any other organization has not or could not obtain by engaging in the application process. BACRAP has never received any "selective code enforcement" treatment and in fact BACRAP has always insisted we are held to the same standards as any other property owner and have never been treated any differently.

No city of Cocoa employee or official has invested a cent into any property owned and/or controlled by BACRAP period nor has the City of Cocoa ever conferred any advantage; benefit to BACRAP or any of its employees or Board Members.

BACRAP and the City of Cocoa after a yearlong negotiation process did enter into a Settlement Agreement drafted by the City Attorney concerning vacant lots BACRAP purchased (which had been costing the city money in maintaining for years) for the purpose of building new homes for families which would require them to be owner occupied for not less than 25 years. That Agreement is part of Code minutes and minutes of City Council meeting of December 12, 2017. BACRAP has spent over $25,000 in clearing, cleaning and hauling off the junk, garbage, debris, overgrowth from those lots and in excess of $9000.00 in maintenance cost cutting, cleaning up after people who think they can throw trash on them.

BACRAP has taken homes that were substandard and being rented for $1000 or more per month and renovated improved and placed families in them as owners with a monthly mortgage payment as low as $555.00 per month to a high of $890 with them owning their homes. These homes have been improved and landscaped and have changed the way residents view their community.

BACRAP started by working with Cocoa Police in 2015 bringing the Police and community together and establishing a relationship that today, both officers and residents say is working. BACRAP has not engaged in; requested or even considered allowing any improper use of law enforcement.

Since the informal formation of Broadmoor Acres Community Restoration and Preservation Inc BACRAP has always invited the City of Cocoa elected officials as well as city departments to

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attend and or participate in any and all events which benefit the city and community as a whole and those invitations have been sent through the City Clerk's office in the same manner as any other 501(c)(3) charity engaged with the City of Cocoa. BACRAP has always complied with Florida Law requiring the publication of our charity registration number and the legally mandated disclaimer you see in the footer of this letter as well as on all emails and social media and internet sites.

BACRAP see's the City of Cocoa and it's councilmembers as partners in BACRAP's mission to improve this city. We hope that this letter finds you all receptive to working with BACRAP in the future, should you have any concerns about our work or mission, please let us know.

Sincerely,

Lawrence Sinclair
CEO/Executive Director

Bob Harvey, Colonel, USAF (Ret)
Chairman of the Board

FL Division of Consumer Services Registration Number CH48050 "A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE (800-435-7352) WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL OR RECOMMENDATION BY THE STATE"

May 19, 2019

To Whom it May Concern:

My Husband Bud and I bought our home at 312 N Kentucky Ave new in 1956. We moved to Cocoa from Pittsburg, PA and I have lived in this house since. We raised 5 children in the Broadmoor Acres community and this neighborhood was the place to live back then.

Through the years I have seen this community change over time and my children and friends would tell me to move in with them, but I never thought to leave my home. The community became overrun with crime; abandoned homes and absentee owners who couldn't careless what took place on their properties as long as they collected the rent every month. In 2015 that started to change when Larry Sinclair moved in down Mitchell St from me.

I and my children met Larry in October 2015 at his home when he invited everyone in the community to a gathering on his front lawn. That night I smiled as for the first time in years I saw with my own eyes the number of people within the community who came together to bring back the community I and my children have such fond memories of. After that first gathering in Oct 2015 little did I know then that I and my children would feel so safe and comfortable in my home again. Larry has from the first day always checked in on me; has always been the first to come and my children know they can call on him anytime day or night and he will answer the call.

I smile each morning when I wake and look out my kitchen window and see the street with homes that have bright clean lights on overnight; Today I see children playing and riding their bikes in the street like my own kids used to do. I drive around and down Bellefonte Ave and I marvel at how much nicer and cleaner this street has become; as it used to be so bad, I wouldn't drive down it in daylight much less at night.

The number of houses which have been painted; new roofs put on; yards landscaped and neighbors visiting with each other gives me joy. That my children

and I attribute to Larry Sinclair. He has always made it a point to check on me; my neighbors to the south and is always doing something that only improves how this community looks and feels. Whether it is passing out roses to all the moms on Mother's Day; playing Santa to the neighborhood each Christmas or hosting a thanksgiving feast he has done this and continues to do this and has never asked for a single penny from anyone that I know of. He will fight you if you try to give him money for anything.

I recently had a surgical procedure near my eye and Larry shows up with a bouquet of flowers and when I ask him "what's these for?" he responds just because you are you.

For a while I kept saying I wanted to have my house painted and Larry always said, "when you are ready let me know and I will get it done for you." He did. He had my paint colors matched to perfection even when I wasn't sure it would be possible. He went and picked up the paint and made sure the house was painted at a more than reasonable price. My outside faucet was leaking, and he called a plumber friend of his who came and not only fixed it for me; he moved it to where I was able to reach it better and was able to turn it on and off without a struggle.

This letter is being written because I don't like the things I am hearing going around about Larry. I have watched since 2015 how he works tirelessly to improve this community; how he has cleaned vacant lots that for years were illegal dumpsites never cleaned up and only cut when the City decided to do it; I have watched as he shows the same concern and commitment to every single resident in this community.

The house across the street from me was sitting vacant after my neighbor moved out and into her dad's house. Larry not only arranged for the house to be purchased but he had a family in it owning it within a week. Today that house has been painted and repaired and the family continues to make improvements on their home.

On December 9, 2016 when gunfire broke out at 3am and bullets entered and exited my house through two windows, it was Larry who reached out to make sure I was okay and it was Larry who found the person to repair my windows at what I felt was more than a reasonable costs. The repairman came to my home

immediately cut the glass on site and replaced both windows. Larry was the one who asked Cocoa Police to come by and check on me and answer any questions I had.

As long as I have lived in this neighborhood I cannot remember when anyone worked so hard to make life better for everyone living here than Larry does, and certainly not for free.

I am years 92old and have lived long enough to know when someone is the real deal, and no one can convince me that Larry Sinclair has done anything but look out for everyone living in Broadmoor Acres since he moved in the neighborhood. To this day I get the biggest kick out of him always telling me he is doing penance for all the stupid stuff he did when he was younger.

I truly believe that if people in the city of Cocoa would work with Larry rather than try to tear him down this community and the city will be far better for it. You don't see many people these days put others wellbeing before their own, but Larry does every single day. My children know that Larry will always check on me and will always do whatever he can for me and my family.

Sincerely,

Kathleen S. Sheriff

Kathleen S. Sheriff
312 N Kentucky Ave
Cocoa, Florida 32922



Large Scale Site Plan

Dr. Joe Lee Smith Community Center

May 22, 2019

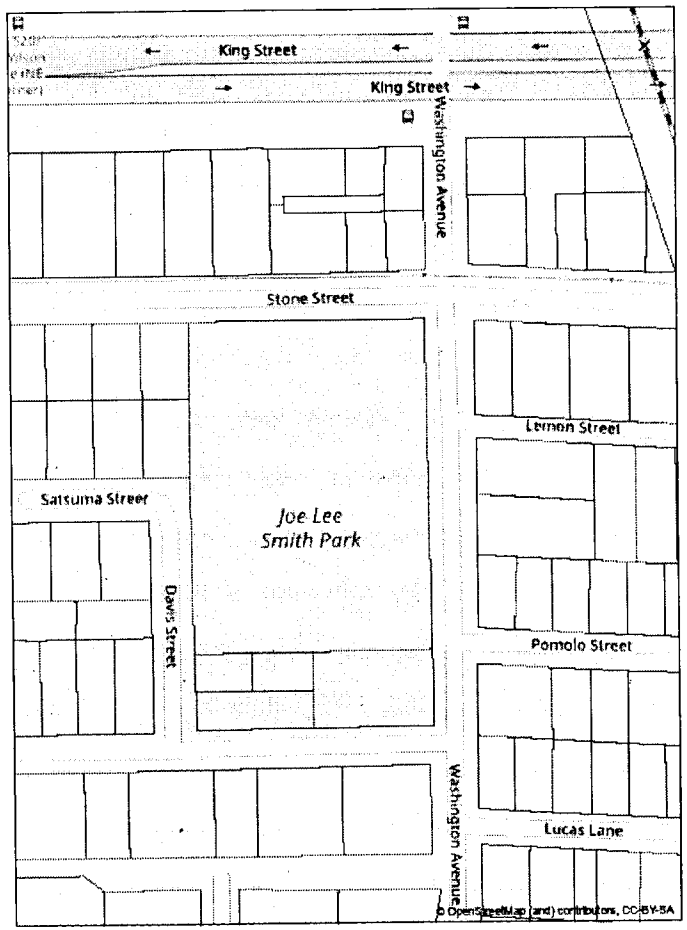
EXHIBIT C-1 Large Scale Site Plan
Dr. Joe Lee Smith Community Center

Project Summary

- The City of Cocoa, as the applicant, is requesting approval of a Large Scale Site Plan (Exhibit A) encompassing 5 parcels totaling approximately 3.63 acres known as the Dr. Joe Lee Smith Community Center complex.

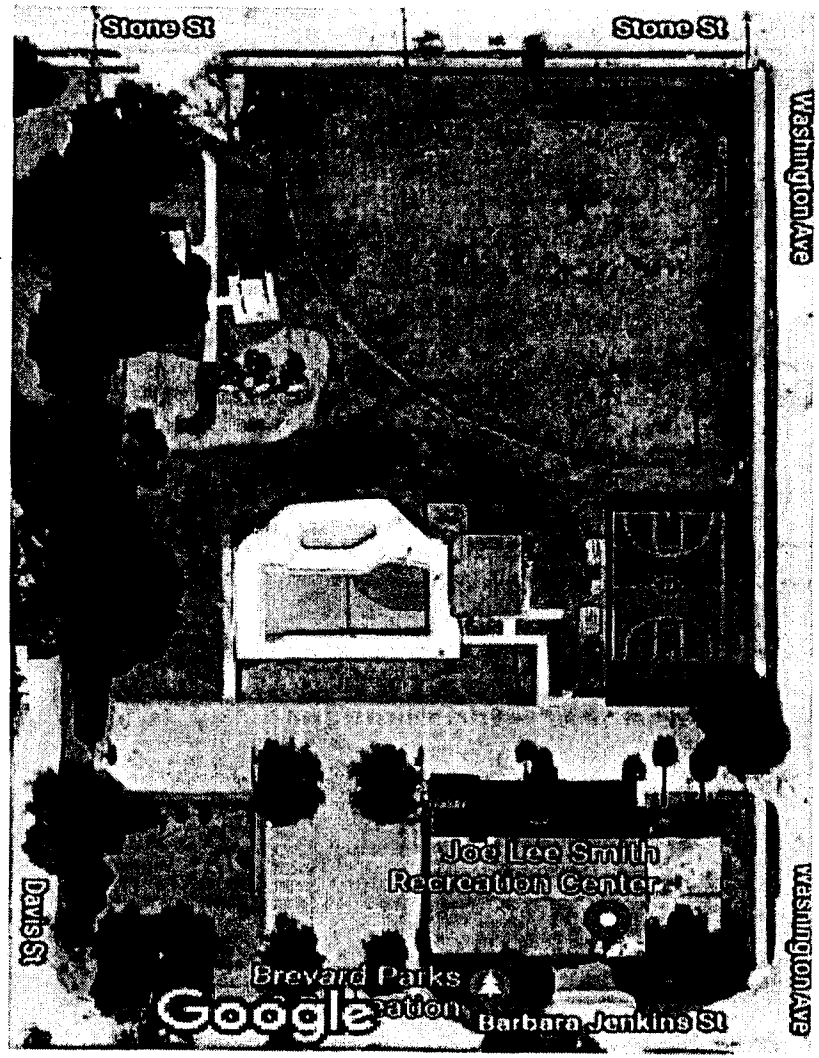
- The City intends to build a new community center with parking and retention areas on the northern parcel of this property where the current baseball field and playground are presently located.

Location Map



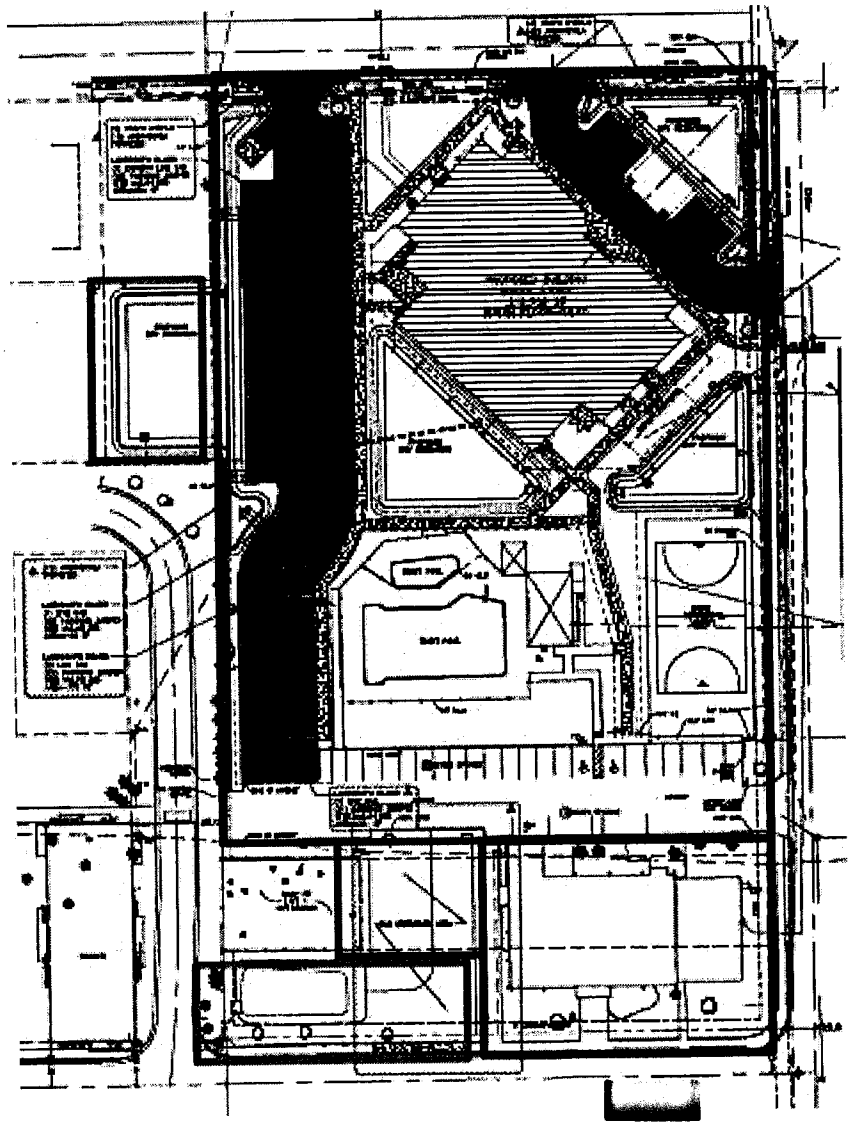
COCOA
FLORIDA

Existing Site



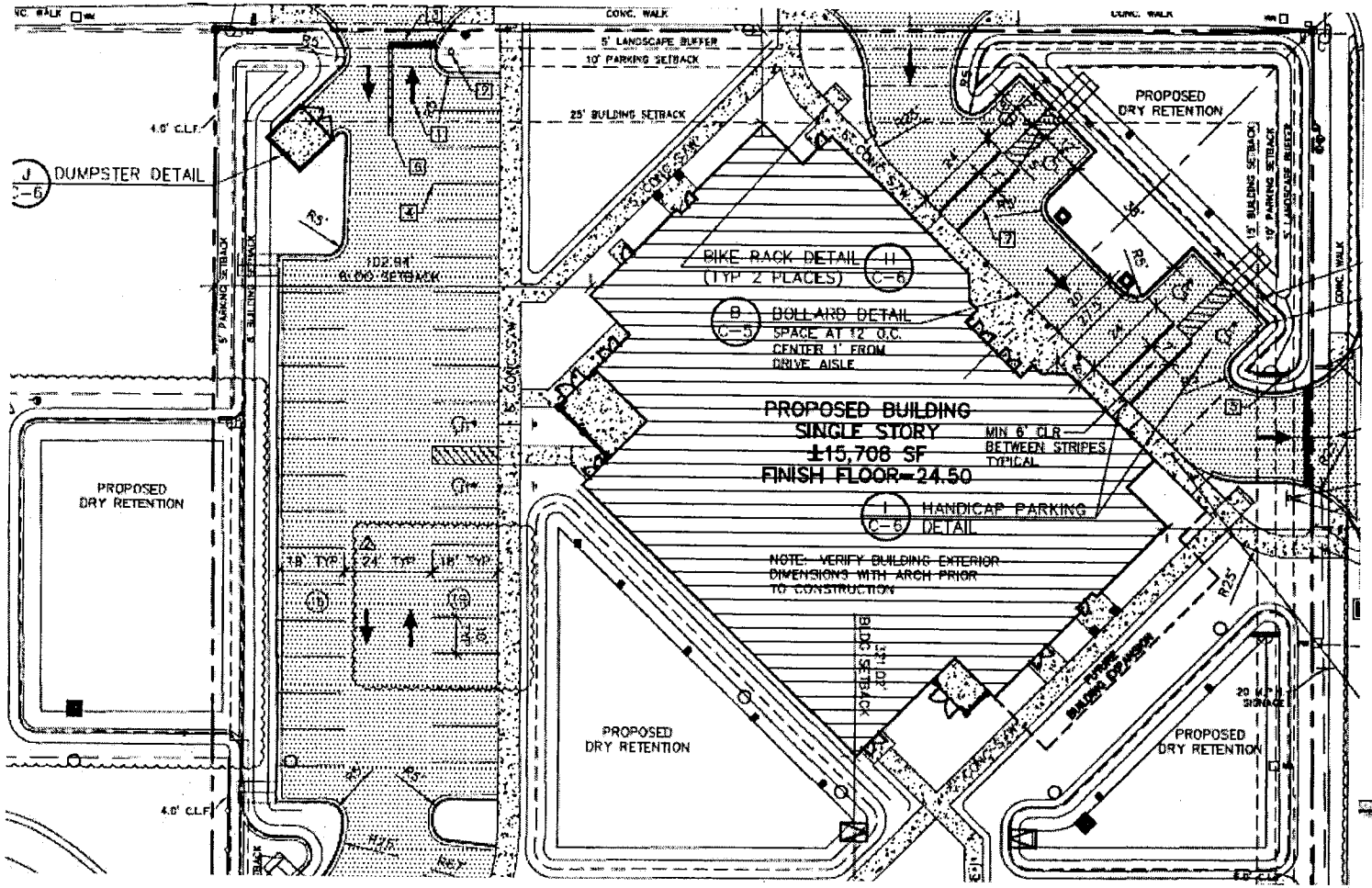
COCOA
FLORIDA

Site Plan Layout



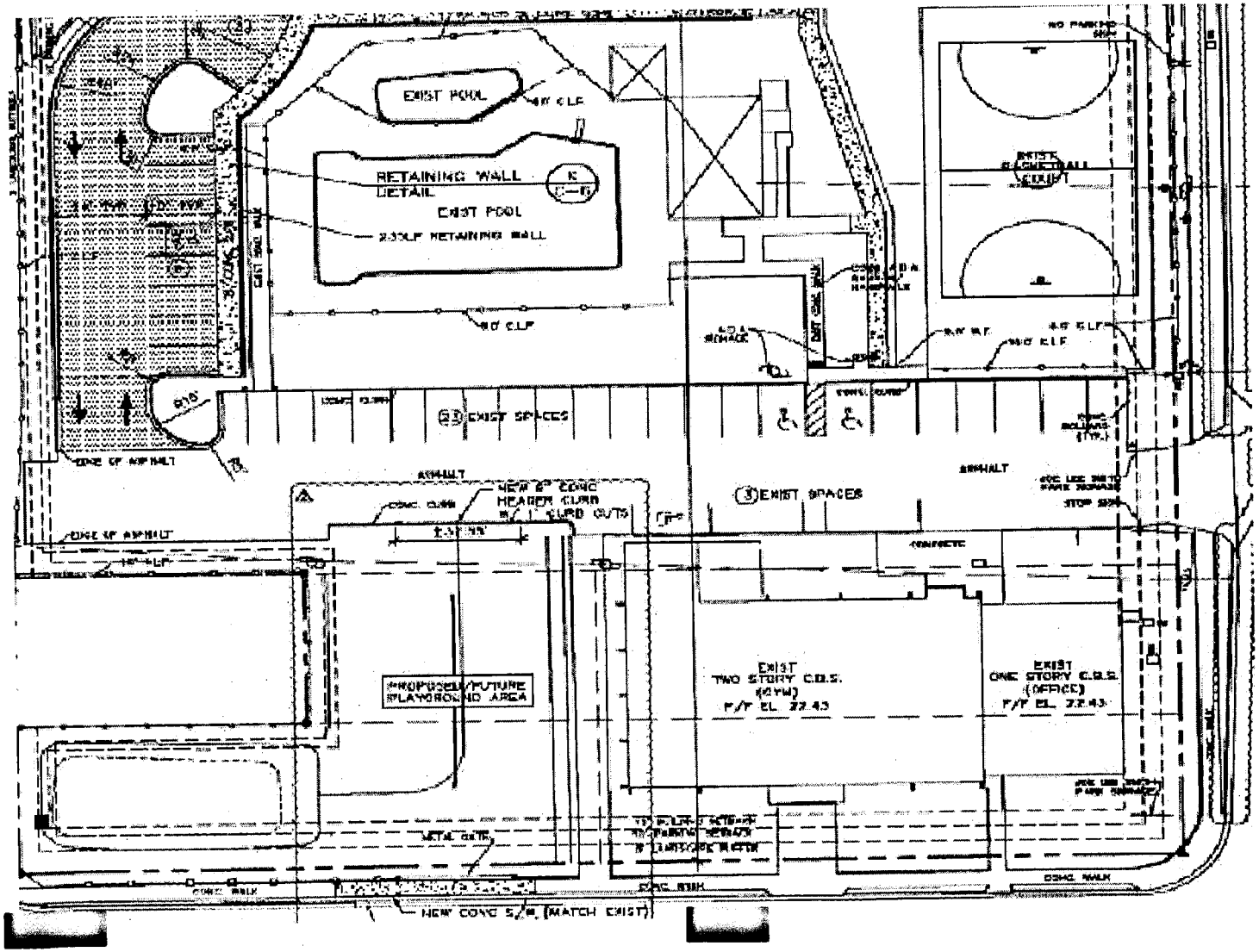
COCOA FLORIDA

Site Plan (north half)



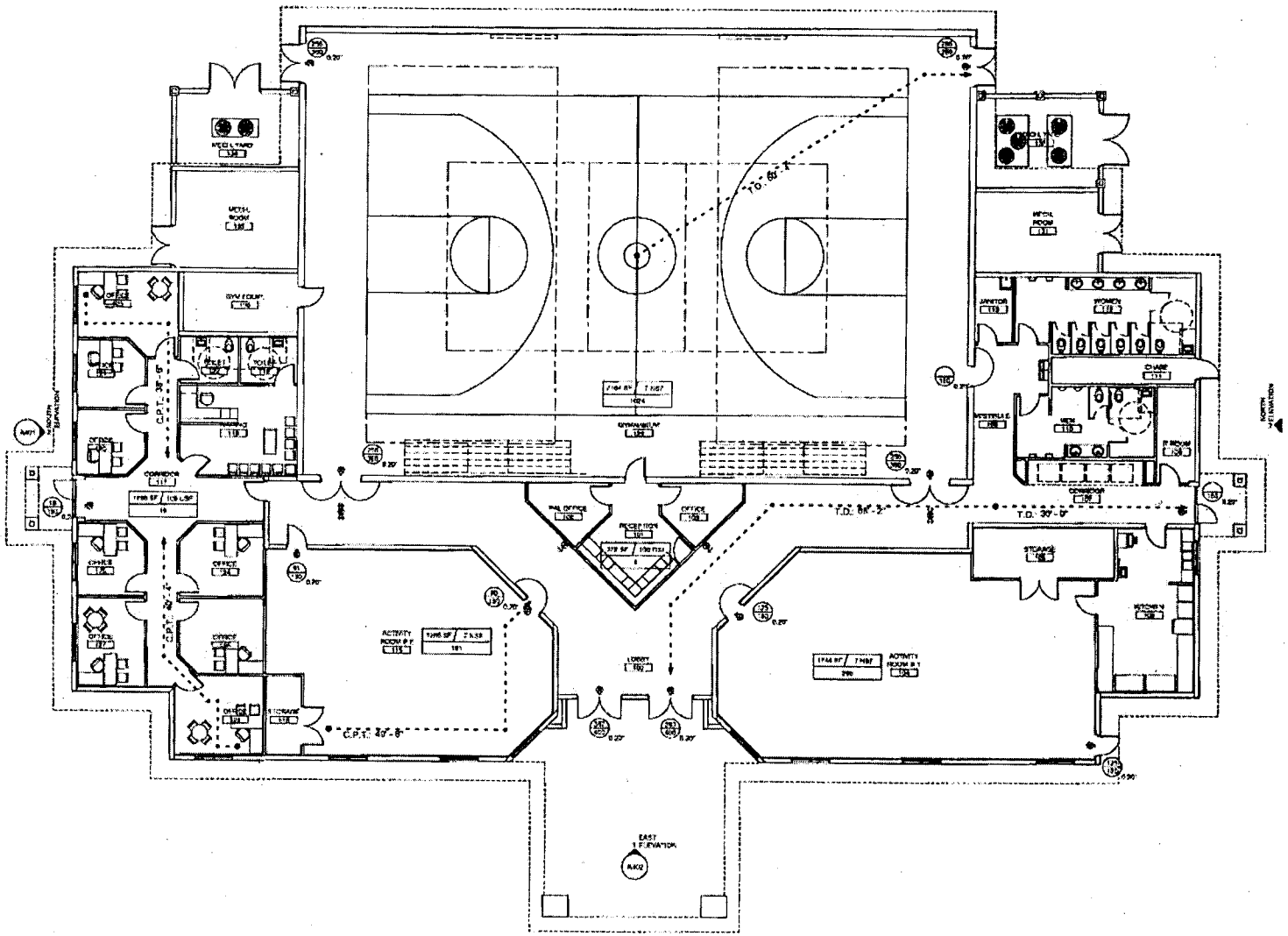
COCOA FLORIDA

Site Plan (south half)



COCOA FLORIDA

Building Interior Plan



COCOA
FLORIDA

Site Plan Analysis

Consistent with Appendix A, Article XIII, Section 1(D), "All site plans shall be required to meet all current applicable code requirements."

- City staff reviewed the site plan and determined that there were some criteria related to the City Code that have not been completely satisfied. None of the remaining issues (aside from parking) will substantially impact the overall design or layout of the site plan.

- Staff is recommending all outstanding inconsistencies with the City Code be satisfied as a condition of final site plan approval, with the exception of parking.

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- The site currently has a total of 47 parking spaces. The new site layout will remove 24 spaces but add back 49 for a net increase of 25 spaces. This will result in a new total of 75 parking spaces on the site.

- The inconsistency stems from how the number of parking spaces required for the site is calculated. Specifically the city code provides the following requirements:
  - For a community center – 1 space for every 300 sq.ft. of gross floor area (and 1 bicycle space for every 1,000 sq.ft. of gross floor area)
  - For a swimming pool – 1 space for every 40 sq.ft. of swimming pool surface area
  - For an outdoor basketball court – (none listed)

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- Adding the new building to the existing uses results in the following spaces required:

New community center bldg.	52
Existing community center bldg.	11
Swimming Pool	80
Total parking spaces required:	143

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- Staff believes that the number of parking spaces required of a swimming pool is perhaps not realistic and further that itemizing the uses to arrive at a cumulative total is not a practicable method of calculation in this case.

- Visitors to this site will likely not arrive to use only one facility before departing. It is more likely that a number of people who park and use an amenity such as the gym will then spend time at the pool or who attend an event in the community center may then spend time at the basketball court or playground.

- In addition, because this community center property is located in the midst of a residential neighborhood, there will be many users of the site facilities who arrive on foot or by bicycle.

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- The Institute of Transportation Engineers "Parking Generation" (3rd Edition) provides a parking standard for a "Recreational Community Center".

- Defined as a stand-alone public facility incorporating classrooms, meeting rooms, gyms, swimming pools, basketball and volleyball courts, exercise classes and a restaurant or snack bar.

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- The parking standard for this use is 3 spaces for every 1,000 sq.ft. of gross floor area.
- This results in a revised total required spaces of 85.
- This parking standard does not take into account the neighborhood location of this site.
- The studies used to arrive at this parking standard were for buildings over twice the size in square footage.
- It is therefore likely that the sites used in the studies were more auto dependent locations resulting in a higher generating standard than is appropriate in this case.

Site Plan Analysis

Consistency with the Code of the City of Cocoa

- It is therefore the recommendation of staff that the City Council approve a Waiver in conjunction with this site plan of the required parking spaces, from the 143 spaces required to the 75 spaces provided by this site plan as being both a more realistic reflection of the number of spaces needed as well as the greatest number of parking spaces possible on-site without eliminating other uses on the site.

Site Plan Analysis

Concurrency Management

This review indicates that there are adequate facilities available for the proposed use.

Consistency with Comprehensive Plan Policies and Objectives

HOUSING ELEMENT:

- Policy 3.3.2.4: The City shall continue to require that sites for affordable housing have access to the following facilities, services and/or activity centers:
    - Public parks, recreation areas, and/or open space systems

Site Plan Analysis

Consistency with Comprehensive Plan Policies and Objectives

RECREATION AND OPEN SPACE ELEMENT:

- Policy 10.1.1.8: The City will ensure that all recreational facilities are well maintained and redeveloped as needed.

- Objective 10.1.2: The City shall provide accessibility to the recreational facilities and natural resources of the City for the enjoyment of all users.

- Policy 10.1.2.2: All new development of recreational facilities in the City shall be required to meet the Florida Accessibility Code.

Recommendation

Previous Action:

The proposed Large-Scale Site Plan was heard at the May 1, 2019 Planning and Zoning Board meeting. The P&Z Board recommended approval with conditions and suggestions for consideration by the Council.

Recommended Motion:

Approval of the Large-Scale Site Plan for the Dr. Joe Lee Smith Community Center as depicted on Exhibit A, with the following conditions recommended by staff and consideration of the parking alternatives that follow as suggested by the Planning & Zoning Board:

1. Planning: Please change the reference from "Small Scale Site Plan" to "Large Scale Site Plan"

Recommendation

2. Public Works – Grounds:

- Add a note: All landscape plants and trees to receive reclaimed drip irrigation. Turf and sod will not be irrigated.
- Remove note about well-based irrigation. Provide for connection to reclaimed water. Most likely located along Stone Street.
- Add a note: Install Irrigation Controller on outside of building.
- Replace Indian Hawthorne with Parsons' Juniper.
- Replace Viburnum with Arboricola Trinnetes.
- Replace Red Mulch with Natural Wood Mulch.
- Re-size oak trees from 30 gallons to 45 gallons
- Re-size crape myrtle trees from 15 gallons to 30 gallons. Specify Standard Crape Myrtles, not multi-trunks.

Recommendation

Parking Alternatives:

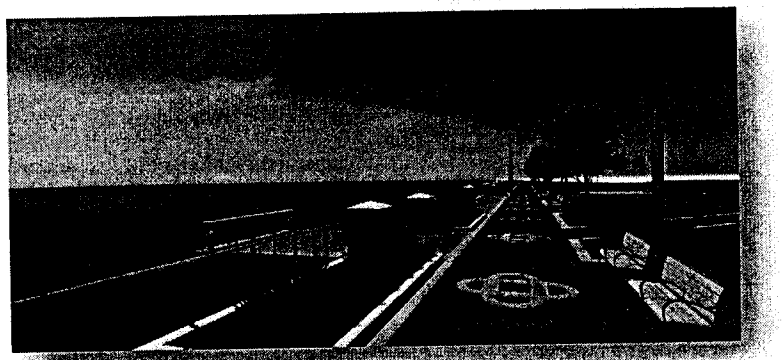
- Removing facilities, i.e. the outdoor basketball court
- Altering traffic flow on Barbara Jenkins and Stone Streets or potentially Washington Avenue in order to provide on-street parking
- Acquiring the adjacent vacant lots

City of Cocoa

Presentation to City Council

Final Concept Waterfront Promenade







May 22, 2019

INFRASTRUCTURE SOLUTION SERVICES TEAM

EXHIBIT D: Waterfront Promenade
Concept Presentation

Work since last meeting

- At the April 24, 2019 meeting, Council considered the Final Concept for the reconstructed Promenade at Riverfront Park

- Following discussion and public comment, Council requested that we prepare a concept plan for the Promenade with a knee wall in place of the stainless steel cable-railing

- Following that meeting, several members of the public contacted City staff offering further comment and recommendations for consideration. To assist the Council in considering these comments and making decisions about the Promenade concepts, we also:

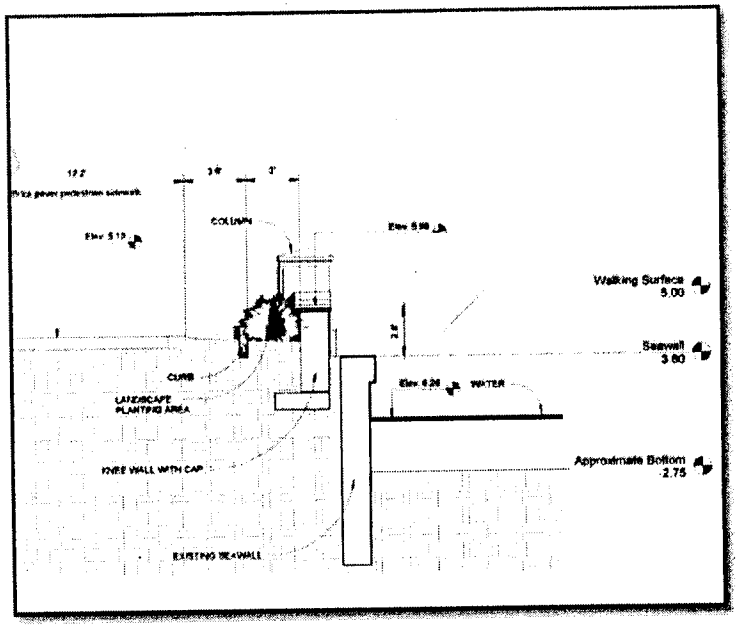
  - prepared a concept with cast stone balustrades in place of the stainless steel cable-railing

  - prepared a memo addressing the main themes in the additional public comment:
    - ✓ Sign wall
    - ✓ Riprap in front of the sea wall
    - ✓ Arc shaped overlook in place of the two square overlooks
    - ✓ Reflecting design cues from the park
    - ✓ Comments regarding plantings & window views through the park

Promenade – Knee Wall Concept & Design Consideration

Knee Wall Concept:

Construction of an 18" high concrete wall along water's edge in place of 42" high stainless steel cable-railing



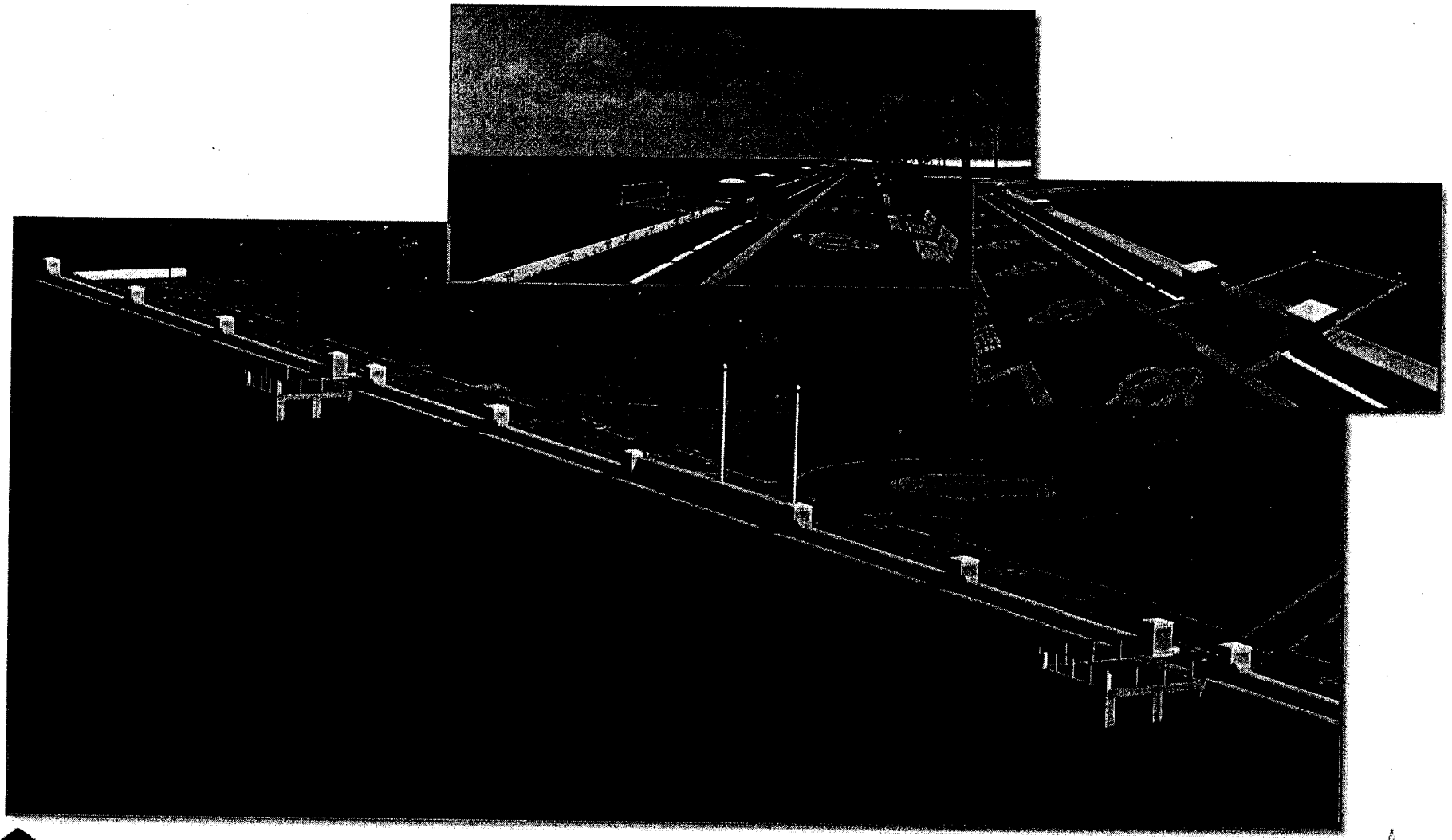
Key Design Issue:

- ✓ The *Florida Building* Code (FBC 2017 6th Ed. Section 1015.2) requires a guard (railing) with a height of 42" along the open-sided walking surfaces when they are within 36" from a vertical drop of more than 30."

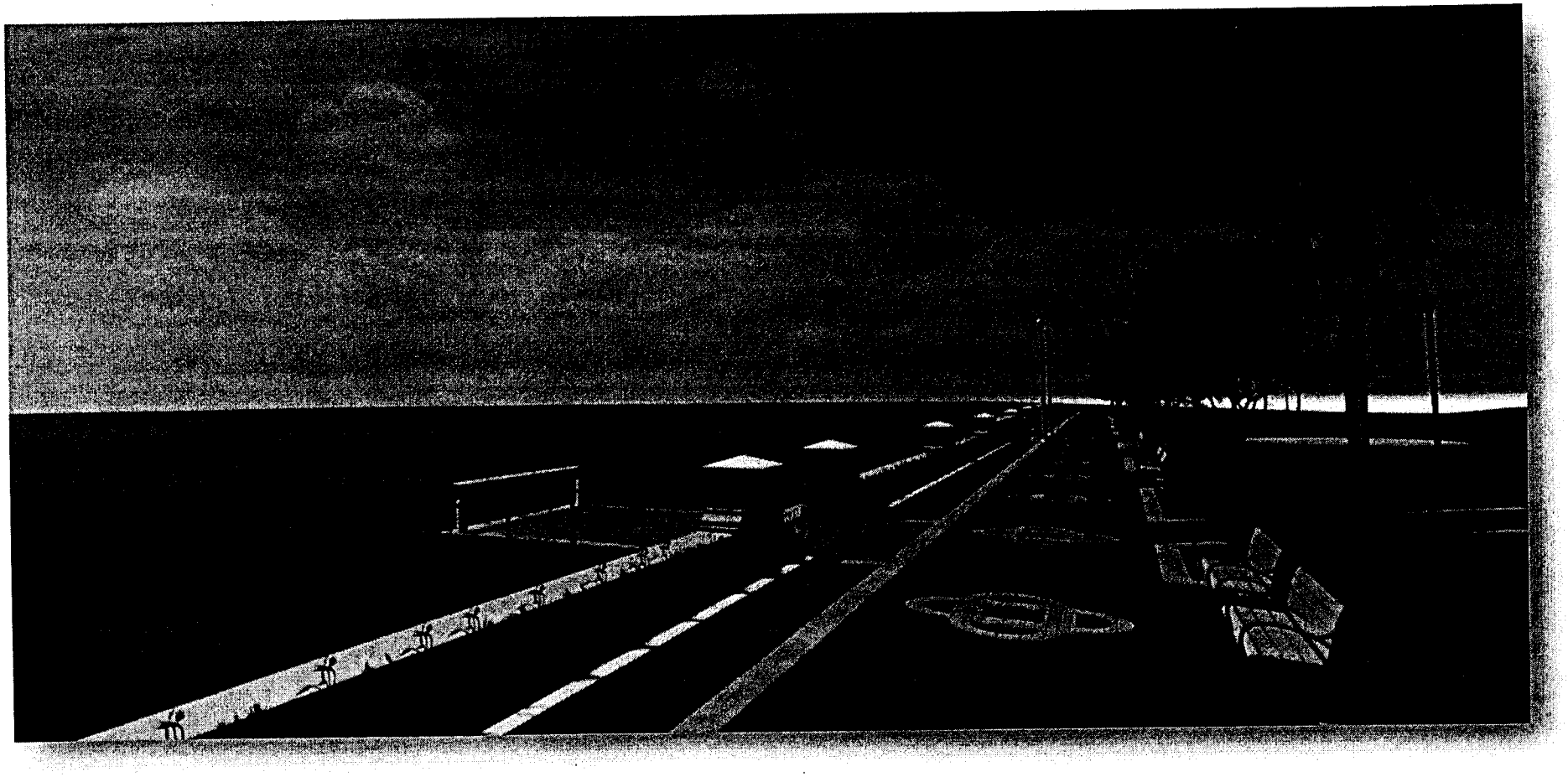
- ✓ We reviewed the issue with Val Perez, the City of Cocoa Building Official and he indicated a 42" guard (railing) is required if a walking surface is located within 36" of the edge.

- ✓ To satisfy Building Code requirements, the knee wall concept includes a 36" wide landscape strip to provide separation from walking surfaces

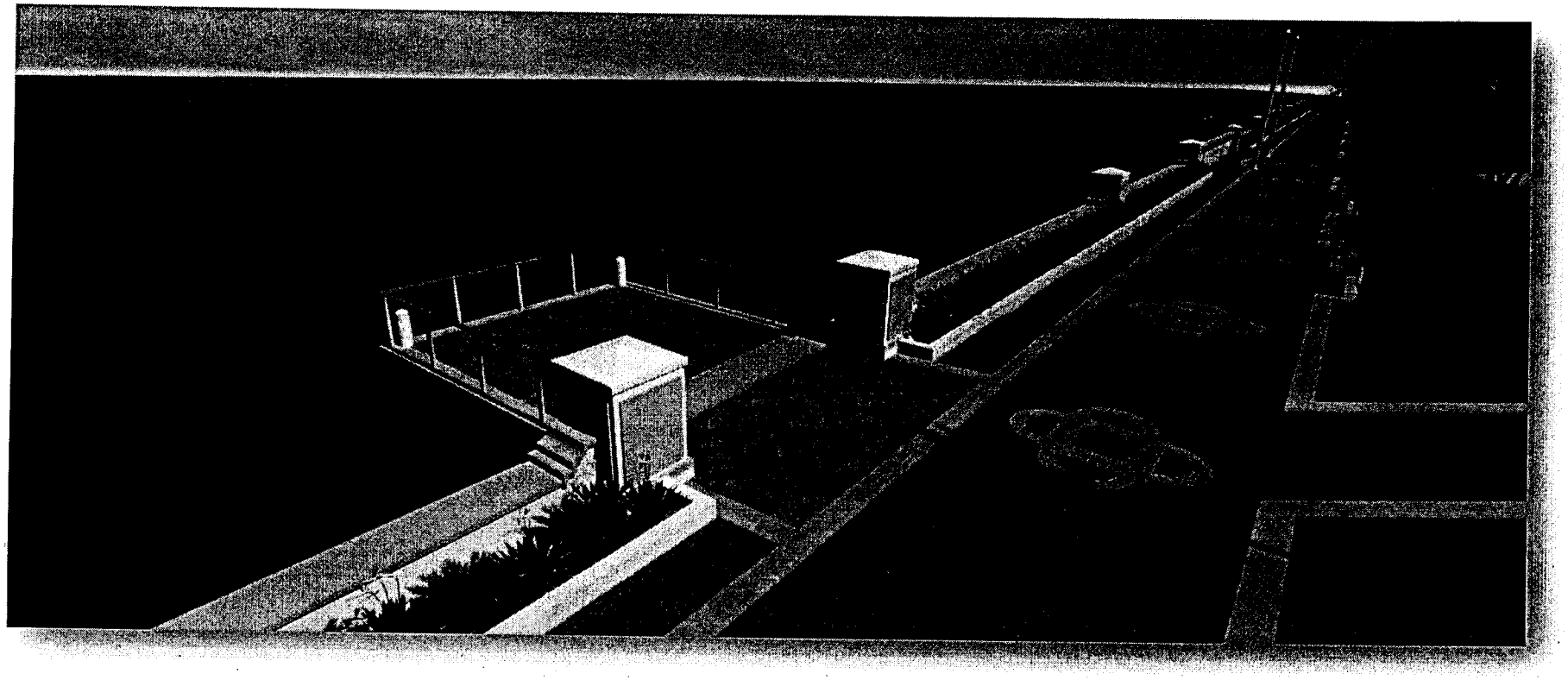
Promenade – Knee Wall



Promenade – Knee Wall



Promenade – Knee Wall



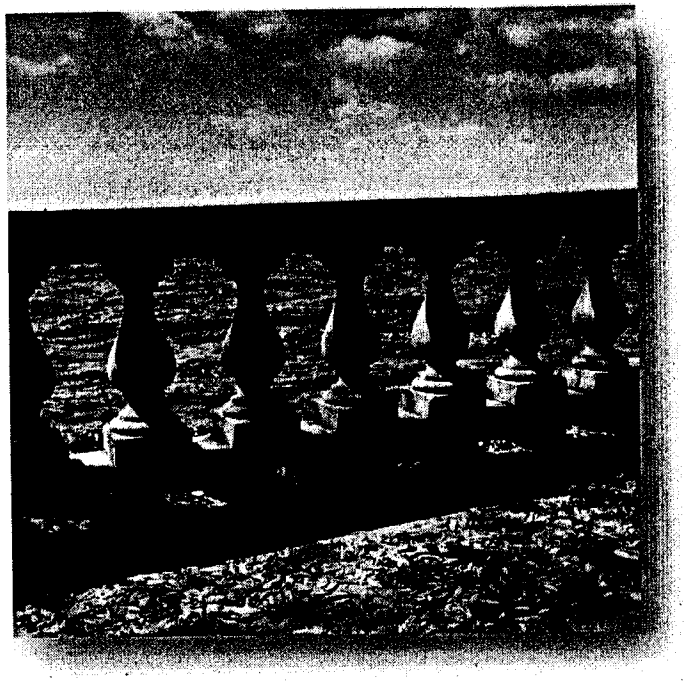
Promenade – Cast Stone Balustrade Concept

Cast Stone Balustrade Concept:

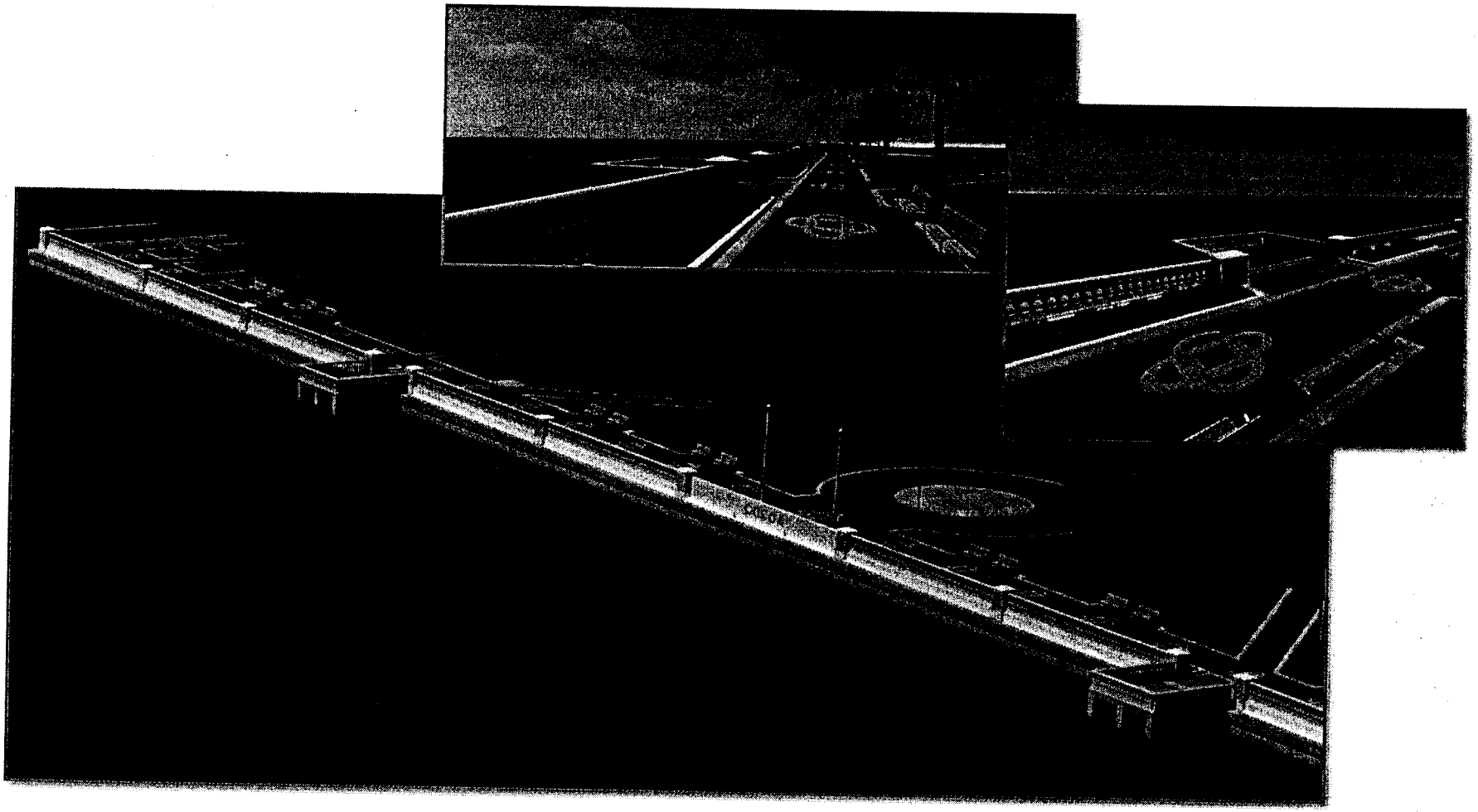
Construction of a 42" cast stone balustrade railing in place of the 42" high stainless steel cable-railing

Key Design Issue:

- ✓ The balustrade concept is similar in overall layout to the stainless steel cable-railing option
- ✓ To meet *Florida Building Code* requirements the balustrades must be shaped and spaced close enough that a 4" sphere cannot pass through
- ✓ A prominent example of a balustrade railing referenced in the comments received is Historic Memorial Park in Jacksonville (photo)



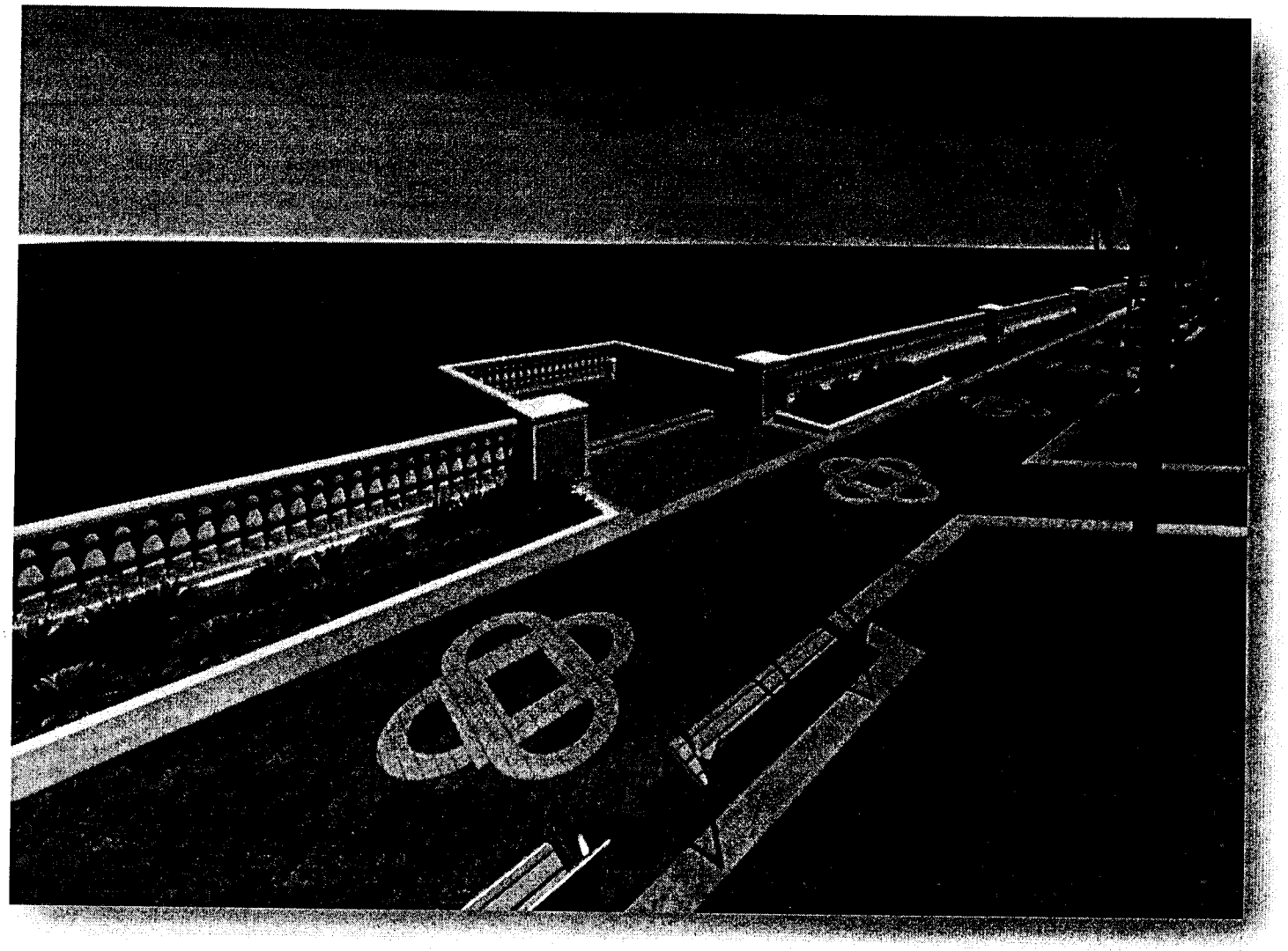
Promenade – Cast Stone Balustrades



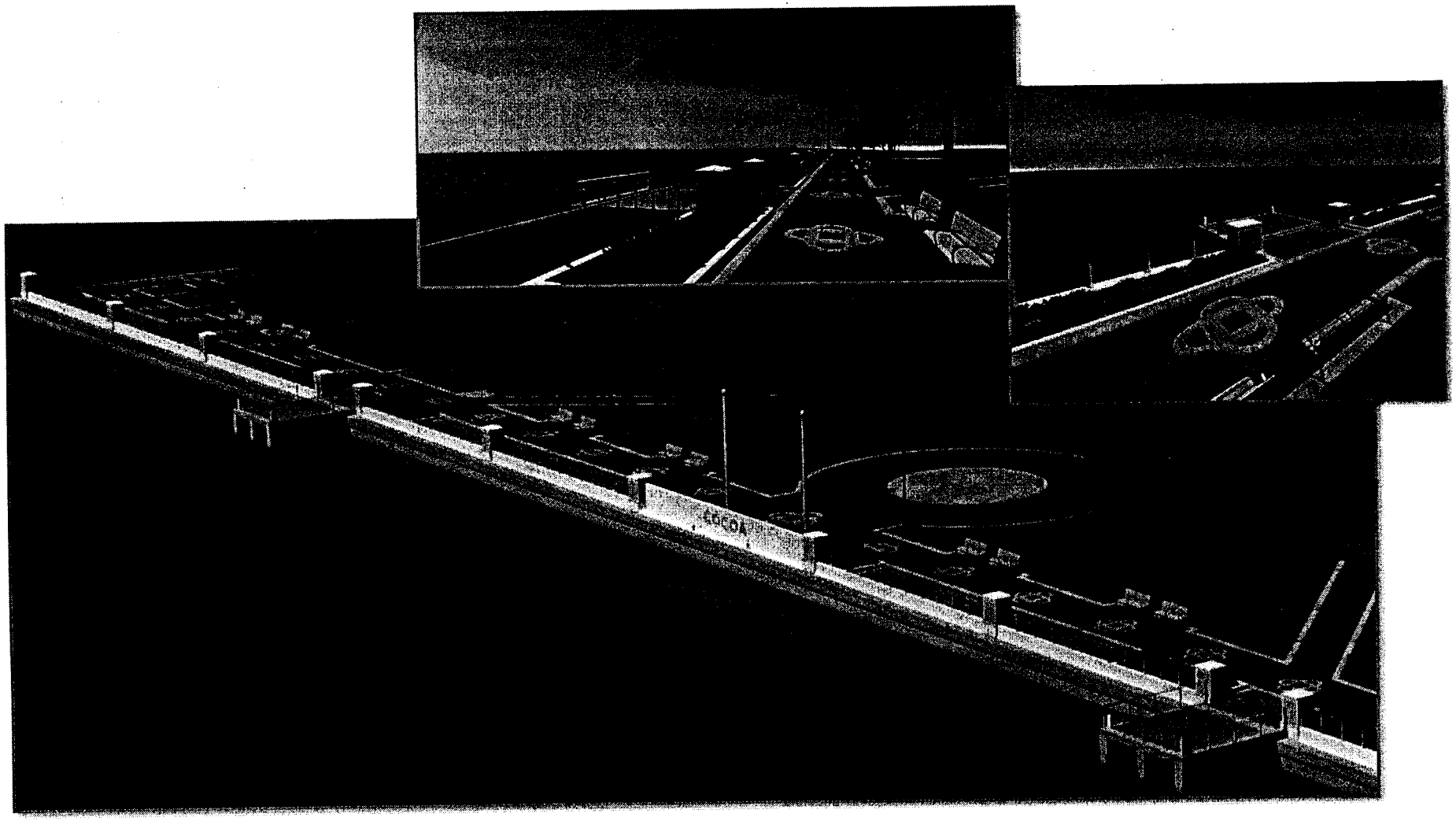
Promenade – Cast Stone Balustrades



Promenade – Cast Stone Balustrades



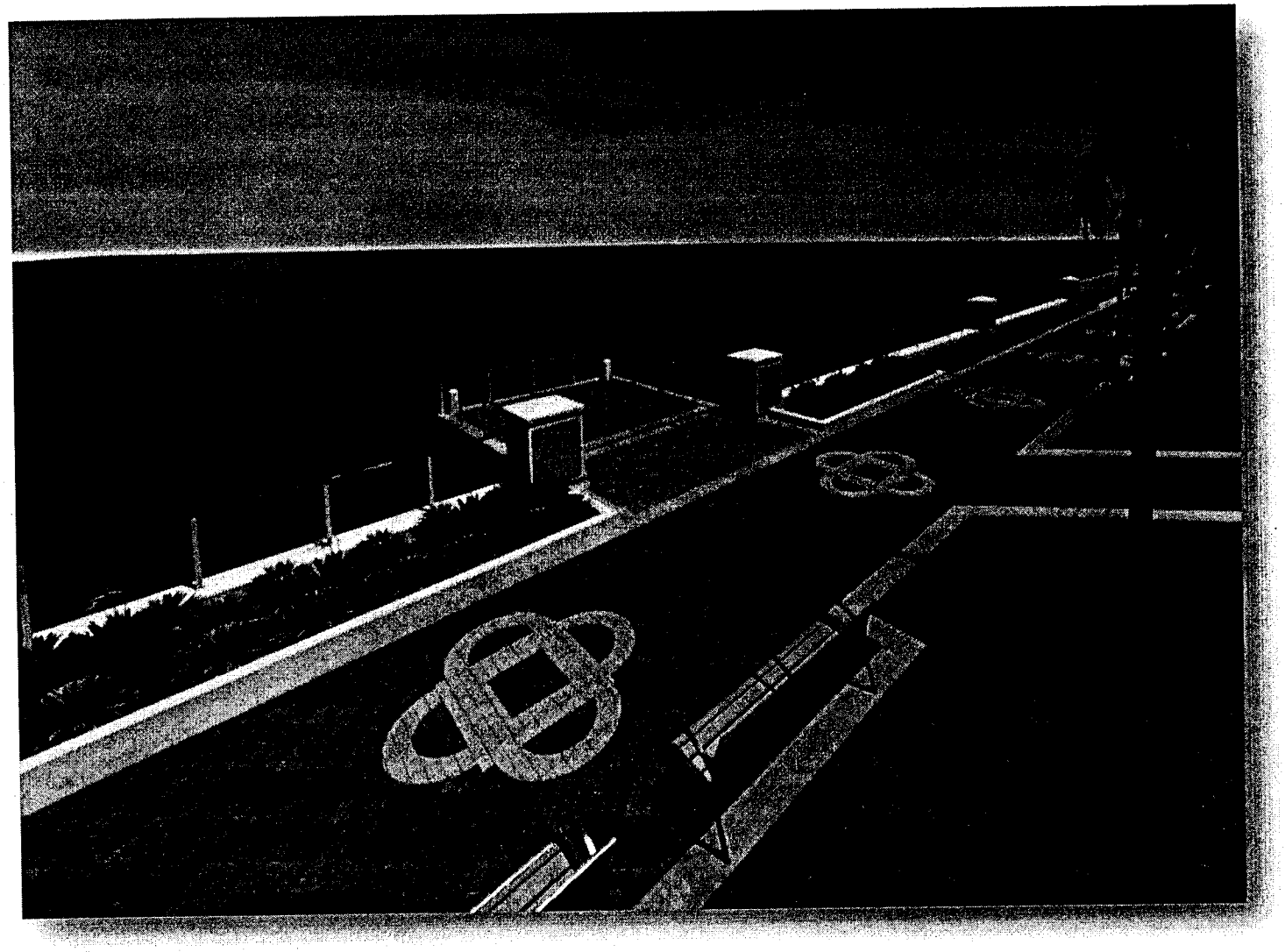
Promenade – Stainless Steel Cable-Railing



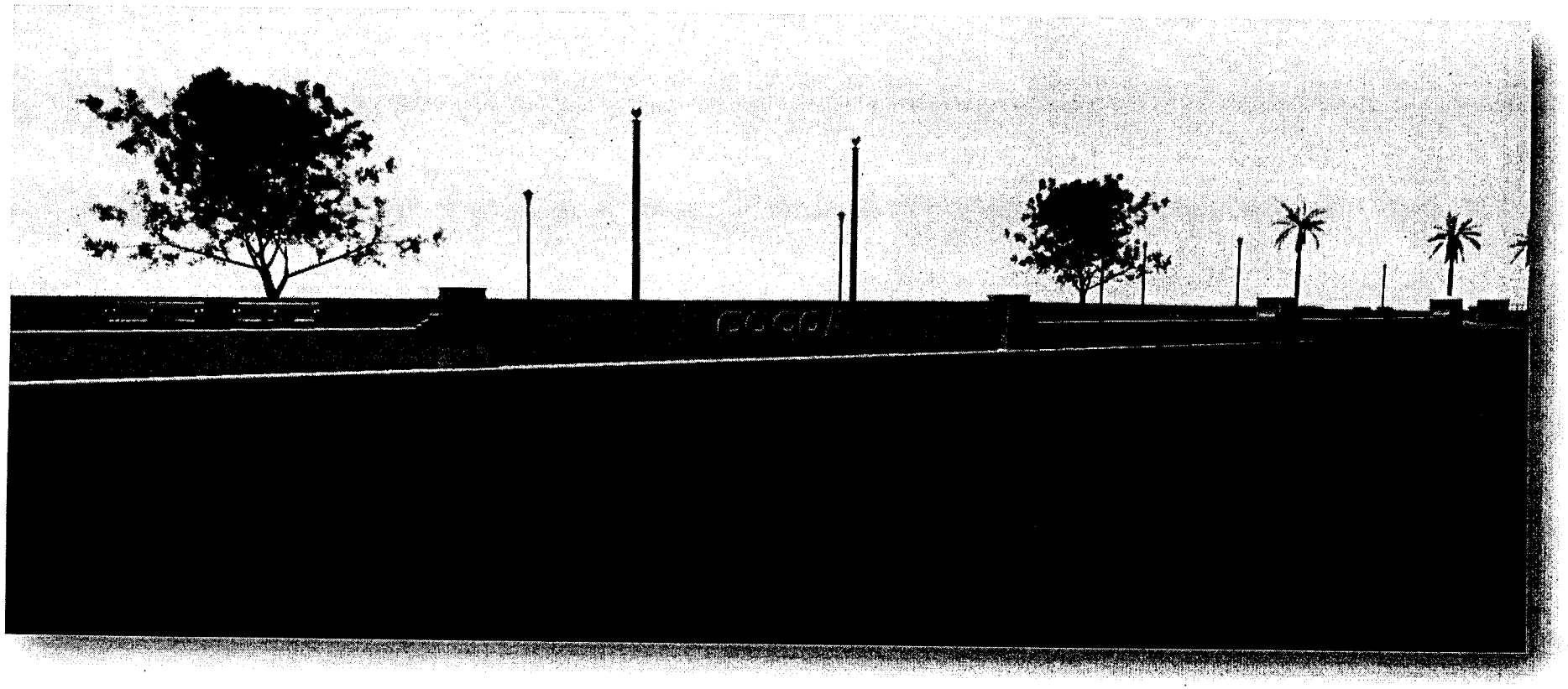
Promenade – Stainless Steel Cable-Railing



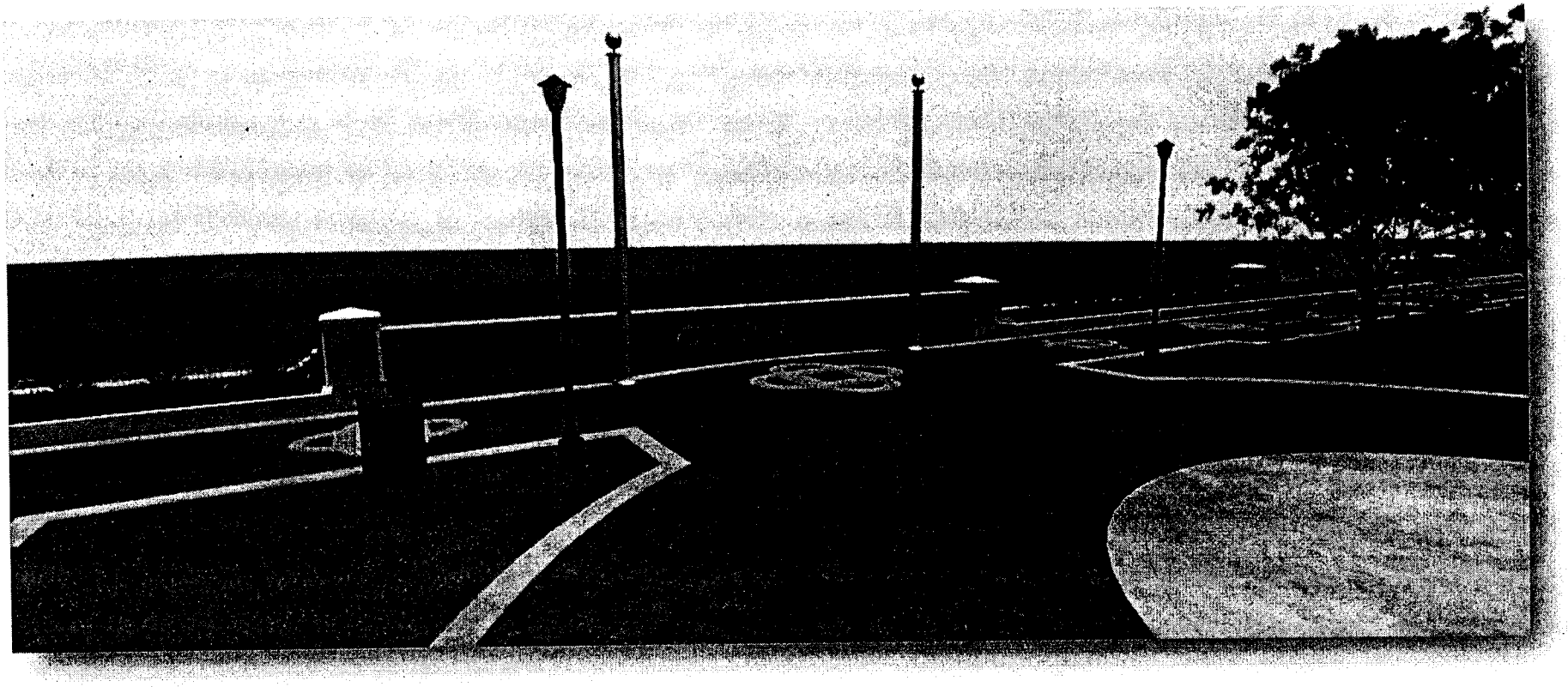
Promenade – Stainless Steel Cable-Railing



Promenade – Sign Wall



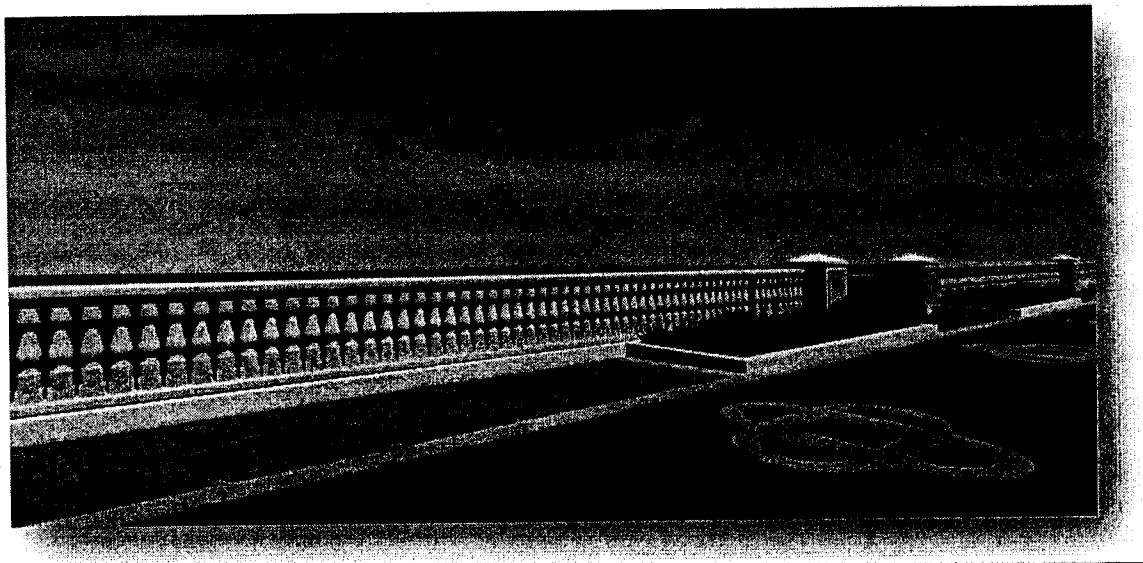
Promenade – Sign Wall

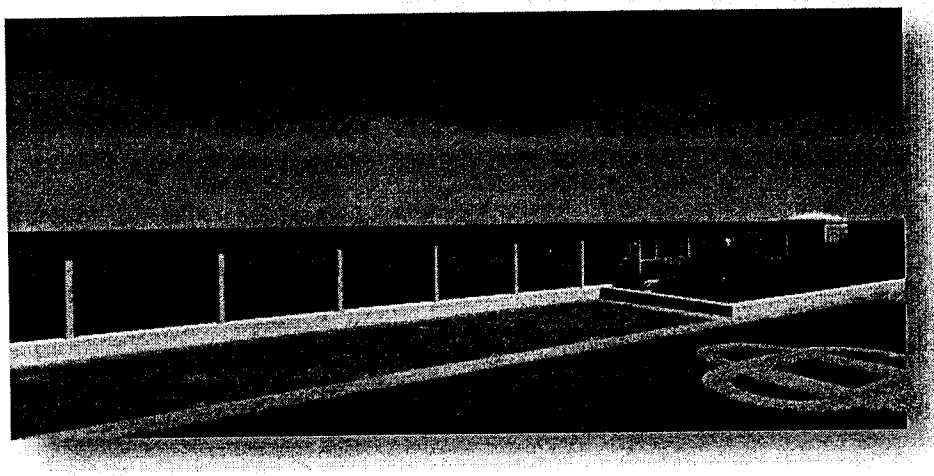


Promenade – Comparison of Options



Promenade – Comparison of Options







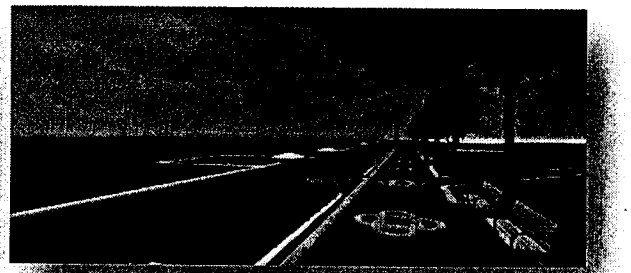
Promenade – Conceptual Construction Cost Estimates

Construction Cost Estimates for Each Concept:

Concept	Estimated Construction Cost	Maintenance Compared to Previous Wood Dock
Stainless Steel Cable-Railing	$ 849,940	More maintenance (beds)
Knee Wall	$ 950,060	Highest maintenance (beds, painting)
Cast Stone Balustrade Railing	$ 889, 780	More maintenance (beds)







Additional Public Comments & Recommendations

- Several members of the public contacted City staff offering further comment and recommendations for consideration.

  - Riprap in front of the sea wall
    - ✓ Can be done at any time.
    - ✓ Requires fill permit (SJRWMD & USACOE)
    - ✓ Other design considerations (distance to water, litter, etc)

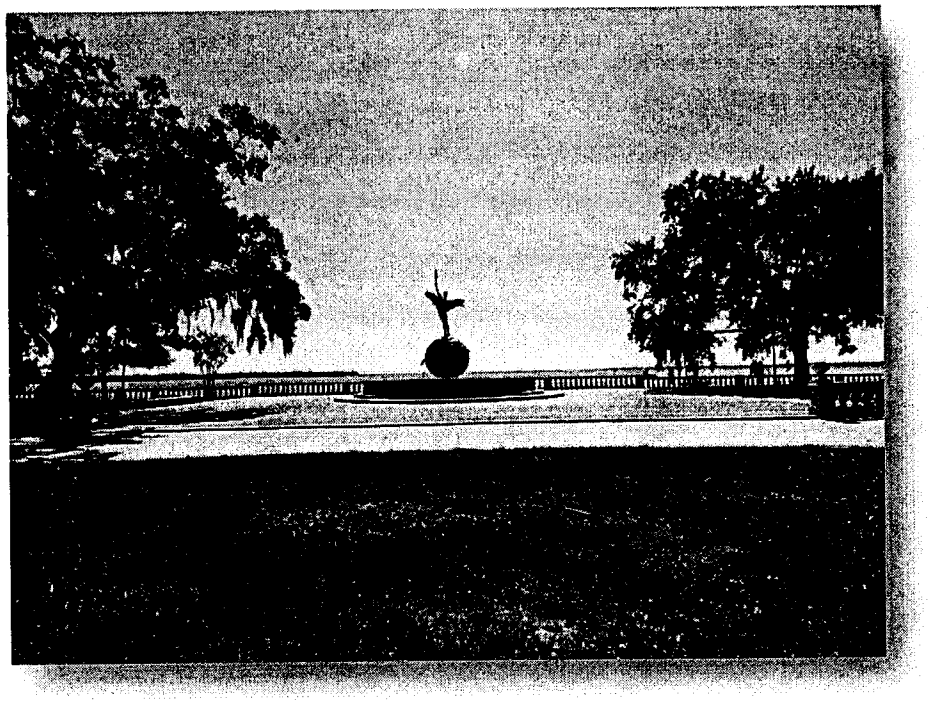
  - Arc shaped overlook in place of the two square overlooks
    - ✓ Requires more permitting (footprint changes from existing)
    - ✓ Potential impact to FEMA reimbursement

  - Comments regarding plantings & window views through the park
    - ✓ Concepts seek to determine extent & location of plantings between existing paver area and new wall/railings
    - ✓ Shade trees can be done at anytime and, if desired, recommend be placed on west side of existing paver areas and outside limits of this project

Comments & Questions

Thank you for the opportunity to serve the City of Cocoa!

Window Views

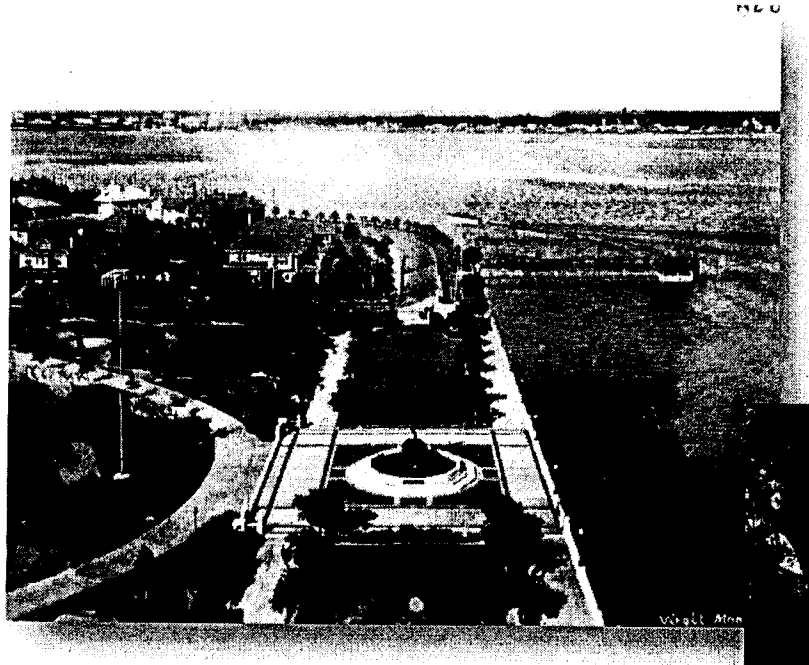


Historic Memorial Park - Jacksonville



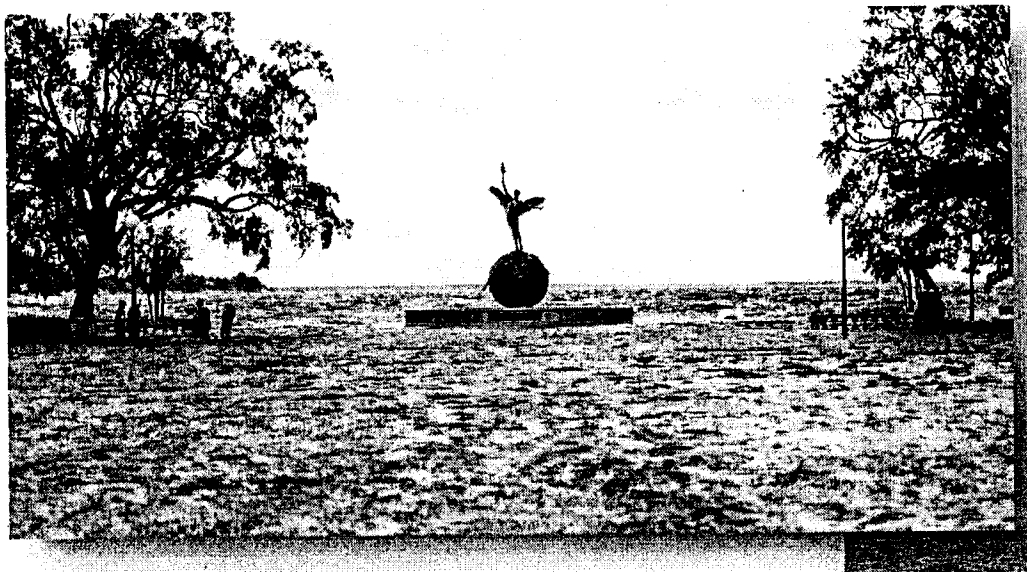
Riverfront Park - Cocoa

Historic Memorial Park - Jacksonville



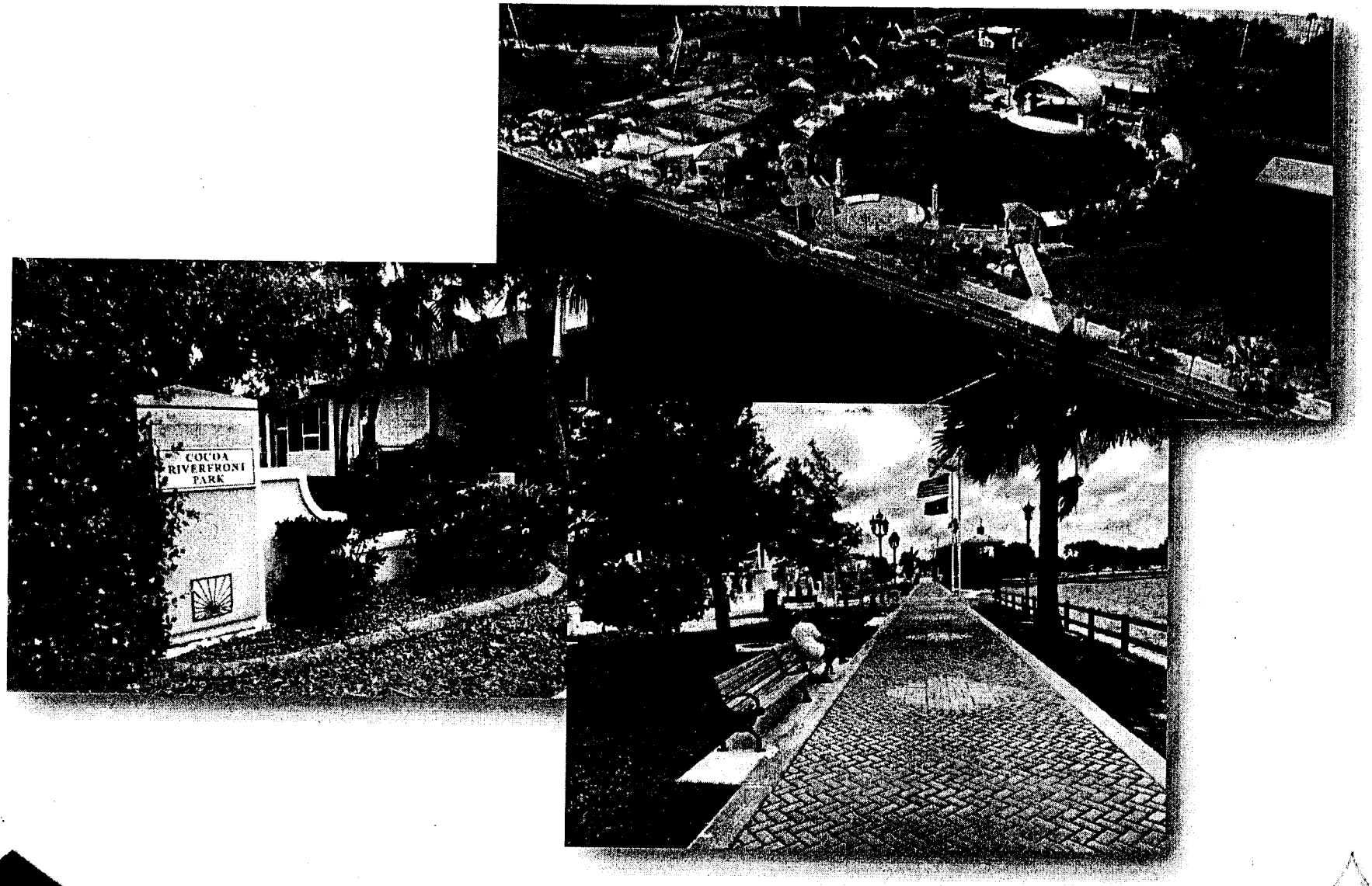


Historic Memorial Park – Jacksonville Hurricane Irma Damage

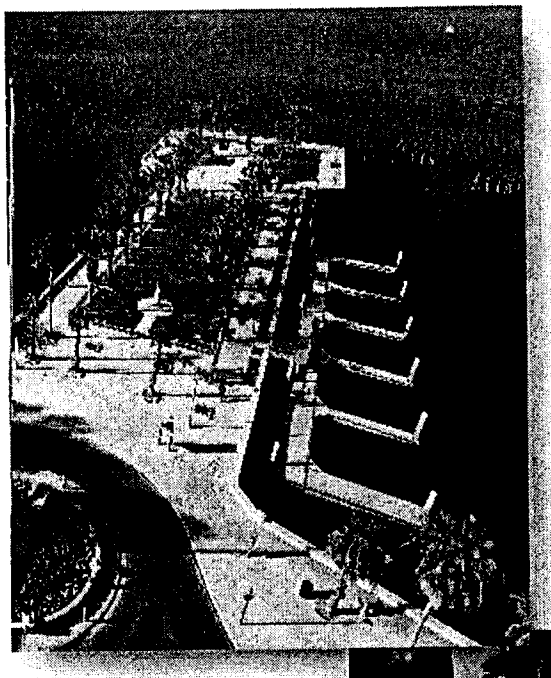




Riverfront Park - Cocoa



Riverwalk - Sanford











Tree Removal Permit

2656 N. Indian River Drive

May 22, 2019

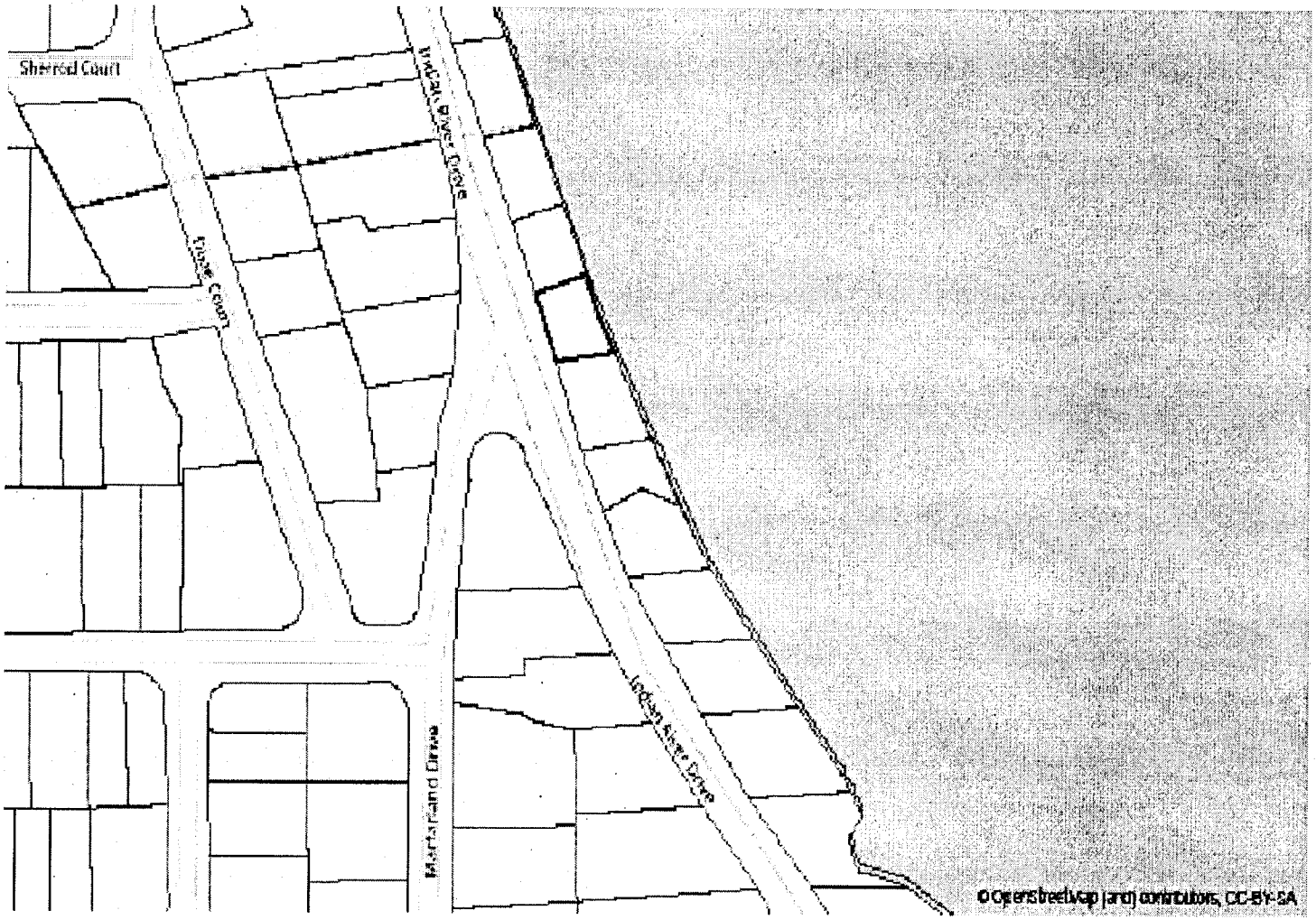
EXHIBIT F Tree Removal Permit for 2656 N. Indian River Drive

Project Summary

- The applicant is requesting approval to remove an oak tree located in the right-of-way in front of his property at 2656 N. Indian River Drive.

- Mr. Sheive initially contacted the City's Public Works Dept. about the tree in November 2018. He stated that the tree had a dead limb hanging over the road and feared that it would fall and hurt someone. At that time Public Works removed the dead limb overhanging the roadway but did not remove the entire tree.

Location



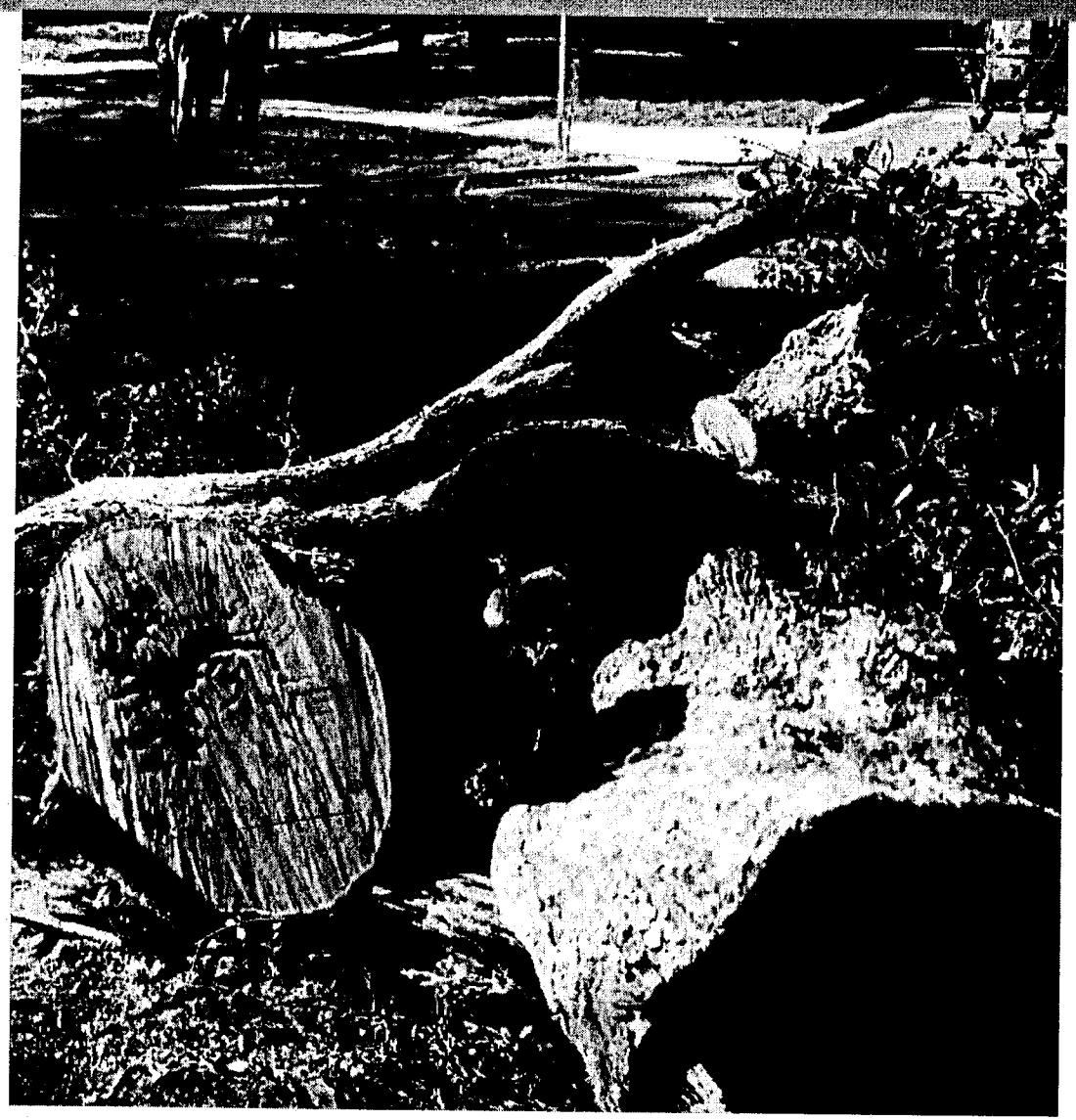
COCOA
FLORIDA

Project Summary



COCOA
FLORIDA

Project Summary



COCOA
FLORIDA

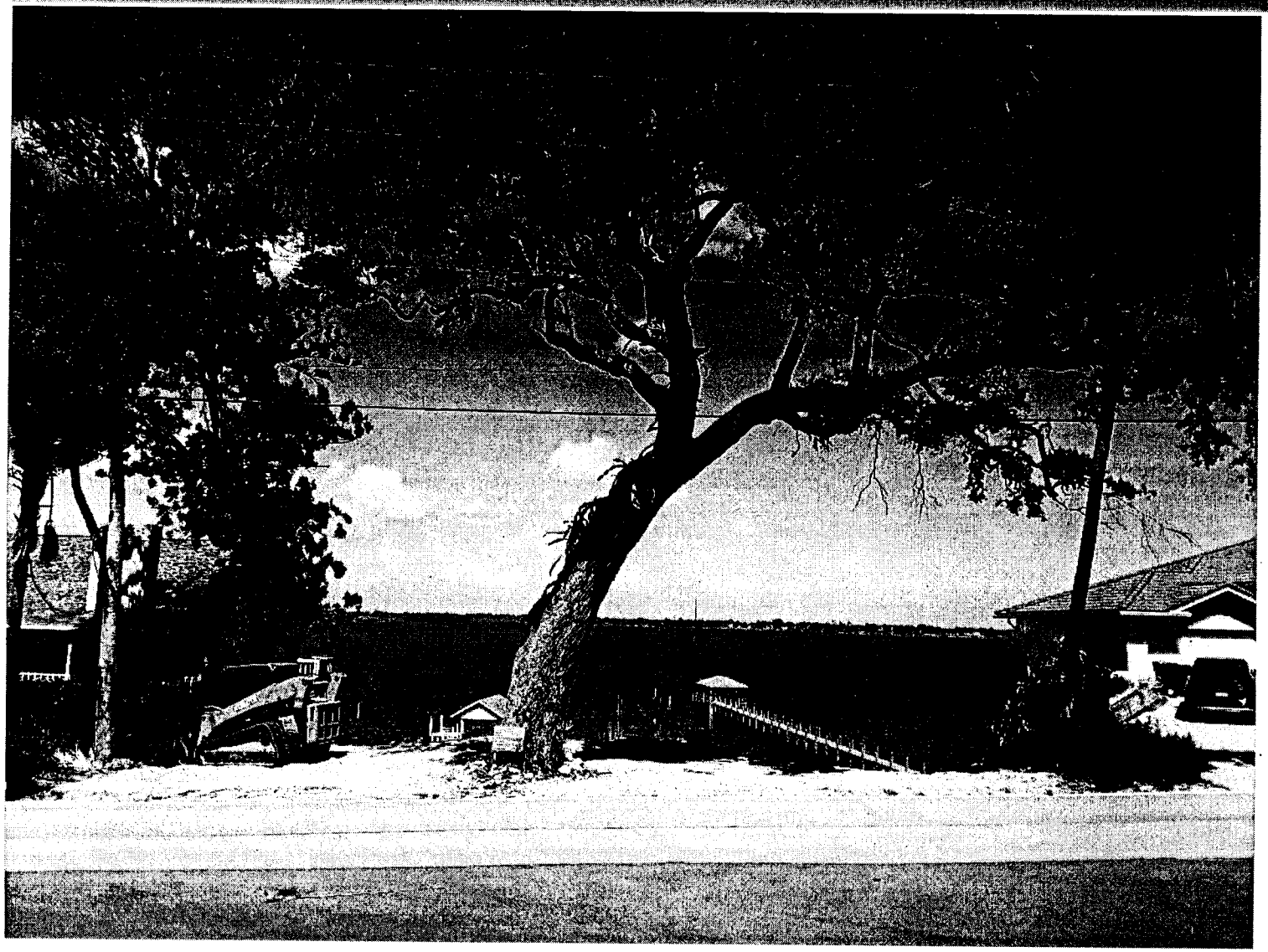
Project Summary

- In January 2019 Mr. Sheive submitted an application for the removal of the tree citing further ill health of the tree beyond the limb removed.

- In February he emailed staff that a wind storm had brought down some limbs.

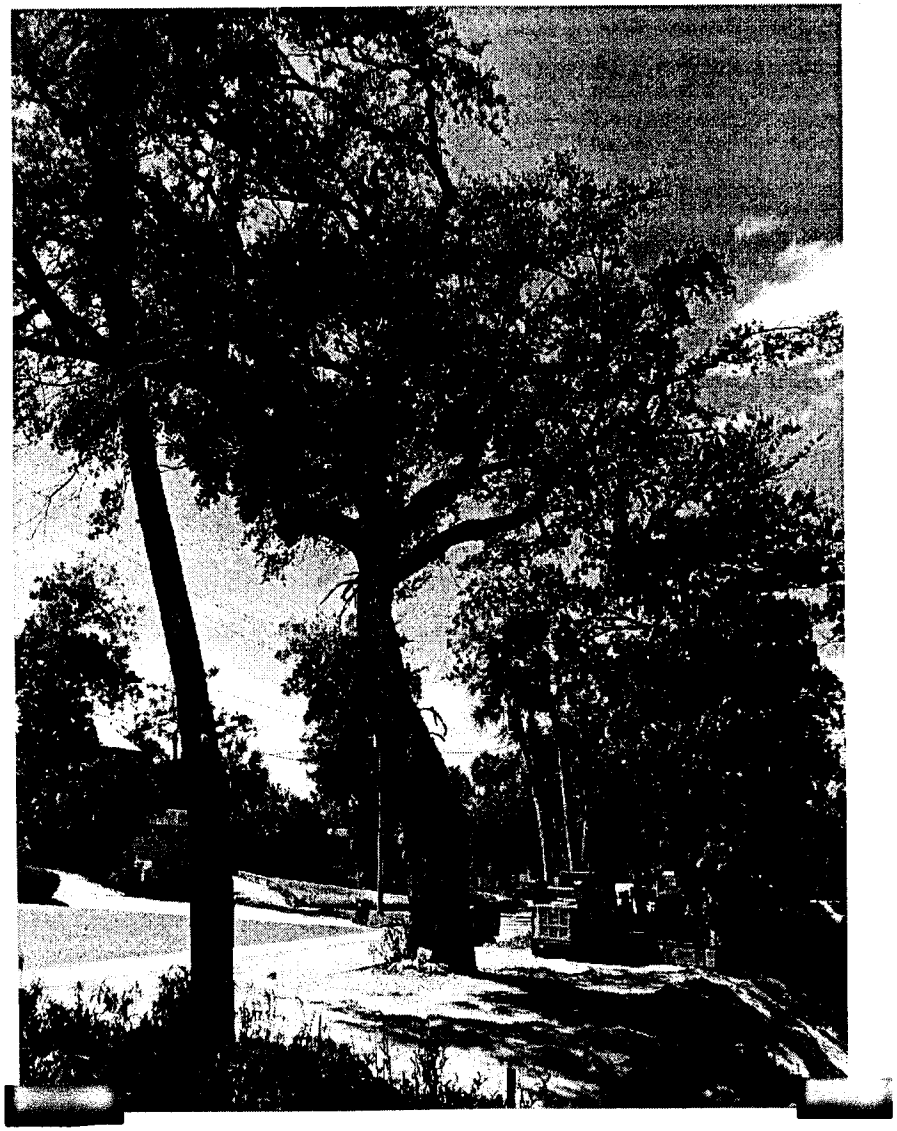
- Public Works staff have stated that the tree appeared healthy but they have no objection to Mr. Sheive removing the tree provided it was at his expense. Mr. Sheive has stated that he is willing to pay for the removal of the tree.

Project Summary



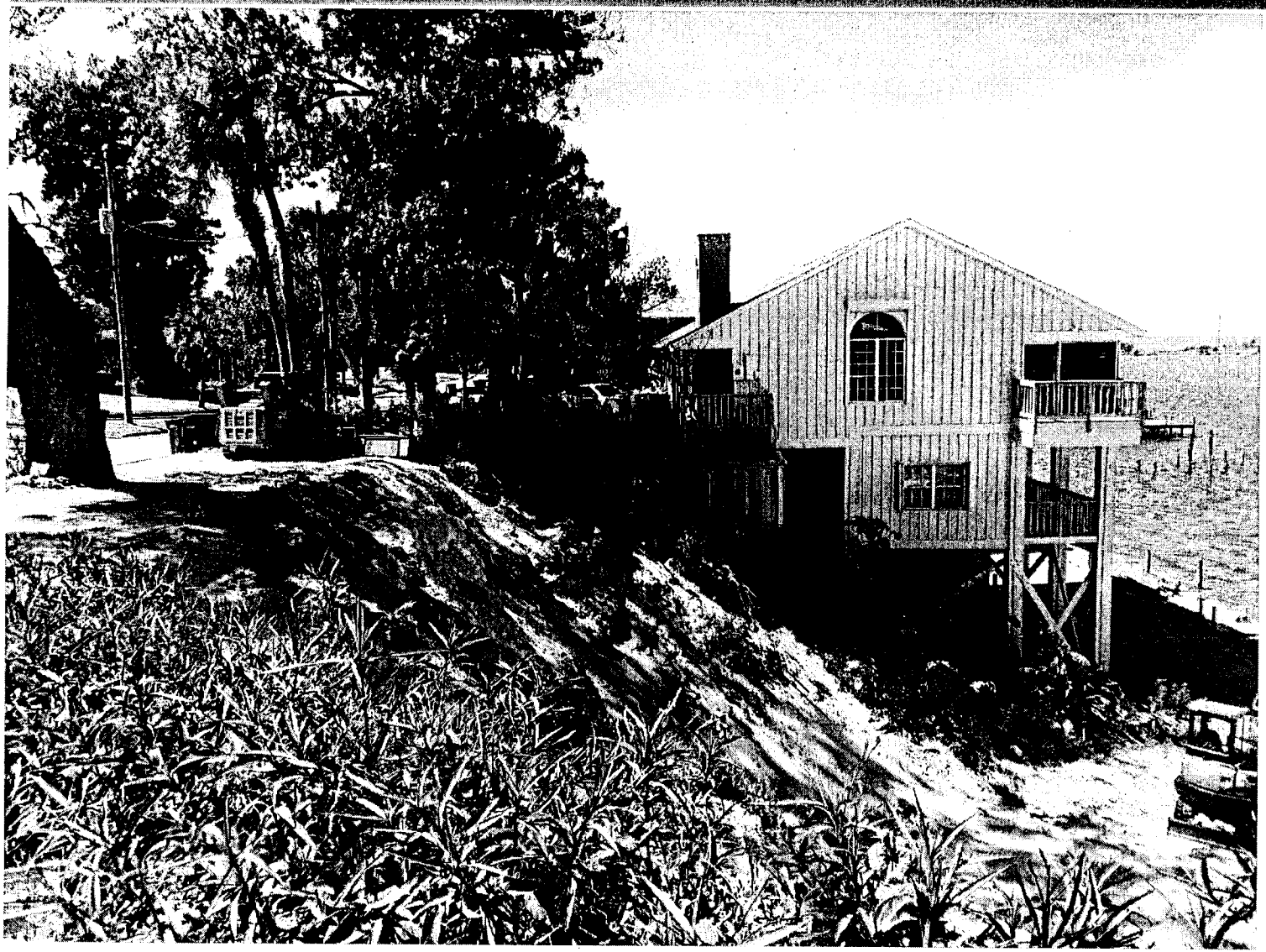
COCOA
FLORIDA

Project Summary



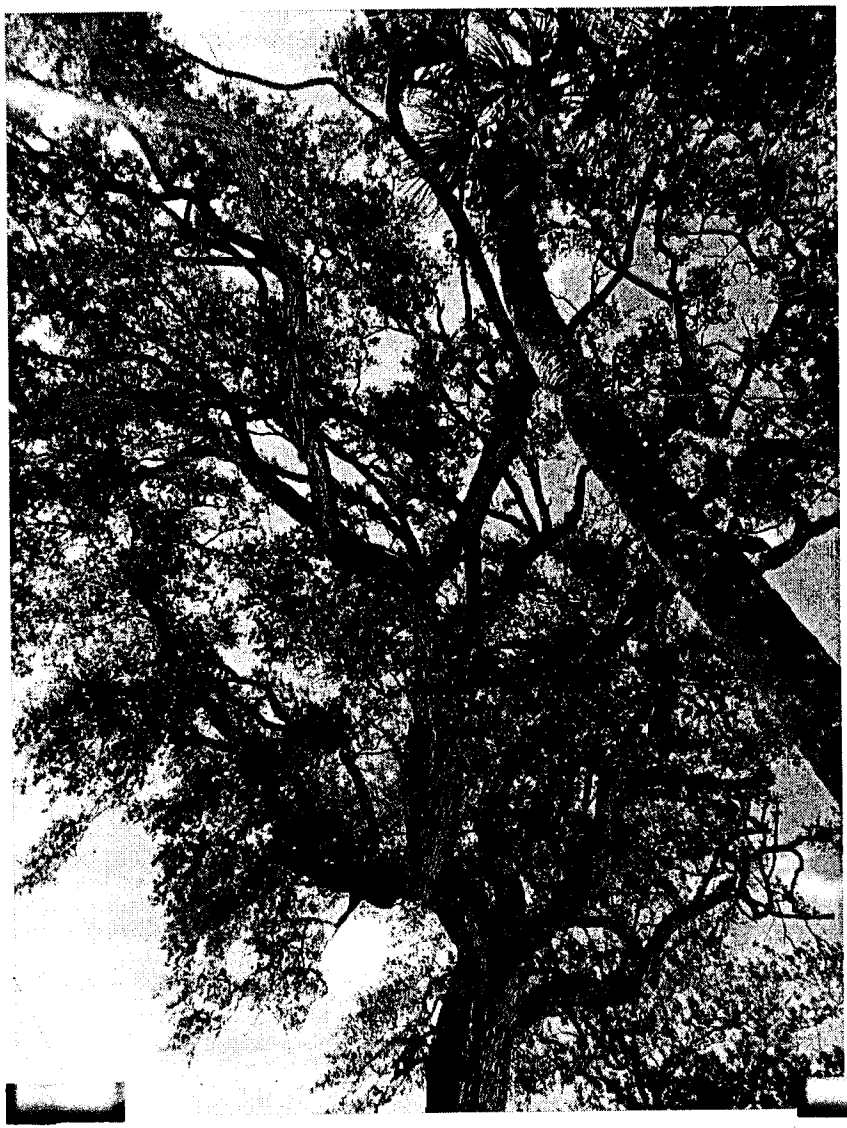
COCOA
FLORIDA

Project Summary



COCOA
FLORIDA

Project Summary



COCOA FLORIDA

Project Summary

Consistency with Code of the City of Cocoa

A Tree Removal Permit shall be consistent with Appendix A, Article XIII, Section 22, Landscape Requirements

Tree Removal Permit Required

- Because the tree in question is located in the public right-of-way, a tree removal permit is required. *Sec. 22 (E) (1) (c)*

- Because the tree in question is an oak tree and is located in the public right-of-way, the Tree Board shall make a recommendation to the City Council regarding the removal of the tree. *Sec. 22 (H) (1) (c)*

Project Summary

Sec. 22(H)(1)(C):

(c) No oak tree located on city public right-of-way or city owned property shall be removed or significantly pruned prior to review and recommendation by the tree board and approved by the city council, subject to the following exceptions:

(1) The emergency removal of a hazardous or seriously damaged oak tree, to mitigate an imminent threat to the health, safety, and welfare of the property owner or the general public. Prior to emergency removal, the imminent threat should be documented to include but not be limited to (1) photographs of the tree(s) including any areas that may be damaged, diseased, or infested (2) approximate measurements including tree height, spread, d.b.h., and (3) distance to structure(s) or other immovable target(s) if felled.

Project Summary

Staff Finding: The tree in question does not pose an imminent threat to the public at this time. The diseased limb overhanging the roadway was an imminent threat, however that issue has been resolved with the removal of the limb in November of 2018. Therefore the removal of the rest of the tree will require the approval of the City Council with a recommendation by the Tree Board.

Project Summary

- The criteria for removal of a tree is found in Sec. 22(E)(3):

A letter requesting removal or destruction of any tree meeting the requirements of this ordinance shall be forwarded to the enforcement official of the City of Cocoa. The enforcement official may grant permission for removal or destruction if it meets any or all of the following guidelines:

1. Is determined to be hazardous or dangerous condition as to endanger the public health, safety, or welfare.

2. Is severely diseased or severely injured.

3. The trunk of the tree is located closer than seven and one-half (7 ½) feet to the foundation of an existing or proposed structure, and it is not feasible to relocate the structure.

Project Summary

- Sec. 22(E)(3) (cont.):

4. The trunk of the tree is located closer than ten (10) feet from the foundation of an existing or proposed structure and the tree is considered having an aggressive root system or the natural mature height is greater than 30 feet and it is not feasible to relocate the structure.

5. Trees shall be replaced elsewhere on the property or on another property in accordance with the standards established below in subsection (E)(4)(Tree Replacement)

COCOA FLORIDA

Project Summary

Staff Finding: A "hazardous tree" means a tree existing on a developed parcel of land or within the right-of-way, that due to its shape, location or growth pattern (which cannot be corrected by pruning), may cause or reasonably be expected to cause damage to persons or property and/or presents a potential threat to the health, safety, and welfare of the general public, as determined by the city arborist or an arborist certified by the International Society of Arboriculture.

The applicant, at this time, has not submitted a determination by the city arborist or a certified ISA arborist demonstrating the tree to be hazardous. However, the applicant has stated that limbs frequently fall from the tree and that several tree trimming companies have informed him that the tree is unhealthy and needs to be removed.

COCOA FLORIDA

Project Summary

Sec.(E)(4) Tree Replacement

(a) As a condition of granting a tree removal permit, the applicant shall be required to relocate or replace trees being removed with the appropriate number of trees, having the d.b.h. of tree(s) to be removed/replaced with an equal diameter of tree(s).

- The subject tree is roughly 40 inches in diameter, therefore it must be replaced with trees, each having a minimum diameter of 4 inches, and adding up to a total of 40 inches.

(b) Whenever possible and practicable, trees should be replaced with the same species as those removed. Also, to encourage lower maintenance and water conservation, native species shall be used where possible.

Project Summary

Tree Replacement

- In addition, because the tree in question is an oak tree in the public right-of-way, the Tree Board shall make a recommendation to the City Council on the location and species of a replacement tree(s).

The Tree Board has recommended the replacement trees be the same species as the tree removed (oak trees) and have recommended a location as the southeast corner of Manor Drive and Beverly Road.

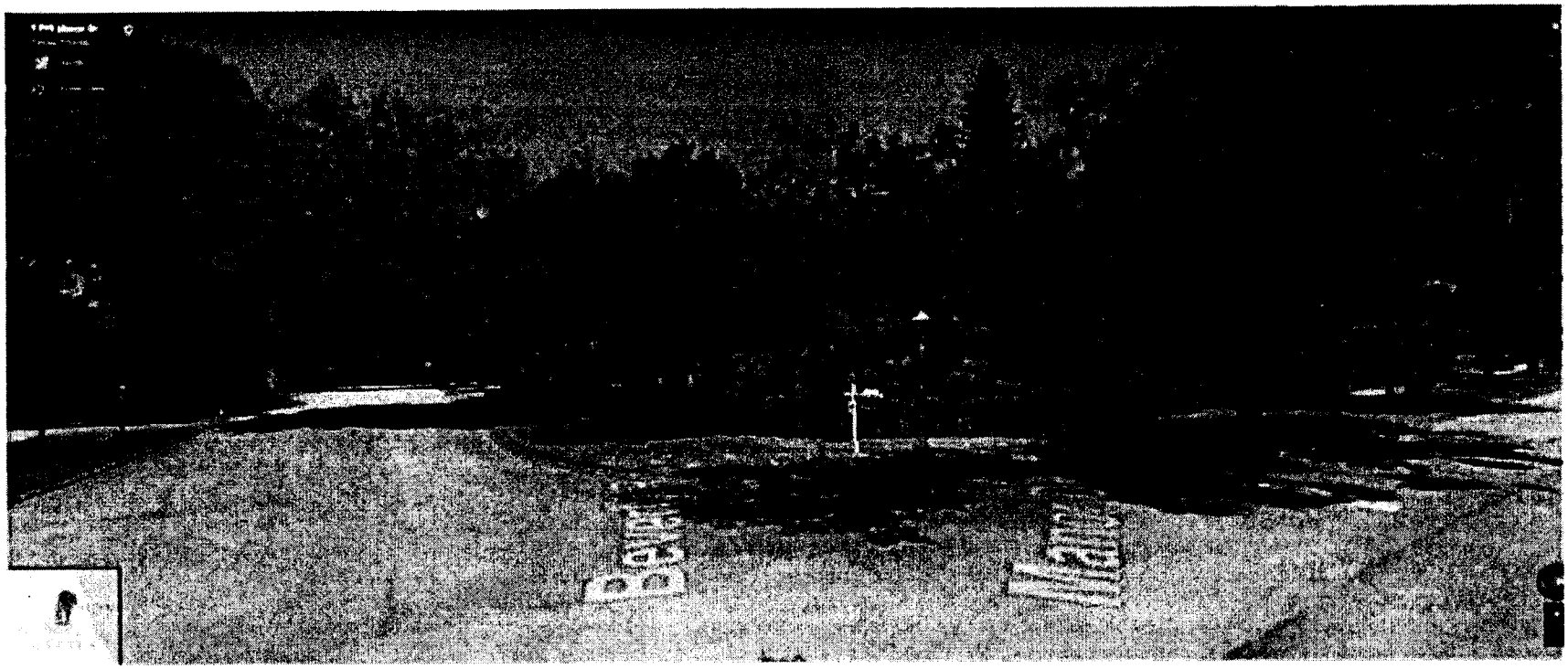
The following photographs of that location were provided to the Planning & Zoning Board by Mr. Koss (Board member) at the April 9, 2019 meeting.

Project Summary



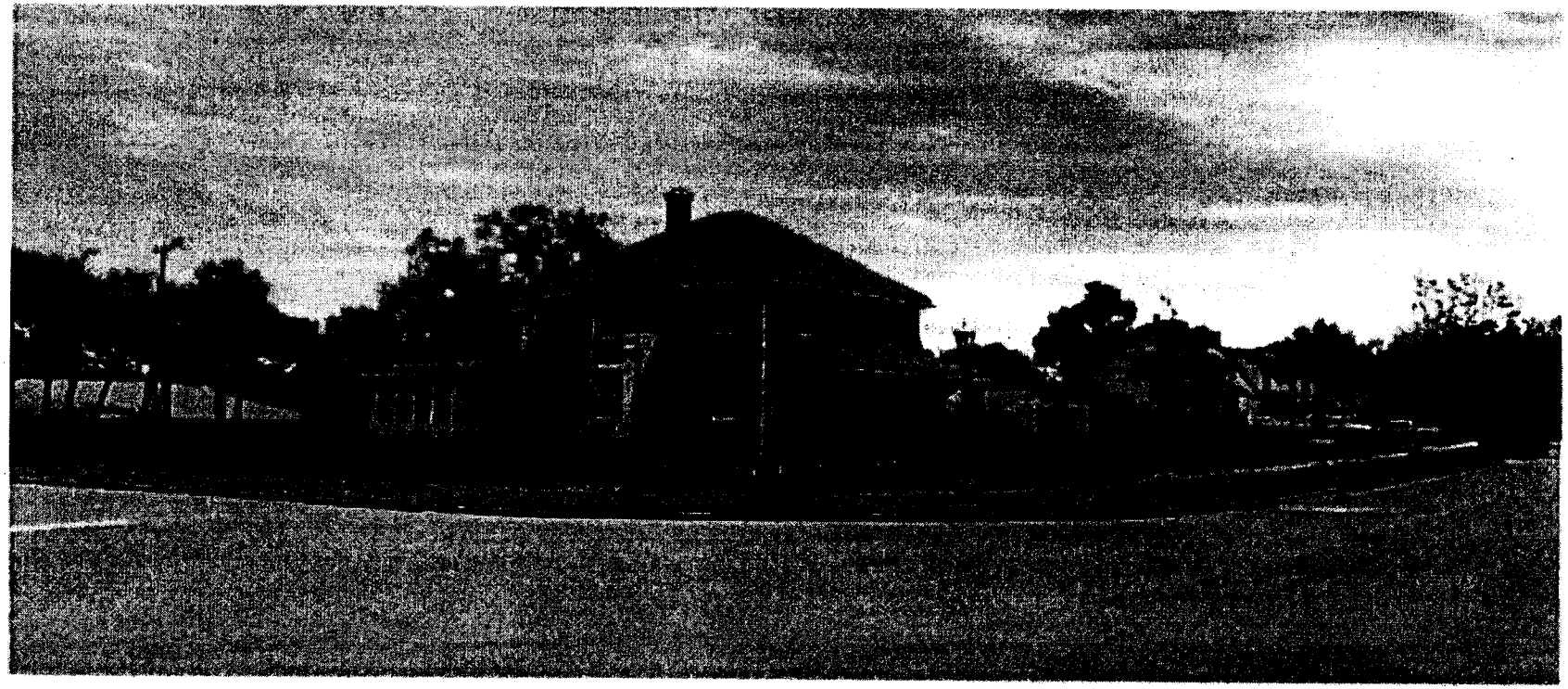
1716 Manor Dr. Cocoa, FL in 2011

Project Summary



1716 Manor Dr. Cocoa, FL in 2016

Project Summary



Two weeks ago, March 2019

Recommendation

Previous Action:

The proposed Tree Removal Permit request was heard by the City of Cocoa Tree Board at the May 1, 2019 Planning and Zoning Board meeting. The Tree Board recommended approval of the Tree Removal Permit with conditions.

Recommended Motion:

Approval of a Tree Removal Permit for an oak tree in the right-of-way adjacent to 2656 N. Indian River Drive with a replacement tree species and location recommended by the Tree Board as follows:

1. Tree to be replaced and planted at the southeast corner of Manor Drive and Beverly Road.

Stratford Tree Surgery

Simon Stratford
ISA Certified Arborist FL-6783A

3852 S. Hopkins Ave
Titusville, FL 32780
321-360-2628
enquiries@stratfordtreesurgery.com

Tree Report

Per 2656 North Indian River Drive Cocoa

The live oak (*Quercus virginiana*) recently inspected on 2656 North Indian River Drive Cocoa is an aged specimen that is toward 200 years old given similar girthed trees situated in the vicinity. I recently was contracted as the consulting arborist during the installation of the new subterranean water mains along North Indian River Drive that passed through the root systems of similar aged live oaks. This was a carefully managed project to avoid damage to the root systems but can reasonably estimate from that experience that this particular tree's root base will extend not only on the downward slope toward the lagoon but also westward under the road grade and will be sourcing water and nutrient within a 1000 sq. feet area that would include much of the common land on that westward side of the road.

Aged oaks, such as this, require a minimal amount of environmental disturbance in order that they remain in a non-stressed condition. Any construction work carried out within their immediate vicinity should have the appropriate construction barrier erected to protect any accidental damage to either the trunk column, overhanging limbs, or immediate structural root base.

It is my understanding that this tree formally enjoyed normal ground vegetation cover on the lagoon side prior to the commencement of construction works. There is evidence on the downward slope towards the lagoon of roots having been severed, although looking at their size, I would not consider them to be part of the tree's structural root system that I reasonably assume to still be intact. Once construction has been completed of the new dwelling, I am assuming it will be positioned parallel to the properties that exist either side of the site and that it's immediate eastward vicinity will be backfilled and graded. To ensure continued health of the tree, the most environmentally friendly surface that provides both water porosity and structural support for vehicles is a paver surface.



I understand that the recent removal of a major limb extending over the roadway had evidence of ant colonization. This does not necessarily indicate the onset of structural failure throughout a tree's canopy as ants and other biotic organisms are used above ground by the tree to deliver fixed nitrogen into the cellular areas of leaf.

We have carried out an initial chlorophyll fluorescence test within the canopy and it shows an optimum utilization of red light in the commencement of the photosynthetic process that leads to production of glucose and carbohydrate for the tree. I have attached the initial graph showing the results and am more than happy to explain this process further should it be required. Given the results of this test, the tree physiologically is healthy. Our suggestion is a second test after construction has been completed to determine where that physiological health marker sits in relation to this base test.

Given the amount of historical aged oak trees along the North Indian River Drive extending over the carriageway, I do not see any reason why this particular oak would be classified at this stage as a greater risk of limb loss than of the other specimens I have become familiar with. The proximity of these oaks does and has during the previous 200 years been exposed to abnormal wind events during various recorded hurricanes. Their size and structure are such that they have designed themselves to withstand these environmental challenges as best they can which is testament to them still standing.

In this case and given the proximity of the tree to the carriageway, if any decision were taken to remove the tree there will be no appreciable increase in difficulty after construction has been finished. Further tests are available in the form of sonic tomography and ERT to determine the integrity of the trunk column, but from the external signs exhibited by the tree, I do not at this point see this test as relevant but would be more than happy to carry this out should it be required.

Simon Stratford

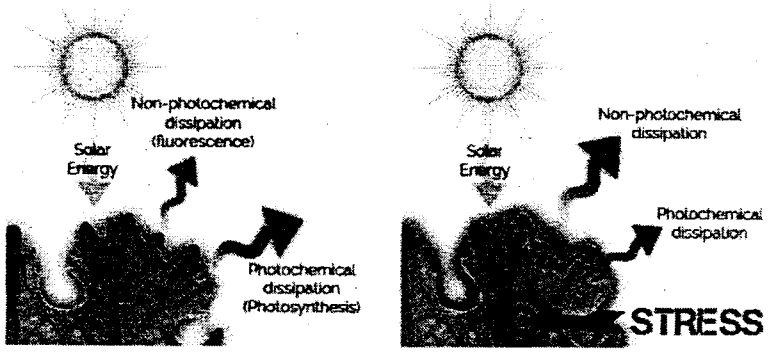
STRATFORD ARBORICULTURAL RESEARCH AND DEVELOPMENT

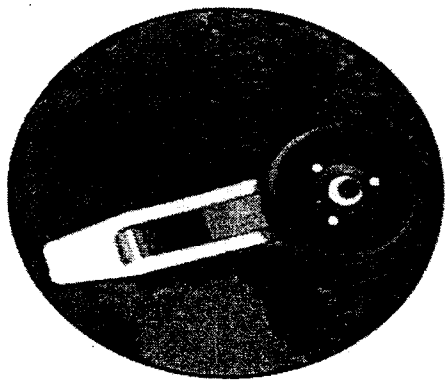
WHY MEASURE CHLOROPHYLL FLUORESCENCE?

Chlorophyll fluorescence has the ability to very quickly and easily determine the photosynthetic capacity of a tree according to its current state of health and assess the tree's health and vitality. Chlorophyll Fluorescence is a technique used to detect physiological damage caused by biotic or abiotic stress factors and ensures early detection of stress that could lead to decline well before visible symptoms manifest.



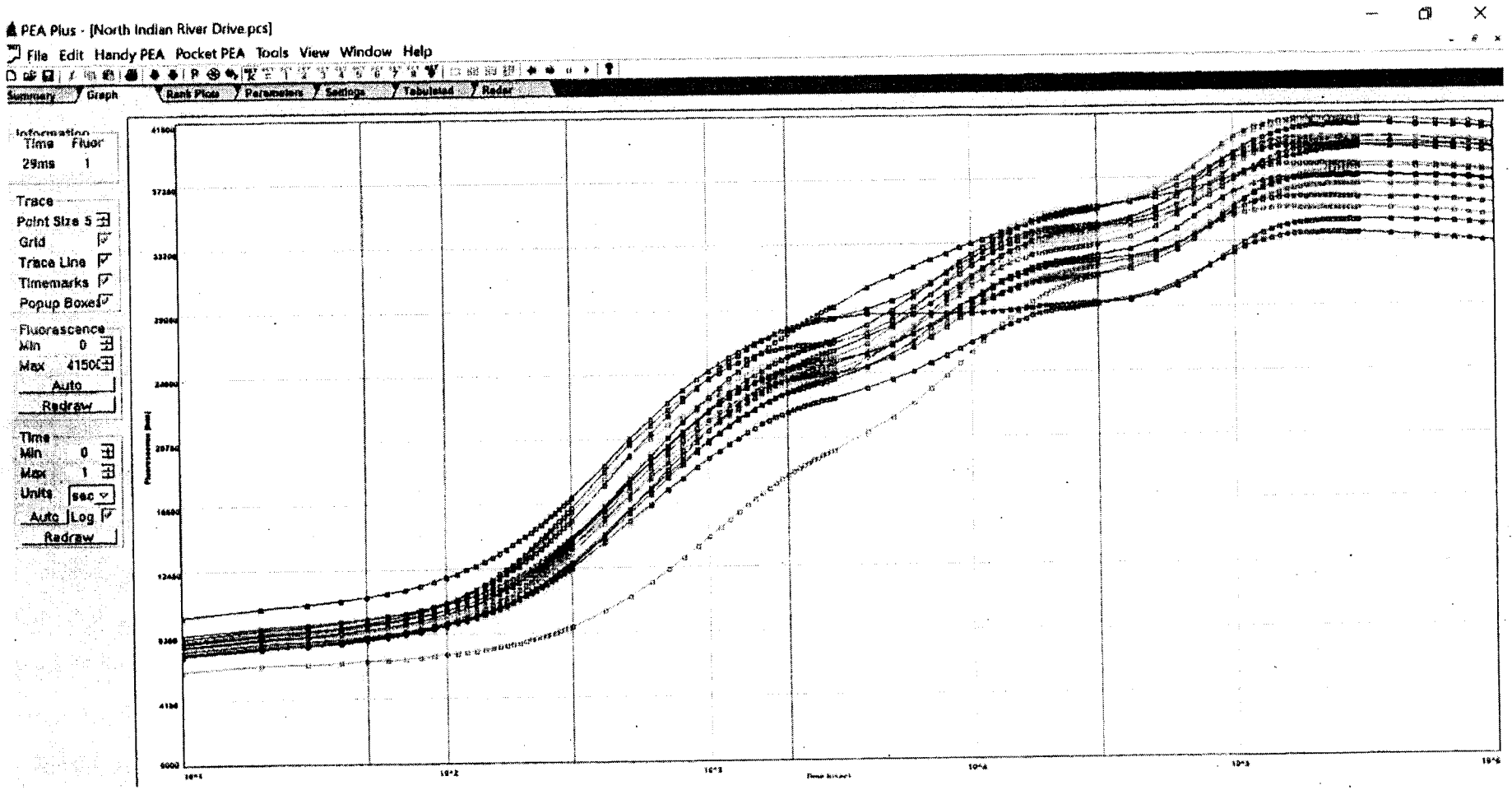
WHAT IS CHLOROPHYLL FLUORESCENCE?





REPORT: 2656 NORTH INDIAN RIVER DRIVE COCOA – Front Live Oak

Graph of 20 Leaf Readings



BAR GRAPH OF 20 LEAF READINGS

PEA Plus - [North Indian River Drive.pcs]

File Edit Handy PEA Pocket PEA Tools View Window Help

Summary | Graph | Rank Plots | Parameters | Settings | Tabulated | Radar

Pocket PEA Data

Information
Rows 20
Selecte 20

Comment

Select Records
All
None
By ID

'Fo'
Calculated F
Use F1

User Values

#	Trace	Record No	ID	Date	Time	Fv/Fm	PI abs
1	✓	1		10/05/19	18:40:01	0.818	3.264
2	✓	2		10/05/19	18:40:12	0.809	2.425
3	✓	3		10/05/19	18:40:22	0.795	1.492
4	✓	4		10/05/19	18:40:32	0.805	3.109
5	✓	5		10/05/19	18:40:42	0.814	2.523
6	✓	6		10/05/19	18:40:52	0.789	1.090
7	✓	7		10/05/19	18:41:02	0.817	2.283
8	✓	8		10/05/19	18:41:12	0.784	2.016
9	✓	9		10/05/19	18:41:23	0.812	2.828
10	✓	10		10/05/19	18:41:33	0.834	9.785
11	✓	11		10/05/19	18:41:43	0.809	2.715
12	✓	12		10/05/19	18:41:53	0.803	1.684
13	✓	13		10/05/19	18:42:03	0.796	1.722
14	✓	14		10/05/19	18:42:14	0.805	1.457
15	✓	15		10/05/19	18:42:23	0.781	1.764
16	✓	16		10/05/19	18:42:33	0.819	2.291
17	✓	17		10/05/19	18:42:43	0.809	2.616
18	✓	18		10/05/19	18:42:53	0.805	2.270
19	✓	19		10/05/19	18:43:03	0.716	0.434
20	✓	20		10/05/19	18:43:12	0.785	1.688

Q: WHAT DO YOUR READINGS MEAN?

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RESEARCH AND DEVELOPMENT