MINUTES
City of Cocoa
Regular Meeting of The City Council

October 13, 2020

A Regular City Council Meeting was held on Tuesday, October 13, 2020, 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 6:03 p.m.

Mayor Williams introduced the new City Manager Stockton Whitten.

Chief Lamm provided the invocation and Deputy Mayor Goins led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	James Goins	Deputy Mayor
	Don Boisvert	Councilmember
	Lorraine Koss	Councilmember
	Brenda Warner	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Matthew Fuhrer, Assistant City Manager; Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Mike Cantaloupe, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Nancy Bunt, Community Services Director; LeShawn Hinton, Helpdesk Support Tech; Dodie Selig, Planning Manager; Tony Jones, Fleet Manager; Kristin Eick, Assistant City Attorney; and Samantha Senger, Assistant to the City Manager/PR Specialist.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of October 13, 2020 (20-666)

2. **Minutes:** (a) State of the City Meeting of September 1, 2020 (20-648)
(b) Regular Meeting of August 26, 2020 (20-667)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve the Agenda as presented for the regular meeting of October 13, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; Seconded by Councilmember Boisvert, to approve the Minutes as written for the State of the City Meeting on September 1, 2020 and the Regular meeting of August 26, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Proclamation: National School Bus Safety Week. (20-694). (Deputy Mayor Goins)

   Deputy Mayor Goins read the Proclamation into the record. The proclamation was presented to Mr. Ford and Dr. Mullins with the Brevard Public Schools.

2. Certificate of Recognition: Space Coast Recovery-Recipient of the Non-Profit Business Champion of the Year 2020 Award. (20-695). (Deputy Mayor Goins)

   Deputy Mayor Goins presented Space Coast Recovery with a special recognition regarding their receipt of Non-Profit Business Champion of the Year 2020 Award. Barbie Thrower with Space Coast Recovery spoke and explained what their program entailed. He commended her and her staff for doing all that they do.

3. Presentation by Dr. Mark Mullins on the County's Half-Cent Sales Surtax. (20-670). (Dr. Mark Mullins, Superintendent, Brevard County Public Schools)

Dr. Mark Mullins, Superintendent with Brevard Public Schools, thanked Mr. Ford for his great work and service to the students of Brevard and thanked Council for the proclamation.

Dr. Mullins thanked Council for the partnerships with the City and Chief Cantaloupe for the SRO's.

He provided a presentation[1] regarding the Half-Cent Sales Tax and provided the ballot language for the upcoming election. Additionally, he provided a brief history on the tax and what it has been used for.

Due to this sales tax, schools are safer and there have been significant improvements such as technology, security, and air conditioning upgrades.

Dr. Mullins assured Council that the School Board would continue to provide complete transparency on what this tax will be used for.

In closing, he pointed out everything that the School Board was proud of but noted that in reality the surtax provides the environment that students need to learn in. Learning can happen in schools where students are equipped with the necessary means to get them to their future.

IV. Delegations:

Greg Stoll, 2203 Salem Drive, Cocoa, spoke in regards to the eagle's nest near the Adamson Creek subdivision. He noted that at the last meeting the issue of an undocumented eagle nest was brought up and thanked everyone for taking this issue seriously. He and his wife have recently completed training to become volunteers for Eagle Watch and asked D.R. Horton permission to watch the nest. He assured them that they would not interfere with the Adamson Creek improvements.

V. Reports:

Chief Lamm provided an update on COVID-19 and mentioned that the City was continuing to remain vigilant and follow CDC guidelines.

Ms. Gemmati pointed out that we received notice of the Florida League of Cities Legislative Conference which is being held on November 12-13, 2020 in Orlando and asked which Council members would like to attend. Deputy Mayor Goins

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1 EXHIBIT A: Our Kids, Brevard's Future Presentation

and Councilmember Koss would like to attend and Mayor Williams will attend if re-elected.

Assistant City Manager Fuhrer mentioned that they were finishing the new audio in Chambers and that representatives were in attendance tonight to make sure that the sound was working properly.

Councilmember Warner announced that the Annual Chris Daniel's Golf Tournament will be October 24, 2020 at 8 a.m. at Turtle Creek Golf Club. This will be the Chief's last tournament as the Chief of Police.

She further reminded all of the homicide that happened a few weeks ago in the City where former Councilmember James Wallen was killed by a burglar. The Police did an excellent job of catching the suspect but because of this incident there have been several neighborhood meetings. Several of the neighbors have discussed something that could be done for Mr. Wallen such as renaming the greenspace between Circle and Manor Drive in his honor.

She pointed out that Ms. Nancy Cabana was here to speak about how the neighbors would like to honor him.

Nancy Cabana, 1626 Manor Drive, Cocoa, thanked Councilmember Warner for setting this up. Ms. Cabana added that there were many who wanted to sign the petition but did not have a chance, as well as other ideas as to how they could honor Mr. Wallen. She spoke about issues with parking if it was to be named a park and that a tree planted in his memory was mentioned as well. Another idea was a plaque on a park bench but she believed that with all that Mr. Wallen did he deserves more than a plaque on a bench.

Mayor Williams stated that this was mentioned at one of the first neighborhood meetings and it was a nice gesture. He was in support of doing something he just did not want to create an area where a lot of traffic would be coming into the neighborhood.

Councilmember Warner explained the area in greater detail and asked that staff bring back to Council what the process would entail.

Deputy Mayor Goins voiced his appreciation to all of the citizens of Cocoa for coming together during all of the issues of 2020.

Councilmember Koss invited everyone to the District 4 Town Hall meeting being held on October 20 at 6 p.m. at the Brevard Museum of History and Natural Science on Michigan Avenue. There will also be a presentation on storm preparedness.

Councilmember Boisvert welcomed Chief Cantaloupe back and welcomed the new City Manager. He thanked all for attending the meeting tonight.

Mayor Williams thanked Mr. Fuhrer for all that he has done as Interim City Manager and that he stepped up when needed.

He mentioned the conduit on crosswalks in the Village so that trees that do not have power could have it as it would be nice to light up the Village like it used to be.

He thanked Council for the decision in regards to the police and bringing the salaries up to be competitive with other departments.

In closing, he welcomed Mr. Whitten again and was ready to continue moving the City forward.

Ms. Senger announced that this Saturday was the Dr. Joe Lee Smith Center Ribbon Cutting Ceremony at 10 a.m. Tours would be offered of the inside for anyone who wished to do that as well.

Deputy Mayor Goins commended Ms. Senger for the planning committee for this ribbon cutting and also for the work on the Census.

She pointed out that the Census could be taken until October 31st and that there were still two open seats in the upcoming Citizens Academy.

VI. Consent Agenda:

1. Approve Task Order 2021-16 with Jacobs Engineering, Inc. (Jacobs) to Provide Assistance with Project Management, Contractor Monitoring, Data Management, Quality Control and the Cross Connection Control Program, Project No. WS13BC (20-630). (Utilities Director)

2. Council Approval to Amend FY2021 Budget, BAF#21-02-A, to accept Insurance Proceeds in the amount of $3,870 from claim number VA2020098737 from a

totaled Police Canine Vehicle and Permission to bring those funds into FY2021 to Retrofit a New Police Vehicle into a Canine Vehicle. (20-644). (Chief of Police)

3. Approve a Resolution Amending the Fiscal Year 2021 Budget, BAF 21-01-A, to Accept the 2020 Awarded Edward Byrne Memorial Justice Assistance Grant (JAG) 2020-DJ-BX-0410 in the amount of $16,617. (20-645). (Chief of Police)

4. Approve Task Order 2021-17 with Carollo Engineers, Inc. to assist Sewer Field Operations (SFO) in Project and Assessment Information, Management Assistance, Quality Control Process Development, Long-Term Strategic Planning, and Lift Station SCADA Maintenance; To Approve a Resolution Amending the FY 2021 Budget, BAF#21-003-T. (20-652). (Utilities Director)

5. Approve Task Order 2021-15 with Carollo Engineers, Inc., Orlando, Florida, for the SCADA Programming Services VTSCADA, LCP'S and RTU's at the Jerry Sellers Water Reclamation Facility; To Authorize the City Manager to Approve Related Purchase Requisition for $157,598.35. (20-654). (Utilities Director)

6. Authorize the City Manager to execute the 1st of 4 renewal option agreements with Don Bell, Inc., DBA DBI Demolition, for code enforcement initiated and citywide demolition services beginning October 1, 2020 (20-664). (Community Services Director)

7. Approval of a Public Drainage Easement for stormwater in Adamson Creek Phase 1A. (20-676). (Community Services Director)

8. Approve Master Agreement For Water Meter and Meter Reading Equipment Purchases with Sunstate Meter & Supply, Inc. and authorize the City Manager to approve a Blanket Purchase Order for Sunstate Meter and Supply Inc. up to $1,225,000 and Request Council approval of a Resolution to Waive Competitive Bid with Sunstate Meter and Supply Inc for the purchase of Neptune water meters and other ancillary hardware required to support meter operations for FY21. (20-679). (Finance Director)

9. Approve a Resolution Amending the FY 2021 Budget, BAF# 20-007-A, pertaining to the FDOT / US1 Streetscape Project Redevelopment Revenue Note (Loan C) transfer from the Cocoa CRA to the General Fund through the use of the General Fund Contingency. (20-698). (Finance Director)

Ms. Bunt asked that 20-664 be pulled from the agenda.

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Public Hearings:

1. Approval of an Amendment To A Previously Approved PUD / A Rezoning (Ordinance 15-2020) Of One (1) Parcel From Brevard County (GU) To City Of Cocoa (PUD) and Incorporating Into Phase One-C Final PUD / A Preliminary Subdivision / and a 5TH DA Modification with Revised Amenities Schedule consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code with conditions. (20-633). (Community Services Director)

Attorney Garganese read Ordinance No. 15-2020 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance.

ORDINANCE NO. 15-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE ADAMSON CREEK PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN FOR PHASE ONE-C; CHANGING THE ZONING MAP DESIGNATION OF ONE (1)PARCEL OF REAL PROPERTY, TOTALING 14.3ACRES, MORE OR LESS, AND GENERALLY LOCATEDDIRECTLY WEST OF I-95, IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED AND LEGALLY DESCRIBEDON EXHIBIT "1" ATTACHED HERETO, FROM BREVARD COUNTY G-U (GENERAL USE DISTRICT) TO CITY OF COCOA PUD(PLANNED UNIT DEVELOPMENT DISTRICT) AND INCORPORATING THE PARCEL INTO THE ADAMSON CREEK FINAL DEVELOPMENT PLAN FOR PHASE ONE-C; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Bunt provided an update on this ordinance and noted what it entailed and the amenities.

Mayor Williams opened the hearing to the public.

- Ana Saunders, with BSE Consultants, provided an update on items that were brought up at the last meeting. One issue was drainage of which there has been discussion regarding action to correct those issues. Additionally, DR Horton has mowed the lake bank between Lost Lakes and the subdivision. Signage was in fabrication and work to further improve drainage issues will occur when construction begins, as you cannot always determine exactly what the particular drainage issues are until you start working, however, they are aware of some of the issues already. Secondly, she spoke in regards to the eagle's nest and she advised that there are certain permitting criteria in regards to those which she discussed. This will allow access to phase 1C construction without any permitting issues.

- John Shepherd with Atlantic Residential, advised that it is currently breeding season for the eagles. They will go out certain times of the week while construction is going and look for behavioral issues. If you see any issue then you slow down the work. He was surprised to see two nests together but it is a positive because if there was a disturbance than they have a home nearby.

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

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to approve an Amendment To A Previously Approved PUD / A Rezoning (Ordinance 15-2020) Of One (1) Parcel From Brevard County (GU) To City Of Cocoa (PUD) and Incorporating Into Phase One-C Final PUD / A Preliminary Subdivision/and a 5TH DA Modification with Revised Amenities Schedule consistent with Chapter 18 Subdivisions and Appendix A Zoning of the City Code with conditions.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Ordinance No. 14-2020: 2nd Reading: Annexing approximately .6 acres of real property located in unincorporated Brevard County (as described in Exhibit "A") into the City of Cocoa in accordance with Chapter 171.044 of the Florida Statutes and Appendix A, Article VI of the City of Cocoa Code. (20-643). (Community Services Director)

Attorney Garganese read Ordinance No. 14-2020 into the record, by title only as follows. He advised that this was the second and final reading of the ordinance.

ORDINANCE NO. 14-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA ANNEXING REAL PROPERTY GENERALLY LOCATED AT 4050 W KING STREET WITH A PARCEL ID NUMBER OF 24-35-26-00-763.1, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUND LEGAL DESCRIPTION AS SET FORTH HEREIN; PROVIDING FOR THE AMENDMENT OF COCOA CHARTER, ARTICLE 1, CITY BOUNDARIES, TO INCORPORATE THE REAL PROPERTY INTO THE CITY BOUNDARIES; PROVIDING FOR THE FILING OF THE REVISED COCOA CHARTER WITH THE DEPARTMENT OF STATE; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve Ordinance No. 14-2020 on second and final reading.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Pass on 1st Reading: Ordinance No. 17-2020, a Comprehensive Plan Text Amendment consistent with Florida Statute Chapter 163 for a City initiated request to change the Future Land Use Element related to allowable uses in the Commercial Future Land Use designation. (20-662). (Community Services Director)

Attorney Garganese read Ordinance No. 17-2020 into the record, by title only as follows. He advised that this was the first reading of the ordinance.

ORDINANCE NO. 17-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, ADOPTING A LARGE SCALE COMPREHENSIVE PLAN TEXT AMENDMENT; AMENDING THE FUTURE LAND USE ELEMENT RELATED TO ALLOWABLE USES IN THE COMMERCIAL FUTURE LAND USE DESIGNATION; 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.

Ms. Selig mentioned that Council recently approved Ordinance No. 11-2020 amending the Planning Unit Development zoning district regulations. This was intended to allow for mixed-use planning unit developments, in addition to other changes. The PUD code was originally written to provide a mechanism for the City to encourage and permit variation in development of residential and commercial projects; however, no provision was made for a mixed-use development pattern.

This ordinance provides greater flexibility in the development plan, allows for a mixed-use PUD form, revises the requirements for open space, and makes necessary revisions to the approval process for PUD's.

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

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve Ordinance No. 17-2020, a Comprehensive Plan Text Amendment consistent with Florida Statute Chapter 163 for a City initiated request to change the Future Land Use Element related to allowable uses in the Commercial Future Land Use designation on First Reading.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Pass on 1st Reading: Ordinance No. 16-2020, of the City Council of the City of Cocoa, Brevard County, Florida; amending Appendix A, Zoning, Article V, the definition of Building Height. (20-671). (Community Services Director)

Attorney Garganese read Ordinance No. 16-2020 into the record, by title only as follows. He advised that this was the first reading of the ordinance.

ORDINANCE NO. 16-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, ARTICLE V OF THE CITY CODE RELATING TO THE DEFINITION OF BUILDING HEIGHT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig explained that there have been a few multi-family projects come to the City in the last few years. She explained changes that have occurred with roofs through time. They are updating the Code without changing the intent of the original zoning limit.

Mayor Williams felt that these roofs were more aesthetically pleasing than a flat roof.

Councilmember Koss believed it was more than aesthetics as the intensity of rainfall has increased and the pitch helps the flow of the water, whereas it shortens the life of a flat roof.

Ms. Selig added that the Planning and Zoning Board recommended a change which was reflected in the recommended motion; however, the ordinance included with the item does not include that language.

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

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve Ordinance No. 16-2020, of the City Council of the City of Cocoa, Brevard County, Florida; amending Appendix A, Zoning, Article V, the definition of Building Height on First Reading.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. Council Business:

1. Approve the current Code Enforcement Lien for the property located at 1004 Montclair Rd., be reduced to $1,379.29 as recommended by the Code Enforcement Board. (20-639). (Chief of Police)

Chief Cantaloupe provided a background on this case and advised that at the September Code Enforcement Board meeting the board was in agreement with staff's recommendation. There are no current code violations and all others are up to date.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to approve the current Code Enforcement Lien for the property located at 1004 Montclair Rd., be reduced to $1,379.29 as recommended by the Code Enforcement Board.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the current Code Enforcement Lien for the property located at 2406 Mercer Drive, be reduced to $1,100.00 as recommended by the Code Enforcement Board. (20-641). (Chief of Police)

Chief Cantaloupe provided a background on this item and advised that it was taken to the September meeting of the Code Enforcement Board. The board was in agreement to reduce it to the requested amount and staff was in agreement as well.

* **MOTION by Councilmember Warner; Seconded by Councilmember Boisvert, to approve. The motion was opened for discussion.**

Councilmember Koss asked if the applicants know that there are liens on the property when they are asking for a reduction beyond what staff's recommendation was. She felt that this was a pretty good property and that the City was taking a hit on this one.

Chief Cantaloupe agreed and pointed out that Council has the ability to change to the amount.

Further discussion was held on the property.

AYES: Williams, Boisvert, Warner

NAYS: Goins, Koss

3. Review State of Florida Executive Order Number 20-244 regarding Phase 3 of the Governor's Safe. Smart. Step-by-Step. Plan for Florida's Recovery and discuss future impacts to the local face covering emergency Ordinance no. 13-2020, Resolution 2020-146 expanding outdoor dining options, and safety plan approvals for special events at City facilities. (20-673). (Assistant City Manager)

Assistant City Manager Fuhrer reminded Council that on September 25, 2020 Governor DeSantis signed Executive Order No. 20-244 which moved the State of Florida into Phase 3 of the Safe. Smart. Step-by-Step. Plan which in turn, supersedes and eliminates any and all restrictions of previous Executive Orders issued for Phases 1 and 2.

As it relates to the City, staff now needs direction on the emergency ordinance requiring face coverings, social gatherings, and outdoor eating spaces.

He advised that the first thing to consider was the Emergency Ordinance regarding face coverings. The executive order does not restrict the City's ability to mandate but it does stop the City for being able to take fines. Staff needs approval to extend the ordinance for another thirty days.

Mayor Williams was in favor of continuing the ordinance for thirty days.

Deputy Mayor Goins felt that powers were being taken away and that people were relaxing because nothing can be done technically. He agreed on the extension of the ordinance.

Attorney Garganese felt it was important to point out this order does not suspend the imposition of a fine or penalty, just the collection. Theoretically, if a fine is given it could possibly be collected if this order is lifted.

Councilmember Warner believed that businesses are thankful for the pressure being taken off of them for requiring masks and that it should be left alone and extended.

Councilmember Koss would like the signs to be removed from parks.

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, to extend Ordinance No. 13-2020, Requiring Face Coverings for thirty days.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Assistant City Manager Fuhrer advised that the second item for Council to consider was related to Resolution No. 2020-146 for additional outdoor dining areas. This resolution has been rendered useless with the new order, which expands the capacity of restaurants to no less than 100% occupancy.

Councilmember Koss asked if this could be extended past December 31st to the end of February, 2021.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to extend outdoor seating for restaurants through February, 2021.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Assistant City Manager Fuhrer advised that the third item for consideration was social gatherings. He mentioned special event waivers and other plans in place for large events. There are a number of promoters interested in bringing back

concerts next year. Staff was seeking the requirement that safety plans continue to be submitted as well as bringing back in house approvals with the exceptions of street closures, and they would still seek COVID waivers.

Councilmember Boisvert believed that they should wait to the first of the year to make this decision, as this is still an unknown.

Assistant City Manager clarified that the safety plans would still be required they would just be approved at the staff level and explained what some of the events were. They could continue with the way they have been doing it but there are some who submit in a tight timeframe.

Councilmember Warner does not have a problem with smaller events being approved at staff level if they meet the criteria.

Councilmember Koss agreed.

Mayor Williams advised that the Space Coast League of Cities has cancelled the December meeting and he felt it would be nice to show appreciation to employees after everything that has gone on this year.

City Manager Whitten asked for that to be put in the form of a motion so that there were no misunderstandings and he agreed to bring back information regarding an employee recognition.

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, for safety plans to continue to be submitted, COVID waivers still be required, and for smaller events to be approved at staff level, with the exception of street closures.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Warner; Seconded by Deputy Mayor Goins, to set up an employee recognition during the month of December.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve Resolution No. 2020-211 officially naming the Dr. Joe Lee Smith Community Center in the Diamond Square community after long-time Cocoa resident and community advocate, Dr. Joe Lee Smith. (20-682). (Assistant to the City Manager/ Public Relations Specialist)

Ms. Senger advised that while doing research this building was never officially named after Mr. Smith. By approving this resolution, it will officially name the building and it will be presented to him at the event on Saturday.

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. City Business:

1. Approve a Resolution to adopt the 2020 Brevard County Local Mitigation Strategy Plan. (20-640). (Fire Chief)

Chief Lamm provided information regarding the 2020 Brevard County Local Mitigation Plan and explained what the resolution entailed.

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the Memorandum of Understanding between the City of Cocoa and International Association of Firefighters Local 2416 to amend Article 28 Insurance and Article 29 Wages. (20-655). (Administrative Services Director)

Ms. Gemmati advised that during the budget adoption pay ranges were adjusted and this MOU formalizes those changes in the fire contract. It also includes changes to the insurance where dependent coverage costs were absorbed.

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approve an Ordinance to adopt a new limited-duration Lien Amnesty Program, which provides an incentive for eligible property owners who have brought their properties into compliance with the City Code by offering an expedited method to receive code enforcement lien reductions and lien releases. (20-675). (Chief of Police)

Attorney Garganese read Ordinance No. 08-2020 into the record.

ORDINANCE NO. 08-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 6, ARTICLE II OF THE CITY CODE, RELATING TO CODE ENFORCEMENT; CREATING A NEW LIEN AMNESTY PROGRAM; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Attorney Garganese mentioned that a final date would need to be entered into the ordinance.

Mayor Williams advised that he had an issue with Section d.2 and that if someone owned multiple properties and they have the opportunity to bring one at a time into compliance, it should be allowed, however, bringing them all into compliance at one time could be a bit of a stretch.

Discussion was held on this ordinance and for those with multiple properties.

Chief Cantaloupe added that this was designed for someone who may have received a lien several years ago and did not realize it, but now they want to upgrade or do an addition, but when you go to get a loan you find out there is a lien. This program is designed to help in those situations.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Goins, to approve Ordinance No. 08-2020 on First Reading, for discussion.**

Deputy Mayor Goins asked that Ms. Senger really push this information out on social media so that people are aware. Secondly, he asked that when Code sends out letters with violations many do not understand them, so he suggested that pictures be included to help them better understand.

Chief Cantaloupe explained that before someone is cited Code will speak with the person and explain what they are being cited for. They have simplified the language and if they can make contact with the person they do a pre-notice. He assured Council that they would work on that and that he would have Ms. Martinez does a PSA from the Code Enforcement side as well.

Mayor Williams added that many did not know that the mobile vendor ordinance had passed. In response, Ms. Bunt announced that they had created flyers and have been handing those out to mobile vendors.

Attorney Garganese asked for clarification on the duration of the program. It was determined it would be for eighteen months.

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

4. Approve the Cross Connection Control (CCC) Technical Field Services Provided by Ace Flow Control, Longwood, Florida up to the FY 2021 Budgeted Amount of $450,000 Through May 12, 2021. (20-629). (Utilities Director)

Mr. Walsh noted this item was in regards to the backflow program and this was the last year of the contract. The program began in 2014.

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Approve participation in a Cooperative Purchasing Multi-Year Contract of the School Board of Brevard County for the purchasing of petroleum products utilizing contract number ITB 18-B-021-NC: (Diesel, Gasoline & Fuel Oils) with Glover Oil Company of Melbourne Florida. Authorize the City Manager to sign the contract renewal extension and authorize a Blanket Purchase Order to Glover Oil Company for city wide fuel purchases throughout the duration of the contract term. (20-674). (Public Works Director)

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

6. Approve entering into a piggyback agreement with VA Paving, Inc. in the amount of $258,557.72, plus a Resolution for Contingency of $41,442.28, for the milling and/or paving of various streets, using Brevard County Bid # B6-20-57, effective

August 22, 2020 through August 21, 2021. Approve the City Manager to issue the related purchase order. (20-691). (Public Works Director)

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

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

X. Informational Agenda:

None.

XI. Adjournment:

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to adjourn the Regular meeting of October 13, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:03 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie E. Shealy, MMC, City Clerk

SEAL

EXHIBIT A: Our Kids, Brevard's Future Presentation

Our Kids, Brevard's Future



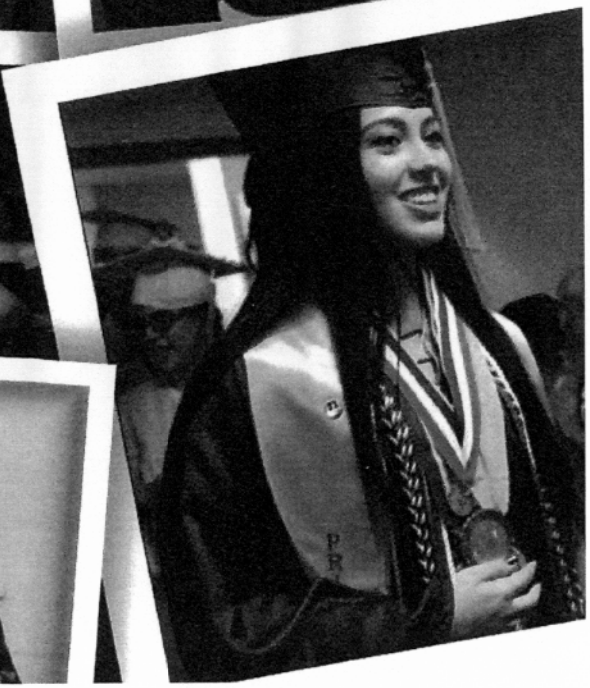






Brevard Public Schools











Brevard Public Schools

An Important Decision

November 3rd

OFFICIAL BALLOT

HALF-CENT SALES SURTAX EXTENSION FOR CRITICAL SCHOOL FACILITY, SECURITY, AND TECHNOLOGY UPGRADES

To extend the existing half-cent surtax approved by voters in 2014, to upgrade aging schools in Brevard County with critical school facility renewal projects, school security and technology modernizations that keep schools safe and conducive to learning and as per statute, shared with charter schools based on proportionate share of district enrollment, shall a half-cent sales surtax be reauthorized for six years, with all expenditures monitored by an independent citizen oversight committee.

_____FOR THE HALF-CENT TAX

_____AGAINST THE HALF-CENT TAX

2014 Surtax

$757 M needs assessed

$265 M funded via surtax

$492 M critical needs remain

Brevard Public Schools

Attachment C

Facilities Services
2700 Judge Fran Jamieson Way
Viera, Florida 32940-6601

Districtwide Capital Needs Sales Surtax Funded Summary Report

	Estimate
District School Security	
Perimeter/Entry Fencing and Gates	$5,746,542
Building Access Security Equipment	$2,858,262
Educational Technology	
Technology Building Cabling	$2,888,280
Technology Equipment Renewal	$25,364,827
Classroom Technology Infrastructure (Electrical, HVAC and Data)	$6,292,518
Facility Renewal	
Safety and Building Code Deficiency Corrections	$11,177,583
ADA Code Deficiency Corrections	$7,894,726
Fire Alarm System Renewal	$156,969,949
Central Mechanical Plant Renewal	$4,257,842
Cooling and Heating Control System Renewal	$649,800
Air Conditioning and Air Distribution Equipment Renewal	$2,112,753
Roofing System Renewal	$40,985,098
Exterior Building Wall Finish System Renewal	$18,092,694
Exterior Door/Window/Louver System Renewal	$32,185,914
Building Water and Sanitary Piping System Renewal	$16,449,473
Water Heating System Renewal	$2,947,529
Electrical Supply System (Transformers, Switchgear and Wiring) Renewal	$1,728,266
Electrical Distribution System Renewal	$3,664,628
Electrical System Components (Lightning Protection, Intercom and Generators) Renewal	$572,056
Interior and Exterior Lighting Equipment Renewal	$228,151
Air Supply and Exhaust System Renewal	$14,272,356
Site Utility Systems (Gas, Electrical, Stormwater, Water, Sanitary) Renewal	$2,962,293
	$687,954
	$11,264,176
	$3,908,967
Totals:	**$188,081,317**

NOT FUNDED

Brevard Public Schools

Today

Sales surtax made a difference in our schools

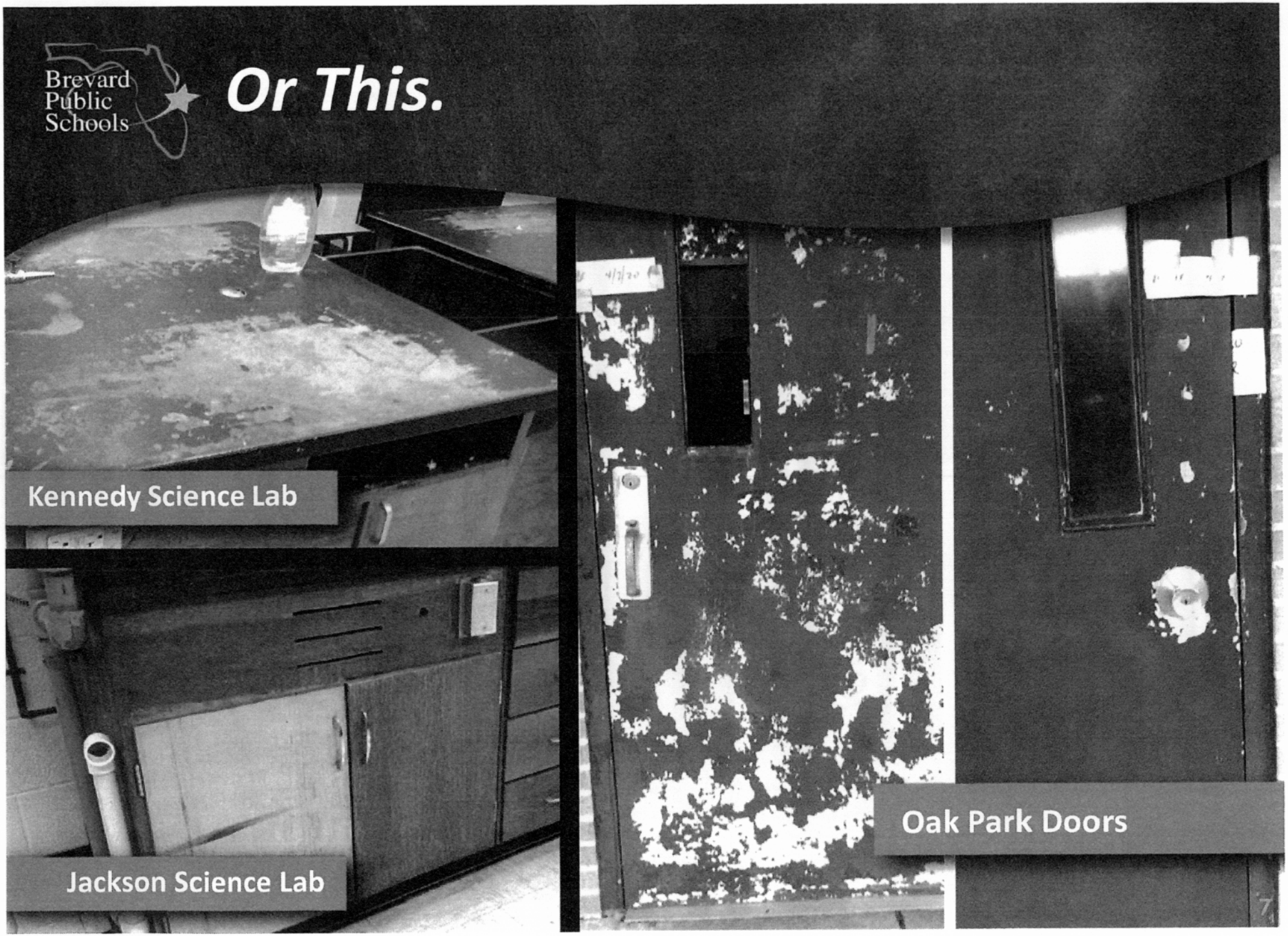
- Schools are safer
  - Security projects done early and expanded
- Significant improvement in air conditioning
- Technology improved

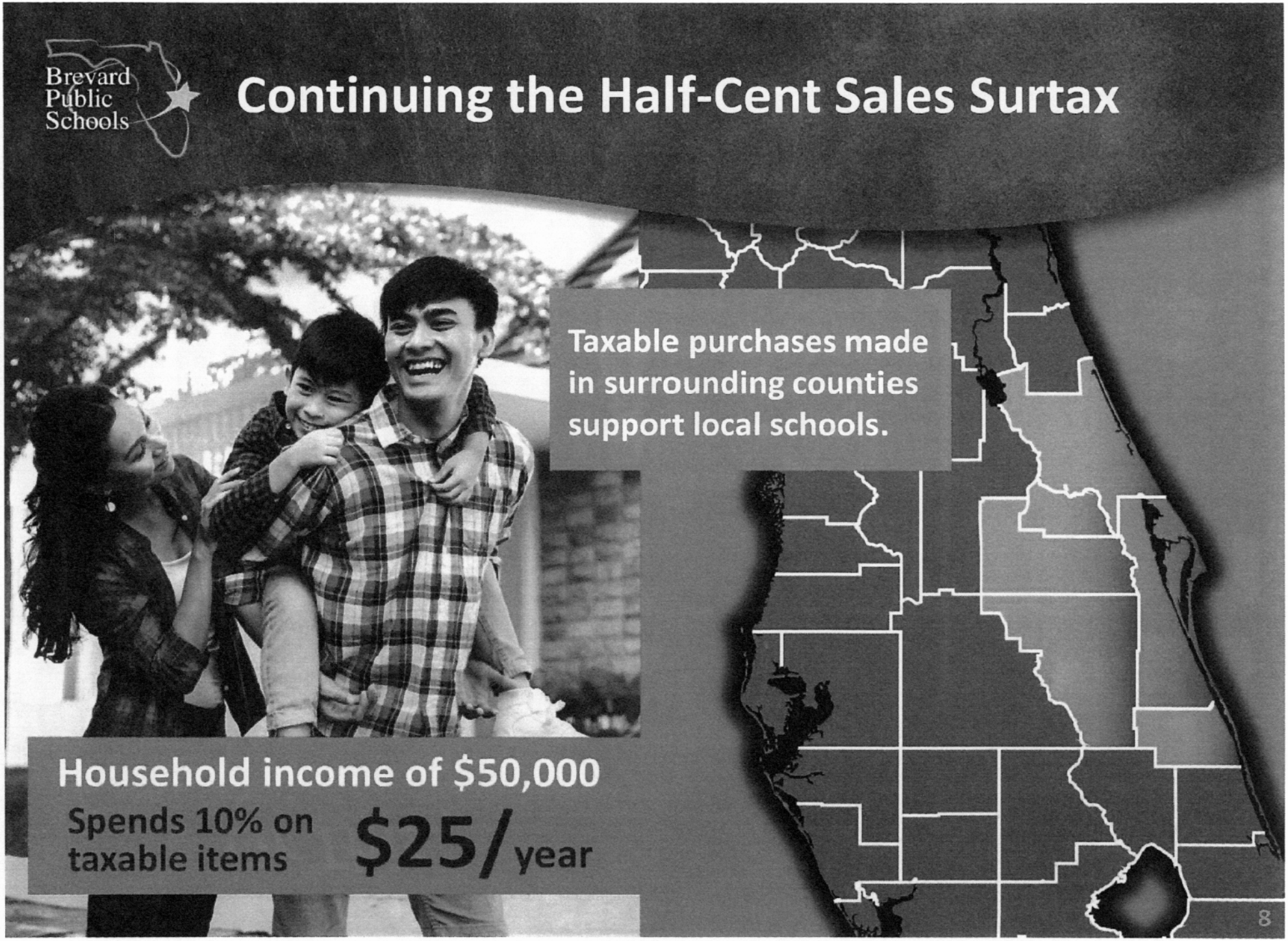
We honored our commitments

- ✔ Spend surtax on essential needs
- ✔ Independent citizens oversight guided decisions
- ✔ Nine 3rd party audits
- ✔ No new debt


Brevard Public Schools
We've Made Progress...
Security
$20.8 Million
Educational Technology
$36 Million
Facilities
$196 Million


Brevard
Public
Schools
We Haven't Fixed This...
Roosevelt Roof
6


Brevard Public Schools
Or This.
Kennedy Science Lab
Jackson Science Lab
Oak Park Doors


Brevard Public Schools
Continuing the Half-Cent Sales Surtax
Taxable purchases made in surrounding counties support local schools.
Household income of $50,000
Spends 10% on taxable items
$25/year
8

Our Commitment Continues

Transparency

- Data driven approach to investments
- Itemized list of investments by site and by year
- No new debt
- Continue independent citizens oversight committee (ICOC)
- Continue external audits
- Continue reporting to the school board and community

Outcomes

- ✓ Surtax funds are invested in our schools
- ✓ Surtax funds are invested in the local economy
- ✓ Return on investment

Our Kids, Brevard's Future

- 'A'-rated school district – responsible for 70,000+ students
- Current graduation rate 88.3%
- In 2020, 411 seniors graduated with an A.A. degree
- Competitive career training programs – 40% of graduates earn industry certification
- Comprehensive music programs K-12
- Science research leader in the state
- Experienced teacher workforce – retention is critical to students' success



Brevard Public Schools

An Important Decision

November 3rd

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