MINUTES
City of Cocoa
Regular Meeting of The City Council

February 22, 2022

A Regular City Council Meeting was held on Tuesday, February 22, 2022, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

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

Thomas Cole provided the invocation and students from Cocoa High School led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Rip Dyal	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Charlene Neuterman, Interim Community Services Director; Pat Dovale, Commander/Police Department; Abigail Morgan, Acting Public Works Director; Rebecca Bowman, Finance Director; Mitch Lawyer, Tech Services Supervisor; Samantha Senger, Assistant to the City Manager/PIO; Erik Montgomery, Helpdesk Support Tech, and Sam Shaller, Fire Inspector.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of February 22, 2022. (22-88)

2. **Minutes:** (a) City Council Workshop/Retreat of January 5, 2022 (22-89)
(b) Regular Meeting of January 11, 2022 (22-92)
(c) Regular Meeting of January 25, 2022 (22-93)

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Goins, to amend the Agenda for the Regular meeting of February 22, 2022 by moving Item VIII.2 to be heard after the Consent Agenda.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to approve the Minutes for the City Council/Workshop Retreat of January 5, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve the Minutes of the Regular meeting of January 11, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to approve the Minutes of the Regular meeting of January 25, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Business Recognitions for Cocoa High School Senior Class fundraising efforts. (22-98). (City Manager)

City Manager Whitten announced that Milton Perez and Ni'Liyah Mayo, the President and Vice President of the Cocoa High School Senior Class were in attendance. He reminded Council that last month they came forward asking for help to fund their senior class, as traditional fundraising efforts were impacted by Covid. They requested $4,000 and thanks to community partners they have raised those funds. He named some of the businesses that helped out and the students

thanked them all for the support. With their help they can now have a remarkable and memorable graduation. They will continue with fundraisers to help as well.

2. Space Coast Fire Chiefs Fire Inspector of the Year Sam Schaller. (22-112). (Fire Chief)

Chief Lamm introduced Sam Shaller and announced that he was recently named the "Space Coast Fire Chief's Inspector of the Year". Chief Lamm advised that in one month he can do over 300-400 inspections. He has a great demeanor with the citizens and Chief Lamm reiterated their pride in him receiving this award.

Mr. Schaller thanked everyone in the community as well as Council for their support.

IV. Delegations:

Janice Smith, Cocoa, Florida, spoke about the planting and saving of trees. She advised that on SR 524 there is a lot of development happening which includes clear cutting. She explained what clear cutting is and that while it may be cost effective, it can result in astronomical long-term costs and creates damage to the environment. She further spoke about a program where a city gives out trees and helps them plant them. She urged the banning of clear cutting, for the City to develop a tree ordinance, and to adopt a tree planting strategy.

Dr. John Niland, 121 Orchid Place, Orchid, Florida, representating Solutions Environmental & Energy. He spoke about fluoride and how it reduces the IQ in our children. He provided further reasons why fluoride was dangerous.

Kristin Lortie, Cocoa, Florida, District 3, is the moderator of Cocoa Cares Green Team and Cocoa Cares Citizens Group. She spoke about advocacy on planning and participation. She mentioned the recent change on the Sustainability Advisory Board. Ms. Lortie advised that she had attended the Titusville Strategic Planning Workshop on Saturday and there was a lot of community participation. She believed it was a worthwhile event and was advocating for something like this in Cocoa and she told the City of Titusville about the Citizen's Academy. She further requested a community planning workshop in Cocoa and reminded everyone that there is a Cocoa Cares meeting this Saturday. She asked the City to join them and commended Councilmember Koss and Deputy Mayor Hearn for having community events. She showed their SWOT analysis that they came up with and would like to join in the City's planning efforts.

Theresa Clifton, Brevard Humane Society, shared that they are having their 16th Annual Mardi Gras in the Park event this weekend, on Sunday, from 10 am until 4 pm. Additionally, the Humane Society would be celebrating seventy years and they are a no-kill community. She advised that the building on Cox Road was old and has issues and they are looking for those in the community who would like to help them improve that building. They appreciated any support for the Humane Society.

Buzz Romprey, former Fire Chief, announced that on April 2nd is the BBQ for the Sharing Center in Cocoa. It will help support the backpack program for children. It will be at F. Burton Smith Park and is from 11 a.m. until 5:30 p.m.

Morgana Starr, owner of Anger's Oasis in Cocoa Village, spoke about their business and all that it offers and stated that they are willing to help in fundraising and asked that people be referred to them. They are located in the Thread Needle Mall.

V. Consent Agenda:

City Manager Whitten pointed out that Item V.3 is actually a Multi-Year contract.

(A) General Consent Items:

1. Approve an Amended Task Order and Change Order to Goodson Paving, Inc. for additional concrete work related to annual sidewalk and curb maintenance. (22-113). (Public Works Director)

2. Approve the Second Amendment to Purchase Agreements to RFQ-17-16-COC, Continuing Service Agreements with DRMP, Inc., Mead & Hunt, Inc., and Hazen and Sawyer, P.C. for Engineering Services for Design, Permitting, and Services During Construction of Utility Conveyance System Upgrades & Expansion. (22-28). (Utilities Director)

3. Approve a contract with E&D Contracting Services, Savannah, Georgia for the repairs to the failing tank coating at the Sellers Water Reclamation Facility, Project No. WS1222 in the Amount of $1,508,001; To Authorize the City Manager and City Attorney to directly negotiate the Contract; To Approve a Resolution Authorizing the City Manager to Approve and Execute Change Orders in an Amount Not to Exceed $150,801 (10% of the Contract Amount) for a Total Project Cost of $1,658,802; To Approve as a Multi-Year Contract from FY2022 through FY2023;

To Approve a Resolution Amending the FY22 Budget, BAF# 22-046-A. (22-78). (Utilities Director)

4. Approve Task Order 2022-25 with Carollo Engineers, Inc. to assist Sewer Field Operations (SFO) in Project Management Coordination, Technical Support and Review, SCADA Maintenance, Long-Term Strategic Planning, and Manhole/Gravity Sewer Program Maintenance. (22-81). (Utilities Director)

5. Approve a Resolution to Waive the Competitive Bid Process for the Purpose of Making a Sole Source Purchase for $112,290 for Engineering Services During Construction from Woods Engineering, Inc. (WEI), Jacksonville, Florida, Related to the Sellers Water Reclamation Facility BNR Tank Coating Failure Repairs, Project WS1222. (22-84). (Utilities Director)

6. Approval to award RFP P-22-03-COC to Tierra, Inc. for Construction, Engineering and Inspection (CEI) Services for the oversight of the Fiske Blvd. and Broadmoor Acres Drainage Improvements Project. Authorize the City Manager to negotiate and authorize a contract up to but not exceeding the bid amount of $252,212. 22-90). (Public Works Director)

7. Approval to accept transfer of ownership of a FireBlast fire training simulator from the City of Punta Gorda, Florida. Approve a Resolution Amending the FY22 Budget. BAF# 22-051-T. (22-95). (Fire Chief)

(B) Multi-Year Contracts:

8. Approve Participation in a Cooperative Purchasing Agreement with Goodson Paving, Inc., Cocoa, Florida, Utilizing Brevard County Bid No. B-6-20-57/Asphaltic Concrete Effective August 22, 2020 through August 21, 2021 - Renewal August 22, 2021 Through August 22, 2022. (22-57). (Utilities Director)

9. Approve a Cooperative Purchase Agreement with Ring Power, Palm Bay, Florida, to Provide Annual Maintenance and Technical Analysis Services for Twenty-One (21) Generators Operated by the Dyal Water Treatment Plant Utilizing the National Joint Powers Alliance Contract 120617-CAT, effective January 29, 2018 through January 29, 2022 - Renewal January 29, 2022 Through January 29, 2023; To Approve a Resolution Amending the FY22 Budget, BAF# 22-048-T. (22-83). (Utilities Director)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The following Item VIII.2 was moved from City Business:

Approve a Resolution naming the Emma Jewel / Diamond Square CRA Master Stormwater Pond the Thomas Cole Stormwater Recreation Area. Approve a Resolution Amending the FY22 Budget, to fund the purchase and installation of signage as part of this dedication, BAF#22-049-A. (22-82). (Public Works Director)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mr. Cole noted that this Thursday night was the 9th annual Black History Program. All scholars will be putting on the show. He invited all to attend. He thanked them for the honor of the pond being named after him.

Mr. Cole's son spoke and noted how proud he was of his father.

VI. Public Hearings:

1. Consideration of Second and Final Reading (Ordinance 15-2021) of the City of Cocoa, Brevard County, Florida; consistent with Florida Statute, Section 163.3177, adopting a Private Property Rights Element as a new section into the City of Cocoa's Comprehensive Plan. (22-20). (Interim Community Services Director)

Attorney Garganese read Ordinance No. 15-2021 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance. There have been no changes since first reading. After the first reading this was transmitted to the State Land Planning Agency for approval.

ORDINANCE NO. 15-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AMENDING THE TEXT OF THE CITY'S COMPREHENSIVE PLAN TO INCLUDE A PROPERTY RIGHTS ELEMENT AS

REQUIRED BY LAW; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE COMPREHENSIVE PLAN, SEVERABILITY AND AN EFFECTIVE DATE AND LEGAL STATUS OF THE PLAN AMENDMENT.

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

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve Ordinance No. 15-2021 on second and final reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Consideration of Second and Final Reading (Ordinance 14-2021) of The City of Cocoa, Brevard County, Florida; relating to backyard chickens; amending Chapter 5 - Animals and Fowl of the city code to allow the keeping of chickens and chicken coops within certain residential zoning districts subject to certain enumerated conditions; creating definitions; establishing a permitting process; providing for the repeal of prior inconsistent ordinances and resolutions, severability, incorporation into the code, and an effective date. (22-21). (Interim Community Services Director)

Attorney Garganese read Ordinance No. 14-2021 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance. There have been no changes since first reading.

ORDINANCE NO. 14-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; RELATING TO BACKYARD CHICKENS; AMENDING CHAPTER 5 – ANIMALS AND FOWL OF THE CITY CODE TO ALLOW THE KEEPING OF CHICKENS AND CHICKEN COOPS WITHIN CERTAIN RESIDENTIAL ZONING DISTRICTS SUBJECT TO CERTAIN ENUMERATED CONDITIONS; CREATING DEFINITIONS; ESTABLISHING A PERMITTING PROCESS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, INCORPORATION INTO THE CODE, AND AN EFFECTIVE DATE.

Ms. Neuterman provided highlights on the ordinance.

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

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Koss, to approve Ordinance No. 14-2021 on Second and Final reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Council consideration of the 2nd and Final Reading of Ordinance 01-2022, adopting the City Council Single Member District Voting Map upon consideration of the recommendation prepared and filed by the District Commission pursuant to Article III, Section 15 of the City Charter, providing for the use of the City Council Voting District Map approved by the City Council in future elections and coordination with the Supervisor of Elections. (22-79). (Interim Community Services Director)

Mayor Blake advised that they were mandated to be compliant with the Consent Decree and they also had an independent consultant helping them through the process.

Attorney Garganese read Ordinance No. 01-2022 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance. He noted Council appointed the Districting Commission as required by the City Charter and they held several meetings and recommended the new map to Council for their consideration. There have been no changes since the first reading of the ordinance.

ORDINANCE NO. 01-2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, ADOPTING THE CITY COUNCIL SINGLE MEMBER DISTRICT VOTING MAP UPON CONSIDERATION OF THE RECOMMENDATION PREPARED AND FILED BY THE DISTRICTING COMMISSION PURSUANT TO ARTICLE III, SECTION 15 OF THE CITY CHARTER; PROVIDING FOR THE USE OF THE CITY COUNCIL VOTING DISTRICT MAP APPROVED BY THE CITY COUNCIL IN FUTURE ELECTIONS AND COORDINATION WITH THE SUPERVISOR OF ELECTIONS; FILING THE COUNCIL VOTING DISTRICT MAP WITH THE CITY CLERK'S OFFICE FOR FUTURE INSPECTION AND/OR COPYING; PROVIDING FOR THE REPEAL OF PREVIOUSLY APPROVED COUNCIL VOTING DISTRICT MAPS; PROVIDING

FOR FUTURE AMENDMENTS TO THE COUNCIL VOTING DISTRICT MAP; AND AN EFFECTIVE DATE.

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

Mayor Blake thanked staff and the City Manager.

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to approve Ordinance No. 01-2022 on Second and Final reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Consideration of the Second and Final Reading (Ordinance 11-2021) of the City of Cocoa, Brevard County, Florida; amending Appendix A, Zoning, Article VIII, Section 17, Home Occupations. (22-86). (Interim Community Services Director)

Attorney Garganese read Ordinance No. 11-2021 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance. He explained the new legislation and statutory requirements that support this ordinance.

ORDINANCE NO. 11-2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A-ZONING, ARTICLE XIII SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 17 OF THE CITY CODE RELATED TO HOME BASED BUSINESSES (HOME OCCUPATIONS) TO COMPLY WITH RECENT LEGISLATION ADOPTED BY THE FLORIDA LEGISLATURE; MAKING OTHER CONFORMING AMENDMENTS TO THE SCHEDULE OF ZONING DISTRICT REGULATIONS AND CITY CODE TO COMPLY WITH SAID LEGISLATION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

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

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Dyal, to approve Ordinance No. 11-2021 on Second and Final reading.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. Accept the City of Cocoa Urban Forest Management Plan and authorize the City to proceed with the plan recommendations. (21-735). (Public Works Director)

Mr. Smith explained that this was a three-year grant and he discussed in detail what each year entailed.

Kristin Lortie, Cocoa, speaking on behalf of the Cocoa Cares Green Team, provided a statement provided a statement for the record.[1] They urge the support of this plan.

Councilmember Koss thanked Ms. Lortie and spoke about why trees are so important. She voiced her support for this and announced the Arbor Day event coming up.

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. City Council discussion and direction related to pursuing purchase of an easement area from the owner of Parcel ID 24-35-24-00-759. Council direction on Range Road access point initiative. Council direction for funding the proposed easement approval of all related budgetary action upon Council decisions for this agenda item (22-107). (Public Works Director)

Mayor Blake clarified that the owner was requesting $20,000 for the easement and the proposed easement was appraised at $25,000.

In response, Mr. Smith provided a background and explained that staff needed to know how to proceed. This cost is not budgeted and the owner is currently under contract, which may be a hurdle, but is willing to work with the City.

Councilmember Koss advised that she had spoken previously about support for the Conservation area for the cross-country teams. This addition would be an asset for school usage and for properties that may be developed near it.

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1 EXHIBIT A: Statement submitted by Cocoa Cares Green Team

* **MOTION by Councilmember Koss to use funds not being used for capital projects that was recently returned to the general fund, as it would be a good use. The Motion was seconded by Councilmember Goins, for discussion.**

Discussion was held on the trail and what would be required for creating the trail. Mr. Smith advised that there would need to be tree removal in order to have a wide enough space.

Mayor Blake asked what would happen if this was approved but the School Board did not approve. In response, Mr. Smith advised the next step would be to make the offer to the owner. If he accepted they would have the easement, whether the school board used it or not, it would belong to the City.

Deputy Mayor Hearn asked about estimated maintenance costs. Mr. Smith stated there would be costs for mowing, fence maintenance, etc.

Councilmember Goins asked about the cost for the bridge. In response, Mr. Smith stated it was hard to ballpark anything right now, but they would put a buffer on it. It will go out for bid.

Mr. Smith asked for clarification on where the money would come from. In response, Councilmember Koss stated from the capital budget that is no longer being used and was put into the General fund.

City Manager and Ms. Bowman clarified that it would be from Contingency.

* **THE MOTION WAS AMENDED BY COUNCILMEMBER KOSS; SECONDED BY COUNCILMEMBER GOINS, TO SUPPORT ACQUIRING THIS PROPERTY FOR UP TO $25,000 AND USE FUNDS FROM CONTINGENCY.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Staff direction regarding ongoing negotiations with the Brevard Museum and Sciences Center, Inc or the Brevard Zoo for operations and maintenance of the Brevard Museum of History and Natural Science. (22-109). (Public Works Director)

City Manager Whitten advised that he had a discussion with the Brevard Zoo CEO regarding the Museum and while they need a facility for use they do not wish to continue discussion at this time as they have the ability to acquire a facility that is ready for use.

Phyllis Moscoso, 2209 Catawba Drive, Cocoa, and representing the Brevard Museum advised that a one-year lease was approved but they were looking for a

five-year lease since they were already six months in. She further reviewed in detail the other issues they were bringing forward with this item such as: ownership and inventory of the City-owned artifacts; Repair and Maintenance Contract Language; Fire Inspection Funding and Repairs.

City Manager Whitten provided a brief history of this item and noted it was approved on September 28, 2021 and a draft was given to them on October 1, 2021. They met sometime in late October. They have continued to meet on and off. The request for a twenty-four month period is to complete the inventory. He further advised that the issue for both sides is that they are conveying over a collection of property and they do not know what they are conveying so the sooner they can get it done, the better.

He further mentioned that in regards to maintenance, the City cannot be over there every day, but Attorney Eick could work on modifying that language.

Additionally, the fire inspection report was discussed as well as the need for a new fire alarm system as the one there now is outdated. The cost for a new system would be around $35,000.

City Manager Whitten reiterated their asks:

- Lease term of five years with four, five-year extensions.
- In the lease agreement they would be allowed a period of up to three years to complete the inventory. Also, the ownership of the items and if the City will retain ownership. A reverter will be included in that.
- Maintenance and Repair language refinement.
- City to deliver the building in a satisfactory condition that satisfies all of the fire inspection issues.

He advised they would refine this and bring it back as an item.

Ms. Moscoso added that items such as shells and other things could be loaned to schools, etc. for learning. City Manager Whitten stated that was something that Attorney Eick could work on.

Further discussion was held on the fire alarm system.

Mr. Smith advised that if Council wishes to fund this, staff needed to know where the funding would come from.[2]

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[2] Mayor Blake left at 7:46 p.m.

City Manager Whitten spoke about the original lease and noted that staff did not have issues with a longer lease term as they would be handling the repair, maintenance, and operating costs. However, he would request interim reports so that they were aware that items were completed.

Councilmember Koss was in support of this item going forward.

Councilmember Dyal advised that they originally took $70,000 from Sustainability in order to help them out. There has not been a contract signed to date so funds are still there. There is $72,500 left and if they were only asking for $35,000 that was not a problem.[3]

* **MOTION by Councilmember Dyal; Seconded by Councilmember Koss, to approve the following: Lease term of five years with four, five-year extensions; In the lease agreement they would be allowed a period of up to three years to complete the inventory. Also, the ownership of the items and if the City will retain ownership. A reverter will be included in that; Maintenance and Repair language refinement; City to deliver the building in a satisfactory condition that satisfies all of the fire inspection issues; and fire system repairs up to $35,000 to be paid out of the Sustainability fund.**

Attorney Garganese pointed out that there are language issues that need to be worked out and this will come back to Council in the form of a lease agreement. One of the things he is most concerned with are the artifacts and the reverter.

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Approval of Resolution No. 2022-012 for the US Bicycle Route 1 Realignment through the City of Cocoa. (22-80). (Public Works Director)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

~~2. Approve a Resolution naming the Emma Jewel / Diamond Square CRA Master Stormwater Pond the Thomas Cole Stormwater Recreation Area. Approve a~~

[3] Mayor Blake returned at 7:51 p.m.

~~Resolution Amending the FY22 Budget, to fund the purchase and installation of signage as part of this dedication, BAF#22-049-A. (22-82). (Public Works Director)~~

~~**AYES: Blake, Hearn, Dyal, Goins, Koss**~~

~~**THE MOTION CARRIED UNANIMOUSLY (5-0)**~~

3. Approval of the first reading of Ordinance 02-2022 regarding updates to the Special Events Ordinance. (22-96). (Assistant to the City Manager/PIO)

Attorney Garganese read Ordinance No. 02-2022 into the record, by title only as follows. This is the first reading of the ordinance.

ORDINANCE NO. 02-2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE XI OF THE CITY CODE RELATING SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Senger explained that the wording in the tiered structure of special events was being updated.

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. FY 2022 Budget Adjustment Report. (22-101). (Finance Director)

2. Data showing the relation between the estimated and actual income and expenses to date. (22-102). (Finance Director)

3. 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. (22-103). (Finance Director)

4. Calls for service provided by the Cocoa Fire Rescue Department for the month of January 2022. (22-85). (Fire Chief)

5. Council request to review the cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2021 to 1/31/2022. (22-87). (Finance Director)

X. Reports:

Gregg Stoll, 2203 Salem Drive, Cocoa, spoke about his attendance at the SCTPO/CAC meeting on February 7th and also of his attendance at the Safe System Symposium on February 3rd. They talked about transportation funding and they are working on outreach videos. One of his interests are bus stop improvements within the City. He will be reaching out to the community about transportation issues. He further mentioned the design of pedestrian and sidewalk improvements on Clearlake Road from SR 520 to Michigan.

In response to his comments, staff confirmed that project was under State funding and was being fast tracked.

In closing, Mr. Stoll mentioned the Merritt Island CRA and explained the updates they have done for their bus stops.

Ms. Bowman announced they are doing a soft opening on the kiosk which has been installed in the wall outside of City Hall. This will offer another way for citizens to pay and the machine will provide a receipt. It will accept cash, check or credit card. The credit card rate will still apply.

Ms. Bowman further announced that the finance department received a certification for accounting and financial reporting and she explained the steps that they have to take in order to ensure things are done correctly.

Mr. Smith advised that the Brightline and SR 520 closure would extend through Thursday. They were also just notified that the City would be receiving the grant for Indian River Drive Water Quality and Resiliency Program. It is a 50/50 grant.

Mayor Blake asked about the status of Fiske Blvd. paving. In response, Mr. Smith stated that it would be done this year with the paving contract. It was also confirmed that the sidewalks would be addressed.

Mayor Blake spoke in regards to Waste Management and mentioned that there was a person with an overfilled bin who was assessed a fee. It was explained that two overages are allowed without a charge and Waste Management will reach out to let the customer know. Some owners are not following up and many times their dumpster is too small.

Commander Dovale announced that Wednesday, February 23rd at 4 pm was the ribbon cutting for the Police Department's new Citizens Engagement Center.

Deputy Mayor Hearn asked if there were additional camera capabilities on the building and in response, Commander Dovale stated they were working with IT to get them working.

Chief Lamm provided a report on Covid and announced that numbers were going down. They were awaiting new CDC guidance and would forward that information when it was received.

City Manager Whitten announced the retirement of Norma Hernandez who was a staff member in Utilities. She was retiring after twenty-four years with the City.

Ms. Gemmati shared that there would be a job fair on Thursday, February 24th from 10 a.m. until 1 p.m. at the Joe Lee Smith Center.

Mayor Blake gave a shout-out to Javion Hawkins of Cocoa High School who plays for the Rams. He is a Super Bowl Champion.

He mentioned the homeless issue at Joe Lee Smith Park and stated that needed to be brought back to Council. He would like to bring in other agencies as well as they are ready.

He further mentioned the old Joe Lee Smith Center and would like input as to what they would like to do with the building.

Mayor Blake shared his photos of his trip to Florida League of Cities Legislative Actions Days and spoke in detail about potential bills that will be coming forward.

Councilmember Goins agreed that it has been a busy month and spoke about his time at Legislative Actions Days as well. They did a lot of moving and advocating for the City. He commended the Mayor for always being the first one to speak up

and advised that they met with several legislators and senators. It was very worthwhile.

On Thursday they would be reading to students at Suntree Elementary School for Black History Month and Thursday night is Emma Jewel Charter Academy's Black History Program.

He thanked Emma Jewel Charter Academy for letting him host the Mayor's Fitness Challenge event there this past Saturday. Additionally, they did a trash pick up on Sunday and asked for a campaign to be done of some sort throughout the City to clean up its image.

Councilmember Goins added that a big issue in Tallahassee was teachers and they fought really hard for teachers in Brevard County. They asked all to write senators and state representatives so that their voice is heard.

He will be attending the Cocoa High School Football Banquet this Wednesday.

In closing, Councilmember Goins made the following travel announcement: He would be traveling to the Florida League of Cities Leadership Academy beginning on Friday, March 11, 2022 and would be returning on Saturday, March 12, 2022. He will be staying at the Embassy Suites Hotel in Orlando and the estimated cost of the trip, including registration, hotel reservations, mileage, parking and per diem will be around $630.00. This is budgeted under Council's travel and per diem account.

Councilmember Dyal reminded everyone that Mardi Gras is this weekend. He thanked staff for all of the hard work that they do and he has a lot that he will be working on in the upcoming months.

Councilmember Koss noted that on February 13th the Cocoa Rotary picked up 2,000 pounds of trash at Provost Park. She was happy to see the new building there as well.

She also attended the Symposium that Mr. Stoll attended and stated it was an interesting conference.

Councilmember Koss did the "Point In Time Talk" on January 31st with the Homeless Coalition. She went to homeless camps and interviewed the homeless.

It was a colder day so many were in shelters. This is a big problem and she was glad to hear the issue was being looked into.

She spoke about the Orchid Lakes housing project off of Michigan Avenue and University Lane that was being proposed and believed it was a great model with amenities, managers on site, and for mixed-income occupancy. She felt it would be an asset to the neighborhood. There will be a small meeting held on February 28th at 5 p.m. for one hour in regards to this.

Deputy Mayor Hearn sent condolences to the Murdick family. He also attended Coffee with a Cop which was a great event. He appreciated those events being put on.

He mentioned a few issues that a citizen brought forward around Endeavor Elementary and Cypress St. Additionally, there has been some illegal trash burning and he would like those issues addressed.

Deputy Mayor Hearn spoke about the community meeting that he held this past Saturday and looked forward to more of those in the future. He further announced his community walk this Saturday at 9 am at Bracco Pond. It will go until 10 am.

In closing, he advised that he and Councilmember Koss will be attending a tour at Matthews Hope Ministries in Winter Garden on March 1st.

Mayor Blake mentioned a few key legislation bills coming forward, such as Senate Bill 974 and House Bill 985 (Sovereign Immunity); and Senate Bill 224 (Smoking in public places), which he strongly supports. Additionally, a bill for private property rights to prune, trim, and protect trees (House Bill 1555 and Senate Bill 518).

He urged everyone to contact their legislators.

In closing, he advised that the Florida Historical Society had recognized Rosa L. Jones as well as several others.

He reminded all to buy local, spend local, and keep it local and Representative Sirois will be submitting a letter ensuring that Brightline stops in Cocoa.

XI. Adjournment:

* **MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to adjourn the Regular meeting of February 22, 2022.**

AYES: **Blake, Hearn, Dyal, Goins, Koss**

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:42 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

Adoption of Urban Forest Mgt Plan & Recommendations
January 25, 2022 - Agenda item 21-735

Kristin Lortie, Cocoa resident, speaking on behalf of the Cocoa Cares Green Team, a recently formed citizens' initiative to support green infrastructure and policy in Cocoa.

We the Cocoa Cares Green Team support the council in adopting the Urban Forest Management Plan dated September 29, 2021, as recommended by staff. We are proud that the City of Cocoa is a Tree City USA, and would suggest the city pursue one or more Tree City USA Growth Awards in 2022, and as a result of following the recommendations outlined in the 2021 Urban Forest Management Plan.

At least 10 points accrued by undertaking the recommended activities would qualify the city for a Growth Award. In addition to acknowledging the city's efforts, receipt of Growth Awards may make the city a more attractive candidate for additional grants to fund the planting of more trees.

We would like to specifically recommend 5 of the items referenced in the plan:

1. A Tree Planting Program for replacement of invasive species with native Florida trees in right of ways along roads would accrue 8 points in the Growth Award Program. Planting street trees would reduce polluted stormwater discharge and reduce temperatures in the community.

2. Calculating the Current Tree Canopy for the City of Cocoa would provide a benchmark into the future. The Urban Tree Canopy for Cocoa was not measured as a part of the tree inventory undertaken in the management plan. An i-Tree canopy assessment is a free science-based software tool that could be utilized for this task. Tree City awards 10 points for conducting an assessment of the tree canopy.

3. Adopting a Canopy Cover Goal for Cocoa will give us a goal to strive for in tree preservation. Per the plan comments, the current Urban Tree Canopy percentage must be increased, not merely maintained. Eight Growth Award points are available for setting a tree canopy cover goal.

4. Updating the City of Cocoa Tree Preservation Ordinance may ensure that the recently enacted 2020 ordinance is working for the benefit of tree preservation, while not hindering local development. At least (3) different Tree City Awards are available for updating the ordinance.

5. Finally, we support the city in allocating additional funding, and in seeking more grant funding, to increase the Urban Tree Canopy to provide the numerous benefits of trees while buffering natural disasters and environmental devastation, thereby protecting the inhabitants of our city into the future.

In closing, we support adopting the Urban Forest Management Plan, and the City of Cocoa in being a Tree City that models the countless benefits of planting and preserving trees. We encourage the pursuit of Tree City Growth Awards in 2022.

We request that this statement be added into the public record under agenda item 21-735.