MINUTES

CITY OF COCOA

REGULAR MEETING OF THE CITY COUNCIL

August 28, 2019

A Regular City Council Meeting was held on Wednesday, August 28, 2019, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. OPENING MATTERS:

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

Pastor Jarvis Wash provided the invocation, and Councilmember Goins led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	Brenda Warner	Deputy Mayor
	Don Boisvert	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

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

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of August 28, 2019 (19-409)
2. Minutes: NA

Mayor Williams advised that there were some amendments that needed to be made to the agenda: City Business IX.1 will be tabled and City Business Item IX.3 will be moved to Item IX.6. All other items would shift up.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Boisvert, to approve the Agenda for the Regular meeting of August 28, 2019 with amendments.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. Presentation by the Space Coast Transportation Planning Organization. (19-410). (Georganna Gillette, Executive Director)

Ms. Georganna Gillette, the Executive Director of the Space Coast TPO thanked Council for allowing her to speak. She noted that the TPO was responsible for coordinating state and local transportation in the county. She provided a presentation on the Space Coast Transportation Planning Organization.[1]

She advised what the role of the Space Coast TPO is and pointed out basic facts in Brevard County, which is the need to maintain Intra-county connectivity, as there are only three continuous north-south roads, the east and west depend on seven causeways and good mobility is critical.

Ms. Gillette provided updates on the following projects:

- SR 528 (Beachline) Industry Road to Port Canaveral
- Clearlake Rd (SR 501) Widening Michigan Avenue to Industry Road
- SR 524 Widening S. Friday Road to Industry Road
- Fiske (SR 519) Resurfacing I-95 NB Ramps/Barnes Blvd. to SR 520
- SR 520 Willard/King St. from Aurora Rd. to Hubert Humphrey Cswy.

[1] EXHIBIT A: Presentation on the Space Coast Transportation Planning Organization

Discussion was held on Virgin Trains and the status of the project.

Lastly, she provided some take-aways and mentioned that most citizens do not realize how expensive transportation projects are and how long it takes to implement major improvements. There is a process to identify and agree upon and fund important projects and programs. Additionally, all of this involves the federal, state, and local government, as well as the decision-making process which starts with the TPO board of elected officials.

Council thanked Ms. Gillette. Further discussion was held on the rider-ship study and the clearing that is happening on SR 528.

IV. DELEGATIONS:

Allan Chapman, 600 Florida Avenue, #104, Cocoa, and representing HCVMS, noted that they would soon be moving to the Porcher House. The process of merging these two organizations has been long and challenging at times, and he thanked Ms. Senger for her help in this effort. He further recognized Ms. Robin Green, Emma Kirkpatrick, and Nancy Elliott for helping with this transition as well. On August 20th they received a letter from the Secretary of State stating that they were in compliance and had met all of the requirements for a main street program. Last night they merged and united into the Historic Cocoa Village Main Street. They look forward to a long relationship with the City and thanked everyone again for their support.

Aleck Greenwood, 614 Brevard Avenue, Cocoa, spoke in regards to the Cocoa CRA. Since the last meeting he learned that the Florida Statutes changed and he spoke about the Cocoa CRA when it originated. He stated that if a person owned property in the CRA their property taxes remained in the CRA district. He personally went to the County for this and it was approved. This was to help with blight. Requirements to be on the CRA board have been reduced and he would like a consensus that the property owners cannot be ignored and taxes remain in the CRA. He would like to meet with Senators Posey and Mayfield to get all of this going. He recommended appointing a property owner until all of this was resolved.

City Attorney Garganese noted that the Council coordinates its legislative agenda with the state lobbyist and if they want to look at that as an initiative it would have to go through him.

City Manager Titkanich spoke and stated with the recent House Bill regarding CRA's he did not think that they would have an appetite for this issue. We fought for three years trying to ensure accountability and transparency with our CRA's.

City Manager Titkanich does not feel at this time they would be willing to take this on as it was a true battle of home rule.

Mayor Williams thanked Mr. Greenwood and stated that he understands where he was coming from.

Further discussion was held on the CRA bill.

Donna Kettner, 111 Harrison Street, Cocoa, and owner of Green Apples, stated that a hurricane was coming and the problem of water coming into her business would continue. She would like to ensure that she is provided plenty of sandbags for the upcoming storm and that they could meet to resolve this issue, as it was not going away.

Councilmember Goins asked how many sandbags she would need. In response, she advised probably around 100, which would deter the water but it would be a temporary fix. She has to do something so that the water gets pushed outside and through Delannoy Avenue.

Mayor Williams had some discussions about this and there were some diversions that they would do with sandbags. Additionally, Assistant City Manager Fuhrer advised that there were some sandbags moved into the back ally way. Ms. Kettner stated that she continues to get water due to the piping. Pub Americana has the same issue.

Assistant City Manager Fuhrer stated that staff met on site and there was a recommended change that would divert the flow. Those changes have not been implemented but there was some time before the storm.

V. REPORTS:

Mr. Wegerif spoke about the paving in the Village and that it would be done by the second week of September. The Riverfront Park foundation has been out of service and staff has been working with them to get that fixed.

Councilmember Koss asked about stormwater preparedness. She asked if workers were out checking drains. In response, Mr. Wegerif advised that they were as he has also checked areas to make sure inlets are clean and there is no vegetation in grates. They are also checking on facilities.

He noted that the contractor has started back on the Joe Lee Smith Center and the scheduled completion is June, 2020.

Ms. Howell spoke about the customer that came to the last meeting concerned about the credit card fee. She reached out to him to let him know what the fee included. They explained ways that he could pay his bill for free.

Chief Cantaloupe stated that the storm is on its way and he mentioned that the police department would be running normal operations until they could no longer get out. Please do not hesitate to call if anyone needed anything.

Chief Prince stated everything as far as stormwater, who will be working, etc. was being addressed and they will let all know when they decide to open the EOC. They will meet tomorrow at 1 p.m. after the next report is given. They re-assess after every report.

Mr. Walsh provided a hurricane update and noted that all field operations have topped off their vehicles and they will continue to top them off daily. They have stock piled trucks, ordered additional testing kits, and have been lowering Bracco Pond. All tanks are operational as well.

Mayor Williams asked what determined when to shut off the valves to the barrier islands. In response, Mr. Walsh stated that conversation that takes place in the EOC with the Fire Chief and City Manager. There is not a clear procedure and explained why or why not valves may be closed off during a storm.

City Manager Titkanich added that there was a certain wind speed where the utility trucks can no longer go out, as they have a lot of equipment on them. In Hurricane Matthew they decided to cut the them and then Hurricane Irma diverted and came up the middle of Florida. They have to make the best decisions they can proceeding the storm and considering that they would not put employees in danger.

Deputy Mayor Warner asked if valves are cut would the Canaveral tank still have water. In response, Mr. Walsh stated yes as it was already full.

City Manager Titkanich mentioned that the storm in which the valves were cut residents were asked to evacuate, and there is a reason why they are asked to evacuate.

Councilmember Koss confirmed that a thorough evaluation was done of the main going up SR 520. Mr. Walsh answered in the affirmative and noted that an evaluation was also done of SR 528.

City Manager Titkanich assured Council that after this storm they would go back out and re-examine the pipes again.

City Manager Titkanich noted that the FLC Annual Conference was really good and they have also had a meeting with SCAT. SCAT is working with other cities and has expressed a willingness to work with them. They had a lengthy discussion about expanded service on Saturday and Sunday. They also discussed other partnership ideas.

He noted that they all received an email regarding the Marijuana Workshop on October 29, 2019 at 6 p.m.

He assured Council and the public that staff has been working hard to prepare for the upcoming storm. Each department has a plan as to how they will continue operations after an event. Right before the meeting tonight the Governor declared a state of emergency for twenty-six counties and project it to be a damaging hurricane that could damage the Space Coast. He reiterated it was a projection but we have seen the devastation that a storm can cause.

Staff would be meeting tomorrow to make decisions and the City Clerk has prepared a draft resolution declaring a state of emergency. They will let Council know of any updates as soon as possible.

Additionally, he announced that he does anticipate closing City Hall and other City offices at noon on Friday to allow employees to prepare for the storm.

If evacuations include your area, you should leave. It is not worth the cost of a life. He asked all to stay in touch with the website and social media.

Lastly, he received word that Waste Management would not be doing anymore pickups. They are asking residents to please not cut down any trees or to leave

greenery and debris by the road. This could result in flying objects. He stressed the pickups were stopping for debris only not trash.

City Manager Titkanich asked Chief Cantaloupe to have his units patrol and report any areas with debris so that it could be reported.

Assistant City Manager Fuhrer advised that he would be meeting onsite with Ms. Kettner and property owners tomorrow 9 a.m.

He further announced that the Waterfront Stakeholders site was now open and located under the Community Improvement Site of Cocoa's website. There is a stakeholder form that you can complete if interested. Staff would maintain the data base as forms are received related to the waterfront.

Councilmember Boisvert mentioned his District 3 Town Hall meeting and thought it was successful. He also attended the Crime Watch Meeting at Coventry with the Mayor. Lastly, he spoke of a ceremony he attended at St. John's Church of God in Christ where he and the Mayor received honors for their community service.

He asked Mr. Wegerif about SR 524 and if a sign could be placed at the exit stating not to block the intersection. Mr. Wegerif agreed to get with FDOT about that.

Lastly, he reminded everyone about the 9/11 Stair Climb at Cocoa High School on September 7, 2019.

Deputy Mayor Warner asked Mr. Wegerif if staff was out today turning on sprinklers in green areas. She thought it might have been done to reduce the water. In response, Mr. Wegerif stated they do not do that to get rid of water but they do for testing the system. She advised it was in Circle Park. He agreed to check into that.

She reminded everyone that a lot of information gets disseminated when preparing for a hurricane. She asked all to look at and to abide by the rules.

Councilmember Goins thanked everyone for coming out tonight especially with the impending storm. He asked about sandbag access.

Mr. Wegerif noted that we have sand but it was bring your own bags and shovel. There are several locations and they are listed on the website.

Councilmember Goins further announced that his wife just had a baby, so he was keeping up with his council duties along with a new baby. He was congratulated by all.

He mentioned that he spoke with Ms. Singleton about starting a program for minority and women owned businesses in Cocoa. No other city in Brevard County has this and he wanted Cocoa to be the first. He would like for her to be allowed to research this.

In response, City Manager Titkanich advised that there were funds in the small business program that would provide preference to minority owned/women owned businesses. There was also someone he spoke to at the FLC Annual Conference who might be able to help with this.

Councilmember Goins further requested that by the end of 2019, early 2020, he would like to implement a youth council. He believes it would be empowering and that Council has the obligation to empower young people. He believes it would be good for the community as well.

City Manager Titkanich advised that in November they would be kicking off the Citizen's Academy so they could look at that after the academy was done.

Lastly, Councilmember Goins asked everyone to be safe during the hurricane and if anyone needed help he was willing.

Councilmember Koss thanked everyone for all of the support for the Cocoa Tigers Chorus. They are close to their goal as they now have over $81,000.

Mayor Williams noted that he has been busy over the last few weeks. He spoke about the outreach meeting and the district meeting at Lost Lakes. He and City Manager Titkanich also met with Senator Wright. He also thanked St. John's Church for the community awards ceremony.

He thanked Public Works and those who dealt with the flooding issues at the daycare on Peachtree Street. He also thanked the County for resurfacing Lake Drive. Mr. Wegerif added that we are doing the city portion of Lake Drive.

Mayor Williams mentioned that the barricades were gone from the National Guard Armory which was a big improvement.

In closing, he thanked SCAT for the tour today and announced that Gator's Dockside at the Port gives law enforcement and fire 50% off if you are in uniform.

VI. CONSENT AGENDA:

1. Approve a one-year policy renewal for the General Insurance Program with Florida League of Cities, Inc., for the period October 1, 2019 through September 30, 2020 with an estimated premium of $951,746 pending approval of the FY2020 budget. (19-394). (Administrative Services Director)

2. Approve a two-year policy for Workers' Compensation Specific Excess Insurance with Safety National Casualty Corporation for the period of October 1, 2019 through September 30, 2021, with an estimated annual premium of $150,387, pending approval of the FY2020 budget. (19-411). (Administrative Services Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. PUBLIC HEARINGS:

None.

VIII. COUNCIL BUSINESS:

1. Consider the Appointment of one of the following applicants as a member of the Cocoa Community Redevelopment Agency, through April, 2020: Nancy Elliott, Janne Etz, James McCarthy, Denise Porter, or Candace Rogers. (19-408). (Administrative Services Director)

Ms. Gemmati spoke about the item and City Attorney Garganese provided the nomination process for the seat.

Councilmember Goins does not like the way these are handled and felt it was very difficult to only select one person when there were so many qualified candidates.

Deputy Mayor Warner agreed that it was difficult but fortunately for them there were not any bad candidates. She voiced her opinion on a couple of the candidates but felt that everyone who applied would bring something different to the table.

She noted that she prefers Ms. Etz for one reason which is that she was a consistent business owner in the Village for over thirty years and very involved in HCVA. She knows that her thirty plus years of historical knowledge was vital. However, Mr. McCarthy also sat up at the dias for many years as both a council member and an agency member.

* **Deputy Mayor Warner nominated Ms. Janne Etz.**

Nancy Elliott, Indian River Drive, Cocoa, spoke in regards to the vacancy, pointing out that this seat has been vacant since April. She urged them to fill the vacancy tonight as it was difficult to represent a broad base of people. She further asked for this seat to represent the businesses in the Village. They are downtown everyday and are the pulse of the Village. They are trying to make a living and everything that the CRA does impacts that. She felt that they would be well served by filling the seat with someone who serves daily in the Village.

Councilmember Koss felt that Nancy Elliott stands out as she has been very involved in different things, including being the creator of Art Beatz.

* **Councilmember Koss nominated Nancy Elliott.**

Councilmember Boisvert has known all of applicants and this is a heart wrenching decision, as they are all really well qualified. He passed on his nomination and would go with the majority.

Councilmember Goins nominated Mr. McCarthy for several reasons. He is smart and has a history in Cocoa, and is a property owner.

Mayor Williams closed the nominations and advised that those nominated were Nancy Elliott, Janne Etz, and Jim McCarthy.

Attorney Garganese advised that they would vote on the candidates and could do so alphabetically.

Mayor Williams advised that his decision was in the air, as he has known Ms. Etz for a long time as well of Mr. McCarthy and Ms. Elliott.

Vote for Janne Etz

* **MOTION by Deputy Mayor Warner; Seconded by Mayor Williams, to appoint Janne Etz to the Cocoa CRA.**

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

THE MOTION FAILED (2-3)

Vote for James McCarthy

* **MOTION by Councilmember Goins; Seconded by Councilmember Boisvert, to appoint James McCarthy to the Cocoa CRA.**

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

THE MOTION FAILED (2-3)

Vote for Nancy Elliott

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to appoint Nancy Elliott to the Cocoa CRA.**

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

THE MOTION FAILED (2-3)

City Attorney Garganese explained that they did this correctly but they could defer it to the next meeting if they wanted more time.

Deputy Mayor Warner suggested that they move this item to the end of the meeting and try again.

* **MOTION by Councilmember Goins; Seconded by Deputy Mayor Warner, to Warner to move this item to be heard at the end of the meeting.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve Resolution No 2019-074 endorsing the East Central Florida Regional Resilience Collaborative providing for the City of Cocoa's support and participation in the initiative. (19-417). (City Manager)

City Manager Titkanich explained this proposed resolution in detail and reminded Council that on February 27, 2019, they approved Resolution No. 2019-011 which adopted the East Central Florida Regional Resiliency Action Plan and committed the City's support and work towards the implementation of relevant actions and objectives over the next five years.

In addition, this resolution will provide for the City's endorsement of the established collaborative framework for action and to implement resilience measures, which City Manager Titkanich described in detail.

Councilmember Koss believes that this was a no brainer as the City needs a collaborative approach to resiliency.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. CITY BUSINESS:

1. Approve a letter of support committing to a Municipal Services Capital Contribution Agreement between the City of Cocoa and Brevard Public Schools, subject to, and for the purposes of obtaining a grant from the Florida Department of Economic Opportunity (DEO) Florida Job Growth Grant Fund for the Brevard

Adult Education Career and Technical Education Center. (19-391). (Community Services Director)

This item was tabled to be heard at a later date[2].

2. Approve the Preliminary Assessment Resolution 2019-068 for Fire Protection, for Fiscal Year 2020. (19-395). (Finance Director)

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

AYES: Williams, Warner, Boisvert, Goins

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Approve a Budget Resolution amending the FY 2019 Budget to transfer funds for purchase of two each 20-ton Trane Condensing Units at City Hall as unbudgeted capital equipment. (19-406). (Public Works Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)[3]

4. Adopt the Mead and Hunt Ten (10) year Stormwater Work Plan utilizing the City's Capital Improvement Program including improvement cost estimates as well as ranking and prioritization of water quality and flood mitigation projects. (19-413). ~~(Finance Director)~~ (Public Works Director)[4]

Mr. Wegerif explained what this plan entailed, along with the current fees and funding of projects. He noted that the stormwater system had no debt, as projects were pay as you go. He pointed out that not all projects were in this plan because they are prioritized based on cost benefit, the number of people that benefit and community benefits.

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[2] Councilmember Koss left the meeting at 7:41 p.m.
[3] Councilmember Koss returned to the meeting at 7:43 p.m.
[4] Councilmember Goins left the meeting at 7:43 p.m. and returned at 7:45 p.m.

Councilmember Koss felt that the City was making a shift with this plan as they have invested in fire and police and it was time to invest in stormwater. She was happy to see this and wondered where the adaptability was in the plan. They have a comprehensive system model and a master park plan which she sees as part of stormwater.

City Manager Titkanich stated on page 152 was the schedule and there was a need to look at these yearly. Each year during the budget process the city approves the CIP. There is the ability during that process to make those adjustments.

Mr. Wegerif agreed pointing out that this was just a plan and it was evaluated every year.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Accept Stantec Consulting Services Inc., Stormwater Assessment Study - Final Report. (19-412). (Finance Director)

Mr. Kyle Stevens with Stantec provided a presentation on the final stormwater assessment study[5]. He pointed out the core elements that would be discussed which were: revenue requirements, method of collection, revenue recovery basis, and the revenue recovery structure.

He explained that the existing enterprise fund for stormwater management generates $1.5 million to cover existing operation/maintenance and minor capital improvements. Also, additional revenue is needed to reduce flooding and comply with water quality regulations. He pointed out that Stantec created a financial model to review scenarios and to develop a sustainable financial plan for the stormwater utility.

Key assumptions were discussed and he explained that existing operations and maintenance must be maintained. Additionally, the capital improvements plan includes a ten year CIP developed jointly by Mead & Hunt and City staff.

[5] EXHIBIT B: Stantec's Final Stormwater Rate Study

Mr. Stevens showed and explained in detail a status quo financial projection and noted that they created a plan in which the revenues were realigned to meet the needs of the City.

The collection method was discussed and he explained that currently this is billed on the utility bill; however, many other cities bill on the Ad Valorem Tax statements. He discussed the pros and cons of both collection methods.

A comparison with peer communities was shown in regards to how they bill for stormwater. It was Stantec's recommendation to move to the Ad Valorem method of billing.

Mr. Stevens shared the City's current stormwater fee observations and pointed out that the opportunity exists to 1) provide for sufficient revenues for an environmentally and financially sustainable stormwater program, and 2) to improve the method of revenue recovery.

He further advised that their recommendation was a tier impervious basis for this fee and explained the impervious area measurement. He announced that customers can go on the City's website to look at this.

Mr. Stevens reviewed in detail the stormwater assessment design and explained how they structured the rates to charge for this. They look at revenue recovery, simplicity, administration, and equity.

Lastly, Mr. Stevens discussed the single family residential customer FY 2020 impacts. He further spoke about condo customers and stressed that there would be a wide variety of billing on these customers.

The implementation schedule was discussed and he pointed out that this has been in the works since January. Notices have been mailed for the first public hearing and the second public hearing would be on September 11, 2019.

Mayor Williams advised that this was just accepting the consultants final report.

Councilmember Koss added that what she liked about this was that it was economically wise and we are incentivizing the correct behavior.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

6. Approve an Initial Assessment Resolution 2019-069, for Stormwater, Fiscal Year 2020. (19-396). (Finance Director)

Ms. Howell explained what this item was approving and the next steps.

- Astriz Morris, 510 Donley Street, Cocoa, clarified that this item was regarding stormwater and not sewage. Council responded in the affirmative and Mr. Morris noted that his questions were answered.
- Chris Iorio, 109 Riverside Drive, Cocoa, had two problems with this fee. She spoke about the purpose of the fee and noted that she was rated a Tier 3 while others around her are Tier 2. She voiced concerns regarding if a new builder was to come in what impervious coverage would mean. She asked why assessment parameters were set up to penalize owners. She stated that these yearly increases cannot be covered by a one or two percent social security increase. She asked if there were any other provisions in the assessment to protect their homes.
- Bridget Hagood and Frank Jones, 1613 N. Indian River Drive, thought the new way of doing the stormwater assessment had its pros and cons. They just found out that the condos were not carrying their fair share and when they built their house they worked with the City to ensure that the pavers were impervious and they were assured that they were; however, now they were being called impervious. They felt that they were being penalized for building properly.
- Sam Weaver, 2223 Mercer Drive, Cocoa, has lived in Cocoa since 1966 and felt that everyone has the same perspective on this issue. He has a pool with a room across the back of his house with gutters and when it rains the water goes into the yard and pool. All of the other water falls into the garden. The only water at his house is what is on his driveway and all other water is on pervious land. He felt that he was being punished due to having a pool and felt that he was in the wrong tier. This puts a burden on senior citizens. He did not feel that the appeals would work.
- Nancy Dean, 235 Coral Drive, Cape Canaveral, owns several properties in Cocoa. Her tenants have been paying this bill on their own and she cannot make changes to contracts. All of these expenses would fall on her. She noted that she has been in business for thirty-one years. She is aware that the City has to make increases and she was not opposed to

increases but felt that 9% was off the chart. She just received letters this past Saturday and was not fully prepared for this meeting. She knows that she was not the only one with tenants who would be affected and felt more time needed to be given.

Mayor Williams advised that this was not something that they just decided to do but he understood where she was coming from.

- Gene Austin, 1323 North Fiske Blvd., Cocoa, does not feel that citizens have had enough time to deal with this. He felt that this was wrong and there was a lot in the letter that drove him nuts and he asked where the numbers came from.

  Mayor Williams assured citizens that Council hears what they were saying. City Manager Titkanich added that that this was the first reading and the second and final reading would be September 11, 2019. All comments would be looked at and taken into consideration. This has been in the works since January.

  Mr. Austin felt that the citizens should see this report. In response, City Manager Titkanich pointed out that there was a special website included in the notice with all of these documents. He further advised that the Ad Valorem method was the more prevalent method of billing in Brevard County.

  Mayor Williams reiterated that this was a tough process and this was the first reading. There is a flooding issue throughout the City and this needs to be taken care of now rather than later.

- Tammy Carter, 1809 Indian River Drive, Cocoa, stated that she was an engineer and felt that there were many mistakes in the presentation. She provided examples of some of her concerns with the tiers and was concerned that the City was moving forward with this.[6]

Councilmember Goins asked the City Attorney about commercial properties with lease agreements of one or multiple years. He stated that the lessee was not paying the fee so it goes onto the owner.

[6] Deputy Mayor Warner left the meeting at 8:53 p.m.

In response, Attorney Garganese stated that he could not answer that as the information would be covered in the contract. Council does have the option to change the collection rate.

Furthermore, Attorney Garganese advised that under the stormwater home rule ordinance and in order to enact the ordinance, the Council must adopt the initial stormwater resolution. The final public hearing would be held and more public comment could be heard. Typically, a notice is not even made for the initial assessment resolution but there was one more hearing coming up.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to Approve an Initial Assessment Resolution 2019-069, for Stormwater, Fiscal Year 2020.**

Councilmember Goins asked if there was any way to separate commercial from residential.

Mike Burton from Stantec advised that they are separated and explained how they were included in the measuring structure. He stated that this was not a percentage basis but the actual amount of impervious surface. He felt there was some confusion about that issue and explained how the run off and impervious areas were calculated.

AYES: **Williams, Warner, Boisvert, Koss**
NAYS: **Goins**

THE MOTION CARRIED (4-1)

Mayor Williams reiterated that this was the first reading and it would be re-evaluated.

Councilman Goins explained that his property was flooded now and he understood where people were coming from.

MULTI-YEAR CONTRACTS:

7. Approve a Resolution Amending the FY19 Budget to Reallocate Funds from the "Surface Water Plant Clearwell Addition and Reject Pond Improvements", Project No. WS1402 in the amount of $49,396.62, and from the "Dyal TTHM Prevention and/or Reduction", Project No. WS18DT in the amount of $45,393.01 into the Groundwater Cal-Flo pH Adjustment Project, Project No. WS19CF; To Approve a

Resolution Waiving the Competitive Bidding Process to Purchase a 48-inch PCCP Tap Services from Thompson Pipe Group; To Approve the Cal Flo Project as a Multi-Year Project; To Approve a Resolution Authorizing the City Manager to Approve Change Orders in an amount Not To Exceed $8,617.24 (10% of the contract amount); To Authorize the City Manager to Execute the Contract. (19-393). (Utilities Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. 1 CRA Item was revisited:

Attorney Garganese advised that Council needed to make a motion to remove the item from the table.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Goins, to remove this item from the table so that they could discuss the item.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to nominate Nancy Elliott.**

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

THE MOTION FAILED (2-3)

It was pointed out that they do not need new nominations.

Pam Shaia, 308 Brevard Avenue, Cocoa, and owner of Tails of the Barkery stated that several people have waited tonight to see what this decision would be. She pleaded for them to make a decision tonight.

* **MOTION by Deputy Mayor Warner; Seconded by Councilmember Boisvert, to appoint Janne Etz to the Cocoa CRA.**

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

THE MOTION CARRIED (4-1)

In closing, Mayor Williams confirmed that the Cocoa High School Chorus had met their goal and the day they leave they would be leaving the high school at 4 a.m. He asked for a consensus from Council to have a police officer escort them to the airport and for anyone who can to meet at the high school that morning for a send off.

IT WAS A CONSENSUS AMONG COUNCIL TO PROVIDE A POLICE ESCORT TO THE AIRPORT FOR THE COCOA HIGH SCHOOL CHORUS. PLANS WOULD BE FINALIZED WHEN A DATE WAS PROVIDED.

X. INFORMATIONAL AGENDA:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2018 to 07/31/2019. (19-377). (Finance Director)

2. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (19-404). (Finance Director)

3. FY 2019 Budget Adjustment Report. (19-405). (Finance Director)

XI. ADJOURNMENT.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to adjourn the Regular City Council meeting of August 28, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 9:13 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

Cocoa City Council

August 28, 2019

Space Coast Transportation Planning Organization

Your Voice, Your Brevard

Transportation Planning for the Future

EXHIBIT A Space Coast TPO Presentation

Role of Space Coast TPO

- Influence of each transcends jurisdictional boundaries.

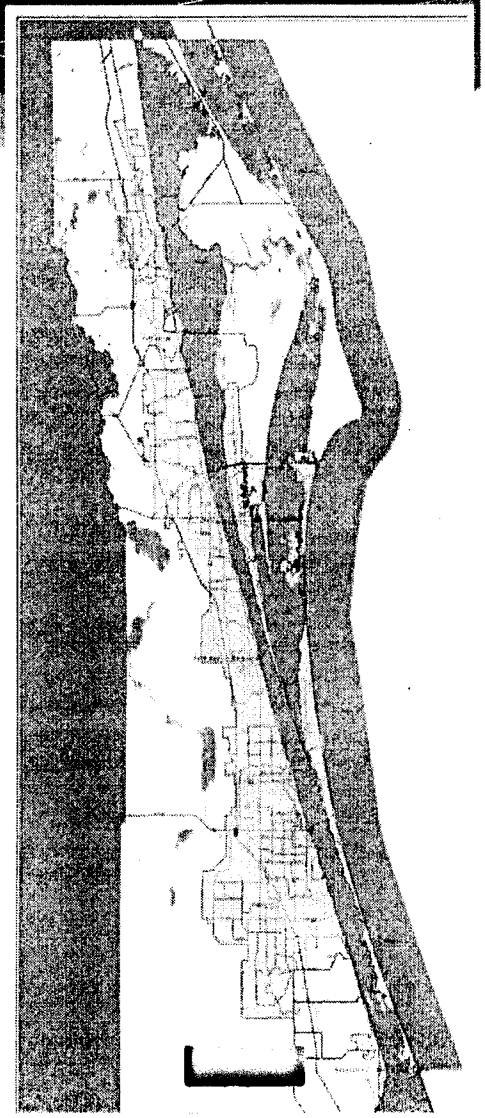
- Action by one mode affects others.
  - Example -- Growth of Port leads to need for SR 528 improvements

- Who's looking at the big picture? Coordinating, communicating, planning among the modes?

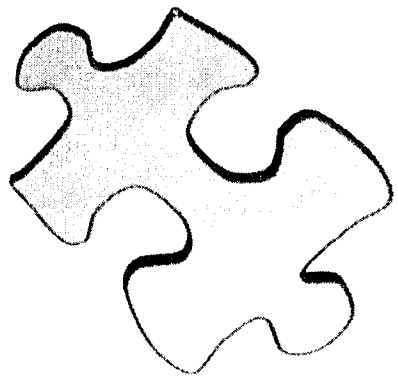
- That's what a TPO is created to do.

Basic Facts of Life in Brevard

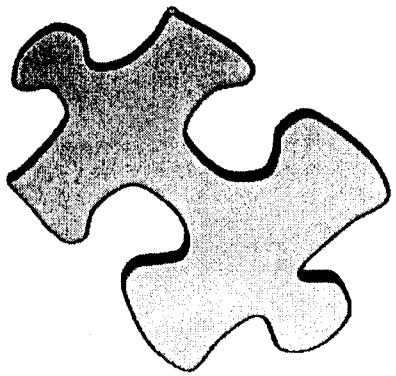
* Need to maintain Intra-county connectivity
* Only 3 continuous north-south roads
* East-west depend on 7 causeways
* Good mobility is critical



Regional Coordination



- Central Florida MPO Alliance – 6 MPOs, 4.6 million people



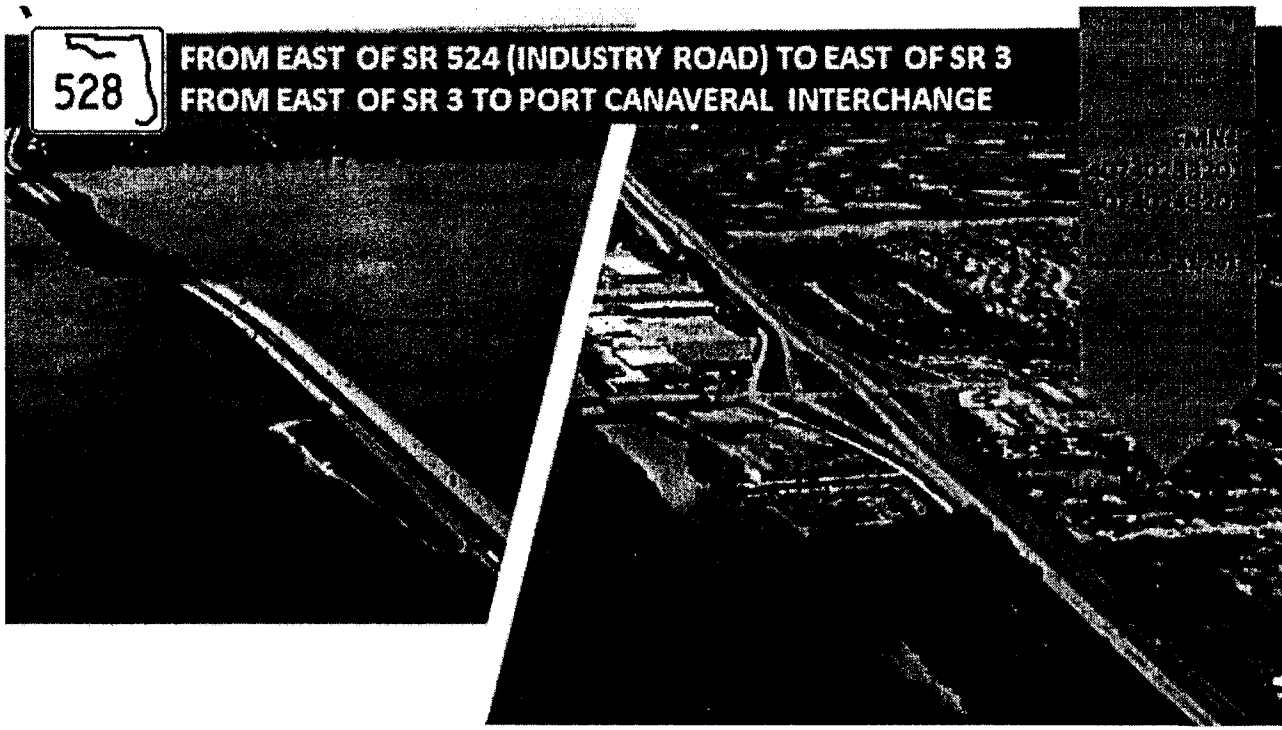
- Common issues
- "Market" larger than a single entity

SR 528 (Beachline)
Industry Road to Port Canaveral

Design Underway

Right of Way FY 2024

Construction - Unfunded

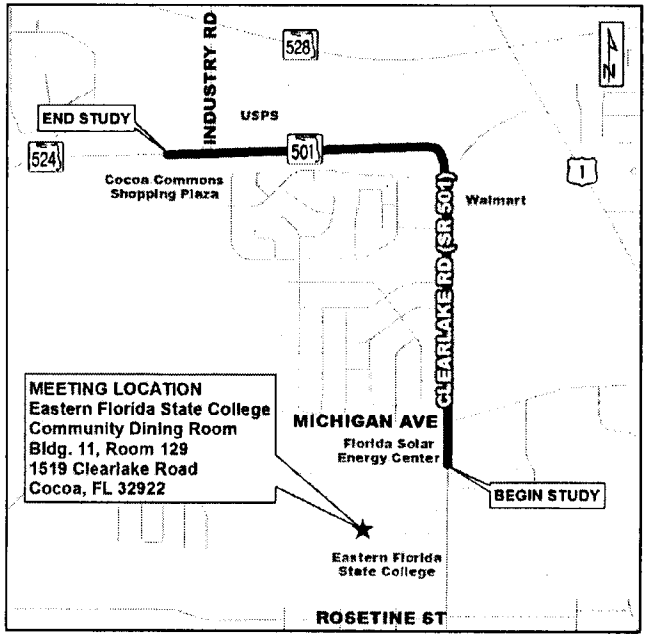


Clearlake Rd (SR 501) Widening
Michigan Avenue to Industry Road

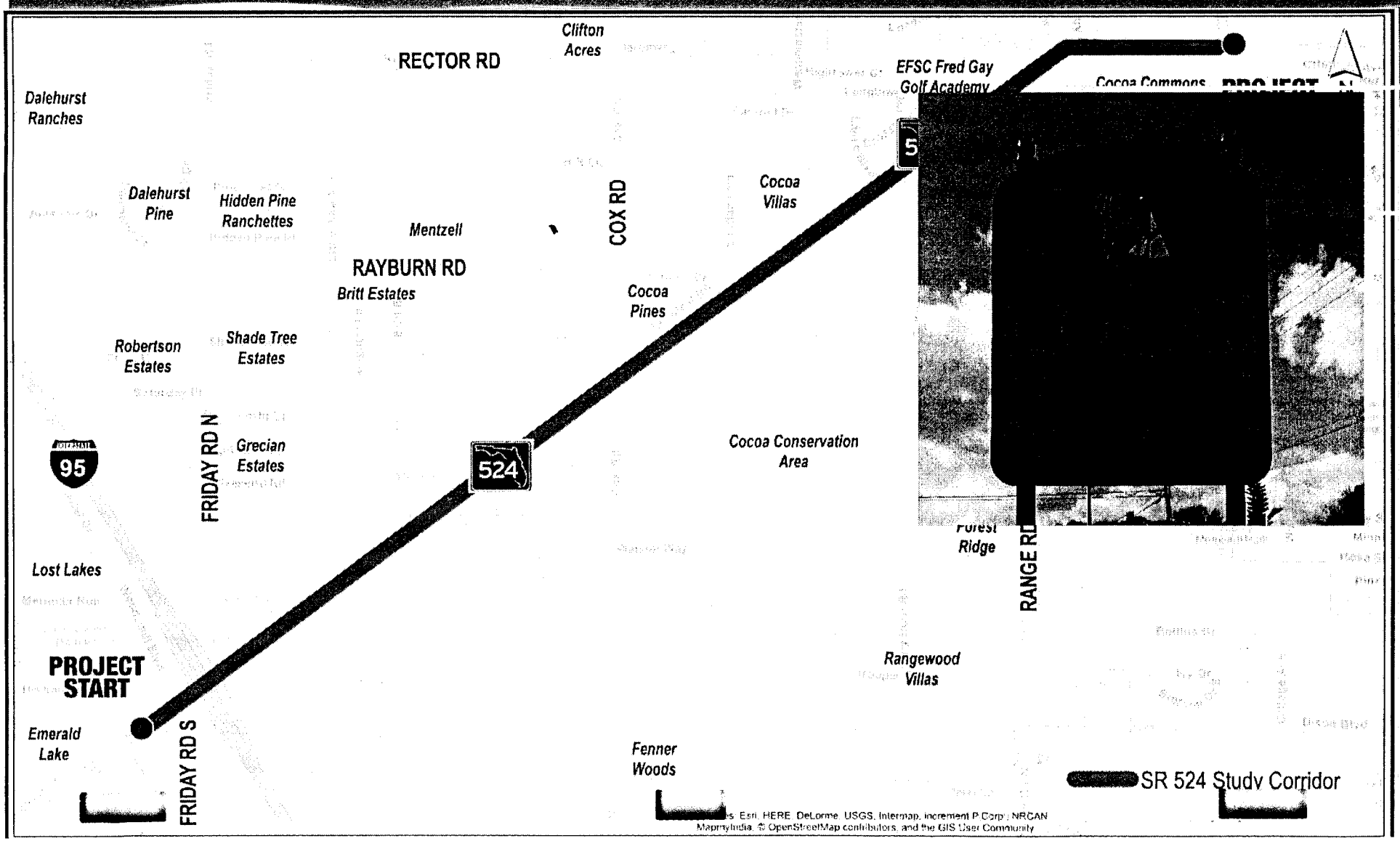
PD&E & Design Complete

ROW & CST Unfunded





SR 524 Widening
S. Friday Road to Industry Road

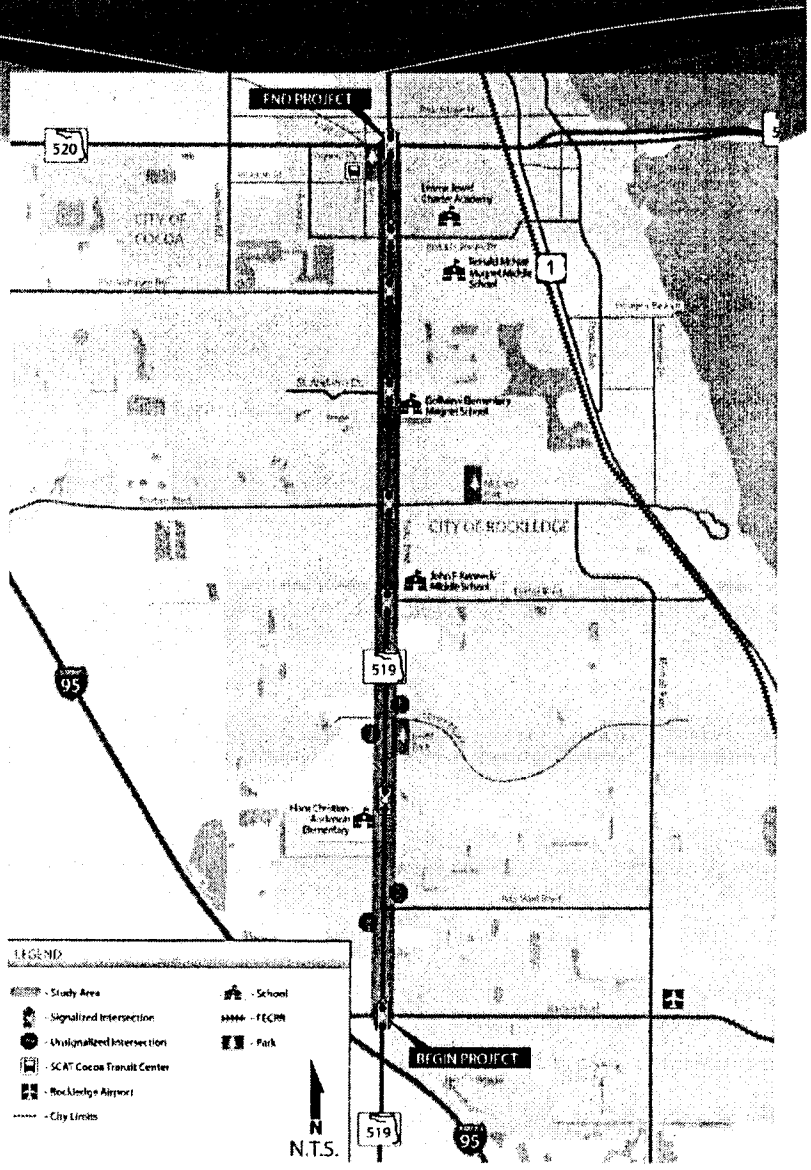


Fiske (SR 519) Resurfacing I-95 NB Ramps / Barnes Blvd. to SR 520

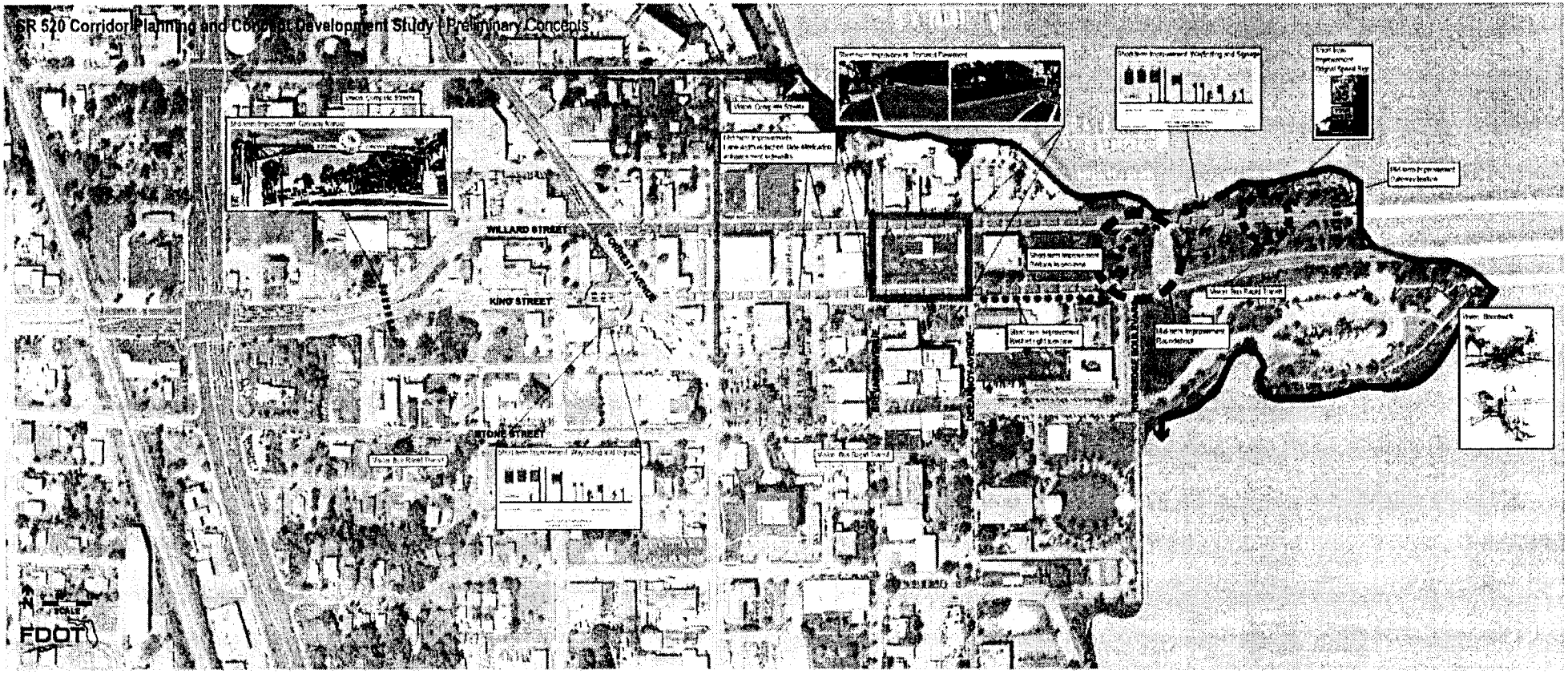
City of Cocoa from Rosa L. Jones Drive to SR 520

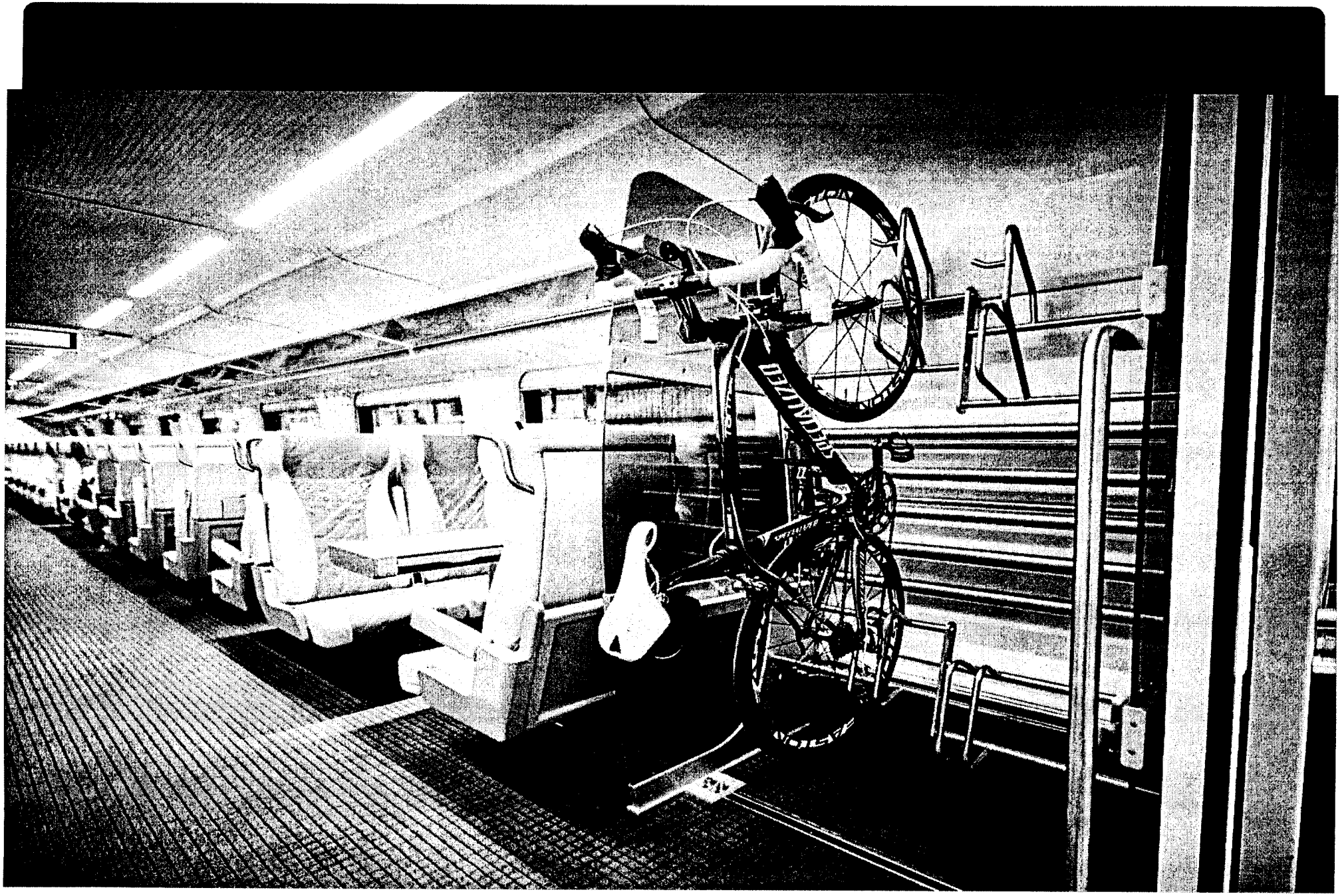
Design Underway

Construction – FY 2021 $8.4 million



SR 520 Willard/King St.
From Aurora Rd to Hubert Humphrey Cswy




SPECIALIZED

Transportation Planning Take-Aways



1. Most citizens do not realize:

* How expensive transportation projects are
* How long it takes to implement major improvements
* There is a process to identify, agree upon and fund important projects and programs.

2. Providing transportation in the US involves:

* Federal, state, and local government

3. Decision-making process begins with TPO board of elected officials

Stay Connected!

Share your voice about your Brevard. Get involved in transportation planning! Join the conversation at public meetings, on the web, and on our social media outlets, below:

Website & Newsletter Sign-Up: www.spacecoasttpo.com

Facebook: @SCTPO

Twitter: @SpaceCoastTPO

YouTube: Space Coast TPO

Stantec

City of Cocoa, FL
Stormwater Rate Study

August 28, 2019

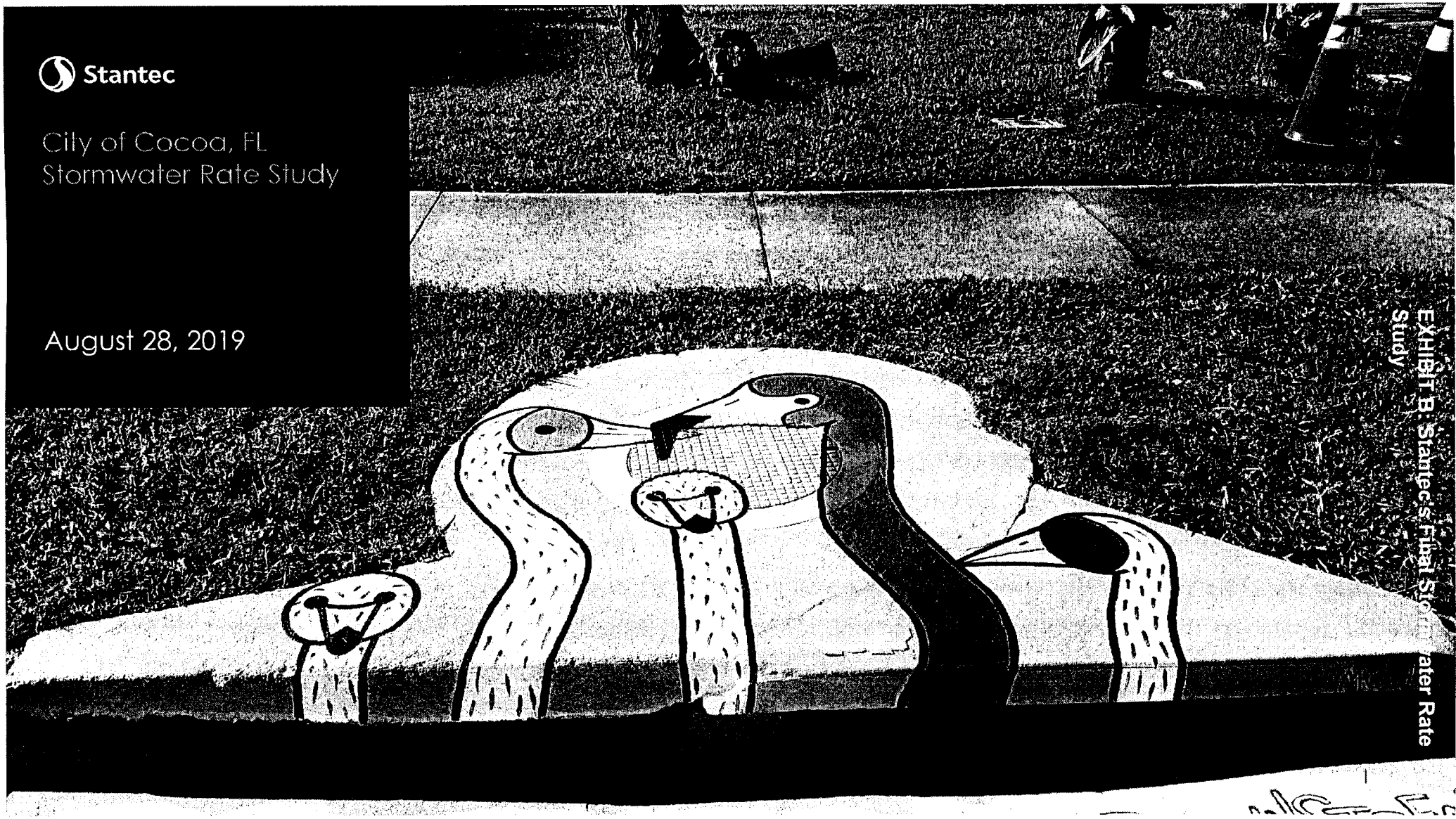
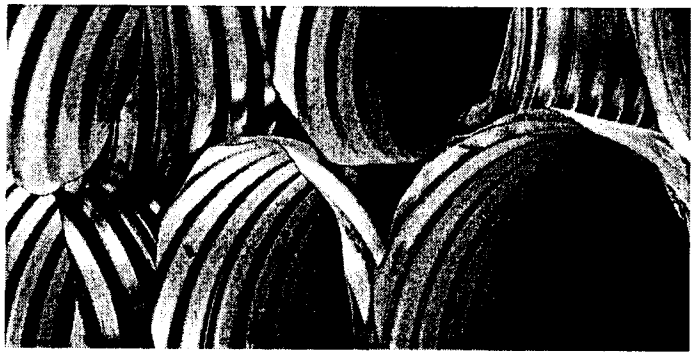


EXHIBIT B: Stantec's Final Stormwater Rate Study

Core Elements of the Study



Revenue Requirements

- Operating Costs
- Capital Costs
- Financial Policies
- Level of Service

Method of Collection

- Utility Bill Method
- Tax Assessment

Revenue Recovery Basis

- Units of Measure
  - Gross Area
  - Pervious Area
  - Impervious Area

Revenue Recovery Structure

- Evaluate Objectives
- Identify Structures
- Review Credits
- Customer Impacts

Revenue Sufficiency Analysis

Background

- The existing enterprise fund for stormwater management generates $1.5M to cover existing operation/maintenance and minor capital improvements
- Additional revenue is needed to reduce flooding and comply with water quality regulations
- Stantec created a financial model to review scenarios and develop a sustainable financial plan for the stormwater utility

Key Assumptions

- Existing operations and maintenance must be maintained
- The capital improvements plan (CIP) includes a 10 year CIP developed jointly by Mead & Hunt, the utility's consulting engineers, and City staff
- Notable projects include:
  - River Front Park Lagoon
  - Diamond Square Pond
  - 72" Outfall

[redacted]

Status Quo Financial Projection

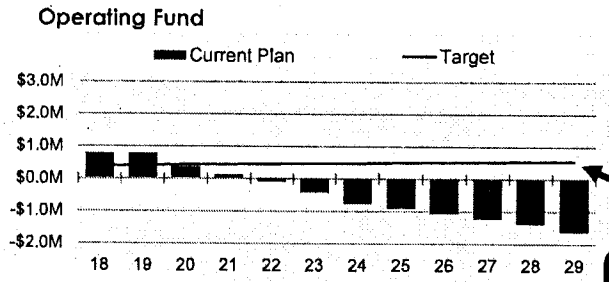
Current Plan ($0.25 annually)

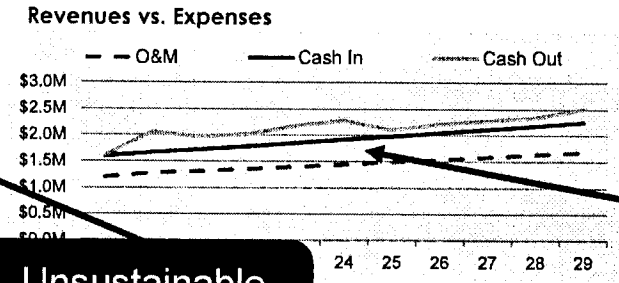
FAMS-XL | **CITY OF COCOA**

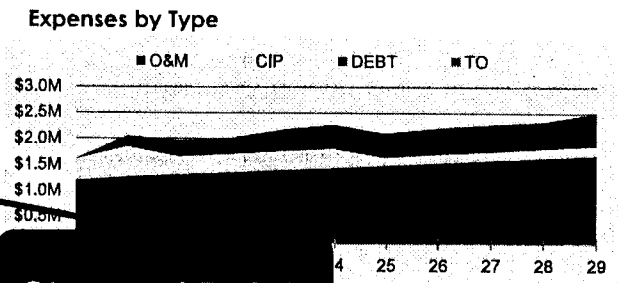
Stantec

CALC | SAVE | CTRL | LAST | OVR

	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2025	FY 2029
Revenue Adjusment Plan	0.00%	3.57%	3.45%	3.33%	3.23%	3.13%	3.03%	2.94%	2.86%	2.78%	2.70%	17.86%	35.71%
Senior-Lien DSC	0.00	1.83	1.34	1.41	1.07	1.04	1.08	1.01	1.01	1.04	0.88	Scenario Manager	

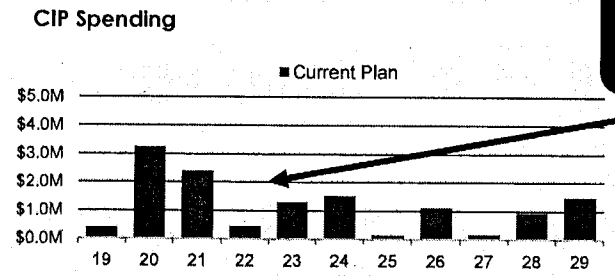


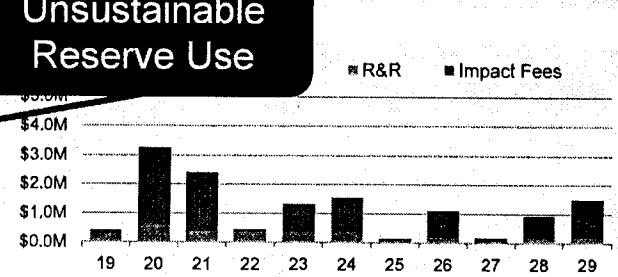


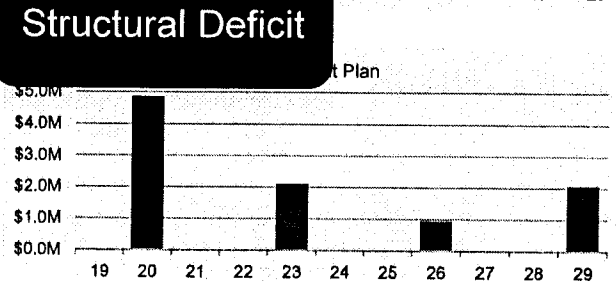


Unsustainable Reserve Use

Structural Deficit







Sustainable Financial Projection

Three 9% Revenue Increases, then 3% Annually Thereafter

FAMS-XL | CITY OF COCOA

Stantec

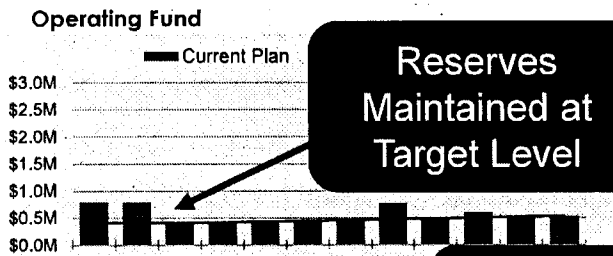
CALC | SAVE | CTRL | LAST | OVR

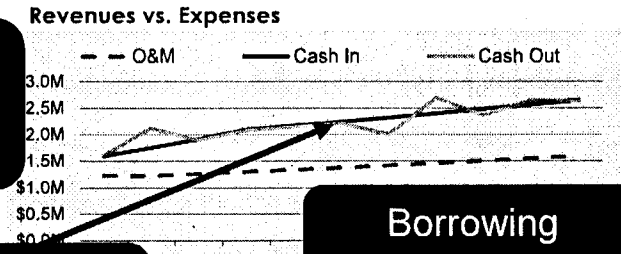
	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2025	FY 2029
Revenue Adjusment Plan	0.00%	9.00%	9.00%	9.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	37.39%	59.27%
Senior-Lien DSC	0.00	2.56	2.20	2.68	2.23	2.19	2.28	2.13	2.15	2.23	1.99	Scenario Manager	

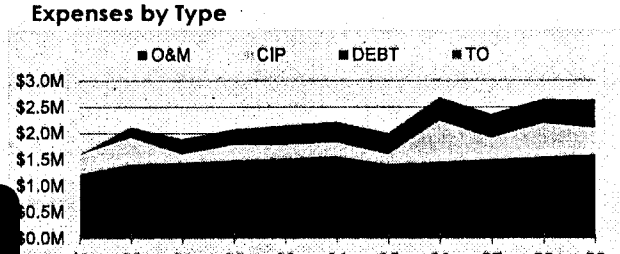
Reserves Maintained at Target Level

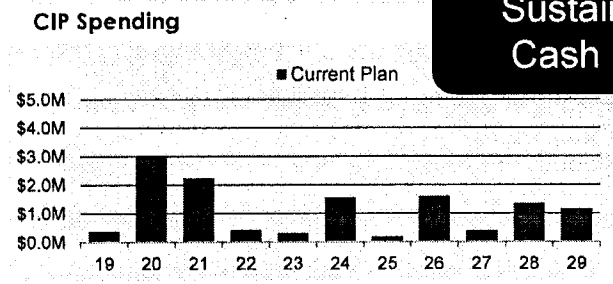
Sustainable Cash Flow

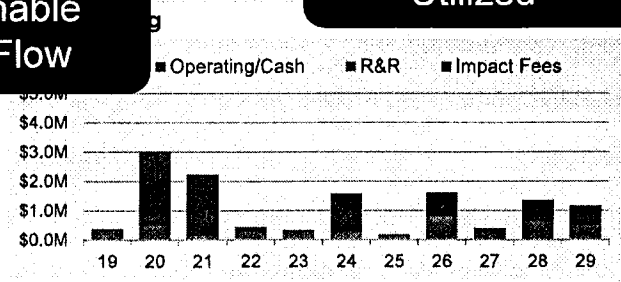
Borrowing Utilized

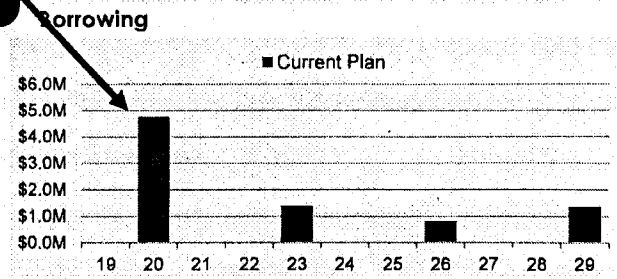






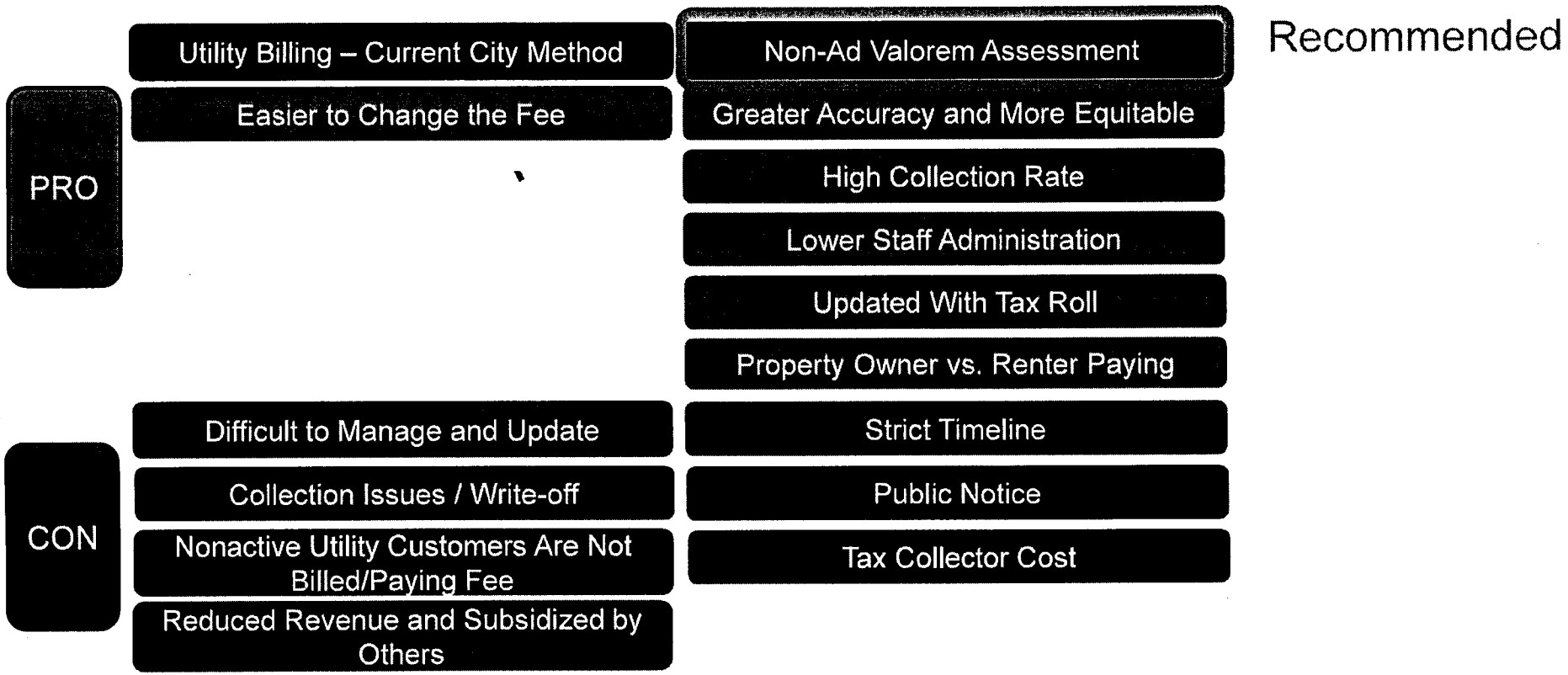






Collection Method

Stormwater Revenue Collection Method



Peer Communities Methodology Comparison

Utility	Assessment	Utility Bill
Brevard County (District 1)	X	
Cape Canaveral		X
Cocoa (FY 2019)		X
Cocoa (FY 2020)	X	
Cocoa Beach		X
Daytona Beach		X
Edgewater		X
Flagler Beach		X
Holly Hill	X	
Indialantic	X	
Indian Harbour Beach	X	
Malabar	X	
Melbourne	X	
New Smyrna Beach	X	
Ormond Beach		X
Oviedo		X
Palm Bay	X	
Palm Coast		X
Port Orange	X	
Rockledge		X
Sanford		X
Satellite Beach	X	
South Daytona		X
Titusville	X	
West Melbourne	X	
Count	**13**	**12**

Industry Trend

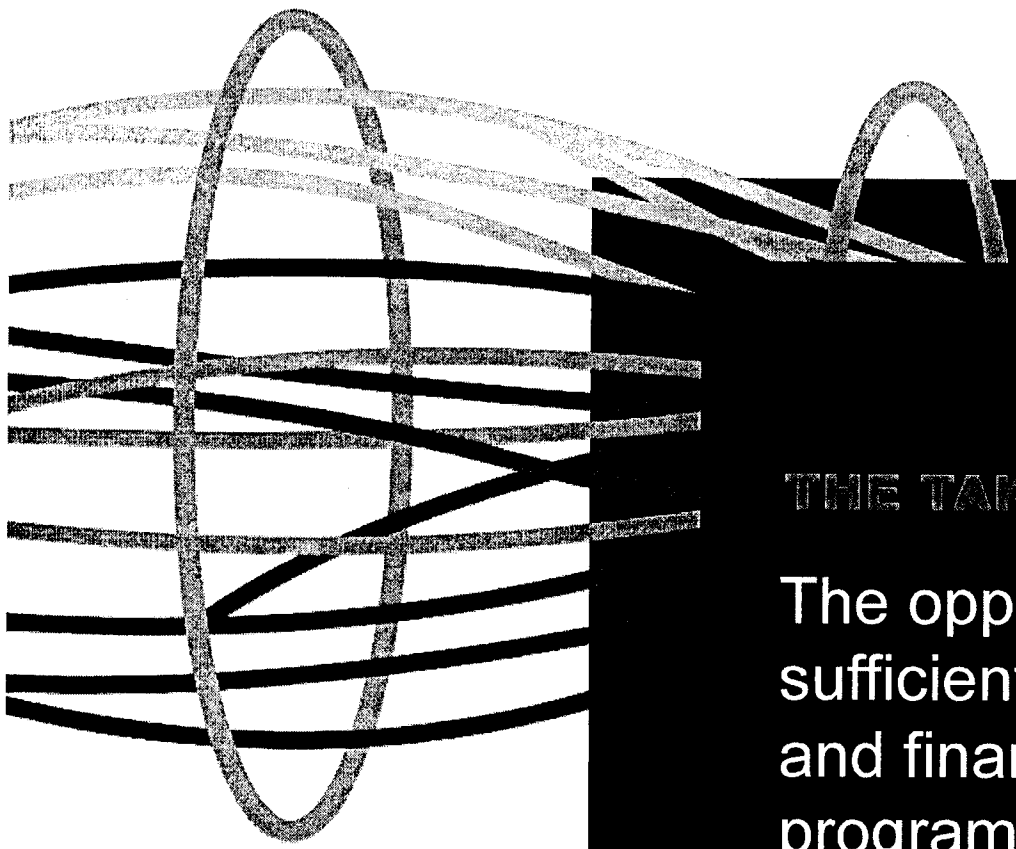
Utility Bill → Assessment

City's Current Stormwater Fee Observations

- Established in early nineties and has not been materially changed

- Pervious and impervious billed units
  - A less common approach in the industry
  - Requires additional administration
  - Potentially penalizes natural lands

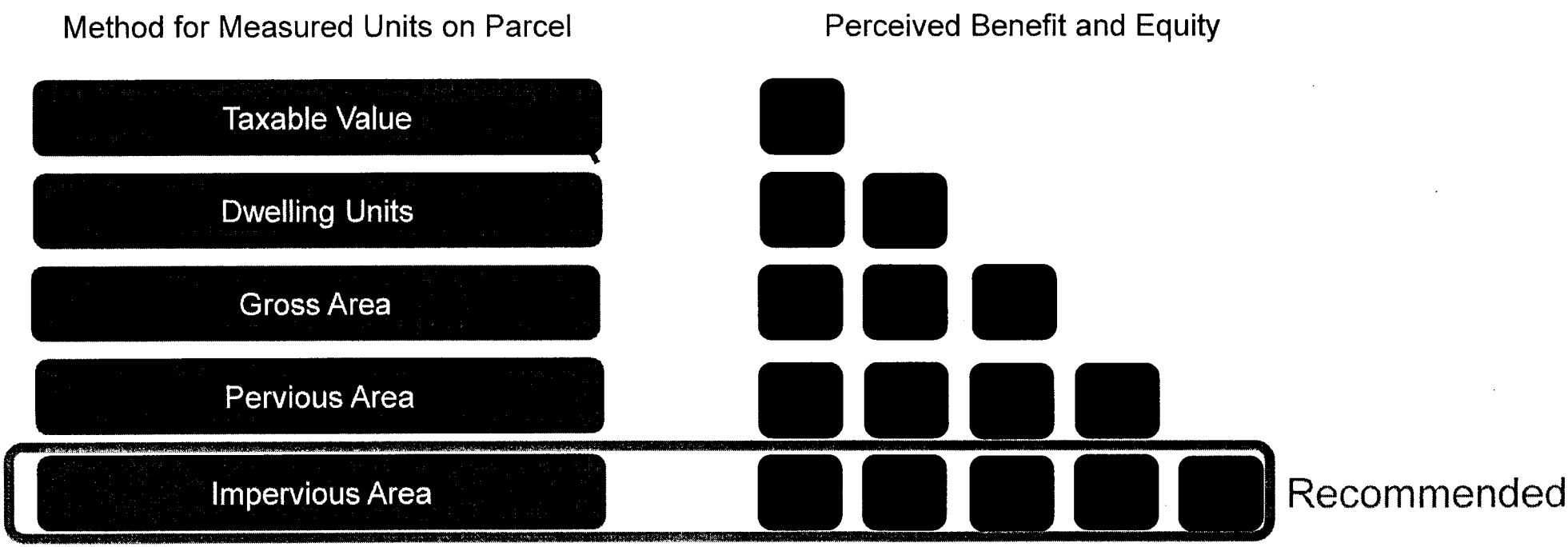
- Dwelling unit basis for residential
  - Simple to administer
  - Can be very inequitable when applied to vertical vs. horizontal development



THE TAKEAWAY

The opportunity exists to 1) provide for sufficient revenues for an environmentally and financially sustainable stormwater program, and 2) improve the method of revenue recovery

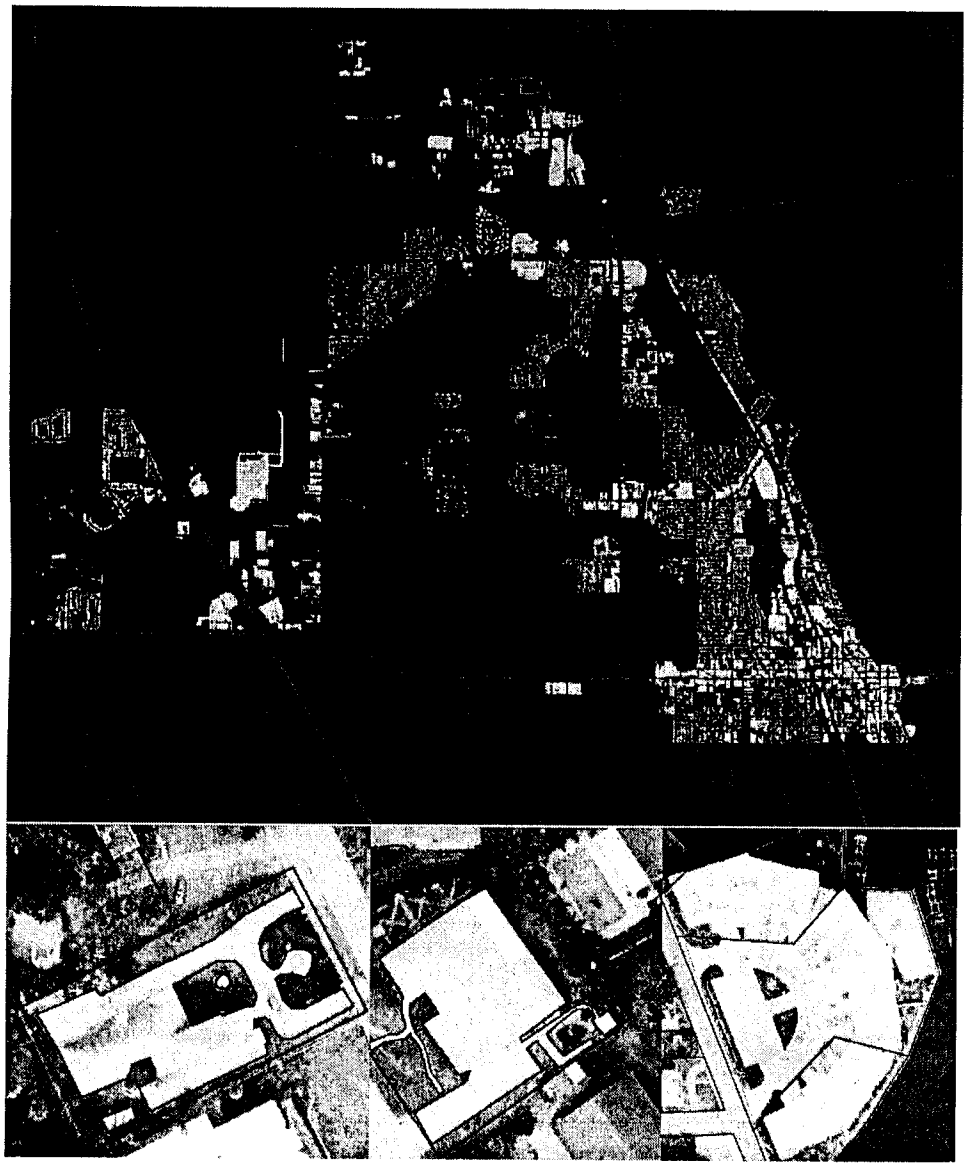
Building a Better Structure (Selecting a Basis)



Impervious Area Measurement

Impervious Area Measurement

- Impervious area is defined in the current stormwater ordinance as hard-surfaced areas which either prevent or retard the entry of water into the soil mantle
- Impervious surfaces were digitized (measured) using Brevard County 2018 aerials
- Each parcel has a unique impervious footprint
- A geodatabase was provided to the City and can be updated



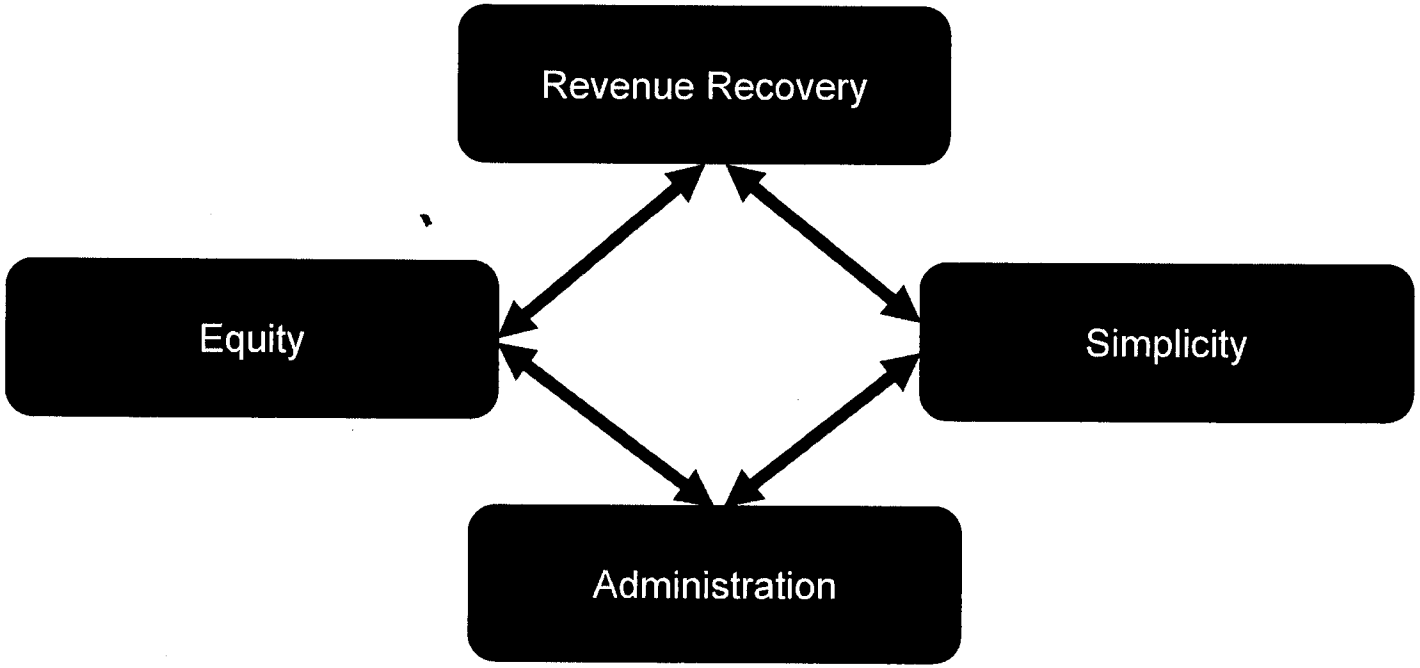
Impervious Area in Cocoa

Total Impervious Area = 54.8M sq. ft.

Structural Description	Count	Impervious SQFT	Cumulative %
SINGLE FAMILY RESIDENCE	4,565	15,949,500	30.42%
WAREHOUSING, DISTRIBUTION AND TRUCKING TERMINAL,	90	3,107,400	30.42%
SHOPPING COMPLEX - COMMUNITY/NEIGHBORHOOD	4	2,018,600	36.35%
CONDOMINIUM UNIT	1,216	1,687,562	40.20%
LIGHT MANUFACTURING (SMALL EQUIPMENT MFG PLANT, SM	35	1,562,800	43.42%
MIXED USE - COMMERCIAL PROPERTY	44	1,522,300	46.40%
DEALERSHIP SALES / SERVICE CENTER	6	1,416,200	49.30%
COLD STRG & WAREHS DISTRIB CTR	1	1,313,500	2.00%
WAREHOUSE DISCOUNT STORE	2	1,298,200	4.51%
VACANT COMMERCIAL LAND	50	1,181,200	6.98%
CONDOMINIUM - MANUFACTURED HOME PARK	348	1,176,400	.24%
CHURCH	40	1,134,200	.48%
RETAIL STORE - 1 UNIT	74	1,070,700	.64%
RETAIL STORE - MULTIPLE UNITS	48	1,008,700	.69%
CONVENIENCE STORE WITH GAS PUMP	21	968,100	61%
UTILITY (ELECTRIC COMPANY) - IMPROVED	5	957,300	46%
CONCRETE / ASPHALT PLANT	2	909,500	28%
LOW RISE APARTMENTS - 2 OR 3 STORIES - 50 UNITS A	7	848,100	02%
HOUSING AUTHORITY - IMPROVED	42	671,700	3%
USED AUTOMOBILE SALES	20	628,700	2%
CENTRALLY ASSESSED	1	602,700	2%
MINI-WAREHOUSING	5	583,000	6%
MANUF. HOUSING PARK - 201 & MORE SPACES RENTALS	1	548,500	8%
GARAGE / AUTO-BODY / AUTO PAINT SHOP	34	510,800	2%
OPEN STOR, NEW & USED BLDG SUPP, JUNK YARDS, AUT	16	486,600	0%

Stormwater Assessment Design

Goals of a Stormwater Assessment Structure

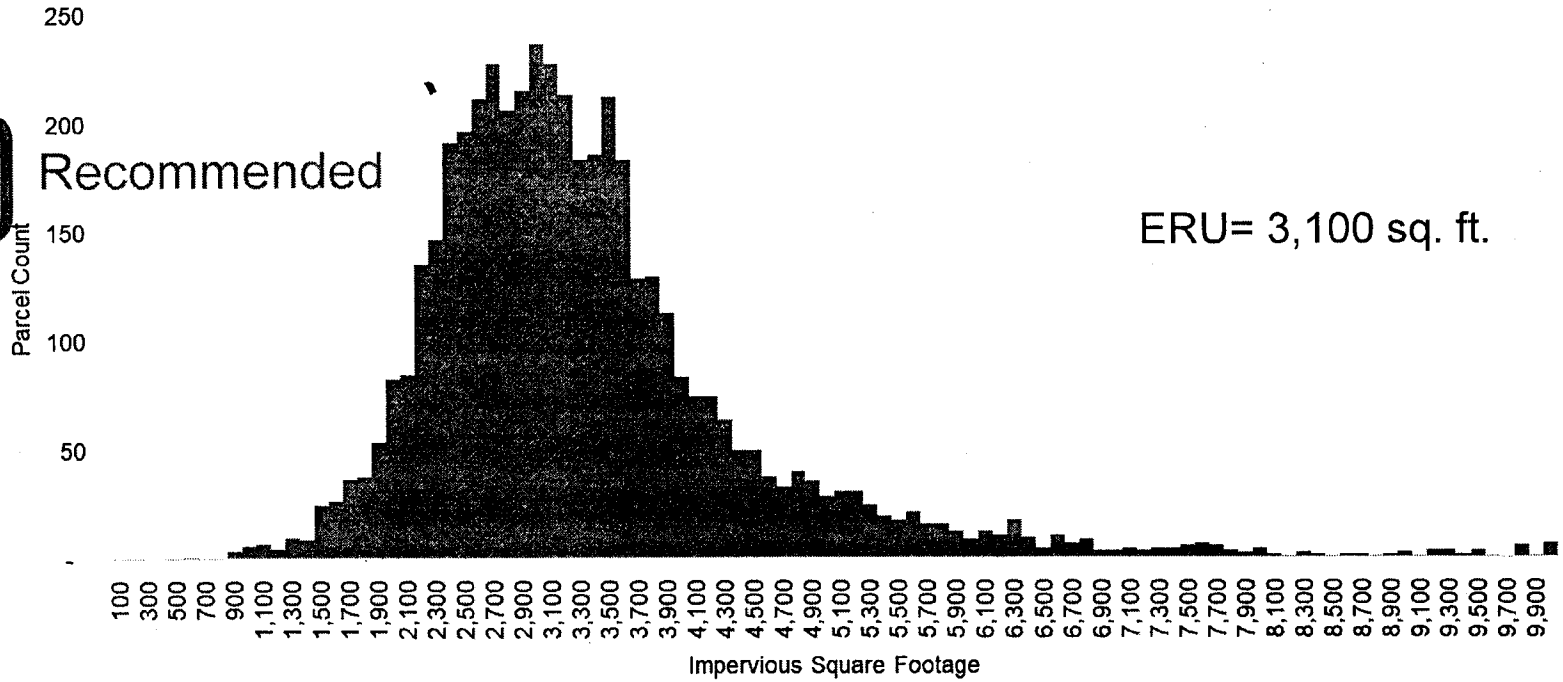


Building a Better Structure for Single Family Residential

Options

- Flat Fee
- Tiers
- Measured Area

Recommended



ERU= 3,100 sq. ft.

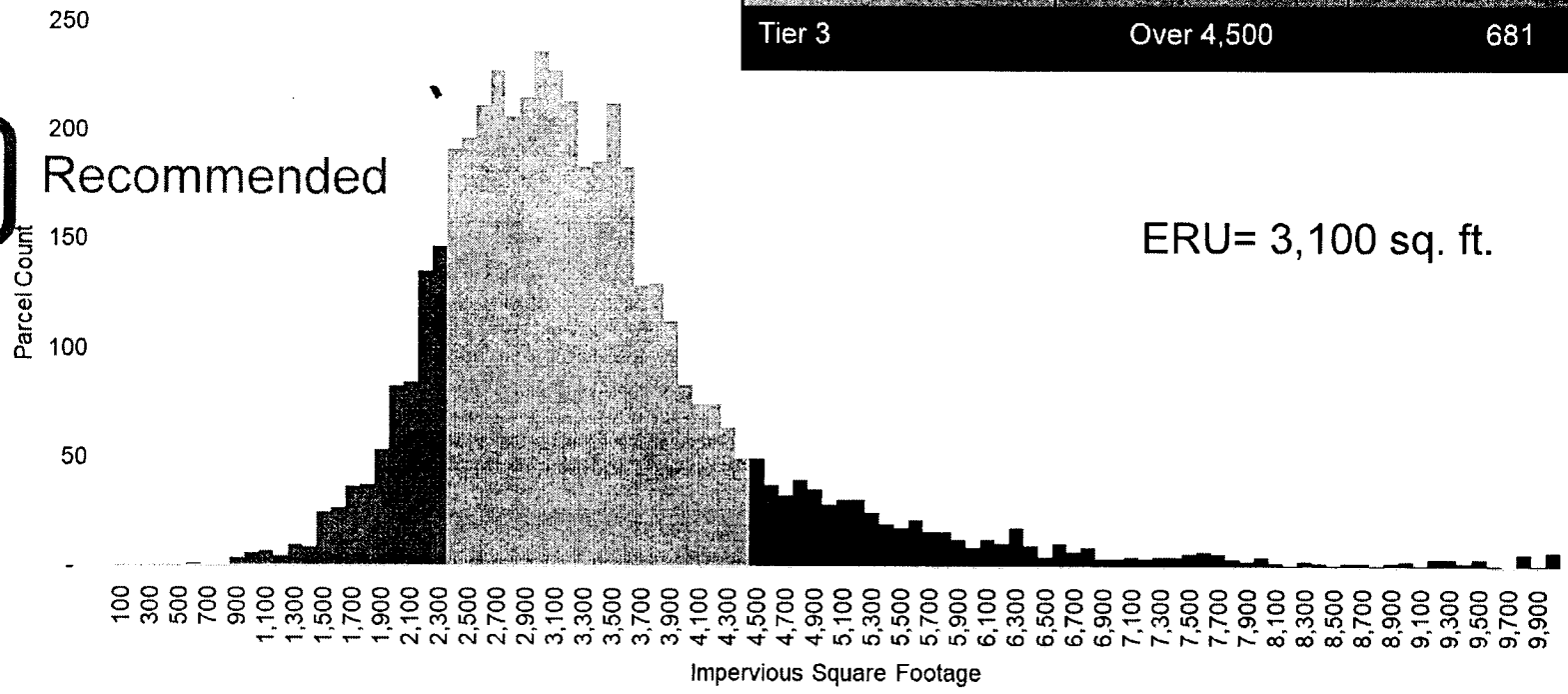
Building a Better Structure for Single Family Residential

Options

- Flat Fee
- Tiers
- Measured Area

	Tier Size (sq ft)	Parcels
Tier 1	400 - 2,300	674
Tier 2	2,400 - 4,400	3418
Tier 3	Over 4,500	681

Recommended

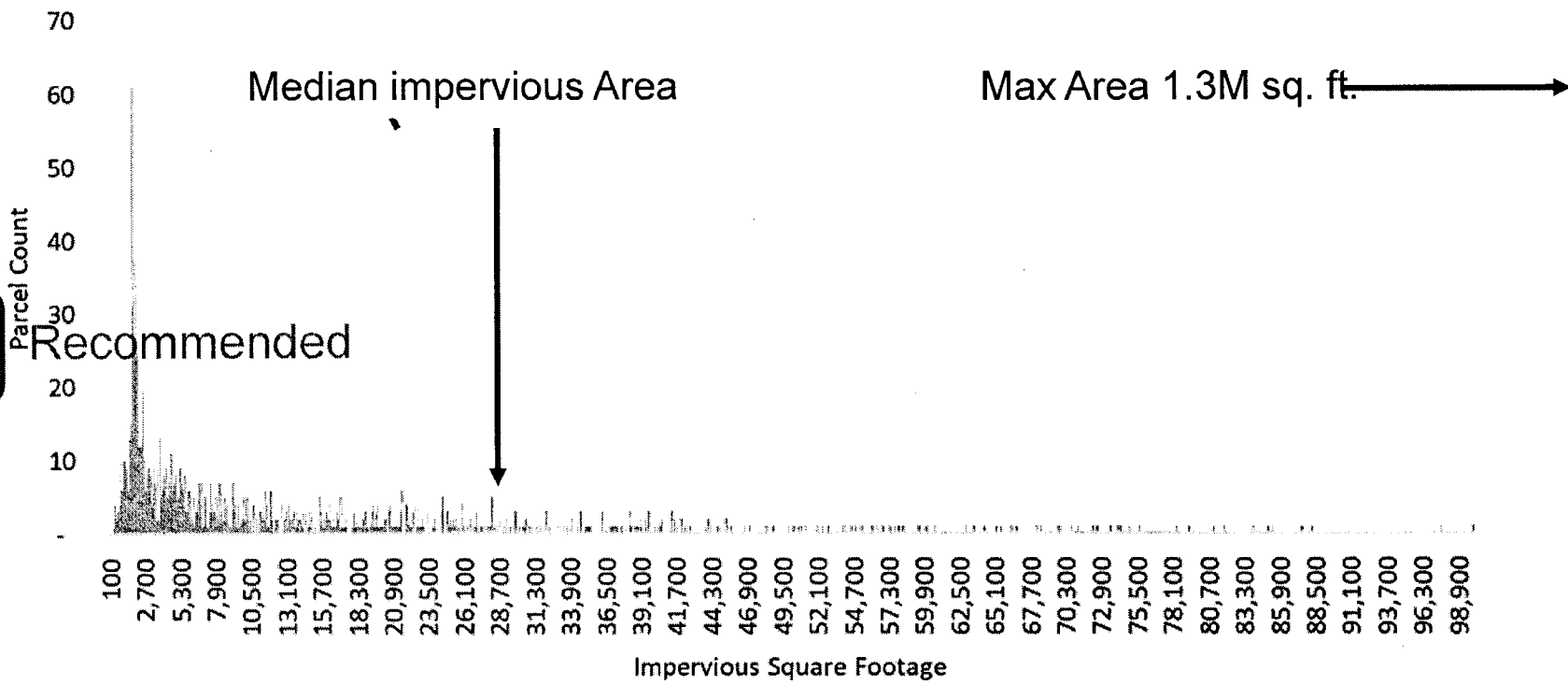


ERU= 3,100 sq. ft.

Building a Better Structure for Non Single Family Residential

Options

- Flat Fee
- Tiers
- Measured Area



[redacted]

Calculated Single Family (up to three units) Assessments

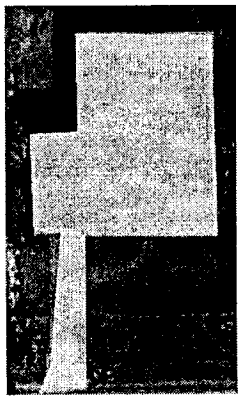
Revenue Need	$1,744,683	=	$110.71 Per ERU
Billable Units ERUs	17,078		

Tier 1	Tier 2	Tier 3
.65 ERU	1 ERU	1.74 ERU
$71.96	$110.71	$192.64

[redacted]

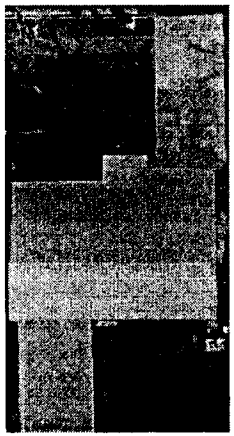
Single Family Residential Customer FY 2020 Impacts

Tier 1



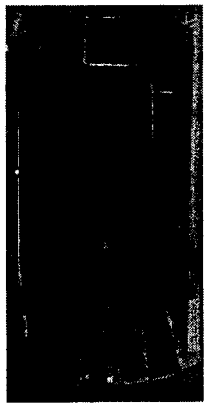
Current:	$ 87.00
Calculated:	$ 71.96
Dollar Change:	($ 15.04)
Percent Change:	(17%)

Tier 2



Current:	$ 87.00
Calculated:	$110.71
Dollar Change:	$ 23.71
Percent Change:	27%

Tier 3

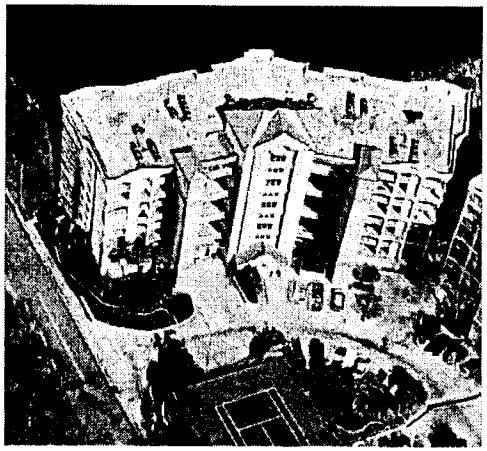


Current:	$ 87.00
Calculated:	$192.64
Dollar Change:	$105.84
Percent Change:	121%

[redacted]

Condo Customer FY2020 Impacts

138 Units

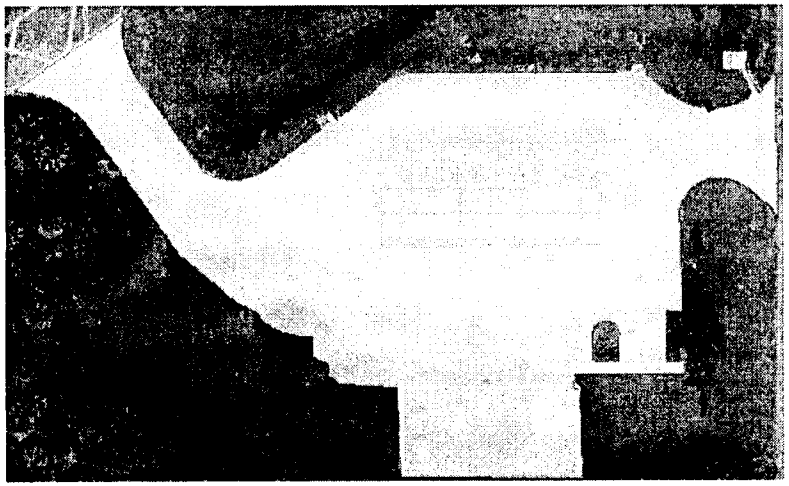


Current:	$12,006.00
Update :	$3,820.53
Dollar Change:	($8,185.47)
Percent Change:	(68%)

[redacted]

Other Non Single Family Residential Customer FY2020 Impacts

34,900 sq. ft. = 10.9 ERUs



Current:	$911.28
Update:	$1,206.74
Dollar Change:	$295.46
Percent Change:	32%

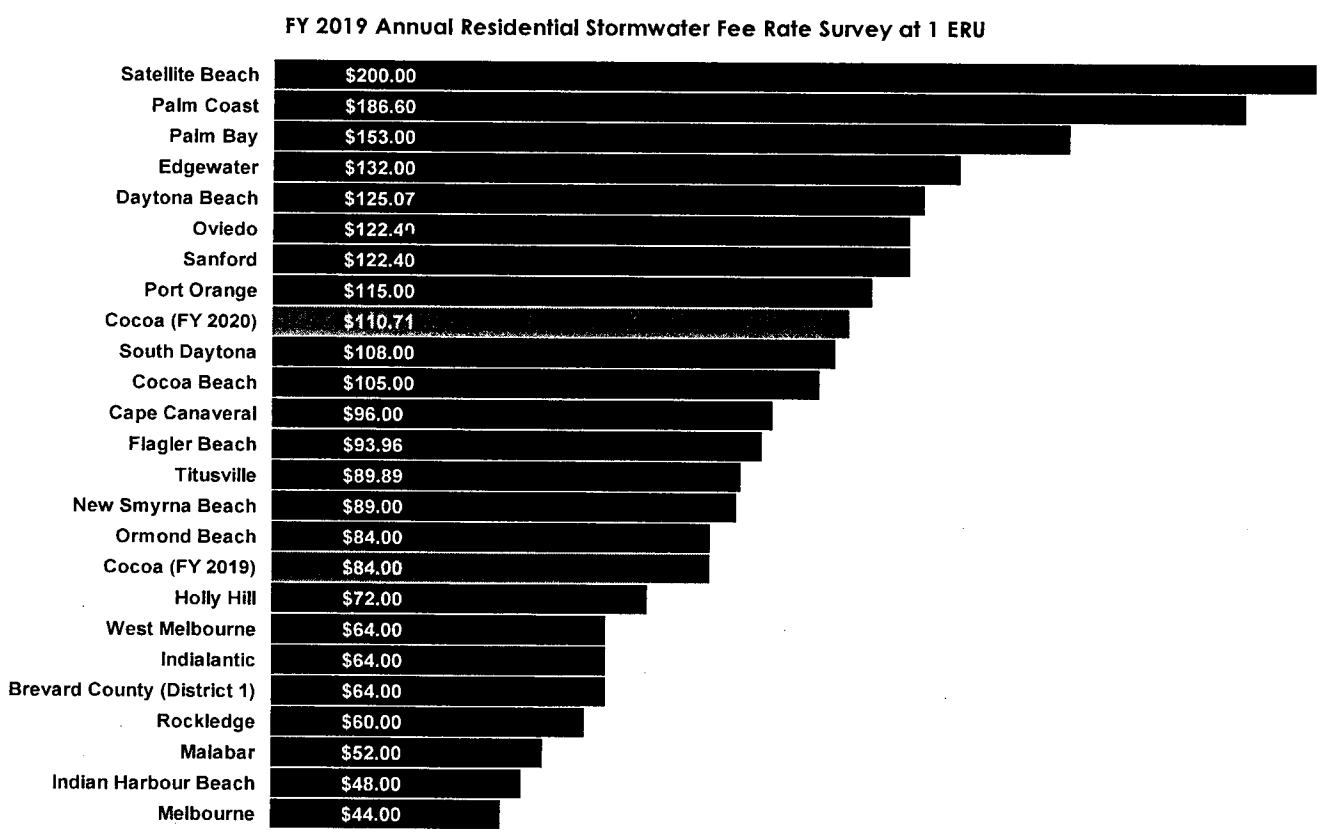
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Stormwater Fee

Local Area Fee Survey with Fee Adjustments



Implementation Schedule

Schedule

Implementation Plan



- Newspaper Advertisement for Public Hearing on Resolution of Intent

- Newspaper Advertisement for Public Hearing on Resolution of Intent
- Public Hearing on Resolution of Intent

- Public Stormwater Utility Workshop at City Council Meeting
- Agreement Approved with Tax Collector and Property Appraiser

- Newspaper Advertisement for First Reading and Final Reading of Assessment Ordinance
- First Reading of Assessment Ordinance

- Final Reading of Assessment Ordinance

Schedule

Implementation Plan



- Notice Letters
- 1st Public Hearing for Initial Assessment Resolution

- 2nd Public Hearing (Sept 11th)
- Adopt Assessment Resolution
- Certify Assessment Roll
- Last Utility Billing

- Fiscal Year Begins

- Tax Collector sends out bill for Stormwater Assessment due Jan 1st

Questions and Discussion

