MINUTES
City of Cocoa
Regular Meeting of The City Council

October 12, 2021

A Regular City Council Meeting was held on Tuesday, October 12, 2021, 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.

Deputy Mayor Goins provided the invocation and Councilmember Dyal 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
	James Goins	Deputy Mayor
	Rip Dyal	Councilmember
	Lavander Hearn	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; Evander Collier, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Samantha Senger, Assistant to the City Manager/PIO; Charlene Neuterman, Interim Community Services Director; John Haight, Intern; Dennis Bunt, Code Manager; and Ben Wenrich, Helpdesk Support Tech.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of October 12, 2021. (21-659)

2. **Minutes:** Regular Meeting of September 14, 2021 (21-660)

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve the Agenda for the Regular meeting of October 12, 2021 and the Minutes of the Regular meeting of September 14, 2021.**

Councilmember Koss advised that there is an item being walked on and she did not want to approve the item. She advised this was in regards to the community garden and there are many who have volunteered for many hours in the garden and she did not feel it was fair for them to not be able to participate in this.

Mayor Blake discussed the motion on the floor and it was advised that they need to do this as two separate motions.

* **MOTION was Amended by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve the Agenda with the addition of Item VII.6.**

AYES: Blake, Goins, Dyal, Hearn

NAYS: Koss

THE MOTION CARRIED (4-1)

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Goins, to approve the Minutes with the following amendments: on page 17, first paragraph, 4th sentence, *"She has learned some important lessons this budget year...Strike the rest of the line and paragraph and add...Koss noted politics is about compromises. We represent our own constituents, but all of us take a vow to represent the overall best interest of the city. Politics isn't dirty in and of itself, it's how you play the game. She stated that she prefers to play it clean and that she's looking forward to a new year and process."***

AYES: Goins, Dyal, Hearn, Koss

NAYS: Blake

THE MOTION CARRIED (4-1)

III. **Awards and Presentations:**

1. Presentation on the Cocoa Police Department's Strategic Plan. (21-658). (Chief Collier & Consultants)

Chief Collier introduced David Mitchell and Jeffrey Goltz, who were the consultants for this plan. He advised that they would be providing a presentation on the Cocoa Police Department's Strategic Plan[1].

Mr. Mitchell thanked Council and provided a timeline to date of this process. He spoke about the stakeholders who were involved: Internally, Institutionally, and in the Community and explained how they received feedback and developed the information being presented. Mr. Mitchell thanked the City Manager and Chief Collier as well as the members of the UCF team who also gave their time.

Mr. Mitchell provided both the current and proposed Mission, Values, and Vision Statements.

The SWOT Analysis was discussed and Mr. Mitchell spoke about each of the Strategic Issues in detail, which were:

- How can CPD proactively respond to shifting crime trends and emerging social problems?
- How can CPD continue to build strong community relations throughout the diverse population of Cocoa?
- How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

He thanked all with Cocoa and his team as this is a good product and hoped all goes well with it.

Mayor Blake thanked Mr. Mitchell for the presentation and for the detailed and concise information. He appreciated that they took the input from citizens as well.

Councilmember Koss felt that this was fabulous and was glad to see us with a vision that everyone has wanted and that can be worked towards. She believed the plan was easy to digest and was excited to implement it.

She asked if they looked at reasons why potential employees may or may not want to live in Cocoa. In response, Mr. Mitchell explained that they did speak with officers and senior officers on this issue. Some of it was the ability to purchase a home in Cocoa as opposed to other areas and for some it was the commute. For others it was the overall recruitment and retention that officers are facing with

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1 EXHIBIT A: Cocoa Police Department Strategic Plan Presentation

things such as competitive salaries. Chief Collier agreed and felt that as Cocoa grows you will see more officers moving towards the City.

Further discussion was held on the pay and salaries and Chief Collier pointed out that when this plan was being developed the recent raises were not being considered at the time.

She thanked them again for the excellent report.

Mayor Blake advised that the millage rate was addressed at the last meeting and this will help maintain and recruit new people. He mentioned at the Space Coast League of Cities Dinner Sheriff Ivey spoke about recruitment and the only way to do it was to build in the City.

Chief Collier thanked Council and believes that this was an excellent footprint for the future of the police department. He asked for a motion to accept the draft of the plan.

* **MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to adopt the Draft of the Cocoa Police Department Strategic Plan.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

IV. Delegations:

Paul Kamus, 116 Olive Street, Cocoa, thanked Public Works for the work done on the ditch on the south side of Olive Street, as you can now see the road. He further mentioned the north side of Olive Street and Grimes St. with tall grass and litter. He asked that it be mowed. Lastly, he advised that they received a statement in the mail for a payment of his wife's medical insurance. No one knows why they are being received and felt that a ACH debit would be more helpful. Ms. Gemmati stated they were in the process of setting that up.

Mayor Blake pointed out that they officially started Delegations at 6:37 p.m. and they would need to extend at 7:07 p.m. if they go beyond that point.

Marisol Lanza, 436 Satsuma Street, Cocoa, spoke about an issue that she has brought up in the past regarding Mr. Purvis at 434 Satsuma St. She explained the issues in detail and stated that she felt threatened. She stated the police officer who responded did not do a report or anything and she wants this to go to court so that she can prosecute.

Gregg Stoll, 2203 Salem Drive, Cocoa, stated that the City owns the trails between Tiger Den and Brevard Museum.

Emma Kirkpatrick, HCVMS, reminded all that the Annual Fall Craft Fair is this weekend from 10 a.m. until 4 p.m. each day. She invited all to come out.

Mayor Blake recognized the new participants of Citizens Academy who were in attendance.

Sharon Spikes, 3682 Catalina Drive, spoke on behalf of Dorothy Hall of 1040 Peachtree Street. She wanted to thank Council for considering the two lots as it has been a big cleanup and they have put work into those lots on Peachtree Street. She further thanked Officer Roman and Officer Landis at the Cocoa Police Dept. for placing signs. It made them feel good and thanked them again for the consideration of the property.

Keno Diefenderfer, 506 Donley Street, stated he has been to multiple meetings and has lived in Cocoa for about ten years. He believes a master plan would be good as it would provide the proper steps in achieving the plan. He also believes a skatepark would be good in Riverfront Park. He felt the community should be involved in the plan so they have more input.

Dennis Childs, 2100 N. Indian River Drive, Cocoa, was represented by Kristin Lorti. He would like Council to explain why they spent $60,000 on a park plan and then disrupted the studies. They are pending money on a park that is not in the plan. He proposed that Council freeze all spending on parks as Cocoa citizens deserve more.

Kristin Lorti, 5524 Brilliance Circle, Cocoa, thanked Mr. Whitten for inviting her to attend the Citizens Academy. She provided a presentation[2] which included how to move from the Draft Master Plan to the City of Cocoa Parks System. She provided her background and explained why she was interested in the planning of this. She further shared information of where this information can be located on Facebook.

Alicia Phillips & Rashad Williams with Cocoa Youth Athletics spoke in reference to the Parks Master Plan. She spoke in detail about the issues they have at Stradley Park, including drainage, bathrooms, etc. She believed the county needed to do a

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2 EXHIBIT B: Presentation by K. Lorti

better job at fixing things that are provided. About a month ago they paved the park but not where they play football and when it was brought to the county's attention they said it was the city's fault.

Mayor Blake noted he drives by there daily and agreed that it needs to be addressed. He knows the impact the organization has on children.

City Manager Whitten apologized as he had their presentation[3] and did not send it to IT.

Councilmember Koss thanked her and asked if she would be willing to go with her to Commissioner Lober's office. She felt Ms. Phillips' presence would be valuable.

Deputy Mayor Goins saw the parking lot and immediately shared his concerns with Mr. Smith. He felt it was ridiculous and he assured Ms. Phillips that the city would come up with the funds to make sure this was taken care of. There are deficiencies and he hoped that people in the community can voice those problems in order to help get things done. There will be some overages from the other park projects and they hope to use some of those at Stradley Park.

Mayor Blake asked City Manager Whitten to elaborate on the Parks Master Plan. In response, City Manager Whitten explained that with the Police Department's Strategic Plan, when it was noticed there was a change in leadership, the consultants allowed the Chief and City Manager to tweak and review things. There is a DRAFT Parks Master Plan that has not been presented and Mr. Smith was not even included in the process. The process has to be allowed to come to a conclusion which includes the City Manager, Departmental input, citizen input, and what the plan states in regards to Stradley Park. As staff, we would like an opportunity to review the plan and make adjustments, as the process was put into place right before his arrival.

This was staffed through Community Services and in his eyes is not the correct department for this to go through. We need to engage with the County and talk about better utilization of their resources. He requested that anyone presenting this out in the public as a plan to please remove it until staff can review it and bring to Council for approval.

Councilmember Hearn commended Ms. Phillips and Mr. Williams for what they do for so many youth in the community and agreed that some of these common sense

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3 EXHIBIT C: Stradley Park Presentation

issues needed to be addressed. He asked council members to go sit at the parks to see what was going on.

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Goins, to extend Delegations for fifteen minutes.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

Terrance Thomas, 704 Rosa L. Jones, Cocoa, attended the county commission meeting and felt that the Sheriff was out of control in regards to what he said about the death of a young man, saying that he got what he deserved. He felt that the Sheriff owed them an apology and that they were told to go somewhere else. There are four young black mothers who have lost their sons to gun violence. He asked where they have to go to get answers.

Mayor Blake advised they should speak to the county commission. He noted the Sheriff's budget was predicated from the county and in conjunction with the City too. Chairwoman Pritchett is the first place to start. Chief Collier concurred and pointed out that the Sheriff is elected by the tax payers and the only one who can sanction a sheriff is the governor.

Sharika Bell, 1267 Amherst Court, Cocoa, addressed the same issue as Mr. Thomas. She stated that Commissioner Pritchett spoke and agreed with what the Sheriff stated and stated all they do is write a check. It is not their job to tell him how to do his job, as they do not want him doing that to them. This issue is about a young lady whose kid got shot and the way the Sheriff is handling black people in the community. They were shut down so where do you go to get justice. They want this situation addressed. The Mayor reiterated that they need to go through Commissioner Pritchett, the Governor and State Legislators.

Ms. Mary Flowers, 909 Carolina Avenue, Cocoa, advised that two years ago on October 20th her son was murdered in Cocoa. The Cocoa Police Dept. wanted her daughter to do the investigation for them and she refused. Nothing has been done and they have reached out but still have not received any answers. She has spoken with the new Chief about the report and is angry. The first location of her son's memorial had to be taken down because of the owner, and the grass at the new location needs to be mowed because the City will not mow it. She has been mowing it but is not doing it anymore. She stressed that she is tired and she spoke about other family members she has lost. The Chief agreed to speak with her.

Cynthia Green, 1925 Exeter Drive, Cocoa, voiced concerns about her fence where the substation is at. It is overgrown and the growth has broken her fence down and she wants it replaced. Both Councilmember Hearn and Mr. Larry Koss came out and helped clean it up but she would like it replaced. She stated that Mr. Smith has been notified and she wanted it done.

Mayor Blake noted that he along with Mr. Bunt from Code Enforcement were planning to come to her house this week.

Dr. Synthia Doaks, the Community Partnership Schools Director at Endeavor Elementary introduced the new principal, Catherine Murphy. Ms. Doaks explained the purpose of the Community Partnership and expressed their gratitude of the City's partnership and involvement with them.

City Manager Whitten noted that he had met with Dr. Doaks and Ms. Murphy and helped five kids get glasses. There are about 100 more in need so if nineteen others do what he did they would all have glasses.

Councilmember Koss pointed out how sustainability initiatives could apply to this area.

Councilmember Hearn stated that they were having a Fall Festival at Endeavor on November 13th from noon until 3 p.m.

Gregg Stoll, 2203 Salem Drive, Cocoa, spoke about Item V.1 and was enthused that Cocoa was awarded this grant. He asked if the City would be conducting the research and documentation of if it would be contracted out. In response, City Manager Whitten explained that they would have to select a consultant so it would be an RFP.

V. Consent Agenda:

(A) General Consent Items:

1. Council acceptance of U.S. Department of the Interior-National Parks Service African American Civil Rights Grant Award # P21AP11733-00 in the amount of $30,000 for the purposes of conducting historical research and documentation on the Civil Rights Case Gilbert v. Board of Public Instruction of Brevard County, Florida. Approve a Resolution amending the Fiscal Year 2022 Budget, BAF # 22-

007-A in the amount of $30,000 for the grant award (Project GR2111). (21-661). (Interim Community Services Director)

2. Approve the Interlocal Agreement between Brevard County Board of County Commissioners and the City of Cocoa regarding Automatic Aid for Fire Protection and Rescue Services and the lease of Old Fire Station #2(BCFR Station #46). Request Council grant the City Manager authorization to approve annual renewals and or modifications as necessary. (21-670). (Fire Chief)

(B) Multi-Year Contracts:

3. Approve the renewal of the co-operative purchasing agreement with Granite Inliner (formally Layne In-Liner LLC) in the amount of $146,070, plus a contingency of $3,930 for a total of $150,000 for FY22, using Polk County Bid 20-577 approved June 30, 2020 through May 31, 2023 to reline various sized pipes and Authorize the City Manager to sign the contract(s), renewal(s) and Purchase Orders for each subsequent fiscal year pending the approval of that year's budget. (21-651). (Public Works Director).

4. Approve entering into a multi-year piggyback agreement for an initial 3-year term with two 1-year renewals, with Frontline Fire Protection Systems, LLC dba ATP Fire, utilizing Brevard County Contract B# 7-21-86 for on-demand fire extinguisher services. Authorize the City Manager to sign the contract(s) and renewal(s) for each subsequent fiscal year. (21-656). (Public Works Director)

5. Approval of a Multi-Year Piggyback Agreement with Gabriel, Roeder, Smith (GRS) using Pinellas County contract #07-2017 to Perform Other Post-Employment Benefits Actuarial Services for the Calculation of FY21 and FY22 OPEB Liability. (21-678). (Finance Director)

Mayor Blake stated that he had a conversation with Chief Lamm in regards to Item V.2 and he asked Chief Lamm to elaborate on this item. Chief Lamm advised thtat there was not a plan at this time for the county to have any of their equipment in any of the fire stations. There is an agreement with the County for the Fiske Blvd. Station to have a piece of their equipment stored there in order to serve people in that area.

He further explained that in Section 4 there is wording that allowed the county to store apparatus or trucks in the event of a hurricane or there have been times in which the City was forced to borrow from the County such as an apparatus. Chief Lamm also stated that another point he wanted to make was that sometimes all of

the trucks are in use due to fires so they may ask the county to bring a truck into the City. This agreement allows them the ability to borrow equipment if they are in dire need.

Mayor Blake further asked about the costs absorbed on both sides. Chief Lamm explained that to cover the gap to meet ISO requirements they are allowed to have an auto aid agreement between two municipalities to bring in what is needed to finish out transport of our people off of the scene in the event someone gets hurt, and it allows everyone to meet the standard. In turn, they do the same for the county. Additionally, there is an EMS Exchange Program which he explained in furtherance and that last budget year they saved about $30,000 because of this program.

Councilmember Hearn advised that these agreements are standard throughout the county and the state.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

VI. Public Hearings:

None.

VII. Council Business:

1. Request approval of the Council appointments for the City Districting Commission. (21-620). (Interim Community Services Director)

Ms. Neuterman spoke on behalf of the item and explained that the following recommendations had been made by Council members in regards to the upcoming Districting Commission.

- Mayor Blake: Tracy Moore
- Deputy Mayor Goins: Ed Green
- Councilmember Dyal: Don Boisvert
- Councilmember Hearn: Alton Edmond
- Councilmember Koss: Jennifer Riggs

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

2. As recommended by the Code Enforcement Board and Staff, affirm the current amount of the current Code Enforcement Lien of $37,030.00 for the property located at 2607 N. Indian River Dr., and provide no reduction of the lien amount as city costs are greater than the lien amount of $37,030.00. (21-641). (Chief of Police)

Mayor Blake advised the Code Enforcement Board, at their regular meeting of September 16, 2021, recommended this lien not be reduced and the fine be $37,030.00.

Mr. Bunt spoke on behalf of the case and pointed out that the actual costs to the City well exceed the amount of $37,030.00.

Attorney Kim Rezanka, representing the applicant for this case, provided a handout[4] to Council. She provided a brief background of the case and that this was denied over the City Attorney fees. She felt that this has a chilling effect on the right for a citizen to appeal. She explained that her client could not repay the lien and felt that the costs were too much. He has moved out and was challenging the order, not ignoring it. At the time he was receiving the violations, he was living at the property. On September 16, 2021, the Code Board did not have factual information in front of them and he did not receive a notice of that meeting until that morning.

She further mentioned that the lien is 14% of the value of the property and he cannot refinance. The City is improperly seeking to recover attorney's fees. His costs were far less than that. The City Attorney's bills were not given to the Code Board and they were told they could not have them. Her client is willing to pay the $2,962.52 and can pay that within thirty days.

Attorney Rezanka urged Council to look at the Code Lien Amnesty Program and pointed that he along with the other owner are first responders. The other owner is in the military as well, on border control and cannot buy a house as he cannot get his name off of this property. They asked that this be reduced to $2,962.52.

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4 EXHIBIT D: Handout provided by Attorney Rezanka

Mr. Bunt clarified that the City was not asking for City Attorney fees they were asking that a reduction of the code fine not be reduced, as the costs exceeds what this fine originally was and they were trying to recoup staff and city costs. He further clarified that the entire application packet was at the meeting.

Attorney Gargaense wanted to be abundantly clear for the record that this item was not seeking reimbursement for attorney's fees. The $37,030 was based on code liens and it is not an attorney fee and the City was not seeking to recoup any attorney fees. If they were it would be in excess of $100,000 and additionally, the City had a special prosecutor that we were paying due to the gravity of this situation. There were significant policy issues relating to this and the case went on for an excess of two years. Staff reports on their costs is just a centile for the time spent on this case. The lien runs in favor of the governing body. It is a discretionary decision on whether or not Council wants to afford relief, but it is their discretion as to what they want to do.

Deputy Mayor Goins spoke in regards to the Lien Amnesty Program in place and asked if it could be considered for this item. Attorney Rezanka added that it was not a repeat and the only way he does not qualify for the program is that he does not live there, but he would move back in.

Mr. Bunt added it was up to Council.

Councilmember Koss had received the following comment[5] from the owner's neighbors:

"We request they not be released from their lien. They had plenty of funds to hire an attorney to fight the city code and we had to live with it for years. The city paid a lot of money to the city attorney to enforce the city code. They still rent their property as an Airbnb so should have the funds to pay their lien. Not a hardship case. Owner could have moved the tiny house once it was coded. It was his choice to leave it there and accrue a lien during the lengthy litigation. Why should the City of Cocoa suffer the financial consequences of bad choices? Why did the neighborhood have to endure its presence so long?"

* **MOTION by Councilmember Koss; Seconded by Mayor Blake, to approve staff's recommendation.**

AYES: Blake, Dyal, Hearn, Koss

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5 EXHIBIT E: Statement read by L. Koss from Peter & Donna Olavarria

NAYES: Goins

THE MOTION CARRIED (4-1)

3. Approve a Resolution recognizing October 18-24, 2021 as " Florida City Government Week". (21-657). (City Manager)

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

4. Consider the reappointment of Ms. Marilyn Green as a member of the Planning and Zoning Board through November 30, 2024. (21-663). (Administrative Services Director)

Mayor Blake recognized Ms. Marilyn Green who was in attendance.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANMIOUSLY (5-0)

5. City Council discussion and direction related to the construction of a new access point to the Cocoa Conservation Area for a future cross-country course. (21-676). (Public Works Director)

Mayor Blake asked if this property has been appraised. In response, Mr. Smith stated no they just had the standard Brevard County appraisal and there is no funding for the easement.

Mr. Smith further noted that in June Council provided direction for the aluminum bridge across the Range Road ditch, controlled access fencing, educational signage and markers. This plan required an easement from a private property owner and the owner is seeking $20,000 for the easement. They were looking for direction and the recommendation would be to have this property appraised and to include in a motion to “not to exceed $20,000”.

Councilmember Koss was struck that this item did not have a connection to the Strategic Plan. The Plan has a lot of good fundamentals and principals and she notated a few of those points. This project specifically addresses our plan and she

asked about the FPL easement. In response, Mr. Smith advised that was through Cocoa Bay.

Councilmember Koss felt that with the connection to the Strategic Plan as well as creating a county-side asset, the school events that can be held there as well as access to the community, there were many good reasons to consider this.

Mayor Blake requested that this item be tabled in order to get the assessed value.

Councilmember Hearn asked for clarification of the location of the easement. Mr. Smith explained where it would be and pointed out that the easement would run with the land so the only way to get rid of it in the future would be to come back to Council.

Deputy Mayor Goins asked about the access from SR 524. Mr. Smith explained the history of that access and noted the access easement is still intact and the City has the right-of-way on SR 524.

* **MOTION by Mayor Blake; Seconded by Councilmember Dyal, to Table this item until it can be brought back with an assessed value.**

AYES: Blake, Goins, Dyal, Hearn

Nayes: Koss

THE MOTION CARRIED (4-1)

Mr. Smith confirmed that this item would be brought back with an assessment of the property.

6. Preliminary approval to propose adding 1112 Peachtree Street to the City's Surplus Lands list of City owned real property throughout the City of Cocoa available for sale with proceeds going towards affordable housing efforts and/or donations of lots to nonprofits for the development of affordable housing. If approved, Staff will prepare a Public Hearing Notice for the Council's future consideration of adopting a Resolution amending the City's aforementioned list of surplus property available for affordable housing. (21-683) (Interim Community Services Director)

Ms. Neuterman provided a history on the item and advised that at the request of Deputy Mayor Goins, this property be added to the list of vacant, city owned parcels for the purpose of selling it for the development of affordable housing. She pointed out if approved, this item would be brought back as a public hearing for council's consideration of adopting a Resolution amending the City's list of surplus property available for affordable housing.

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve the item. The motion was opened for discussion.**

Councilmember Koss requested that this item not be addressed tonight as this has been a community garden and several volunteers have spent time and money to keep it going. She stated that Marlene Weiss has spoken with Deputy Mayor Goins and he mentioned moving the garden to Fern and Prospect Park. That suggested park has had all of the picnic tables removed and she believed that people who have invested in this garden would like to have an opportunity to address this item one way or another. Councilmember Koss felt that this item being walked on at the last minute was not right when they have all seen and heard Ms. Weiss advocate for the garden.

Deputy Mayor Goins asked Ms. Neuterman when the Diamond Square CRA gave this property back to the City. In response, Ms. Neuterman stated it was in September, 2020. Deputy Mayor Goins further advised that he has spoken with Ms. Weiss on several occasions. He met with her at Fern and Prospect Park and stated the picnic tables are gone because they are putting in new tables and playground equipment.

He mentioned that this was not being rushed as this was done in September, 2020 and he gave Ms. Weiss the respect to let her know what was happening. He thought it had already been done until he called the City Manager and found out it was not on the list.

Deputy Mayor Goins advised that Ms. Weiss did not want to move due to all of the time she has put into the garden, however, the vision of the Diamond Square CRA was different and that was why he was bringing this to Council.

Councilmember Dyal understood that the community garden was done years ago and the public and residents wanted it relocated. He believed the Larry Gilmore Park would be a perfect place for this and would make more sense.

Councilmember Hearn was in agreement with both councilmembers and felt that the new park would be the perfect spot. He does not support the Peachtree location as it is not accessible to children.

Councilmember Koss agreed with their remarks and pointed out that the location is not an issue it was that Ms. Weiss has put a lot of hours into this and no one is going to help her relocate everything to the new location.

A statement was included for the record from Ms. Marlene Weiss[6].

AYES: Blake, Goins, Dyal, Hearn

NAYES: Koss

THE MOTION CARRIED (4-1)

VIII. City Business:

None.

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. Calls for service provided by the Cocoa Fire Rescue Department for the month of September 2021. (21-669). (Fire Chief)

2. Informational agenda item to show an overview of the history of Grants for the City over the past 6 years.. (21-680). (Finance Director)

X. Reports:

Gregg Stoll, 2203 Salem Drive, Cocoa, provided a report from the recent SCTPO/TAC Committee of which he serves as a member representing the City. He tried Star FHP yesterday and identified 11 tractor trailers on the south side of SR 524 between Flying J and Walmart. He spoke about the Vision Zero report for January through August 2021 fatalities. They had a concentrated emphasis on location and he provided further statistics regarding fatalities and crashes. He further noted a report on the State of the System report.

City Manager Whitten introduced Mr. John Haight who is an EFSC College Student and an intern in the City Manager's office for the next three months.

City Manager Whitten announced that a Truth in Millage Certification letter was received stating the compliance of the millage and budget.

Ms. Senger noted the City was kicking off its annual Food Drive and were partnering with Erdman Automotive. The kick off event will be on November 6th

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6 EXHIBIT F: Statement provided by M. Weiss

from 8 a.m. until 5 p.m. They were going to try to fill two pickup trucks and invited Council to the event.

She further reminded all that the railroad crossing at Michigan remained closed for Brightline.

Lastly, Ms. Senger advised that the City of Cocoa's Fall Festival would be Saturday, October 30, 2021 from 3:00 p.m. until 7:00 p.m. at Riverfront Park.

Chief Lamm provided an update on Covid-19 and pointed out that they are seeing a decrease in Brevard County cases and an increase in vaccinations.

Mr. Smith reminded Council that on Thursday, October 14th there would be a public meeting for the SR 520 improvements held at the Cocoa Civic Center from 5:30 p.m. until 7:30 p.m.

Mayor Blake spoke in regards to the December Space Coast League of Cities Meeting and that there are only three employees in the City Clerk's office. If any of them get sick the whole office will be shut down. He just wanted others to be mindful of this.

Mayor Blake asked the boy scout in the audience to the podium. He and his dad spoke and noted he was in attendance to earn a badge. He is in Troop 701. Mayor Blake acknowledged him and told him he was proud of him for attending and enduring the meeting.

Councilmember Hearn concurred and stated he was also a boy scout and loved the derby races.

Councilmember Koss was happy to be an elected representative and felt it was an honor to be here. She has a lot of nay votes tonight but overall felt positive after this meeting because of the emphasis she sees on the vision and strategic planning and felt that was introduced by the Police Department's Strategic Plan, which is a real model. She wants to be in a city with a plan and a vision. She wants to be in a city that drives the budget and actions of staff and that they are inspired by that. She was also glad to hear that they would be revising the Parks Master Plan because it has been a draft for quite a while with a lot of inefficiencies. It was a big flaw not having the Public Works Director as a part or input from the community. These plans give us the opportunity to get input from the citizens and the more input and engagement from citizens the better city we are. Respecting

each other, having a code of civility, and working together towards something is going to be well worth it.

Councilmember Koss spoke in regards to a note received from one of her constituents, and stated she brought this up because it would be very minimal effort to make the Johnny Johnson Trails available, it would add to the quality and experience of life in Cocoa. She agreed we need economic development, but felt if we did not get living experiences here as well it would be for nothing.

We have all of the seeds for a City that many would want to live in so let's keep our vision, keep our strategy and plan so we have a pathway to judge ourselves and to move forward, and make Cocoa the best it can be.

Councilmember Hearn mentioned that he spoke with a citizen in District 2 and that they asked that some of the stop lines be improved in some of the areas as the striping is fading away.

Councilmember Hearn sent condolences to the Parrish family for their recent loss.

Deputy Mayor Goins stated that he and Councilmember Hearn fed the Cocoa High football team and they are the number one team in Class 4A. The kids were very appreciative.

He further thanked Chief Collier and the Code department for adding the new process of including photos to code violations.

Lastly, he thanked everyone for their comments and emails in regards to being for or against items they are deciding on.

Councilmember Dyal gave kudos to the Chef's Kitchen. He spoke about their ribbon cutting and the food was phenomenal. He also attended the ribbon cutting for Keep It Local Brevard Wine Bar.

He advised that this Sunday, October 17th at 4 p.m. was the 3rd Annual K9 Competition at the Space Coast Stadium. It is a free event and asked all to come out to watch.

Mayor Blake reminded all to dress in suits as we approach fall and winter months. He also congratulated all of the new attendees in the Citizen's Academy.

Councilmember Koss added that Tuesday, October 19th at 6 p.m. was the District 4 Town Hall Meeting at Cocoa High School in the Auditorium.

Mayor Blake mentioned his attendance at a men's brunch at First Assembly of Cocoa and noted it was very informative.

He thanked all for attending and would like a consensus of staff and council regarding the Sustainability Advisory Board. He would like staff to bring back an item to discuss the appointments and duties of that board. He spoke about Endeavor Elementary and their Community School participation and felt that the board should be indicative and mirror the demographics of the City.

XI. Adjournment:

* **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Goins, to adjourn the Regular meeting of October 12, 2021.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

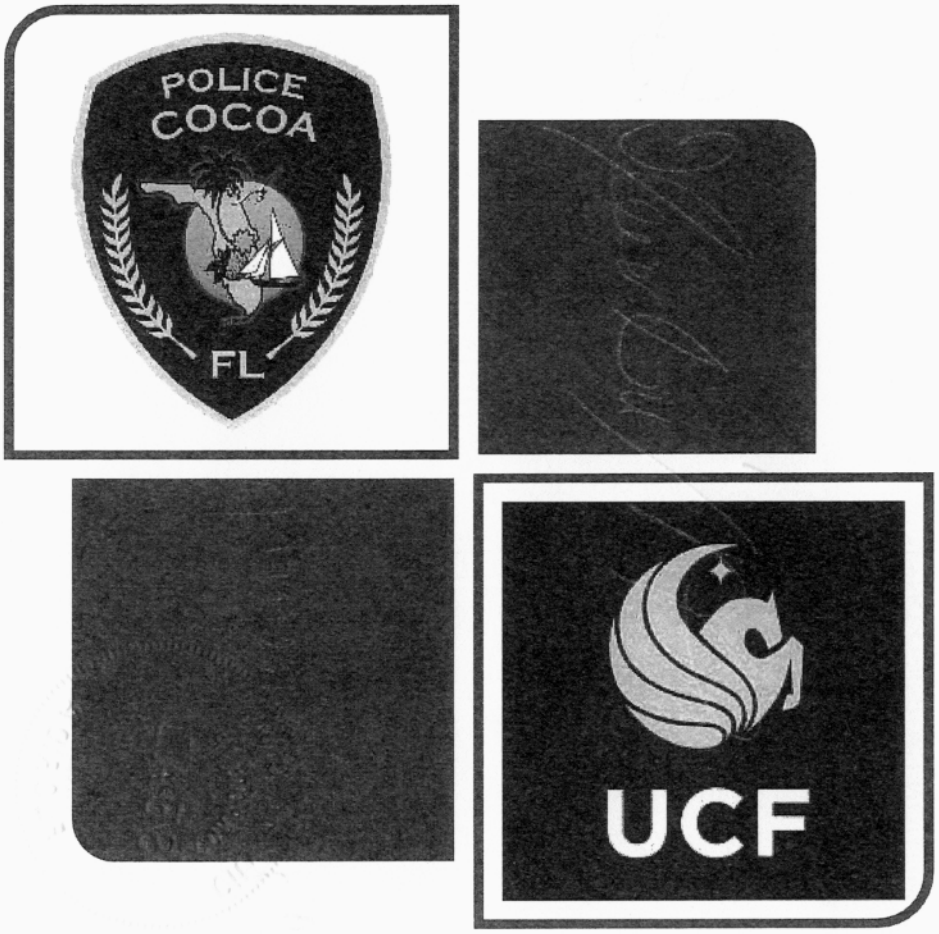
The meeting adjourned at 8:51 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

SEAL FLORIDA



Cocoa Police Department Strategic Plan

City Council Presentation

Presented by the
UCF School of Public Administration

October 12, 2021

EXHIBIT A: Cocoa Police Department
Strategic Plan Presentation

Timeline to Date

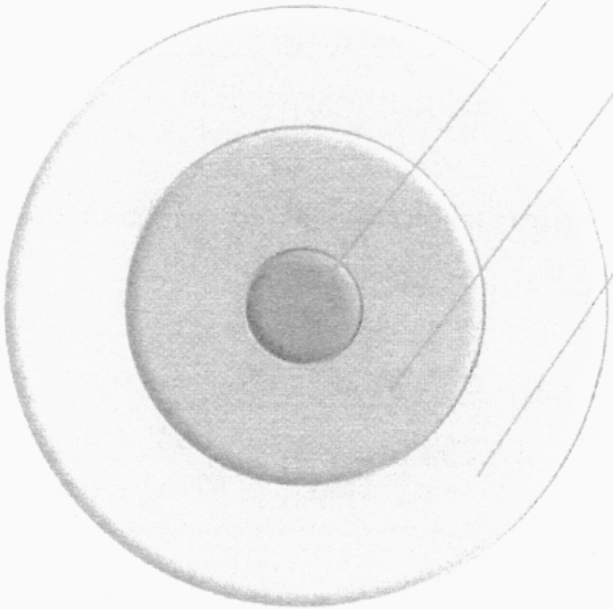
November 2019 to January 2020
Interviews with the community

February to May 2020
Strategic foundations and issue development

June to July 2020
Strategic content development

August 2020 to July 2021
Leadership transition and final review

Stakeholders



INTERNAL
Chief, Sworn Officers, Civilian Staff

INSTITUTIONAL
City Council, City Manager, Police Benevolent Association, Outside Law Enforcement

COMMUNITY
Police Advisory Board, Community Organizations, Citizens

Mission Statement

Current

"Cocoa Police Department will respond to community needs through a combined strategy of preventive, proactive and reactive policing programs. Utilizing the concept of a total and integrated team commitment by all employees, the whole of which will be supported by a progressive, participatory management environment. We are dedicated to providing the highest level of police service possible, with compassion and professionalism."

Proposed

"The Cocoa Police Department serves its community by protecting lives and property, collaborating to solve problems while building trust."

Or, simply... "Serve. Protect. Connect."

Values Statement

Current

- Professionalism
- Integrity
- Compassion
- Loyalty
- Commitment
- Unity

Proposed

- Professionalism
- Integrity
- Diversity
- Mutual Respect
- Teamwork
- Innovation

Vision Statement

Current

"The members of the Cocoa Police Department envision a community where families grow and businesses prosper in a safe, drug free environment and where all people are treated with dignity and respect."

Proposed

"CPD is the premier law enforcement agency in Brevard County; a diverse team of skilled, dedicated, and innovative professionals who proactively respond to shifting crime trends and emerging social problems by building strong community relations throughout Cocoa."

SWOT Analysis

Strengths

- Community engagement
- Public relations
- Compassion for victims or those in need
- Responsive to calls for service

Weaknesses

- Recruiting and retention
- Salaries and benefits
- Equipment
- Addressing hotspots
- Limited training options
- Interdepartmental communication

Opportunities

- LE partnerships for training
- Collaborate locally to leverage resources
- New city manager and chief
- Coordinate with City on support services
- Partner locally to engage with afflicted populations
- Engage with high school students seeking LE careers

Threats

- Varied community perspectives about police, including equity of treatment & service
- Ineffective coordination with city support services
- Increased prevalence of social problems
- Inadequate budgetary resources
- Regional LE salaries and benefits

Strategic Issues

How can CPD proactively respond to shifting crime trends and emerging social problems?

How can CPD continue to build strong community relations throughout the diverse population of Cocoa?

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

POLICE COCOA FL

UCF

How can CPD proactively respond to shifting crime trends and emerging social problems?





How can CPD proactively respond to shifting crime trends and emerging social problems?

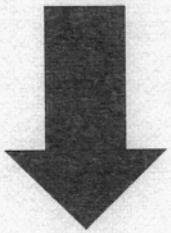
Focus crime prevention efforts toward most susceptible areas and populations

Improve **crime analysis technology** and enhance the utilization of department-wide **data** to identify and monitor hotspots and career criminals

Deploy a **community response team** to each hotspot to coordinate law enforcement, code enforcement, and social service activities

Establish a system to implement, institute, evaluate, and revise ongoing **operational plans** for each hotspot

Institute a **crime-free multi-housing program** in partnership with property managers and owners



25%

By 2026

Criminal offenses in hotspots

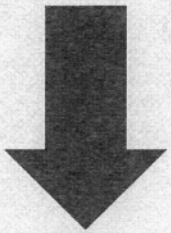
POLICE COCOA FL

UCF

How can CPD proactively respond to shifting crime trends and emerging social problems?

Focus crime prevention efforts toward most susceptible areas and populations

Create a **juvenile unit** focused on crime prevention and positive law enforcement interactions



25%

By 2026

Juvenile offenses and citations in hotspots

How can CPD proactively respond to shifting crime trends and emerging social problems?

Focus crime prevention efforts toward most susceptible areas and populations

Launch a **juvenile offender re-entry program** focused on reintegration into family, school, and community

25%

By 2026

Juvenile recidivism in hotspots

How can CPD continue to build strong community relations throughout the diverse population of Cocoa?





How can CPD continue to build strong community relations throughout the diverse population of Cocoa?

Establish a departmental culture of community engagement anchored in fostering community trust

Incorporate a **community-engagement requirement** as part of individual employee evaluations

Establish a **guardian-oriented policing** in-service training program focused on fair and impartial policing, implicit bias recognition, and de-escalation

Institute a **master police officer program** to incentivize community engagement and other desired employee behaviors

Support efforts to recruit and retain sworn and civilian personnel who **reside or have resided in Cocoa**

100%

By 2022

Employees participating in community engagement and completing guardian-oriented policing training

POLICE COCOA FL

UCF

How can CPD continue to build strong community relations throughout the diverse population of Cocoa?

Establish a departmental culture of community engagement anchored in fostering community trust

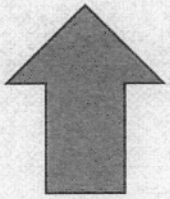
Administer independent evaluation to **assess and improve current outreach programming**, including social media

Establish a **citizen academy** to better inform citizens about CPD programs and services

Assign **neighborhood police liaisons** to develop relationships

Institute additional opportunities to **interact with sworn personnel more informally**, such as community walks or meet-and-greets

Promote departmental efforts to improve officer diversity, incorporate new generation policing practices



100%

By 2024

Non-enforcement, positive interactions between CPD and the community

How can CPD continue to build strong community relations throughout the diverse population of Cocoa?

Develop additional community partnerships to increase engagement and trust

Establish a **regular forum for CPD and community representatives** to discuss police-community issues and relations

Enhance relationships with Cocoa faith-based leaders, including designation of a clergy liaison and police chaplains' program

Create a system that identifies and schedules **meetings with all community citizen groups** on a regular basis

Sponsor additional community service projects

Support efforts **to recruit and retain Cocoa high school and college students** into law enforcement professions (see Issue 3)

New partnerships with schools, clergy, community service, neighborhoods

By 2023

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?





How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Offer employee compensation, benefits, and opportunities that are competitive with those typically offered by Central Florida law enforcement agencies

Revise compensation structure to increase salary and benefits

Reform equipment administration by prioritizing equipment, creating reserves, and installing an effective equipment issuance and replacement system.

Work with administration to **evaluate health insurance alternatives** beyond standard city plans while educating CPD employees regarding their options

Re-institute **internship program for specialized units**

Support efforts to establish a **master police officer program** (see previous issue)

75+%

By 2023

Brevard Co. LE agencies exceeded by CPD when comparing compensation and benefits

POLICE COCOA FL

UCF

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Offer employee compensation, benefits, and opportunities that are competitive with those typically offered by Central Florida law enforcement agencies

Revise compensation structure to increase salary and benefits

Reform equipment administration by prioritizing equipment, creating reserves, and installing an effective equipment issuance and replacement system.

Work with administration to **evaluate health insurance alternatives** beyond standard city plans while educating CPD employees regarding their options

Re-institute **internship program for specialized units**

Support efforts to establish a **master police officer program** (see previous issue)

80+%

By 2023

Employee satisfaction with salary, benefits, and equipment

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Employ more personnel who take pride in and represent the diverse Cocoa community

Offer additional trainee scholarships for Cocoa residents to attend police academy training

Offer **financial and non-financial incentives to employees who demonstrate proficiency in foreign languages** commonly spoken in Cocoa

Seek **grant assistance** to fund specialized units

Recruit a diverse set of military veterans ready to transition into law enforcement

Offer down-payment or rent assistance for officers seeking a home in Cocoa

Support efforts to establish a **master police officer program** (see Issue 2)

Support efforts to **promote departmental efforts** to improve officer diversity, incorporate new generation policing practices (see Issue 2)

30+%

By 2022

New hires who reside or have resided in Cocoa

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Employ more personnel who take pride in and represent the diverse Cocoa community

Offer additional trainee scholarships for Cocoa residents to attend police academy training

Offer **financial and non-financial incentives to employees who demonstrate proficiency in foreign languages** commonly spoken in Cocoa

Seek **grant assistance** to fund specialized units

Recruit a diverse set of military veterans ready to transition into law enforcement

Offer down-payment or rent assistance for officers seeking a home in Cocoa

Support efforts to establish a **master police officer program** (see Issue 2)

Support efforts to **promote departmental efforts** to improve officer diversity, incorporate new generation policing practices (see Issue 2)

25+%

By 2026

Employees who reside or have resided in Cocoa

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Employ more personnel who take pride in and represent the diverse Cocoa community

Offer additional trainee scholarships for Cocoa residents to attend police academy training

Offer **financial and non-financial incentives to employees who demonstrate proficiency in foreign languages** commonly spoken in Cocoa

Seek **grant assistance** to fund specialized units

Recruit a diverse set of military veterans ready to transition into law enforcement

Offer down-payment or rent assistance for officers seeking a home in Cocoa

Support efforts to establish a **master police officer program** (see Issue 2)

Support efforts to **promote departmental efforts** to improve officer diversity, incorporate new generation policing practices (see Issue 2)

A workforce that is representative of the Cocoa community (ethnicity, gender, income, language)

By 2026

How can CPD best attract and retain a skilled, community-oriented, and diverse sworn and civilian workforce?

Enhance administrative capacity to improve departmental operations and employee satisfaction

Develop and implement a comprehensive departmental **performance measurement system** with effective reporting that informs the public, updates city officials, and drives the agenda for monthly departmental meetings

Evaluate communication structure within department to ensure that timely, accurate information is efficiently transmitted among personnel

Evaluate the deployment of patrol resources to ensure they are properly aligned with the service expectations of the community

Develop and implement a **comprehensive multi-year departmental technology plan**, leveraging planned improvements in performance measurement and equipment administration

Develop and implement a **comprehensive departmental training plan**, with particular focus on in-service training for specialized units/career paths

90+%

By 2023

Employee satisfaction with internal departmental operations, policies, and procedures

CITIZEN PROPOSAL TO CITY OF COCOA

CITY OF COCOA PARKS AND RECREATION DRAFT MASTER PLAN

MOVING FROM DRAFT MASTER PLAN TO A CITY OF COCOA PARKS SYSTEM

WHAT'S THE PLAN?

BY KRISTIN LORTIE, COCOA RESIDENT

OCTOBER 12, 2021

From the City of Cocoa Strategic Plan:
We envision Cocoa as a community where All residents have the opportunity to participate in community decisions.

City of Cocoa Core Value - Leadership:
Encouraging community participation, inclusivity and awareness and exhibiting actions that serve as persuasive examples for others to follow.

PROBLEM ⇨ **PROPOSAL** ⇨ **PRIDE**

EXHIBIT B: Presentation by K. Lorti

WHY DO I CARE ABOUT CITY PLANNING & SPENDING?

- **BACKGROUND IN MASTER PLANNING ASSISTANCE FOR STATE GOVT.**
  - UNDERSTAND THE BENEFITS OF SOLID PLANNING EFFORTS
- **COMPREHENSIVE PLANNING EFFORTS LEAD TO SUPPORTABLE GRANT APPLICATIONS**
  - THERE ARE 14 GRANT FUNDING OPPORTUNITIES LISTED IN THE MASTER PLAN
- **COMMUNITY PARTICIPATION LEADS TO COMMUNITY RESULTS**
  - *"Cocoa envisions a community where all residents have the opportunity to participate in community decisions."*

COLORADO
Department of Education

Division of Capital Construction

PUBLIC SCHOOL FACILITIES MASTER PLAN GUIDELINES
BEST DIVISION OF PUBLIC SCHOOL CAPITAL CONSTRUCTION

A master plan is produced through a team effort involving school administration, staff, students, community members, and professional consultants with disciplines in education, planning, programming, architecture, engineering, construction, facility management, and facility operations, and technology. The master plan research process should utilize information and resources available locally, nationally, and internationally. The following is a minimum outline of a facility master plan.

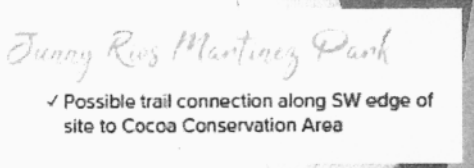
STEP #1: WHAT'S THE PROBLEM?

- **CURRENT DRAFT PARKS MASTER PLAN STATUS IS UNKNOWN**

- **LESS THAN 1% COMMUNITY PARTICIPATION IN THE 2020 SURVEY:**
  - ONLY 152 SURVEY RESPONDENTS (18,639 POPULATION OF COCOA)
  - ALL RESIDENTS WERE NOT NOTIFIED ABOUT PARKS SURVEY
  - NO PUBLIC ENGAGEMENT WORKSHOP (53 COMMENTS ON SOCIAL PINPOINT/ALTERNATIVE ONLINE OPTION)

- **NO PARKS PRESENTATION TO THE CITY COUNCIL HAS BEEN GIVEN**
  - KOSS' MOTION FOR COUNCIL PRESENTATION WAS NOT SECONDED AT MAY 11th, 2021 COUNCIL MEETING

- **LUXURY ITEM PARKS SPENDING - $2.33M ALLOCATED FOR PARKS IN 2021**
  - **$710K JUNNY RIOS PARK SPENDING** WAS APPROVED FOR ITEMS **NOT IN MASTER PLAN**
  - JUNNY RIOS **PRIORITY ITEMS** IN MASTER PLAN **LEFT UNADDRESSED**
  - MASTER PLAN RECOMMENDATION FOR JUNNY RIOS MARTINEZ
  - CITY HAS RECEIVED CITIZEN PUSHBACK ON 2021 LUXURY ITEM SPENDING DECISIONS



DISREGARD FOR PLANNING EFFORTS MAKES THE CITY OF COCOA A LESS ATTRACTIVE CANDIDATE FOR FUTURE GRANT FUNDING

STEP #2 : WHAT IS THE SOLUTION?
DRAFT PROPOSAL FOR COUNCIL CONSIDERATION

Dear Cocoa Resident,

The City of Cocoa began a Parks planning process in 2020 that we are writing to notify you about and to request your input and participation. Our vision at the City of Cocoa is a community where all residents have the opportunity to participate in community decisions.

You can help the City of Cocoa create the future of Cocoa parks!

We have reviewed our initial 2020 public survey responses, and determined that an expanded outreach is beneficial in order for the city to ensure we have received representative input and participation for our current and future parks priorities.

The following are opportunities for residents to engage with us on the planning effort for our parks:

- Go to www.cocoafl.gov to fill out our online Parks Survey – available until December 10, 2021;
- Send in your completed survey form no later than December 10, 2021;
- Go to www.cocoafl.gov to review our current DRAFT Master Plan;
- Go to www.cocoafl.gov to provide input on our current DRAFT Master Plan – available until available until December 10, 2021;
- Please plan to attend our Public Participation Workshop at 10:00 a.m. on December 4, 2021 at Cocoa High School Gymnasium.

With the additional survey information and the public participation workshop, the planning team will create our final DRAFT master plan, which will be presented to the city council in January 2022.

Please plan to participate in the above opportunities, and to attend this informative presentation of the team's findings.

Join the City of Cocoa in creating the future of Cocoa Parks and Recreation!

STEP #2 SOLUTION: PROPOSED ACTION ITEMS: REQUESTED ACTIONS

1) SCHEDULE THE 2020 PLANNED PUBLIC WORKSHOP
   A. 2020 PUBLIC WORKSHOP WAS DISRUPTED BY COVID (SOCIAL MEDIA ALTERNATE INEFFECTIVE)
   B. ENSURE THE WORKSHOP IS WIDELY POSTED & PUBLICIZED
2) SEND THE 2020 PARKS SURVEY TO ALL RESIDENTS TO REQUEST PARTICIPATION
3) POST THE CURRENT DRAFT MASTER PLAN ONLINE & REQUEST RESIDENT FEEDBACK
4) HOST A PUBLIC PRESENTATION TO COUNCIL MEMBERS TO REVIEW THE REVISED PLAN

COCOA FLORIDA

The City of Cocoa envisions a city where:

- *All residents have the opportunity to participate in community decisions.*
- *A healthy ecological environment is promoted.*
- *A safe community is maintained.*

WHAT ARE THE BENEFITS TO THE CITY OF ADOPTING THIS PROPOSAL?

- ✓ THE CITY WILL BE IN A BETTER POSITION TO QUALIFY FOR FUTURE GRANT FUNDING
- ✓ PRIORITY: CITY NEEDS A COMPREHENSIVE PARKS PROGRAM
  - UNDERSTANDING WHERE WE ARE AT & WHAT IS NEEDED IS THE BEGINNING OF SOMETHING GREAT
  - WE'VE SPENT SIGNIFICANT FUNDS, LET'S REALIZE THE VALUE FROM OUR TAX DOLLARS
- ✓ SHARED VISION RESULTS IN COMMUNITY BUY-IN FOR SELECTED PROJECTS
  - GREATER COMMUNITY CARE FOR MAINTAINING THE IMPROVEMENTS
  - GETS CITY AND RESIDENTS ON THE SAME PAGE WITH PARK PRIORITIES AND VISION
  - GETS RESIDENTS INVOLVED IN A CONSTRUCTIVE WAY LEADING TO EVERYONE'S BENEFIT

RESIDENTS SEE THAT OUR OPINIONS AND EXPERIENCE MATTER IN OUR CITY!

COCOA FLORIDA

LEADERSHIP ALIGNING WITH MISSION

Mission Statement

The mission of Cocoa's government is "To enrich the quality of life for our unique and diverse community by delivering Professional, Responsive, Innovative, Dedicated and Exceptional public services!"

*We envision Cocoa as a community where **all residents have the opportunity to participate in community decisions.***

Encouraging community participation, inclusivity and awareness** and **exhibiting actions that serve as persuasive examples for others to follow.

PROBLEM ➡ **PROPOSAL** ➡ **PRIDE**

Let's work together to create a state of the art City of Cocoa Parks Program that all residents can be proud of!

STRADLEY PARK REPAIR NEEDS

Presented by Cocoa Youth Athletics Corp.

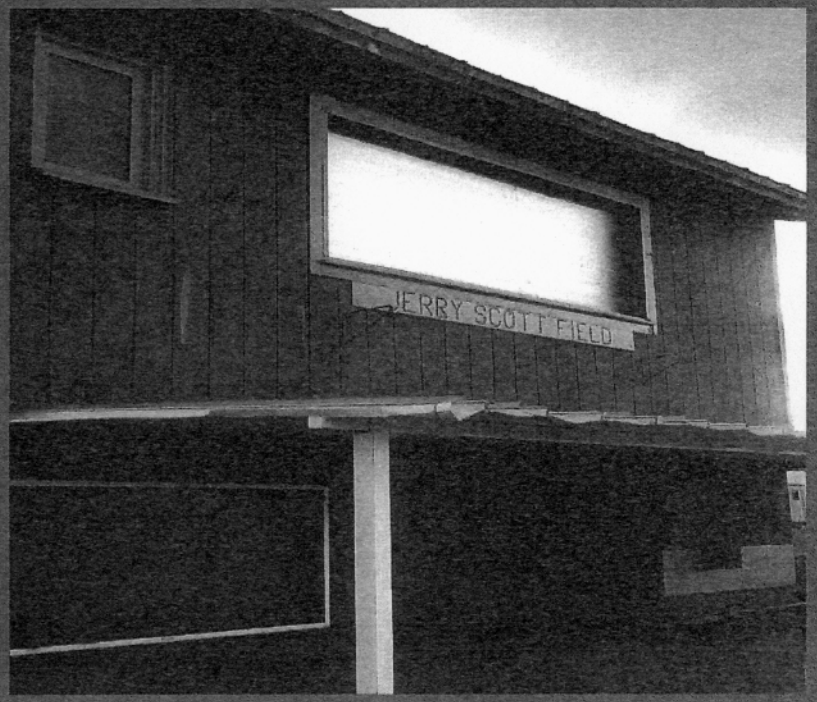
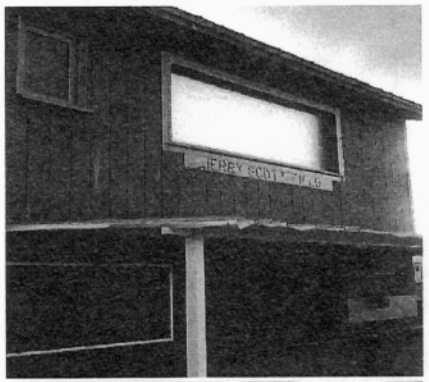
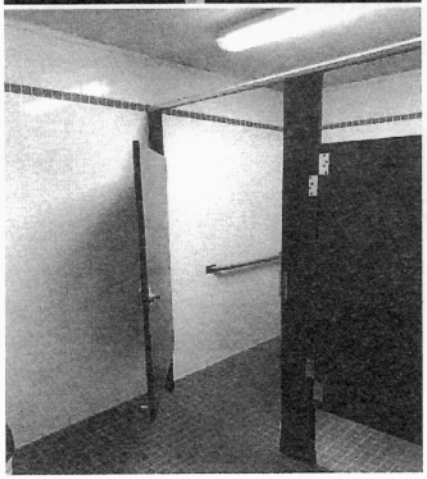
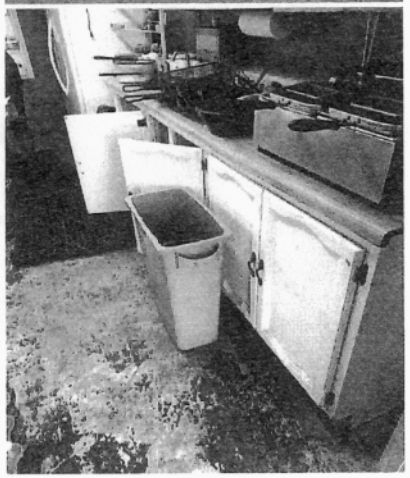


EXHIBIT C: Stradley Park Presentation

Building conditions:

- Built over 40 yrs ago
- Football concessions same building – cosmetic repairs done in 2020
- New A/C unit – same issues "No ventilation"
- Outdated restrooms - two stalls for over 400 ppl on any game day
- Outdated concession stand – cosmetic repairs done in 2020

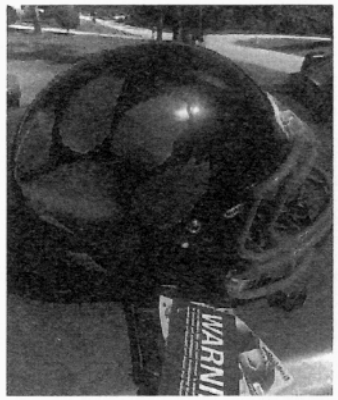


Build Issues cont'd:

Equipment Room :





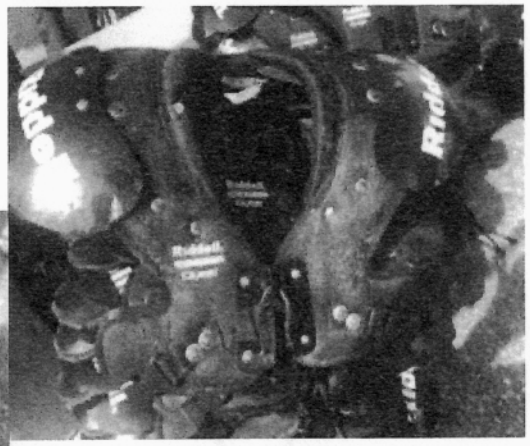


Over $70k in new equipment damaged in a few months

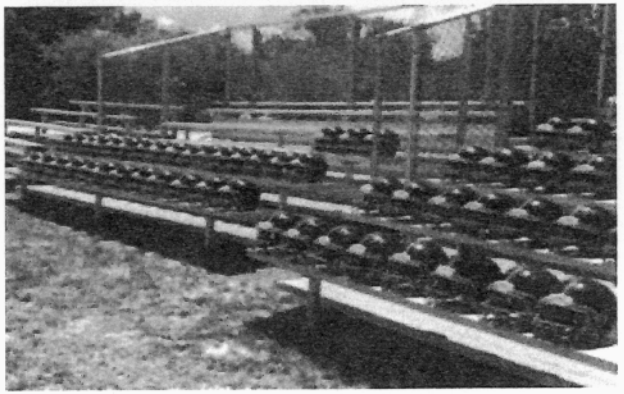
Building Issues cont'd:

- CYAC Board and Coaches cleaning brand new equipment!
- Helmets and shoulder pads covered in mold



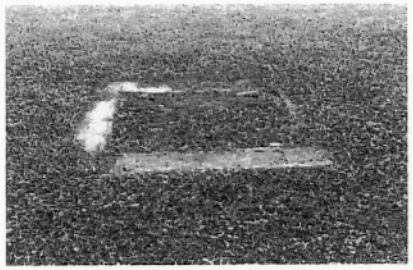






Field Safety Concerns & Needs:

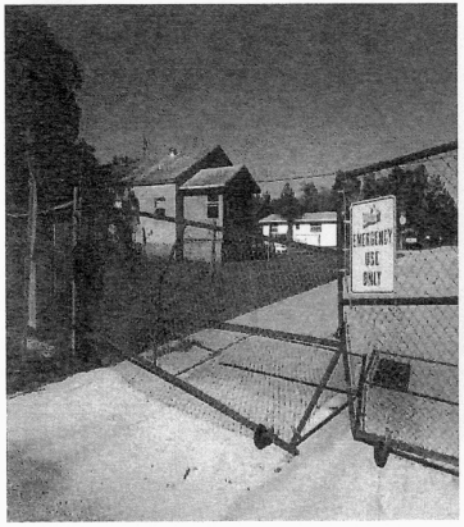
1. Field flooding and lack of drainage

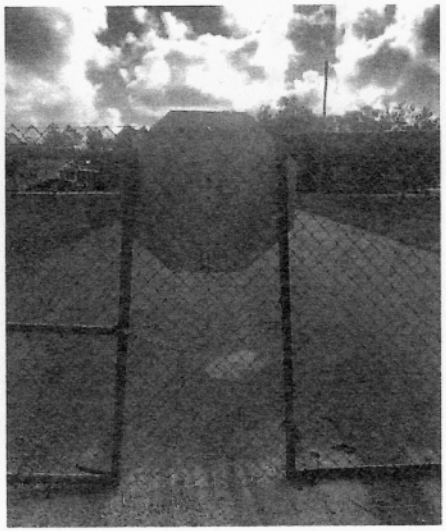


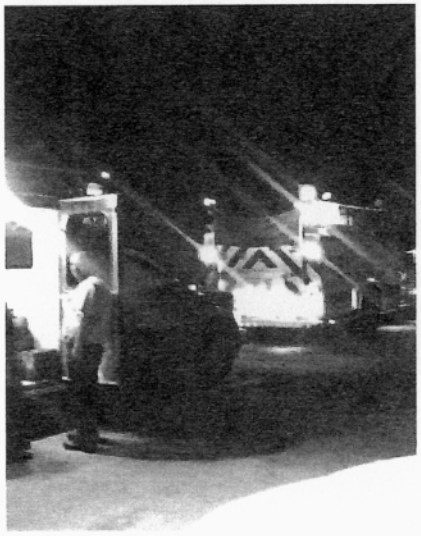




2. Gate & Emergency Access & Safety issues









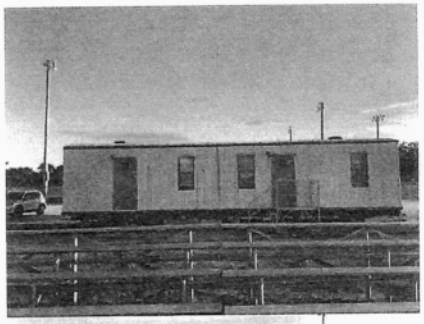
Field Safety Concerns & Needs cont'd:

1. Building needs a complete renovation or a totally new building. All other sports complexes have updated buildings

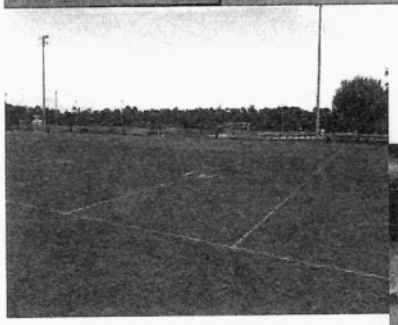
2. Two football fields – make the adjacent softball field a football field due to lack of usage.

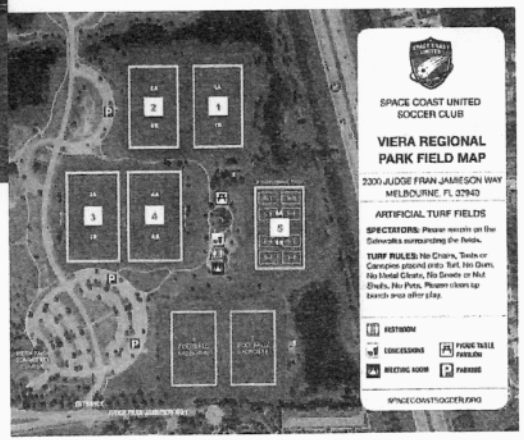
3. Upgrade the drainage on both fields – current field retains up to 3 or 4 inches of water after it rains which can cause our children to become ill.

4. Replace the goal posts, they are over 40 yrs old.

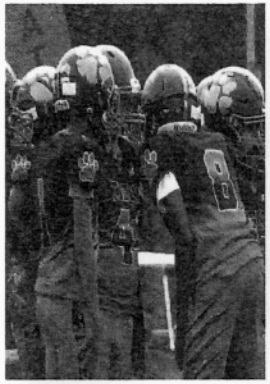








WE ARE COCOA! WE ARE FAMILY!

















THANK YOU FOR YOUR ATTENTION TO
THESE ISSUES
COCOA YOUTH ATHLETICS CORP. BOARD
OF DIRECTORS & LEAGUE

#TIGERPRIDE

Rashad Williams, President

LACEY · LYONS
REZANKA
ATTORNEYS AT LAW

Stephen J. Lacey
Attorney, Managing Member

Aaron D. Lyons
Attorney, Managing Member

Kimberly B. Rezanka
Partner

Robyn W. Hattaway
Partner

Ethan B. Babb
Associate Attorney

Audrey Wanich
Associate Attorney

COCOA CITY COUNCIL
October 12, 2021
Item VII.2

I. Application – incomplete in Agenda

Criteria in application: Factual Basis; Reasons Compliance was not obtained; Circumstances Financial Investment in Property.

II. Code Board Hearing on Lien Reduction 9.16.21 – did not review factual basis

Insufficient Notice – p. 4

Chairman told Applicant that he should consider suing his attorneys

Sec. 6-707

III. First Amendment **right to petition the Government** for a redress of grievances

City is seeking to recover attorneys' fees when there is no statutory right

Sec. 6-706

IV. Costs for petitioning the Government, Costs to Correct and Improvements p.5

Legal costs for 3 proceedings $39,713; Other costs $32,328

V. City's attorneys' fees for two appeals and five (5) lawyer $74,334 – p.6

Just received yesterday; never given to Code Enforcement Board

If this is an attorneys' fee hearing, right to have reasonableness determined

VI. Affidavit for Cost Reimbursement p.7 – willing to pay

VII. Lien Amnesty Program p.8 – perfect for helping First Responder

Sec. 6-707. - Satisfaction or release of code enforcement lien.

(a) Where a certified copy of an order imposing a penalty or fine, as described above in section 6-705, has been recorded in the public records and has become a lien against the land and/or property of the violator, such violator may apply for a satisfaction or release of such lien as follows:

(1) *Lien satisfaction.* Upon full payment by the violator of the fine or penalty imposed in accordance with this chapter, the city manager is hereby authorized to execute and record a satisfaction of lien.

(2) *Lien reduction or forgiveness.* Upon request for a reduction or forgiveness of a fine or penalty imposed in accordance with this chapter, the violator shall submit a written application to the community development director as follows.

(b) *Application.* The application shall be executed under oath and sworn to in the presence of a notary public and shall include, but may not be limited to the following:

(1) The code enforcement case number;

(2) The date upon which the violator brought the subject property into compliance with the City Code;

(3) The factual basis upon which the violator believes the application for reduction or forgiveness of the lien should be granted;

(4) The terms upon which a satisfaction or release of lien should be granted;

(5) The reasons, if any, compliance was not obtained prior to the order of penalty or fine being recorded;

(6) The reduction in penalty or fine sought by the violator; and

(7) Any other information which the violator deems pertinent to the request, including but not limited to the circumstances that exist which would warrant the reduction or forgiveness of the penalty or fine.

(c) *Reimbursement to city for recording costs at time of application.* The violator shall submit, at the time of application, payment to the city in the amount necessary to reimburse the city for its costs associated with recording the order imposing a penalty or fine and the requested satisfaction or release of lien. These costs are non-refundable, without regard for the final disposition of the application for satisfaction or release of lien.

(d) *Processing of application by community development director.* Upon receipt of the application for satisfaction or release of lien and payment provided above, the community development director shall confirm through the code enforcement department that the violation which resulted in the order imposing penalty or fine has been brought into compliance. If the violation has been brought into compliance and there is no current code violation upon the property in question, the community development director shall place the application upon the agenda of the next meeting of the code enforcement board.

(e) *Code enforcement board hearing.* At the hearing before the code enforcement board, the board shall review and consider the application for satisfaction or release of lien, provide the violator with an opportunity to address the board regarding the application for satisfaction or release of lien, and to take the testimony of other interested parties, including but not limited to city staff.

Review and recommendation. Upon review of the application and any testimony presented, the code enforcement board shall recommend to the city council approval, approval with conditions, or denial of the application for satisfaction or release of lien.

The code enforcement board, in determining its recommendation, shall consider the following factors:

(1) The gravity of the violation;

(2) The time in which it took the violator to come into compliance;

(3) The accrued amount of the code enforcement fine or lien;

(4) Any previous or subsequent code violations;

(5) Any financial hardship; and

(6) Any other mitigating circumstance which may warrant the reduction or satisfaction of the penalty or fine.

(f) *Presentation to city council.* After a recommendation has been rendered by the code enforcement board, the community development director shall place the application for satisfaction or release of lien upon the agenda of the next regularly scheduled city council meeting. The city council may take action solely based upon the sworn application and recommendation of the code enforcement board; or it may, in its discretion, provide the violator with an opportunity to address the council in regard to the application for satisfaction or release of lien.

City council action. The city council may approve, approve with conditions, or deny the application to satisfy or release of lien. If the city council approves the application to satisfy or release the lien and the approval is conditioned upon the violator paying a reduced penalty, fine, or any other condition, the satisfaction or release of lien shall not be prepared or recorded until the condition(s) placed by the council have been satisfied.

(g) *Compliance with city council conditions.* The violator shall have thirty (30) days in which to comply with the conditions imposed by the city council. Failure of the violator to comply will result in the automatic denial of the application for satisfaction or release of lien.

(h) *Effect of denial on application for subsequent lien reduction or forgiveness.* If the application is denied or if the application is automatically denied due to the failure of the violator to comply with the conditions imposed by the city council, the violator shall thereafter be barred from applying for a subsequent reduction or forgiveness of the lien for a period of one (1) year from the date of denial. During the one-year period, the lien may only be satisfied and released upon full payment of the fine or penalty imposed in accordance with this chapter.

(Ord. No. 16-06, § 2, 5-9-06)

Sec. 6-706. - Appeal of final administrative order.

An aggrieved party, including the city council, may appeal a final administrative order of the enforcement board to the circuit court as provided by the general law of the state applicable to code enforcement boards.

(Ord. No. 16-06, § 2, 5-9-06)

Kim Rezanka

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Sent: Thursday, September 23, 2021 10:11 AM
To: Kim Rezanka
Subject: Fwd: Code Board Meeting

Sent from my iPhone

Begin forwarded message:

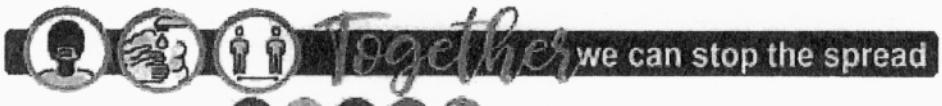
From: Darla Crowl <dcrowl@cocoafl.org>
Date: September 16, 2021 at 11:39:10 AM EDT
To: inthanam@icloud.com
Cc: Mr.Mascone@yahoo.com
Subject: Code Board Meeting

Good morning,

I am just sending this reminder per our conversation when you dropped off your application for a lien reduction that you will be on the Code Board Agenda tonight September 16, 2021 at City Hall, 65 Stone St. @ 6:00.

Have a great day.

DARLA CROWL
Code Enforcement Coordinator
Cocoa Police Department
1226 W. King Street., Cocoa, FL 32922
Phone: (321) 433-8508
dcrowl@cocoafl.org



Stay Connected: www.CocoaPolice.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications (including contents of emails and email addresses) to or from City of Cocoa officials and employees regarding public business are public records available to the public and media upon request. Your written and e-mail communications may be subject to public disclosure. If you do not want your written and email communications released in response to a public records request, do not send written or email communications to City of Cocoa officials and employees. Instead, contact this office by phone.

TOTAL COSTS - 2607 North Indian River Drive

Costs of Attorneys, Code Enforcement hearings & Appeal Costs		
Maureen Monaghan Matheson 559 Coconut Street Satellite Beach, FL 32937 Phone: 321-773-3979 mmm@mathesonapp.com	Attorney Fees	$8,000.00
Kimberly Bonder Rezanka Cantwell and Goldman, P.A. 96 Willard Street, Suite 302 Cocoa, FL 32922 Tel. (321) 639-1320, Ext. 123 Kim@cfglawoffice.com	Attorney Fees	Atty Fees $28,016.50 Costs $742.14 Total $28,758.64
Ryan Reporting 1670 South Fiske Blvd Rockledge, FL 32955 Tel. (321) 636-4450	Court Reporter Fees 6/5/18 67801 $337.50 6/5/18 67984 $685.00 7/19/18 68108 $75.00 7/19/18 68197 $98.20	Total $1,954.70
NOAH - National Organization of Alternative Housing 522 Hunt Club Blvd., Suite 206 Apopka, Florida 32703 United States (508) 603-6624	Expert Witness & Certification	$1,000.00
Total Attorney Fees, Costs for Code Enforcement & Appeals Costs		**$39,713.34**
Costs of Improvements & Removal of Tiny Home		
Tile & Title Install	4/15/19	$1,000.00
New Appliances	4/15/19	$3,553.52
Tree Trimming Service	8/28/17	$700.00
New relay pump	8/25/17	$1,300.00
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New Fence	10/23/17	$5,000.00
New Roof	12/31/18	$15,050.0
Arlo Security System		$727.59
Breezeway Design	10/28/19	$1,375.00
Sims Crane (Removal of Tiny Home)	6/14/19	$2,247.00
Total **Costs of Improvements & Removal of Tiny Home**		**$32,328.11**
TOTAL COSTS		**$72,041.45**

	deadline for Inthanam to move to file a motion for written opinion.			
Dec-10-19	Attention to file to determine whether Inthanam filed any post-decision motion.	0.20	37.40	EJO
Dec-17-19	Prepare update to J. Titkanich advising that Inthanam did not file a motion for written opinion or rehearing; receive and review response from J. Titkanich regarding same.	0.30	56.10	EJO
Dec-27-19	Receive and review court's mandate; attention to file regarding same.	0.20	37.40	EJO
	Totals	398.00	$73,225.80	

SUMMARY

	HOURS	RATE	TOTAL FEES
ANTHONY A GARGANESE	23.80	$189.00	$4,400.40
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KRISTIN N. EICK	92.70	$189.00	$17,119.50
ERIN J. O'LEARY	227.40	$187.00	$41,858.20
CHARLOTTE MEEKS	0.30	$97.00	$29.10

DISBURSEMENTS

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Aug-31-18	Online Computer Research Cost	340.86
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Nov-30-18	Online Computer Research Cost	94.31
Jun-30-19	Online Computer Research Cost	31.24
Aug-29-19	Online Computer Research Cost	52.17
	Totals	$1,108.55

Total Fee & Disbursements for all charges on this matter **$74,334.35**

TAX ID Number 59-3372519

Cocoa Police Department
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case

Case#: CE-17-907 Date: 08/4/21

Xaysana Inthanam & Joseph Mascone

Site Address: 2607 N Indian River Dr.

Cocoa Code Enforcement has incurred actual costs, as defined in F.S.S 162.09 for cost by the City in Prosecuting this case.

A. Salaries of Code Enforcement staff. (Hourly rate: Officer-$25.16, Coordinator-$26.16, Manager-$38.64, Chief-$59.81 & City Attorney-$150.00)

	Officer/Manager	# of Inspections	Hours	Rate	Total
1	Code Officer	38	0.5	$25.16	$478.04
2	Code Manager	7	0.5	$38.64	$135.24
3					
				Total A1	$613.28

	Officer/Manager	Office Duties	Hours	Rate	Total
1	Code Officer	22	0.5	25.16	$553.52
2	Code Manager	9	0.5	38.64	$347.76
3					
				Total A2	$901.28

	Supporting Staff	Duty	Hours	Rate	Total
1	Code Coordinator	Case Duties	12	$26.16	$313.92
2	City Attorney	Case Duties	4	$150.00	$600.00
3	Chief	Board Hearings	4	$59.81	$239.24
4					
5					
				Total A3	$1,153.16

B. Expenditures - Actual expenses incurred during the process of the Code Case.

	Item	Quantity	Amount	Total
1	Documents per Sheet	472	$0.35	$165.20
2	Large Envelope	40	$0.64	$25.60
3	Standard Envelope	12	$0.10	$1.20
4	Color Photo Prints	75	$0.45	$33.75
5	Standard Mail	5	$0.55	$2.75
6	Certified Mail	5	$5.26	$26.30
7	Recording Fees	4	$10.00	$40.00
8				
9				
			Total B	$294.80

C. Total Amount of Cost (A1+A2+A3+B): $2,962.52

Sec. 6-707.5. - City lien amnesty program.

(a) *Creation of lien amnesty program.* In addition to the procedures established in section 6-707above, related to satisfaction or release of code enforcement liens, the city council intends to create a City of Cocoa Lien Amnesty Program, which shall operate as a supplementary method for certain eligible property owners with code enforcement liens affecting their property to come into compliance with the City Code, to obtain a quick reduction of their unpaid liens, and to obtain a release of lien from the city.

(b) *Eligible liens for reduction and release.* Where a certified copy of an order imposing a penalty or fine, as described above in section 6-705, has been recorded in the public records and has become a lien against the land and/or property, an eligible property owner may apply for participation in the lien amnesty program to reduce and release the lien, except as otherwise provided in this section. The lien amnesty program is designed solely for reduction and release of code enforcement liens, except that nuisance abatement liens, special assessment liens, and other city costs for reasonable repairs and abatement actions shall not be reduced and must be paid in full upon submittal of an application for participation in the lien amnesty program. Utility liens are not eligible for reduction and release under the lien amnesty program.

(c) *Program duration.* The lien amnesty program shall operate on a limited-duration basis, from January 1, 2021 to June 30, 2022, and as either extended or renewed at times designated by resolution adopted by the city council.

(d) *Eligibility of property owners.* Property owners seeking to participate in the lien amnesty program shall meet the following criteria:

(1) The property owner must have brought the property for which an application is submitted into compliance with all City Codes and ordinances for which a violation was found by the code enforcement board, as determined by an inspection of the property by code enforcement staff, and have no pending code enforcement or nuisance cases affecting such property.

(2) The property owner may not be the respondent in a pending foreclosure action instituted by the city.

(3) The property for which an application is submitted must be used as either a single-family residence, townhome or individually-owned condominium, except that owners of such properties are not eligible if the property is currently the subject of a rental agreement. Vacant, multi-family residential, and homeowner's association or condominium association commonly-owned properties are not eligible for participation in the lien amnesty program.

(4) Where the code enforcement board has found a repeat violation after two (2) of the same previous violations, the property owner shall not be eligible for participation in the lien amnesty program. A "repeat violation" shall be defined as provided in F.S. § 162.04, as adopted or hereafter amended.

(5) The property owner must be current on their property taxes.

(e) *Procedure for participation in lien amnesty program.*

(1) The property owner must submit an application for participation in the lien amnesty program to the city police department, code enforcement division. The application shall be accompanied by an administrative fee established by the city manager, which shall offset the city's costs associated with releasing an eligible lien and other city administrative costs for the lien amnesty program. The application shall also be accompanied by a cashier's check or money order made payable to the city for all of the city's liens for repair and abatement costs that remain outstanding. This amount may be obtained by consulting with the city's code enforcement staff prior to submitting an application. For properties with multiple liens, a single application and administrative fee may be submitted, but the reduced lien amount to be paid shall be separately calculated for each lien in accordance with the formula established in subsection (f) below. Application forms may be obtained from the city police department, code enforcement division. The application shall contain the following information:

a. Code enforcement case number;

b. Property address or Tax Parcel ID number associated with the lien and owner address and contact information; and

c. Whether the city code enforcement staff has inspected the property and determined

Sec. 6-706. - Appeal of final administrative order.

An aggrieved party, including the city council, may appeal a final administrative order of the enforcement board to the circuit court as provided by the general law of the state applicable to code enforcement boards.

(Ord. No. 16-06, § 2, 5-9-06)

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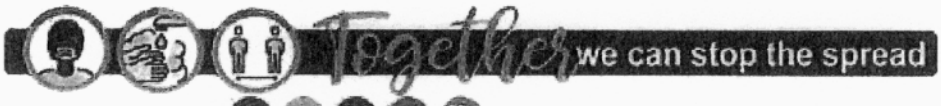
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TAX ID Number 59-3372519

Cocoa Police Department
Code Enforcement Division
Affidavit for Cost Reimbursement of Code Enforcement Case

Case#: CE-17-907 Date: 08/4/21

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Site Address: 2607 N Indian River Dr.

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(5) The property owner must be current on their property taxes.

(e) *Procedure for participation in lien amnesty program.*

(1) The property owner must submit an application for participation in the lien amnesty program to the city police department, code enforcement division. The application shall be accompanied by an administrative fee established by the city manager, which shall offset the city's costs associated with releasing an eligible lien and other city administrative costs for the lien amnesty program. The application shall also be accompanied by a cashier's check or money order made payable to the city for all of the city's liens for repair and abatement costs that remain outstanding. This amount may be obtained by consulting with the city's code enforcement staff prior to submitting an application. For properties with multiple liens, a single application and administrative fee may be submitted, but the reduced lien amount to be paid shall be separately calculated for each lien in accordance with the formula established in subsection (f) below. Application forms may be obtained from the city police department, code enforcement division. The application shall contain the following information:

a. Code enforcement case number;

b. Property address or Tax Parcel ID number associated with the lien and owner address and contact information; and

c. Whether the city code enforcement staff has inspected the property and determined

EXHIBIT E: Statement read by L. Koss from Peter and Donna Olavarria

From: Lorraine Koss
To: Carie Shealy
Subject: Re: statement from Pete and Donna Olavarria
Date: Wednesday, October 20, 2021 7:35:01 PM

I didn't read the items in parentheses

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From: Lorraine Koss
Sent: Wednesday, October 20, 2021 5:55:16 PM
To: Carie Shealy <cshealy@cocoafl.org>
Subject: statement from Pete and Donna Olavarria

We request they not be released from their lien. They had plenty of funds to hire an attorney to fight the city code and we had to live with it for years. The city paid a lot of money to the city attorney to enforce the city code. They still rent their property as an Airbnb so should have the funds to pay their lien. (The owner drives a high end BMW and now owns an airstream camper. He has money.) Not a hardship case.

Owner could have moved the tiny house once it was coded. It was his choice to leave it there and accrue a lien during the lengthy litigation. Why should the City of Cocoa suffer the financial consequences of bad choices? Why did the neighborhood have to endure its presence so long?

(Thank you councilwoman Koss for helping out city through this. You are appreciated.)

Peter & Donna Olavarria
2515 MacFarland Drive
Cocoa, FL

For the city to take action at 1112 Peachtree without publicly addressing the impact is unacceptable. Wiping out the Cocoa Community Garden denies the benefit of a community garden for residents young and old and ignores the significant investment that has been made on the property to date by the donation of the property, caretakers, the Sustainability Committee, The Eagle Scout Troop, local church members, and the Rotary Club. It may violate the following values that the City of Cocoa has on the website and strategic plan which state that:

- All residents have the opportunity to participate in community decisions.
- A healthy ecological environment is promoted.
- Quality education is promoted.
- A safe community is maintained.
- Values: Citizens, Staff and City Council taking ownership and responsibility to promote public trust.
- Respect: Treating the public and one another with dignity, consideration and compassion.
- Environment: Plan growth, which is sensitive to the environment and recognizes significant community resources.

I want my contributions and the contributions of my fellow citizens to be respected. I will be following up to make an appointment with the City Manager so he can explain how the proposed action respects citizen contributions to the health of the city.

My efforts over the years to keep the quality of life in Cocoa are worthy of respect and consideration, and I will be following up on this promptly.