MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

July 24, 2019

A Regular City Council Meeting was held on Wednesday, July 24, 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.

Deputy Chief Lamm 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 (attended via phone)
	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; Abby Diaz, Acting Public Works Director/Stormwater Engineer; Rebecca Bowman, Finance Director; Lora Howell, Deputy Finance Director: LeShawn Hinton, Helpdesk Support Technician; Samantha Senger, Assistant to the City Manager/ Public Relations Specialist; Yvonne Martinez, Police Public Information Officer; Neodasha Harris, Leisure Services Coordinator; Bethani Foster, Accounting Supervisor; Angelina Hernandez, Human Resources Technician; Savi Pooran, Human Resources Coordinator;

Shannel Stultz, Safety/Risk Program Manager; Lorne Stinnett, Human Resources Manager; Kenneth Bracken, Cocoa Police Officer; Ben Erkskin, Cocoa Police Officer; Brian De Los Santos & K9 Kyra, Cocoa Police Officers; Chris Hattaway, Cocoa Police Officer; Dodie Selig, Planning Manager; and Lea Taylor, Budget Analyst.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of July 24, 2019 (19-342)
2. Minutes: (a) Stormwater Workshop of May 14, 2019 (19-343)
   (b) Regular meeting of May 22, 2019 (19-344)
   (c) District 2 Town Hall Meeting of June 18, 2019 (19-346)

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve the agenda as presented for the Regular meeting of July 24, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Koss; Seconded by Councilmember Goins, to approve the Minutes with the following amendments:**

- **(a) Stormwater Workshop of May 14, 2019: Page 5, Paragraph 8, strike the sentence regarding the statement by Councilmember Koss.**
- **(b) Regular meeting of May 22, 2019: Page 14, Paragraph 3, strike out statement quoting Councilmember Koss.**
- **(c) District 2 Town Hall Meeting of June 18, 2019: Approve the Minutes as written.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. AWARDS AND PRESENTATIONS:

1. Presentation of the City of Cocoa's 2019 "Cocoa Works" Summer Youth Employment Program. (19-212). (Administrative Services Director)

Mr. Lorne Stinnett, Human Resources Manager, provided a brief presentation that provided photos and examples of the summer youth employees in their daily work environment. He explained what the program entailed and provided examples of what the interns did. This program had an impact across the City and he pointed out that eight out of the twelve students had never worked before. He thanked Ms. Jana Bauer with Career Source for grooming the students and for helping to bring this program to fruition. He was very proud of their contributions.

Ms. Jana Bauer, Career Source Brevard, was the student mentor for the Cocoa Works Program. She advised that not all of the students were in attendance tonight but she was grateful for the opportunity to impact over thirteen students. All of the students must go through an orientation process and foundations training. She explained how the program changed a little this year by the use of a new curriculum and felt that it had great success. Ms. Bauer explained in furtherance how the program worked.

In closing, she thanked the students and noted she was very proud of them, and she also thanked the parents and families for allowing them to work and for supporting them. Lastly, she thanked the City of Cocoa Human Resources department for all of their hard work and City Council for supporting the program.

Mackenzie Toler worked in the Public Relations Department and spoke about the impact that Ms. Senger had on her. She stated that this program helped her gain insight of her future, and she changed her major to Public Relations due to this experience. Ms. Toler explained some of her job duties while serving as an intern and believes that everyone should have a chance to work with someone like Samantha to guide them. She will remember this experience for life.

Alexandria Gant worked as Administrative Assistant to Melinda in WFO. She admitted that she was not sure of what she was getting into but in the end, she gained skills that she could use everywhere. She was amazed at how everything works together to ensure that the City can run properly. She was very lucky and thankful for this opportunity.

2. Recognition of Police Department Employees. (19-352). (Chief Cantaloupe)

Chief Cantaloupe recognized the following officers for their recent actions while they were either on duty or off. He recognized K9 Officer Brian De Los Santos and K9 Kyra; Corporal Bracken; and Agent Erkskin. He provided brief

summaries of what each of the officers did and thanked them. Chief Cantaloupe was proud that they are a part of the City and the City was lucky to have them.

3. Presentation of Certificates of Completion to Councilmember Goins and Councilmember Koss for the Institute for Elected Municipal Officials Training, June 7-9, 2019. (19-356). (Mayor Williams)

Mayor Williams presented the certificates of completion to Councilmembers Koss and Goins for their first Institute for Elected Municipal Officials.

4. City Annual Investment Report for Fiscal Year Ended 9/30/18. (19-351). (Finance Director)

Ms. Bowman advised that in accordance with the statutes, the City, on an annual basis has to do a written report on investment funds.

She introduced Mr. John Grady, who provided a presentation on the City's investments as of September 30, 2018. He works with Public Trusts Advisors. He thanked Council for having him and congratulated the students with the Cocoa Works Program and noted that he started his career as an intern.

Mr. Grady provided a market update, pointing out that interest rates have increased over the last year or two and the economy seems to be on pretty good terms.

He spoke about the Gross Domestic Product and about longer term trends of economic growth in China and Germany versus the United States.

He discussed in detail interest on funds as well as current City investments, the Enhanced Cash Portfolio, Operating Portfolio, the Reserves Portfolio, and the 2018 Bond Portfolio.

Councilmember Koss asked about the investment for fossil fuels. In response, Mr. Grady stated there was Walmart, JP Morgan and Wells Fargo and knew that we had owned Chevron and Exxon, however, he believed those had matured, but promised that he would confirm that.

He thanked Council and the relationship with the City.

IV. DELEGATIONS:

Kathy Hamilton Brown, 306 Edingburg Drive, Cocoa, and representing Endeavor Elementary, noted that last Tuesday a radio station donated 660 backpacks which meant that every student at Endeavor received one. Chief Cantaloupe and Dave Lightholder went on their own time to Longwood to pick up the backpacks. She thanked them for their help and for everything that they do for the children at Endeavor.

Jennifer Kenny, 1917 Quail Ridge Court, Apt. 1901, Cocoa, 32926, advised that this was the second time to get up and speak about civility and being polite to neighbors. In the past few days a post appeared on the Next Door App. The post named specific people and referred to a law suit and stated that people should appear at the next Council meeting. She admitted that she filed a complaint to the administrator for the post to be removed. Ms. Kenny knows that the past election was contentious but as citizens we must move on. Additionally, she mentioned the City's budget and how sometimes things are voted on without the residents understanding of what is being voted on or the reasoning behind Council's vote. She provided an example of the air handlers that did not go out for bid.

Jeri Blanco, 2106 Ivy Drive, Cocoa, 32922, stated that she wanted to make one thing perfectly clear and that her comments were not a personal attack on anyone sitting on the dias. She stated that the election was over nine months ago and it was time to put that at rest. She was in attendance due to information she received regarding the City representing Councilmember Koss in a lawsuit regarding something that happened before she was a councilperson. She requested an explanation as a citizen.

City Attorney Garganese advised that there was a pending lawsuit and these decisions are made by the insurance carrier. Relative to his role, his firm is frequently assigned cases to represent Cocoa and its officials.

Ms. Blanco clarified that because this was through the insurance carrier there would be no additional costs from the attorney for them representing a Councilmember. City Attorney Garganese noted that defense costs as well as other costs were covered by the insurance carrier.

Ms. Blanco pointed out that she did make the comment on the Next Door App and explained that the comment was made in regards to this situation.

Additionally, Ms. Blanco made it perfectly clear that her nor her sister were involved in a lawsuit, and her post was reported as being uncivil and un-neighborly or offensive, and they did not take the post down.

Barbara Kinsey, 1628 Manor Drive, Cocoa, spoke in regards to the upgrades on South Varr Avenue and agreed with Mayor Williams that transit was not a luxury but a necessity. She voiced her concerns about the lack of passenger shelters and bus stations. She further voiced concerns about the speed limit between Walmart and Michigan Avenue, noting there were a lot of children and pets playing outside. The speed limit is 45 mph and she does not feel that this was right. She hoped that the City would pursue the issue.

Mayor Williams advised that they have been speaking with SCAT about the waste containers. There is a cost to them but he assured her it was being looked into.

Councilmember Boisvert clarified that there was a vote regarding bus shelters last year. In response, City Manager Titkanich mentioned that they had met with SCAT about shelters and to identify obstacles that the City faces. There is a meeting in a couple of weeks. Additionally, he assured Ms. Kinsey that they would check on the speed limit in the area of concern but it was a state road which they cannot control.

V. CONSENT AGENDA:

1. Amend the Joint Purchasing Agreement between the City of Cocoa and the City of Melbourne to Add Funds to Cover Additional Design Work Requested by the City of Cocoa for the Extension of the New Water Main along Pineda Causeway. (19-316). (Utilities Director)

2. Approve a Resolution Waiving the Competitive Bidding Process for the Purpose of Making a Sole Source Purchase of Four (4) New Replacement Split System HVAC Units from Trane U.S. Inc., Maitland, Florida, for the Dyal Water Treatment Plant; To Approve a Resolution Amending the FY2019 Budget. (19-322). (Utilities 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)

VI. PUBLIC HEARINGS:

1. Approve the second reading of Ordinance No.11-2019: Amending City Code Chapter 22, Section 22-18 Schedule of Rates and fees for waste water rates and changes and Section 22-26 Water rates and charges. (19-205). (Finance Director)

Attorney Garganese read Ordinance No. 11-2019 into the record, by title only, as follows. He advised that this was the second and final reading of the ordinance. No changes were made since it was passed on first reading.

ORDINANCE NO. 11-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF COCOA TO REMOVE CERTAIN EXISTING WASTEWATER AND WATER UTILITY RATES, FEES, AND CHARGES FROM THE CITY CODE, WHICH ARE OTHERWISE ADOPTED BY RESOLUTION AND TO MAKE FURTHER HOUSEKEEPING AMENDMENTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

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

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve Ordinance No. 11-2019 on second and final reading.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Postpone consideration of a Binding Development Agreement between the City of Cocoa, Florida and Integra Land Company to allow the developer to construct up to 249 apartments in 5 apartment buildings not to exceed 57 feet in height, with 5 parking garage buildings, a community clubhouse and certain public amenities on 2 parcels of land (Parcel ID: 24-35-13-00-750 and 24-35-24-00-1)

totaling 150.35 acres and located on the south side of State Road 524 between Westminster Dr. and London Blvd. (19-337). (Community Services Director)

Ms. Bunt explained that this item was being postponed in order to preserve the legal advertisement.

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

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Attorney Garganese advised that this item would be brought back on August 14, 2019.

3. Approve on First Reading Ordinance No. 12-2019: A Zoning Text Amendment amending Appendix A, Article XI, Section 22 of the City of Cocoa Code to allow parking as a Special Exception use in the Cocoa Village Sub-district of the Cocoa Waterfront Overlay District. (19-338). (Community Services Director)

Attorney Garganese read Ordinance No. 12-2019 into the record, by title only, as follows. He advised that this was the first reading of the ordinance.

ORDINANCE NO. 12-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ARTICLE XI, SECTION 22 OF THE ZONING ORDINANCE OF THE CITY OF COCOA TO ALLOW PARKING AS A SPECIAL EXCEPTION USE IN THE COCOA VILLAGE SUBDISTRICT OF THE COCOA WATERFRONT OVERLAY DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Selig provided a background of this item and advised that an application was submitted earlier in the year and it was in regards to the old Bank of America building.

She stated that they were proposing to allow parking as a principal use in the Cocoa Village subdistrict of the Cocoa Waterfront Overlay District. A map was shown and she explained the principal parcels.

Mayor Williams advised that the owners do not have to allow them to use the parking lot as it was a liability to them and if it was denied the owner could block off the parking. If approved, they will put in paved parking.

Councilmember Goins asked if anything was proposed where the drive thru was located. In response, Ms. Selig mentioned yes, and that there would be parking under that area. He wanted to confirm that it would not be torn down at this time.

Councilmember Koss asked what the plans were for the property.

Ms. Selig advised that they were not sure of long term plans. City Manager Titkanich stated he and the Assistant City Manager have met with one of the owners on multiple occasions and he pointed out an area that was owned by others. It is at a standstill until all of the owners come to a unified decision about the ownership of all three parcels.

Councilmember Koss asked if the parking would be able to be accessed during festivals. In response, City Manager Titkanich stated that they could access it but since the owner is wanting to make money and it is a liability, it is ultimately his responsibility if anyone gets injured.

Deputy Mayor Warner felt that it was a good idea to get people to pay for parking in the Village.

Councilmember Goins asked if this would be an everyday thing and Ms. Selig stated there would be a ticket kiosk.

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

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to approve Ordinance No. 12-2019 on First Reading.**

Councilmember Koss stated she would be glad when there was other parking or other parking solutions in the Village so that the prime property in Cocoa was not used for parking.

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. COUNCIL BUSINESS:

1. Approve Resolution No. 2019-063, Establishing the Rolled-Back Rate, Adopt a Proposed Tentative Millage Rate and set the date, time, and place for the first Public Hearing to consider the FY2020 Budget. (19-328). (Finance Director)

City Attorney Garganese read Resolution No. 2019-063 into the record, by title only, as follows. This is the resolution that kicks off the public hearing process for the budget.

RESOLUTION NO. 2019-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, ESTABLISHING THE ROLLED-BACK MILLAGE RATE; ADOPTING A PROPOSED TENTATIVE MILLAGE RATE; AND SETTING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO CONSIDER THE PROPOSED TENTATIVE MILLAGE RATE AND TENTATIVE BUDGET FOR FISCAL YEAR 2020; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Bowman provided a Truth in Millage (TRIM) presentation[1]. She explained that this was a part of the TRIM process, which is the process by which governing bodies adopt their millage rates and budgets. The millage rate adopted tonight will go out in the TRIM notices that will be mailed out by the Property Appraiser.

She discussed the objectives of tonight's item which are to approve the resolution establishing the rolled-back rate, adopt a proposed millage rate and to set the first public hearing for September 11, 2019 at 6 p.m.

[1] EXHIBIT A: Truth in Millage (TRIM) Presentation

Ms. Bowman reminded Council that the proposed rate that is voted on tonight can be reduced when voting for an adopted millage rate, but it cannot be increased.

She reviewed the history of the Ad Valorem Tax Base and mentioned that changes were due to a couple of properties coming on line and being included in this years' figures.

Ms. Bowman provided the FY 2020 TRIM rate options, as follows:

- Current Rate-Proposed: 5.9790
- Rolled-Back Rate: 5.7844
- Majority Rate: 12.0927

She pointed out that the City has three different CRA's and the City is required to pay tax increment funding into them. When the CRA's were established, there was a base rate so any increase to that has to be paid into the CRA.

Discussion was held on the impact that this would have on single family property owners in comparison to FY 2019.

Ms. Bowman further compared the City of Cocoa's rate with other cities in Brevard County. Cocoa comes in at number six and the ranking is based on the proposed millage rate, not the current rate.

Lastly, she advised that August 7, 2019 at 5:30 p.m. would be a Budget Workshop and the first public hearing would be on September 11, 2019. The second public hearing would be September 25, 2019.

She pointed out that Council was provided budget books tonight.

Mayor Williams reminded Council that whatever millage rate is set they cannot increase it but they can decrease it.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to adopt a millage rate at 5.9790 for Fiscal Year 2020, setting the First Public Hearing for September 11, 2019 and adopting the rolled back rate.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Code Enforcement Settlement Agreement in the amount of $2,500.00 for the property located at 1055 Mitchell St. (19-336). (Chief of Police)

Chief Cantaloupe advised that since the agenda was published there had been a change and the code violation was corrected. There are currently no code violations on the property. In talking with the City Attorney it was recommended that this be treated like a typical code lien reduction, and not use a settlement agreement.

Diamond Anderson, 617 Johnson Street, asked Council to approve the requested lien reduction. She is a twenty-one year old mother of a two year old. She moved out of the Broadmoor Acres area in 2016 but it has since changed. She has completed the first-time homebuyers program and this opportunity to own her own home will allow her and her daughter a better life. Approving this request will not give the owner any financial benefit. She looks forward to embarking on this new adventure. She added for the record that the terms of the agreement are confidential.

* **MOTION by Mayor Williams; Seconded by Deputy Mayor Warner to approve the lien reduction in the amount of $2,500.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Councilmember Goins addressed the lien reduction and advised that he spoke with the City Attorney. He knows that several remarks were made about this situation and feels that all members of Council are able to make a decision no matter how anyone feels about someone else. He felt disrespected by a few emails and felt that the right decision was made today. He has known this young lady all of her life. He does not like for anyone to insinuate that Council cannot make decisions.

Mayor Williams believed it was a no brainer and it was done right. There was a process and if followed correctly, he does not have an issue with it. All things need to be done correctly. Do a job and do it the right way.

Councilmember Koss thought that there were a lot of moving pieces and does not want to see this again. She was a single parent and home ownership did help her and her sons. She got her graduate degree and her sons got their degree. She was concerned that there was not an inspection taking place and hoped that there were some protections in place for those trying to elevate themselves.

3. Consider the Appointment of Mr. Lloyd Roberts as a Regular member of the Code Enforcement Board through June, 2021. (19-341). (Administrative Services Director)

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Warner, to approve the appointment of Mr. Lloyd Roberts as a Regular member of the Code Enforcement Board through June, 2021.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approval of a revised Investment Policy via Resolution No. 2019-066. (19-350). (Finance Director)

Ms. Bowman noted that the last time this was updated was in 2010 and it was necessary to periodically review the City's policies. She worked with Public Trust Advisors and felt that some items in the policy needed to be revised and/or updated and they needed to make a few changes in investment pools.

Mr. John Grady explained some of the major changes that were made to the policy, pointing out that they added a summary table so that you could just go to one page. Additionally, the detail table was moved to an attachment of the policy. Some of the language throughout the policy was ambiguous and some of the language regarding roles and responsibilities were updated.

He thanked Council for their relationship.

* **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)

VIII. CITY BUSINESS:

1. Award Bid No. B-19-18-COC, "WFO/Wastewater Collections Submersible Wastewater Pumps" to Barney's Pumps of Lakeland, Florida, for the Systematic Replacement of Lift Station Pumps, Project No. WS1141. (19-314). (Utilities Director)

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a budget resolution amending the 2019 budget, approve a budget transfer in the amount of $45,000 from account 001-3510-541-63-00 Infrastructure (Project PW18SM) to account 001-3510-541-64-00 Machinery & Equipment to allow the purchase of un-budgeted capital item, 4 Yard Transit Concrete Mixer with installation kit and $24,883 from 001-3510-541-63-00 Infrastructure (Project PW18SM) to account 001-3510-541-53-00 Road Materials & Supplies to allow for the thermos-plastic striping of Blake Ave., Barbara Jenkins St. and Brevard Ave. between King St. and Willard St. (19-339). (Public Works Director)

Councilmember Goins confirmed that this was for the striping of Barbara Jenkins and Blake Avenue. He stated there was a previous analysis done on these roads and does not want to spend the money on striping and then have to overlay or mill the road because it was deteriorating in the next few years.

Assistant City Manager Fuhrer advised that part of the roadway and sidewalk analysis done back in 2015 was a snapshot of the roads during that time. We are now four years beyond that time and some of the predicted changes have occurred. Staff does field inspections on a regular basis and in this particular case the streets and stormwater manager were going out to the sites to inspect the condition of the full roadway. He stressed that just because this was being approved does not mean that they will go out and do it. They expect a new analysis soon on the road.

* **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. Requesting settlement authority for the tentative settlement agreement between former City of Cocoa Police Officer Ronnie McCarron and the City of Cocoa authorizing the payment of the Workers' Compensation settlement, authorize the City Manager to finalize and execute such legal agreement(s) required to complete the settlement in accordance with the settlement authority approved by the City Council. (19-340). (Administrative Services Director)

Ms. Gemmati explained the item and that the City's Workers' Comp attorneys work on these; however, it needed Council's approval because it was above the City Manager's spending authority.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, to approve, for discussion.**

Councilmember Koss asked about the injuries and if there were four different ones. In response, City Manager Titkanich noted that throughout his tenure there were four different injuries and he was now looking to close out the claims.

Ms. Gemmati advised that they have different levels of medical treatment and this will settle for future treatments, as well being all inclusive of any future attorney fees.

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

MULTI-YEAR CONTRACTS:

4. To enter into a multiyear agreement with Greater Community Partnership, Inc. and Historic Cocoa Village Association (the future Historic Cocoa Village Main Street) for the leasing of suites 203 and 204 at the Porcher House and allow the City Manager to execute the contract. (19-320). (Assistant to the City Manager/Public Relations Specialist)

Ms. Senger spoke in regards to this item and pointed out that there has been for over twenty five years, two separate organizations in the Village. Cocoa Main Street and the Historic Cocoa Village Association. They have operated separately over the years and within the last few years, Cocoa Main Street has had some problems. With HCVA thriving, it makes it harder for Cocoa Main Street to thrive.

Both organizations have the same goals in mind and the ultimate goal is to merge these two associations into one which would be better for downtown.

Ms. Senger explained in detail the purposes of the Main Street program and advised that both organizations saw the benefits of becoming one program. They are now in the process after many years.

She explained in furtherance how the City has supported the Main Street program in the past and what was encompassed with this new lease agreement being brought forward tonight for approval. This will mean a lot more opportunity and a detailed scope has to be completed by March, 2020.

Deputy Mayor Warner was sorry that Captain Ed Lanni was not here because many years ago they went to Deland together to see how all of their organizations worked together. She would like to see this happen and knows that it will work out well.

Ms. Senger pointed out that Emma Kirkpatrick, Nancy Elliott, and Janne Etz have all worked hard to make this happen.

Councilmember Koss advised that she would be at the Main Street Conference tomorrow and has seen the great things these organizations can do. She was glad that they would be located in the Porcher House but her long-term goal was for the Porcher House to become a historic attraction in and of itself.

Deputy Mayor Warner asked if tours were still held at the Porcher House and in response, Ms. Senger advised that they have not done them for a couple of years.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Williams pointed out the need for cigarette butt cans in the Village. City Manager Titkanich advised that this would need to be brought up to the Cocoa CRA.

Assistant City Manager Fuhrer thanked Ms. Senger as she has been working on this for a number of years.

5. Approve renewal of a multi-year contract with United Healthcare for Medicare Advantage Plan for eligible retirees 65 and over from January 1, 2020 to December 31, 2020 and payments to eligible retirees for Medicare Part B reimbursement. (19-348). (Administrative Services Director)

Ms. Gemmati mentioned the City has a retirement plan for retirees and this item was approving that plan.

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

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. INFORMATIONAL AGENDA:

1. Cumulative purchase approvals over $35,000 and under $50,000 for period 10/01/2018 to 06/30/2019. (19-319). (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. (19-331). (Finance Director)

3. FY 2019 Budget Adjustment Report. (19-332). (Finance Director)

X. REPORTS:

Ms. Abby Diaz advised that the curb ramps in Cocoa were complete and plants for the medians will arrive tomorrow. Paving on Delannoy and Harrison will start in August and this past weekend artists painted storm drains throughout the City.

Ms. Bowman clarified that the investment update would typically be brought to Council in January instead of the mid-year.

Lastly, Ms. Bowman reminded Council that on July 15th Customer Service started closing the lobby at 4:30 p.m. They have not had any complaints about this however, we are approaching a new month so there may be longer lines.

Chief Cantaloupe reminded all that the City of Refuge is holding a Community Youth Rally and the topic will be teen suicide. He invited all Council to attend.

Ms. Bunt reminded everyone about the Florida Planning Management Association meeting that is being held this Friday in City Council Chambers. Three Council members have RSVP'd to attend.

City Attorney spoke in regards to the Cocoa CRA advising that there were three potential applicants at this time for the current vacancy. He asked Council if they had any requests regarding the fulfillment of the vacancy, such as a notice seeking applicants, or if they wanted to look at the applicants who have submitted apps. He reminded Council that the applicants must resident in the area of the CRA or be engaged in business within the CRA.

Mayor Williams, Deputy Mayor Warner, and Councilmember Koss agreed it should be advertised on the website.

Mr. Aleck Greenwood asked about property owners within the CRA. In response, City Attorney Garganese spoke about the current vacancy and the situation and advised that renting a building was not being engaged in business.

Deputy Mayor Warner asked what if you were renting a building out and City Attorney Garganese reiterated that was not engaging in business.

It was a consensus among Council to advertise the request for applicants via social media and the website.

City Manager Titkanich noted that it could be brought back to the second meeting of August. In response, City Attorney Garganese agreed that could be done and they could decide on a 14 or 21 day limit and applicants would need to do the standard board application and a routine background check would need to be completed. They would have a number of applications to review and the opportunity to nominate and vote on a new member.

City Manager Titkanich reported that he attended a meeting with Representative Sirois regarding a few projects that he might be interested in funding.

He spoke in regards to an item on the Consent agenda regarding the HVAC system. He explained that the Dyal Plant has an existing contract and the agenda item addressed the sole source.

City Manager Titkanich spoke in furtherance about emergency purchases and explained that there was a stipulation in the FOM. These are always brought back to Council for transparency. There is also a contingency report provided monthly for Council's review. He would be glad to meet with Ms. Kenny regarding her concerns.

Deputy Mayor Warner stated that she was in Georgia for the last couple of weeks and they seem to have the same parking issues in one their downtowns. They have two parking garages and some private garages as well. Because they are having problems getting people to park in the garage at $1.00 per hour, they are going to start charging for street parking. They also have two hotels in their downtown area. She just pointed those topics out because of the similarities it had to the Village.

Additionally, one of the most interesting things she noticed was that there was not smoking or vaping allowed in their downtown area and in Georgia, smoking is very popular.

Lastly, she mentioned that Jack Wharton, who took over the Village Merchants Association in the 90's passed away. He worked very hard and invested his own money in the association when it was struggling. She stated that Cocoa Village would not be what it was today if it was not for him. He was 90 years old and there will be a service on August 4th in Bloomington, Indiana. They are trying to put an event together in the Village as well and will keep everyone apprised on those details.

Councilmember Goins thanked everyone for coming tonight and loved seeing people in audience and engaging in the community.

He spoke about social media and believes that it is a huge problem. He has spoken with Chief Cantaloupe about the issues and felt that the City has been targeted in the past few weeks about crime. He would like for it to stop.

He commended fire and police for all that they do and mentioned that crime is a problem everywhere, not just Cocoa.

Chief Cantaloupe noted it was the police department and the community who make Cocoa a better place. Councilmember Goins agreed and stated that it takes a team.

He announced that this Saturday was a backpack giveaway at the old Clearlake Middle School from 8 a.m. until 3 p.m. He would be there volunteering. He stated that you had to sign up for the event if you have children who need supplies.

Councilmember Koss thanked Officer Bracken for letting her ride along with him on Saturday night and was glad for that experience. Additionally, she was able to ride with Dennis Bunt. She has several things on her agenda that she would like to research on code enforcement. She spoke on the issue that Ms. Kenny brought up regarding the HVAC systems and explained that we have a significant budget. Most of the money goes to our City and County and she felt that it would be good if we could spend the money in our community as much as possible. She also thought that it would be nice to give some sort of incentive to those employees who live in Cocoa. She hopes it would be more desirable as housing improves.

She spoke about her attendance last week at a tree workshop in Titusville and would like Cocoa to have one. They are re-writing their ordinance.

Lastly, she reminded everyone about the Cocoa High School Chorus performance on August 10th at the Cocoa Village Playhouse. Tickets are $25.

Mayor Williams announced that this Friday at 8:00 a.m. at Asbury Arms, Keep Brevard Beautiful would be out picking up trash. He plans to go out before the workshop on Friday.

He concurred with Councilmember Goins' sentiments about the police and voiced his support for them. It is not an easy job. He hoped that they continue to treat everyone the same but also recognize that everyone is not a criminal. He further stated that if there are any resources that the police needed to help do their job he would support them.

Mayor Williams provided kudos to Councilmember Goins in regards to an issue that he helped with.

Mayor Williams spoke about the three officers that were recognized and noted that was also a reflection of their commitment to their job.

Mayor Williams stated that he had attended several board meetings and had gotten a consensus that most would like a dinner. There are about three different restaurants willing to donate food and also provide lunch to City Hall.

In closing, he spoke about the trees in the City and the canopies that they provide. He mentioned some roots had been cut at Juny Rios Park and hoped that nothing was damaged.

XI. ADJOURNMENT.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Goins, to adjourn the Regular meeting of July 24, 2019.**

AYES: Williams, Warner, Boisvert, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 8:44 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

SEAL FLORIDA

COCOA
FLORIDA

EXHIBIT A: Truth in Millage (TRIM) Presentation

Truth In Millage (TRIM) Presentation

Regular Council Meeting
July 24, 2019

Objectives

❖ **Approve a resolution establishing the Rolled-Back Rate**

❖ **Adopt a Proposed Millage Rate**

To be in compliance with FS 200.065, the City must establish a proposed millage rate by August 4th (within 35 days of TRIM Compliance Process) for the 2020 Fiscal Year.

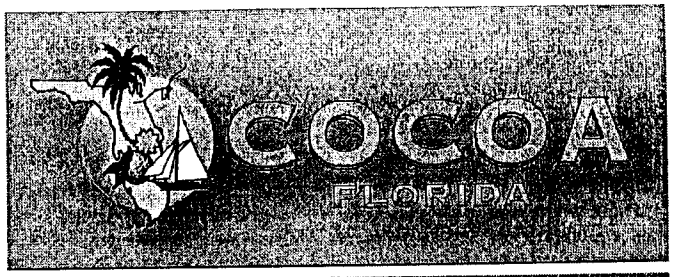
- Minimum Requirement – 3 of 5 Votes

❖ **Set 1st Public Hearing – Sept. 11, 2019 at 6:00p.m. (City of Cocoa City Hall, Council Chambers)**

❑ **REMINDER**

- The proposed rate you vote for tonight can be reduced when voting for an <u>adopted</u> millage rate, but cannot be increased.

Historical Review
Ad Valorem Tax Base



Fiscal Year	Valuation	% of Change
FY2009	$1,168,009,451	(0.9%)
FY2010	$1,025,224,075	(12.2%)
FY2011	$906,460,404	(11.6%)
FY2012	$797,859,898	(12.0%)
FY2013	$771,155,034	(3.3%)
FY2014	$773,867,625	0.4%
FY2015	$780,867,676	0.9%
FY2016	$817,760,975	4.7%
FY2017	$858,558,414	5.0%
FY2018	$890,566,389	3.5%
FY2019	$971,766,039	8.8%
FY2020	$1,094,366,709	12.6%

FY2009-FY2019 is based on the Final Taxable Value.

Historical Review of Millage and Ad Valorem Revenue History

Fiscal Year	Valuation	Millage	Ad Valorem Revenue at 95%	Revenue Variance from Previous Year	% of Change
FY2009	$1,168,009,451	4.4891	$4,542,124	($257,532)	(5.4%)
FY2010	$1,025,224,075	4.4891	$4,066,536	($475,588)	(10.5%)
FY2011	$906,460,404	4.9660	$4,040,240	($26,296)	(0.6%)
FY2012	$797,859,898	5.5813	$4,022,601	($17,639)	(0.4%)
FY2013	$771,155,034	5.9811	$4,173,108	$150,507	3.7%
FY2014	$773,867,625	5.9811	$4,235,127	$62,019	1.5%
FY2015	$780,867,676	5.9790	$4,275,054	$39,927	0.9%
FY2016	$817,760,975	5.9790	$4,454,795	$179,741	4.2%
FY2017	$858,558,414	5.9790	$4,768,944	$314,149	7.1%
FY2018	$890,566,389	5.9790	$4,947,188	$178,244	3.7%
FY2019	$971,766,039	5.9790	*$5,496,736	*$549,548	11.1%
FY2020	1,094,366,709	5.9790	*$6,216,057	*$719,321	13.1%

*FY 2019 and FY2020 are preliminary budget numbers, not actuals.

FY2020 TRIM Rate Options

	Valuation	Rate	Gross Tax Revenue	Tax Revenue @ 95%	FY2019 – FY2020 Revenue Variance
FY2019 *Adopted Rate	$967,726,786	5.9790	$5,786,038	$5,496,736	

FY 2020 Millage Options

Current Rate-Proposed	$1,094,366,709	5.9790	$6,543,218	$6,216,057	$719,321 ← Proposed Rate
Rolled-back Rate	$1,094,366,709	5.7844	$6,330,254	$6,013,742	$517,006
Majority Rate	$1,094,366,709	12.0927-	$13,233,848	$12,572,155	$7,075,419

City Council may adopt any rate up to 10 mills with a two-thirds vote.

*The adopted rate using the valuation available at the time of adoption.

Reduction To Ad Valorem Due To Required TIF Payments To The CRA's From The General Fund

CRA	MILLAGE 5.9790 FY2019 CURRENT ADOPTED RATE	MILLAGE 5.9790 FY2020 CURRENT PROPOSED RATE	DIFFERENCE BETWEEN FY2019 AND FY2020 @ CURRENT MILLAGE	MILLAGE 5.7844 FY2020 VALUATION AT THE ROLLED-BACK RATE	DIFFERENCE BETWEEN FY2020 PROPOSED MILLAGE AND THE ROLLED-BACK RATE
DOWNTOWN COCOA	$698,326	$744,273	**$45,947**	$720,049	**$24,224**
DIAMOND SQUARE	$113,653	$135,989	**$22,336**	$131,563	**$4,426**
US 1 CORRIDOR	$189,005	$204,832	**$15,827**	$198,165	**$6,667**
TOTAL TO CRA's	$1,000,984	$1,085,094	**$84,110**	$1,049,777	**$35,317**

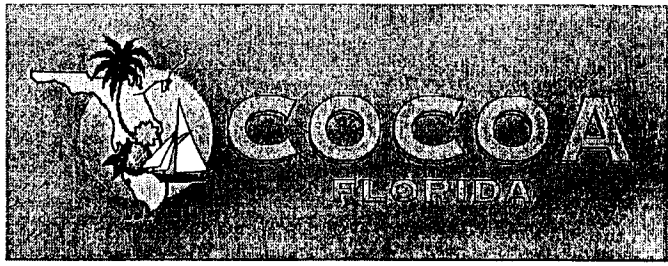
What Does This Mean To The Single Family Property Owner?



	Valuation	FY 2019 5.9790	*Valuation With 1.9% Increase	FY 2020 5.9790	Increase	FY 2020 Max. 10.0000
Single Family Residence	$100,000		$101,900			
Less: Homestead	($50,000)		($50,000)			
= Taxable Value	$50,000	$299	$51,900	$310	$11	$519
Single Family Residence	$150,000		$152,850			
Less: Homestead	($50,000)		($50,000)			
= Taxable Value	$100,000	$598	$102,850	$615	$17	$1,028
Single Family Residence	$200,000		$203,800			
Less: Homestead	($50,000)		($50,000)			
= Taxable Value	$150,000	$897	$153,800	$920	$23	$1,538
Single Family Residence	$300,000		$305,700			
Less: Homestead	($50,000)		($50,000)			
= Taxable Value	$250,000	$1,495	$255,700	$1,529	$34	$2,557

* The Save Our Homes, as provided in Section 193.155(1), F.S. limits the annual increase in homestead exempt properties assessments to either 3% or the CPI change, whichever is less. For 2019 the CPI cap is 1.9%, even though the City overall has a 12.6% increase in value.

FY2020 Comparative City Rates



Ranking	City	Current	Rolled-back	Proposed
1	Satellite Beach	8.8212	8.3428	8.7000
2	Palm Bay	8.4500	7.8995	8.4500
3	Titusville	7.9517	7.4951	7.7210
4	Melbourne	7.1878	6.8023	7.1878
5	Rockledge	6.2000	5.9223	6.1000
6	**Cocoa**	**5.9790**	**5.7844**	**5.9790**
7	Indialantic	6.2853	5.7743	5.9484
8	Cocoa Beach	5.7298	5.4480	5.8294
9	Cape Canaveral	3.8288	3.7495	3.7359
10	West Melbourne	2.6017	2.4936	2.6017

Note: Ranking is established using the Proposed Rate. (As of 7/22/19)

FY2020 Staff Proposed Rate & 1st Public Hearing

	Valuation	Rate	Gross Tax Revenue	Tax Revenue @ 95%
Current FY 2019 Millage Rate	$967,726,786	5.9790	$5,786,038	$5,496,736
Staff Proposed FY2020 Millage Rate	$1,094,366,709	5.9790	$6,543,218	$6,216,057
FY2020 Revenue Difference			$757,180	$719,321

1st Public Hearing on September 11, 2019 at 6:00 P.M. at Cocoa City Hall

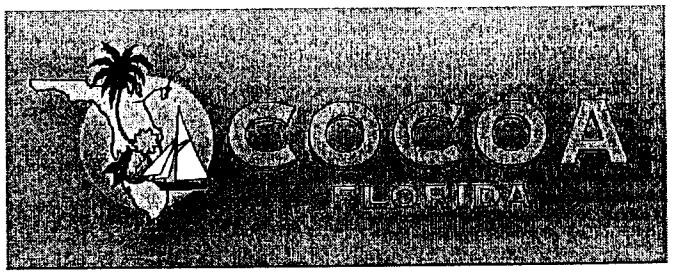
Next Steps

- Budget Workshop – **August 7th, 2019** at 5:30 pm

- 1ST Public Hearing – **Sept. 11, 2019** at 6:00 pm
  - Vote for a Tentative Millage Rate
  - Vote on the Tentative FY2020 Budget

- 2nd Public Hearing – **Sept. 25, 2019** at 6:00 pm
  - Adopt a Final Millage Rate
  - Adopt the FY2020 Budget

Action Requested



- ❖ **Approve a resolution establishing the Rolled-Back Rate**

- ❖ **Adopt a Proposed Millage Rate**

  To be in compliance with FS 200.065, the City must establish a proposed millage rate by August 4th (within 35 days of TRIM Compliance Process) for the 2020 Fiscal Year.

  - Minimum Requirement – 3 of 5 Votes

- ❖ **Set 1st Public Hearing – Sept. 11, 2019 at 6:00p.m. (City of Cocoa City Hall, Council Chambers)**

- ❑ **REMINDER**

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Questions?

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