City of Cocoa

65 Stone Street
Cocoa, FL 32922

Meeting Agenda - Final

Tuesday, May 10, 2016

6:00 PM

Cocoa City Council Chambers

City Council

I. OPENING MATTERS:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA:

II.1 16-171 Approve the Agenda for the regular meeting of May 10, 2016, as presented or with amendments.

Attachments: 05-10-16.pdf

MINUTES:

II.2(a) 16-172 Approve the Minutes for the Utilities Workshop held on March 30, 2016.

Attachments: Utilities Workshop 03-30-2016 Minutes.pdf
3-30-16 EXHIBIT A-UTILITIES PRESENTATION 001.pdf

II.2(b) 16-173 Approve the Minutes for the regular meeting of April 12, 2016, as written or with amendments.

Attachments: Minutes 04-12-16.pdf
EXHIBIT A-SISTER CITY PRESENTATION.pdf
EXHIBIT B- LEAD Brevard presentation.pdf
EXHIBIT C-SR 520 CORRIDOR PLANNING PRESENTATION.pdf
EXHIBIT D-PHOTOS PROVIDED BY KAMUS 001.pdf
EXHIBIT E-info provided by Larry Sinclair 001.pdf

II.2(c) 16-174 Approve the Minutes for the District 4 Town Hall Meeting held on April 19, 2016, as written or with amendments.

Attachments: Minutes 4-19-2016 District 4 Town Hall Meeting.pdf
Exhibit A-Fire Station Analysis 001.pdf

III. AWARDS AND PRESENTATIONS:

III.1 16-169 Awarding of the US 1 Corridor Community Redevelopment Agency Business Recognition Award. (Community Services Director)

Attachments: Certificate.pdf

III.2 16-179 Presentation of the City of Cocoa's 2016 "Cocoa Works" Summer Youth Employment Program. (Administrative Services Director)

IV. DELEGATIONS:

In accordance with the City Council's rules and procedures, residents or tax-payers of the City (upon any subject of general or public interest), City employees (regarding his/her employment), and water and sewer customers (on matters related to the City's water and/or sewer system), may address the City Council under Delegations on items not on the printed agenda by filling out a speaker card.

Speaker cards are located outside the Council meeting room and should be provided to the City Clerk. Please observe the time limit of five (5) minutes while speaking under Delegations. Delegations shall be limited to thirty (30) minutes unless extended by Council.

V. CONSENT AGENDA:

V.1 16-167 Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Dr. Joe Lee Smith Center for Justice. (Community Services Director)

Attachments: Sponsor Recertification Application FY 2016-17.doc

V.2 16-168 Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Magnolia Point Homeownership Project. (Community Services Director)

Attachments: Sponsor Recertification Application FY 2016-17 Magnolia Point.doc

VI. PUBLIC HEARINGS:

VI.1 16-181 Ordinance No. 06-2016/ 2nd and Final Reading: Amending Appendix A, Zoning, of the City Code to allow craft breweries as a Special Exception use in the CBD (Central Business District) Zoning District. (Community Services Director)

Attachments: Ordinance No. 06-2016 CBD Craft breweries.pdf

CBD Zoning.pdf

VI.2 16-182 Ordinance No. 07-2016/2nd reading: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan. (Administrative Services Director)

Attachments: Ordinance 07-2016.pdf
Email Correspondence Accepting Proposed Changes.pdf
Cocoa General EE Pension Proposed Ordinance Letter_03232016.pdf
Signed MOU Letter.pdf
No Impact Letter - Foster_Foster 4-25-16.pdf

VII. COUNCIL BUSINESS:

VII.1 16-170 Shine the Light 5K Road Closure request for 05/21/2016. (Community Services Director)

Attachments: 2016_Road_Closure.xlsx
Shine a light 5k.pdf

VIII. CITY BUSINESS:

VIII.1 16-175 Approve a resolution amending the FY 2016 Budget, to correct an error within Agenda 16-114 Budgetary Impact. The second part of the Budget Amendment, transferring the budget between the General Fund (001) and the Capital Project Fund (301), was inadvertently omitted. (Finance Director)

Attachments: City Council Agenda Item 16-114.pdf
Original BAF.pdf
Budget Resolution FY 2016.pdf
BAF-PW-Fleet Expansion Correction (5-10-16)16-175.pdf

VIII.2 16-176 Approve a resolution certifying Cross-Brands Mfg. LLC's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation. (Community Services Director)

Attachments: Economic Incentive App (Cross-Brands Mfg LLC).pdf
2016-48 AVT Reso (Cross-Brands Mfg, LLC).pdf

VIII.3 16-178 Ordinance No. 2016-11/1st Reading: Preliminarily granting Cross-Brands Mfg, LLC an ad valorem tax abatement of 70 percent phased out over seven (7) years, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company. (Community Services Director)

Attachments: Ordinance No. 11-2016.pdf

Economic Incentive App (Cross-Brands Mfg LLC).pdf

VIII.4 16-180 Approve a resolution certifying Project Citizen Kane's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation. (Community Services Director)

Attachments: Economic Incentive App (Wal-Mart Stores East LP).pdf

2016-49 AVT Reso (Wal-Mart Stores East, LP).pdf

VIII.5 16-184 Ordinance No. 12-2016/1st reading: Preliminarily granting Project Citizen Kane an Ad Valorem Tax (AVT) Abatement of forty (40) percent for five (5) years and authorize the City Manager to execute an AVT Economic Incentive Agreement with the Company. (Community Services Director)

Attachments: Ordinance No. 12-2016.pdf

Economic Incentive App (Wal-Mart Stores East LP).pdf

VIII.6 16-185 Authorize the City to apply for an Economic Development Transportation Fund of $1.5 million through Enterprise Florida, Inc. for road improvements on behalf of Project Citizen Kane and allow the Mayor to sign the application. (Community Services Director)

Attachments: DRAFT EDTF Application Package (Project Citizen Kane).pdf

MULTI-YEAR CONTRACTS:

IX. INFORMATIONAL AGENDA:

IX.1 16-177 New local business tax receipts. (Community Services Director)

Attachments: 5-10-16 New local business tax receipts.pdf

X. REPORTS:

XI. ADJOURNMENT

NOTICE TO THE PUBLIC:

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that: if a person decides to appeal any decision made by the City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

City Code Section 2-54 requires that an affirmative vote of a majority of a quorum present shall be necessary to enact an ordinance or adopt any resolution; except that two-thirds of the membership of the Council is required to enact an emergency ordinance. All ordinances require two readings, entitled first reading and second reading and public hearing, prior to adoption.

Members of the public speaking on public hearing items, though entitled to be heard by the City Council, are not entitled to an immediate response by either administrative staff members or Council once the public hearing is closed; however, Council discussion may or may not include a response. No question by the public should be addressed directly by the Administrative staff.

Public debate by individual speakers from the audience on public hearing items shall be limited to three (3) minutes. Representatives of recognized groups shall be limited to ten (10) minutes; and total debate on a single issue shall be limited to thirty (30) minutes. Only one presentation per person per issue shall be allowed.

A Council member may add an item to the agenda during the meeting only at the time the agenda is approved. If the item requires action by the Council, then it may be added to the agenda by an affirmative vote of the Council, and written documentation must be submitted at the time the item is added to the agenda.

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Legislation Details (With Text)

File #:	16-171	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	Agenda Ready
File created:	4/21/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the Agenda for the regular meeting of May 10, 2016, as presented or with amendments.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	05-10-16.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 21, 2016
Agenda Date: May 10, 2016
Prepared By: Carie Shealy, City Clerk
Through:
Requested Action:
Approve the Agenda for the regular meeting of May 10, 2016, as presented or with amendments.

BACKGROUND:

The City Council approves the agenda for all of its regular meetings at the beginning of such meetings.

STRATEGIC PLAN CONNECTION:

NA

BUDGETARY IMPACT:

NA

PREVIOUS ACTION:

The City Council has approved its agenda for all regular meetings at the beginning of such meetings.

RECOMMENDED MOTION:

Approve the Agenda for the regular meeting of May 10, 2016, as presented or with amendments.

AGENDA

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

DATE: May 10, 2016	**LOCATION:** City Council Chambers
TIME: 6:00 p.m.	65 Stone Street, Cocoa

I. OPENING MATTERS:

Call to Order
Invocation
Pledge of Allegiance
Roll Call

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of May 10, 2016 (16-171)
2. Minutes: (a)Utilities Workshop on March 30, 2016 (16-172)
   (b)Regular meeting of April 12, 2016 (16-173)
   (c)District 4 Town Hall Meeting of April 19, 2016 (16-174)

III. AWARDS AND PRESENTATIONS:

1. US 1 Corridor Community Redevelopment Agency Business Recognition Award. (16-169). (Community Services Director)

2. Presentation of the City of Cocoa's 2016 "Cocoa Works" Summer Youth Employment Program. (16-179). (Administrative Services Director)

IV. DELEGATIONS:

In accordance with the City Council's rules and procedures, residents or tax-payers of the City (upon any subject of general or public interest), City employees (regarding his/her employment), water and sewer customers (on matters related to the City's water and/or sewer system), and any person on any item on the agenda (except *Emergency items, Ministerial items, Quasi-judicial items, and Public Hearing items),* may address the City Council under Delegations by filling out a speaker card.

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V. CONSENT AGENDA:

1. Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Dr. Joe Lee Smith Center for Justice. (16-167). (Community Services Director)

2. Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Magnolia Point Homeownership Project. (16-168). (Community Services Director)

VI. PUBLIC HEARINGS:

1. Ordinance No. 06-2016/2nd and final reading: Amending Appendix A, Zoning, of the City Code to allow craft breweries as a Special Exception use in the CBD (Central Business District) Zoning District. (16-181). (Community Services Director)

2. Ordinance No. 07-2016/2nd and final reading: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan. (16-182). (Administrative Services Director)

VII. COUNCIL BUSINESS:

1. Approve the requested May 21, 2016 street closure in association with the proposed Shine the Light 5K Race. (16-170). (Community Services Director)

VIII. CITY BUSINESS:

1. Approve a Resolution amending the FY 2016 budget to correct an error with Agenda Item 16-114 Budgetary Impact. The second part of the budget amendment, transferring the budget between the General Fund (001) and the Capital Project Fund (301), was inadvertently omitted. (16-175). (Finance Director)

2. Approve a Resolution certifying Cross-Brands Mfg. LLC's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the Resolution and the original application to the Brevard Property Appraiser for review and evaluation. (16-176). (Community Services Director)

3. Ordinance No.11-2016/ 1st reading: Preliminarily granting Cross-Brands Mfg. LLC an ad valorem tax abatement of 70 percent phased out over seven (7) years, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company. (16-178). (Community Services Director)

4. Approve a Resolution certifying Project Citizen Kane's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the Resolution and the original application to the Brevard County Property Appraiser for review and evaluation. (16-180). (Community Services Director)

5. Ordinance No. 12-2016/1st reading: Preliminarily granting Project Citizen Kane an ad valorem tax abatement of 40 percent for five (5) years plus a $2 million cash incentive, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company. (16-184). (Community Services Manager)

6. Authorize the City to apply for an Economic Development Transportation Fund of $1.5 million through Enterprise Florida, Inc. for road improvements on behalf of Project Citizen Kane and allow the Mayor to sign the application. (16-185). (Community Services Director)

MULTI-YEAR CONTRACTS:

None.

IX. INFORMATIONAL AGENDA:

1. New Local Business Tax Receipts. (16-177). (Community Services Director)

X. REPORTS:

Advisory Boards and Committees
City Administration
City Attorney
City Manager
City Council

XI. ADJOURNMENT.

NOTICE TO THE PUBLIC:

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Legislation Details (With Text)

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Type:	Minutes			**Status:**	Minutes
File created:	4/21/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the Minutes for the Utilities Workshop held on March 30, 2016.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Utilities Workshop 03-30-2016 Minutes.pdf 3-30-16 EXHIBIT A-UTILITIES PRESENTATION 001.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 21, 2016
Agenda Date: May 10, 2016
Prepared By: Carie Shealy, City Clerk
Through:
Requested Action:
Approve the Minutes for the Utilities Workshop held on March 30, 2016.

BACKGROUND:

NA

STRATEGIC PLAN CONNECTION:

NA

BUDGETARY IMPACT:

NA

PREVIOUS ACTION:

The City Council approves the minutes of all its meetings following transcription.

RECOMMENDED MOTION:

Approve the Minutes for the Utilities Workshop held on March 30, 2016.

MINUTES

CITY OF COCOA

SPECIAL CITY COUNCIL MEETING

UTILITIES WORKSHOP

March 30, 2016

A Utilities Workshop was held on Wednesday, March 30, 2016, in City Council Chambers. Cocoa City Hall, 65 Stone Street, Cocoa, Florida as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 5:35 p.m.

Councilman Blake provided the invocation and Mayor Parrish led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

Present:

Henry Parrish	Mayor
Don Boisvert	Deputy Mayor
Brenda Warner	Councilwoman
Michael Blake	Councilman
Tyler Furbish	Councilman
Anthony Garganese	City Attorney
John Titkanich	City Manager
Matt Fuhrer	Assistant City Manager
Angela Ferguson	Assistant City Clerk

Other Staff Members Present:

Jack Walsh, Utilities Director; Teri Butler, Finance Director; Ed Wegerif, Public Works Director; Lora Howell, Deputy Finance Director; Troy Howell, Superintendent, Dyal Water Treatment Plant; Chris Collier, WFO Manager; Ben Hayner, Engineering Division Manager; Robert Blossom, Maintenance Worker I, WFO; Jacob Soto, Utility Mechanic I, WFO; Bruce Christian, Maintenance Worker III, WFO; Justin Wonsch, Maintenance Worker III; Jeffrey Holder, Utility Mechanic I, WFO; Mike Moran, Utility Mechanic I, WFO; Francis Palmieri, Lead Operator, Sellers Water Reclamation; Nathan Edwards, Utility Mechanic I, WFO;

Desmond Newbold, Maintenance Worker I, WFO; Keith McElroy, Supervisor II, WFO; Donnie Howard, Supervisor II, WFO; Cassandra McCall, Associate Engineer; Brandon Cox, Supervisor II, WFO; David Roe, Mechanic II, WFO; and Andy Newsome, Lead Operator, Dyal Water Treatment Plant.

City Manager Titkanich referenced a prior council report at the February 23, 2016 meeting regarding the utility department and advised a presentation[1] regarding staffing and capital projects will be detailed.

Mr. Walsh thanked the Mayor and Council for this session. He would like to go over the item in front of them and provide updates on what was done last year as far as capital and operating projects, goals that have been set, and to speak about staffing.

Mr. Walsh provided a general overview of the various utility programs such as valve assessment, backflow, pipe assessment and repair, collection system assessment, well field assessment and repair with the assistance of a consultant, and the capital projects program with consultants CH2M Hill.

Mr. Walsh discussed in detail their operational and capital programs, highlighting the well field assessment repair program. Furthermore, he touched on the major capital projects such as pipe replacement.

Mr. Walsh went over the interactive process of assessment of various projects and how the collected data helps prioritize assets and determines what is critical to repair. He indicated that the data will spawn new programs to aid in the coming fiscal year.

Councilman Blake indicated it was a proactive approach and Mr. Walsh concurred.

Mr. Walsh explained that it was a consistent assessment of systems which constantly creates new data and provide updates to better manage the systems.

Mayor Parrish indicated that it was smart.

Mr. Walsh provided the FY 2015 valve results which indicated the exercising of 790 potable and about 400 reclaimed valves. The department fell short in some assessments due to having to pull crews to fill other positions and the tank was offline.

[1] EXHIBIT A: Utilities Department Update Presentation

Mr. Walsh mentioned he would like to get direction from Council on whether or not to extend or continue the five year goal for the valve exercising, or to go out for a consultant to get the department caught up.

He advised that Matchpoint was hired to provide leak detection and as of September 2015, 337 miles of piping had been assessed and eight leaks were found which will be corrected. The department has since doubled the amount of pipe assessed with no other significant leaks found, and the system is in good shape. Matchpoint indicated that the amount of leaks found was well below the national standard. He further stated that the results will create capital leads and work.

Staff goals were reviewed and in-house versus hiring an outside contractor were discussed.

Mr. Walsh summarized the backflow program and results thus far. He indicated the official system started in 2014 and a consultant is helping the department with two step process of commercial and residential surveys to determine hazards.

He stated that there are 83,000 connections of which 7,000 are commercial. Those had been completed along with 14% of the residential connections. In addition, he indicated that it is not simple to install backflows because it depends on site conditions which could yield extra costs and would have to be considered in the budget.

Councilwoman Warner asked what would be considered as a residential hazard regarding the backflow installation.

In response, Mr. Walsh indicated reclaim water or a private well are considered hazards and advised that by the end of the fiscal year, all residential surveys will be completed.

Councilwoman Warner indicated that there were lots with private wells in the city.

Further discussion was held on the backflow system.

The waste water collection system was discussed in detail, and Mr. Walsh noted that Red Zone Robotics was hired to provide a tether-less robot which collected data within the sewer system. He explained how it collected that data and what was found, including blockages, cracks, and caved in piping. He pointed out that money would be needed in the future budget to execute those repairs.

Councilman Blake sought clarification on what blue smoke in the sewer was and in response, Mr. Walsh advised it is blown into the system to detect leaks and then look to see if it infiltrates residences or yards. Furthermore, he indicated smoke testing was a common practice and the smoke is not harmful.

Mr. Walsh reviewed the results of the assessment noting that some structural defects in the 65.3 miles of sewer main were found via robotic camera.

The pipe assessment program was discussed, which included segments of SR 520 to Cocoa Beach, with very few anomalies. It was estimated that the pipes have an estimated 23 years left before any replacements would need to be done. 6% of the pipe segment from Courtenay Parkway to the NASA meter north of 528 were affected but assured Council that for the short term, the city is okay.

Mr. Walsh went over the water transmission and distribution comparison for the years 2011, 2014, and 2015 and indicated that as data is compiled, the department can eliminate the unknown pipe types that exist within the system. He noted that the unknown pipes went down from 219 miles to 88 miles.

Mr. Walsh believed that the data is going in the right direction and noted that the employee's input regarding the pipes is valuable.

He reviewed the Well Field Assessment and Repair program and along with the consultant, CCI, they identified and assessed 34 wells, and the program is running really well, improving efficiency and eliminating deficiencies.

Councilman Blake inquired about salt water intrusion in the wells.

In response, Mr. Walsh advised that the wells are not located near salt water and they are above elevation so salt water is not seen, however, some saltiness that is seen is due to salt formation from millions of years ago drawn from the aquifer.

The capital projects program was discussed in detail, and Mr. Walsh highlighted the projects that were 100% completed for FY 2015, including the elevated tank coating, lift station #5, and others.

He reviewed the expenses of capital projects from 2011 and projection through 2015. He indicated 2011 was a planning year, and in 2012 valves were installed on SR 520. The expenditures were ramped up and there has been approximately $60 million in expenditures since the start of the program.

Mr. Walsh spoke about various program support consultants and contractors, and in addition, he mentioned their basic functions and what departments they support. He also added that the employees in the audience helped the department get the work done on a daily basis.

Councilman Blake asked if Mr. Walsh could report and rank CH2M Hill and in response Mr. Walsh said it has been a great relationship and it was team oriented. He felt that CH2M Hill was part of his staff and that they have been responsive and resourceful.

In regards to their resourcefulness, Mayor Parrish added that CH2MHill had long arms and assets while other companies have to lean out to get things completed.

Mr. Walsh compared actual expenditures versus what was authorized by Council noting that $4.9 million was spent of the $6 million that was authorized since the program inception in FY 2012.

The FY 2015 completed projects were discussed such as the Wewahootee project, and the elevated tank painting. He further added that the Dyal Clearwell is in the permitting process and may break ground soon. However, that will be a two and a half year or so project.

Mr. Walsh apprised Council of the capital projects currently under construction such as the Dyal elevated walkway, the Industrial Park tank, Indian River pipeline, SCADA hardware, and flocculation/sedimentation valve replacement.

Councilman Furbish asked what flocculation was and in response, Mr. Walsh defined it in simple terms.

Mayor Parrish asked how old the pipes were on Indian River Drive and Mr. Walsh responded that they were old cast iron pipes installed around 1926.

Mr. Walsh indicated hardly any complaints were lodged from citizens regarding the project.

Mayor Parrish, Councilman Furbish and Councilwoman Warner all commended the Utilities Department project.

A short discussion was held on the capacity of the new and existing storage tanks.

Mr. Walsh reviewed the asset assessments that are currently in progress such as leak detection, backflow cross connection program (which could be costly), and valve and hydrant assessments.

Mr. Walsh discussed new projects for FY 2016, which included Dyal Clearwell construction, East Peachtree Pipeline construction, Florida Avenue and Rosa L Jones pipeline construction joint project, and others.

Mr. Walsh advised that staff would meet with merchants regarding the Florida Avenue/ Rosa L. Jones project as a courtesy, to make them aware of the project.

Deputy Mayor Boisvert noted it was a good presentation as always.

Councilman Blake asked what area of the assessments the department would prioritize based on the growth of the City in the foreseeable future.

Mr. Walsh indicated that the City already renewed the consumption use permit two years ago which will essentially project out for the next twenty years but is done about every ten years. Based on that, the City is in a good place concerning capacity to provide and treat the water plus there is a cushion because of the huge contract with the federal government who does not use all the water. This is a big benefit.

Mayor Parrish indicated that God makes the water and Cocoa makes it better.

Council thanked Mr. Walsh for his presentation.

City Manager Titkanich spoke on the progress and proactivity of the programs, advising that a lot of projects and continuation of significant work was happening. He noted that the City had an amazing staff of dedicated professionals.

Capital planning and execution of projects is continuing, but there is still a lot of work to be done and they are doing a great job.

Councilman Furbish said it was very evident that staff was doing a great job based on Mr. Walsh's presentation.

City Manager Titkanich discussed in house staffing versus contracting work out. The two significant programs and their required activities, the Valve Assessment Program and Backflow Prevention Program, require considerable assessment and testing and it seemed appropriate to utilize in house staffing to address the needs as opposed to contracting it out. It could later augment with contractors short term if the need arises.

City Manager Titkanich went over the vacancy in Utilities staffing, which sits at 25, with 15 being interviewed or referred to interview, and that the department is requesting 18 positions.

Mayor Parrish and Councilman Furbish asked if the 18 was in addition to the total of the authorized 174 employees. In response, City Manager Titkanich affirmed and explained that they were needed to maintain the various programs over the next couple of years so the City could wean away from contracting the work out.

City Manager Titkanich advised that it will take time to ramp up staff and noted the cost of new staff which includes administration, engineering, management, and supervisors.

Mayor Parrish advised all to remember that employees are the number one asset and questioned why the city was down the positions.

In response, City Manager Titkanich noted that it would be discussed in the Executive Session meeting immediately following the workshop.

City Manager Titkanich reviewed the last two years turnover and pointed out that what the data does not reveal is the internal advancements in the numbers which can cause delays.

Mayor Parrish indicated he desires for the City of Cocoa to be a draw for potential employees. Councilman Furbish agreed.

City Manager Titkanich noted that market conditions are a factor and some positions in administration and engineering, such as Chief Operator, are more difficult to fill.

Councilman Furbish noted that about a month ago, Council was advised that the department was twenty people down and seemed like the whistle should have been blown and Council notified. He expressed he was not happy with that.

Mayor Parrish felt the employees were demoralized and that he wanted Cocoa to be the best employer and glad this was being addressed.

Councilman Furbish was glad that the City Manager heard Council’s concerns and to keep working through the plan to fill the vacancies and prevent future vacancies.

City Manager Titkanich noted Human Resources was working hard to advertise and they are part of the solution.

Councilman Furbish felt recruiting was important.

Mayor Parrish felt like the City could be the best.

City Manager Titkanich reviewed the Utilities staffing turnover data noting that some new positions were created and some were reclassified to accommodate other staffing needs.

City Manager Titkanich advised he is seeking Council's direction for the next two years and that for mid FY 2016, he would like the current four authorized but frozen positions reclassified to match needs to total an additional eighteen full time utility employees, one full time HR coordinator that would be dedicated to recruitment, and the consolidation of the customer service representatives and cashier positions. He further noted that the FY 2017 request was for another ten full time utility positions and one full time accounting clerk, the latter of which was an adequately demonstrated need and that the Customer Service Manager's thorough study would support that.

Councilman Furbish asked if the HR Coordinator couldn't come from the Utility Fund.

In response, City Manager Titkanich indicated it would be funded by the general fund this year, but will look at the Burton and Associates study, and noted that half of what HR does is related to Utilities.

Councilman Blake asked for clarification that this was collaboration between Mr. Walsh and the City Manager. City Manager Titkanich affirmed that it was.

Councilman Blake stated that he desires what is fair and equitable, to meet deadline, and to make sure every force is heard. He further stated that he wants to make sure every member of Council is in agreement.

Councilman Blake asked Mr. Walsh, Mr. Collier, and City Manager Titkanich if they had fair and equitable input and they all affirmed that they had.

City Manager Titkanich further noted that the requests were based on meetings with Utility administration and staff.

Mayor Parrish asked Mr. Walsh if he was happy thus far and Mr. Walsh affirmed that he was.

A CONSENSUS was made that the eighteen positions would be added, the four frozen positions reclassified to match needs, and the customer service

representatives and cashier positions would be consolidated in mid FY 2016 and ten positions in utilities and one accounting clerk position would be added in FY 2017.

City Manager Titkanich spoke in detail about the 45th Space Wing/Patrick Air Force Base/Cape Canaveral Air Force Station solicitation for privatization of utilities and it would likely come forth the third quarter of FY 2016 which is now through June. He noted that it is not an inexpensive proposition and it will cost to respond to the solicitation. He further noted that that the City is working with Burton and Associates to evaluate the proposition.

Mayor Parrish asked if the Base had asked the City directly and City Manager Titkanich advised that it will be put out to bid, noting it has been under discussion for about three years.

City Manager Titkanich felt the City was well positioned and listed reasons as to on why the City should pursue it.

Councilman Furbish asked if staff thought all cities would respond and both Mr. Walsh and City Manager Titkanich indicated they may or may not but Cocoa was interested and evaluations are under way. They will come back to Council if they make a decision to proceed and notated the cost would be between $1.3 and $2 million dollars to manage the utilities at the Base.

Councilman Furbish asked if the City would have to hire more personnel and City Manager Titkanich responded in the affirmative advising it would be built in to the bid.

Councilman Blake asked what services are currently provided to the Base. City Manager Titkanich advised it was water only, and that Cocoa Beach provides the wastewater.

Councilman Blake felt that the City could corner the market if the bid was awarded.

A short discussion was held regarding line repairs and leak occurrences if the City was awarded the bid.

Councilman Blake asked about the contract duration and City Manager Titkanich advised it was a fifty year contract.

Councilwoman Warner mentioned the need for additional hiring and staffing requirements such as background checks and security clearances.

Ms. Gemmati confirmed an employee working on the Base would be held to different requirements per law.

Mayor Parrish asked City Manager Titkanich if he was looking for a consensus and in response he affirmed.

A CONSENSUS was made by Council to continue to go forward with the evaluation by Burton and Associates for the privatization of Utilities at the Airforce station.

City Manager Titkanich thanked Council, Mr. Walsh, and staff for all their efforts.

Council thanked the staff in attendance for their efforts.

III. ADJOURNMENT:

- **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Furbish, to adjourn the Utilities Workshop.**

  AYES: Parrish, Blake, Warner, Boisvert, Furbish

  THE MOTION PASSED UNANIMOUSLY (5-0)

  The Utilities Workshop Meeting adjourned at 7:08 pm.

_____

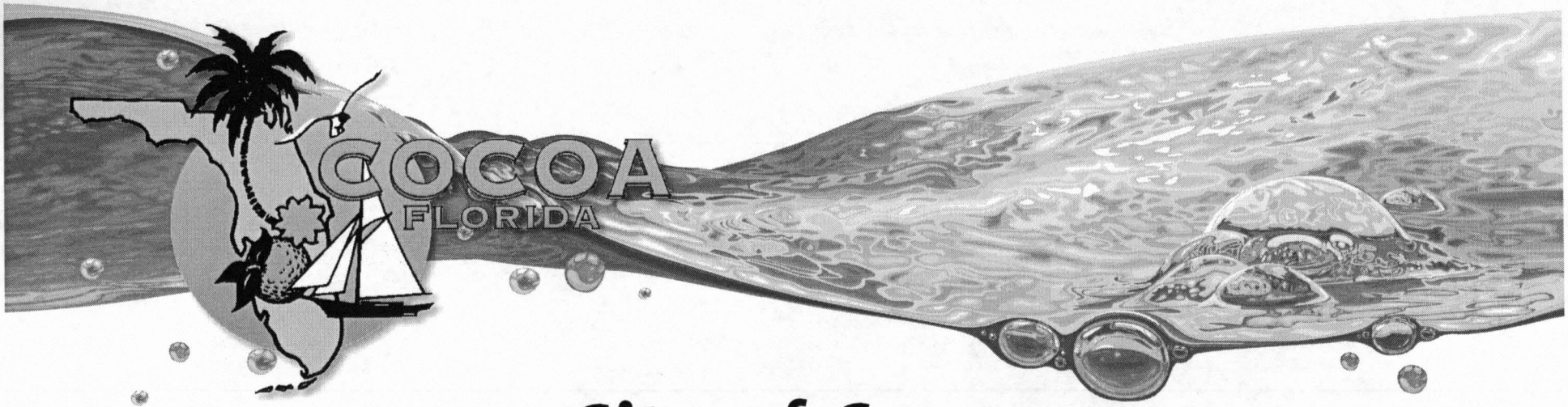
Henry U. Parrish III, Mayor

ATTEST:

_____

Carie Shealy, City Clerk

(Transcribed by A. Ferguson, Assistant City Clerk)

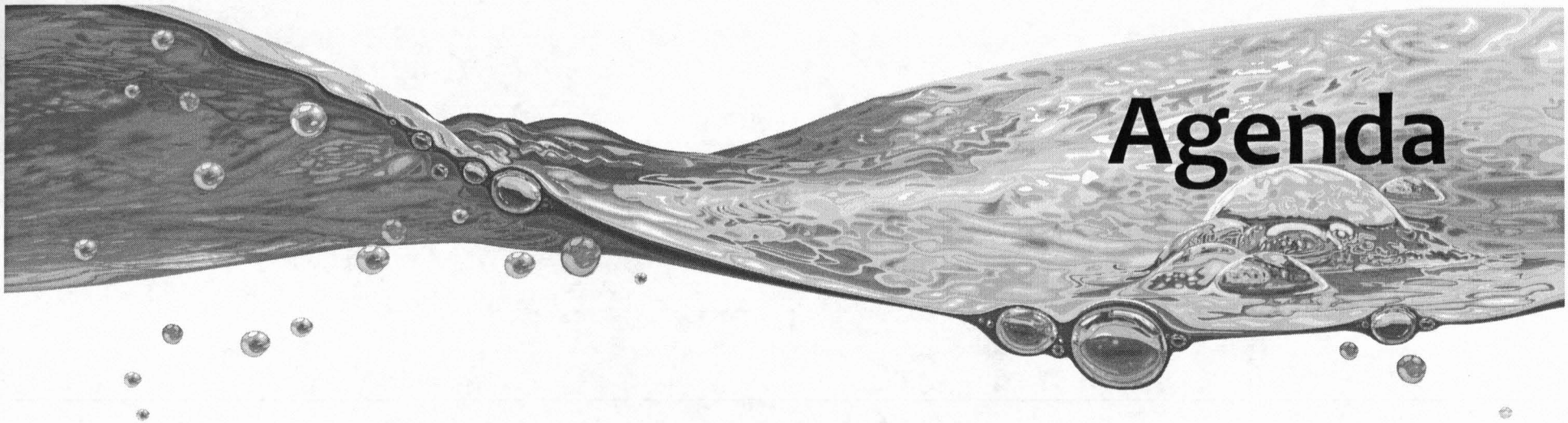


City of Cocoa
Utilities Department Update

City Council Workshop
3/30/16

John A. "Jack" Walsh, P.E.
Utilities Director

EXHIBIT A:
Utilities Department Presentation
03-30-2016 Utilities Workshop



Agenda

- ❑ Review Cocoa Utilities Programs
- ❑ Review Accomplishments
- ❑ Program Support – Consultants/Contractors
- ❑ Capital Projects
- ❑ Utilities Staffing
- ❑ Discussion - Q&A



Cocoa Utilities Programs

Valve Assessment Program

- Valve Assessment/Turning
- Valve Replacement Program
- Leak Detection

Backflow Program

- Commercial
- Residential

Collection System Assessment

- Gravity sewer and manholes

Pipe Assessment/Repair Program

- Pipe Assessment
- Pipe Replacement Program

Well Field Assessment/ Repairs

Capital Projects Program



Cocoa Utilities Programs

Operational Programs

Pipe Assessment

Valve Assessment Program

Valve Assessment/Turning

Leak Detection

Backflow Program

Commercial Assessment and Repairs

Residential Assessment and Repairs

Capital Programs

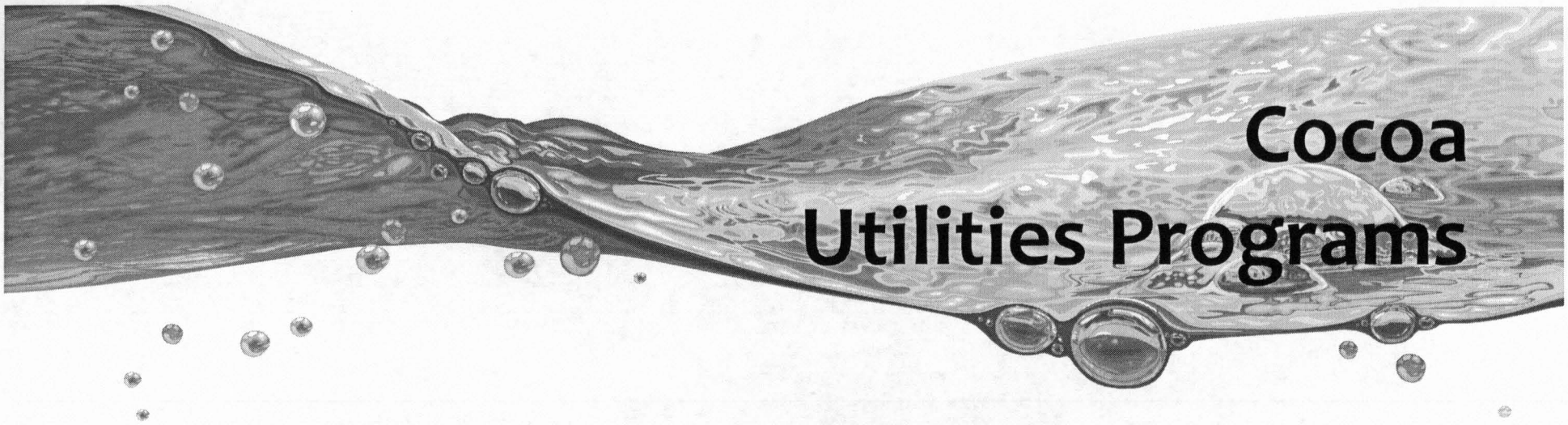
Pipe Replacement

Valve Replacement

Pipe Replacement

Backflow Replacement

Backflow Replacement



Cocoa Utilities Programs

Operational Program

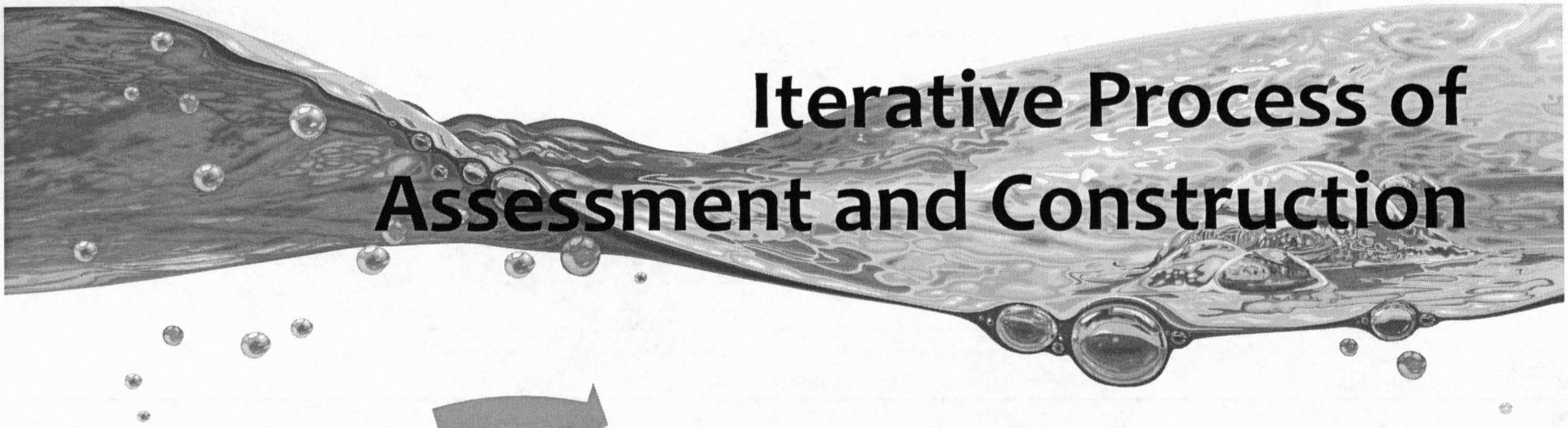
Collection Assessment

Wellfield Assessment

Capital Programs

Gravity Pipe Installation and Repairs

Well Repairs and Construction



Iterative Process of Assessment and Construction

Assessment of Asset

Desktop Information
Testing Nondestructive
Destructive Testing

Database Management

Use of Databases
Millions of Data Points
QC/QA Data
Data Sharing

Sort Data

Refine Results
Estimated Costs
Prioritization

Leadership

POC or PM
In-house Work or Vendor/Consultant
Design and Permitting

Construction / Repairs

Capital or Operational Projects

COCOA FLORIDA

Valve/Hydrant Replacement Program

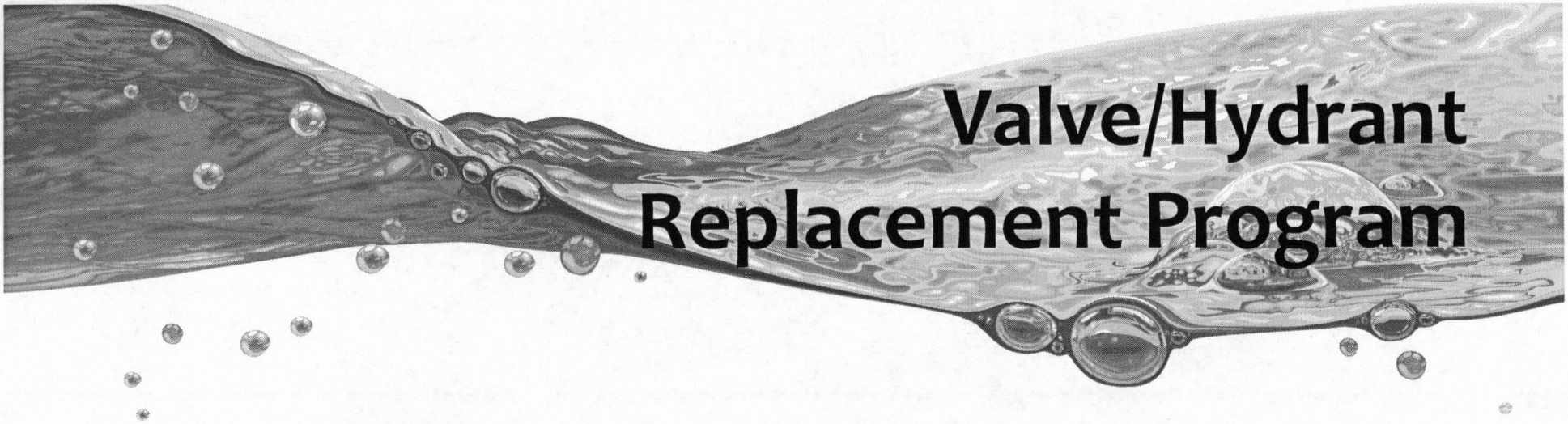
FY2015 Valves Results:

- 790 potable water valves were exercised by Cocoa crews
- 402 reclaimed water

All asset data (valves, pipes, maintenance history) is available to crew leaders and supervisors via laptops.

Goal:

4,500 valves per year



Valve/Hydrant Replacement Program

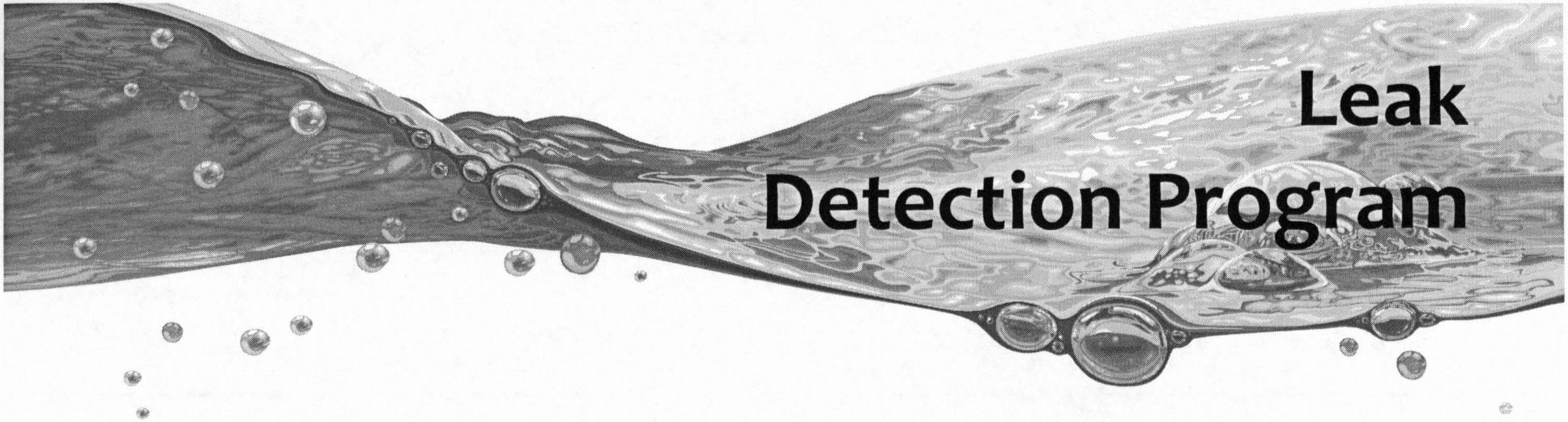
FY2015 Hydrants Results:

- Hydrants were not exercised by Cocoa crews due to tank being off line

Goal:

3,800 hydrants per year

Note: Currently Behind Schedule



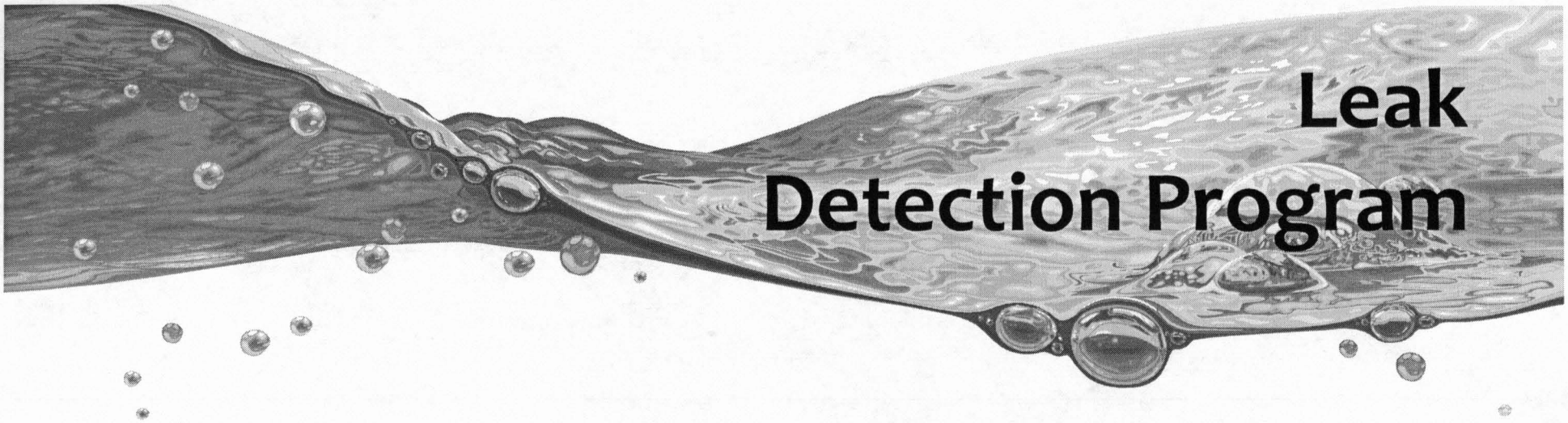
Leak Detection Program

MatchPoint Services was contracted to conduct leak detection and correlation services

FY2015 Results:

- 337 miles completed
- 8 leaks detected and correlated (located)
- Staff will develop plans, specifications, and permits for in-house work, consultant and/or contractor work

COCOA FLORIDA

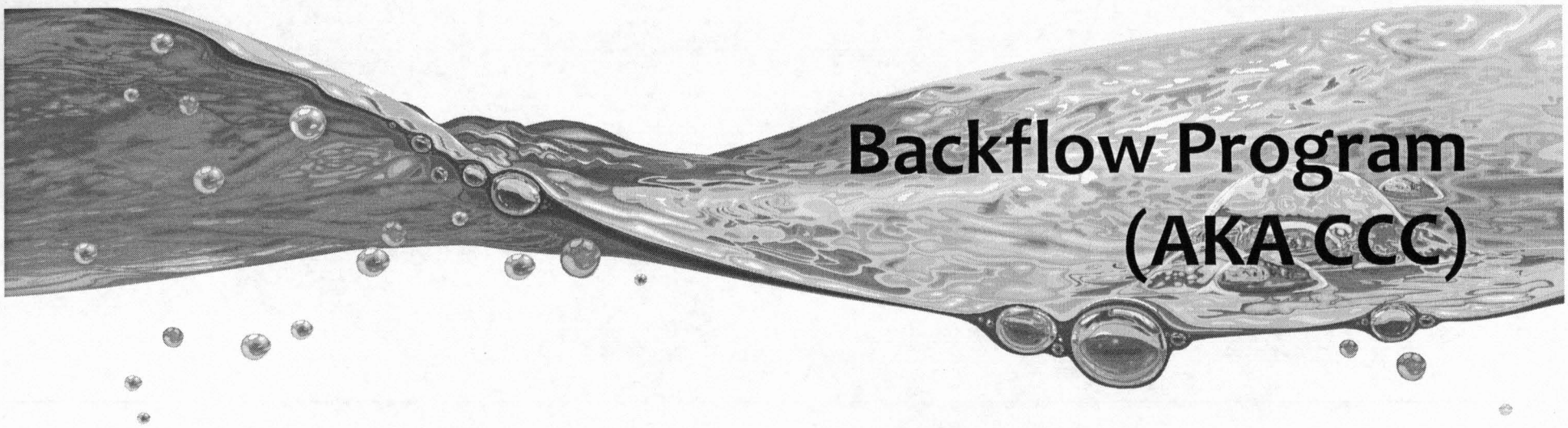


Leak Detection Program

Goals:

- Staff will prepare plans, permits and other necessary items to address leaks (depending on location and complexity, repairs may be completed in-house or by contractor)

- Complete leak detection and correlation for the entire water system in FY2016



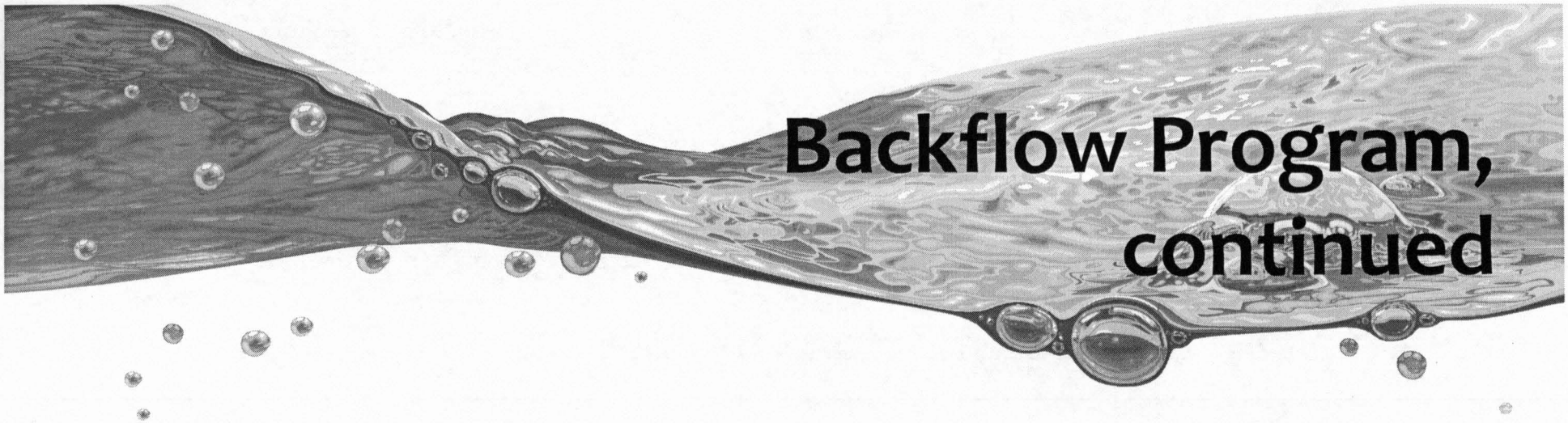
Cocoa revised and updated its Backflow Program in 2013 and started its Backflow Program in August 2014

FY2015 Results:

Surveys

- Commercial Backflow Surveys – 100% complete (6,400 surveys)
  - 3,607 need additional protection – 56%
  - Fire Line Surveys – 100% complete (1,450 surveys)
  - 106 need additional protection – 7%
- Residential Surveys – 14% complete (10,299 surveys)
  - 773 need additional protection – 8%

COCOA FLORIDA



Backflow Program, continued

Backflow Tests

- Commercial Backflow Tests – 100% complete (2,665 tests)
  - 238 failed and need repairs/replacement – 9%
  - Fire Line Tests – 57% complete (770 tests)
  - 85 failed and need repairs/replacement– 11%

- Residential Tests – 9% complete (455 tests)
  - 21 failed and need repairs/replacement – 5%

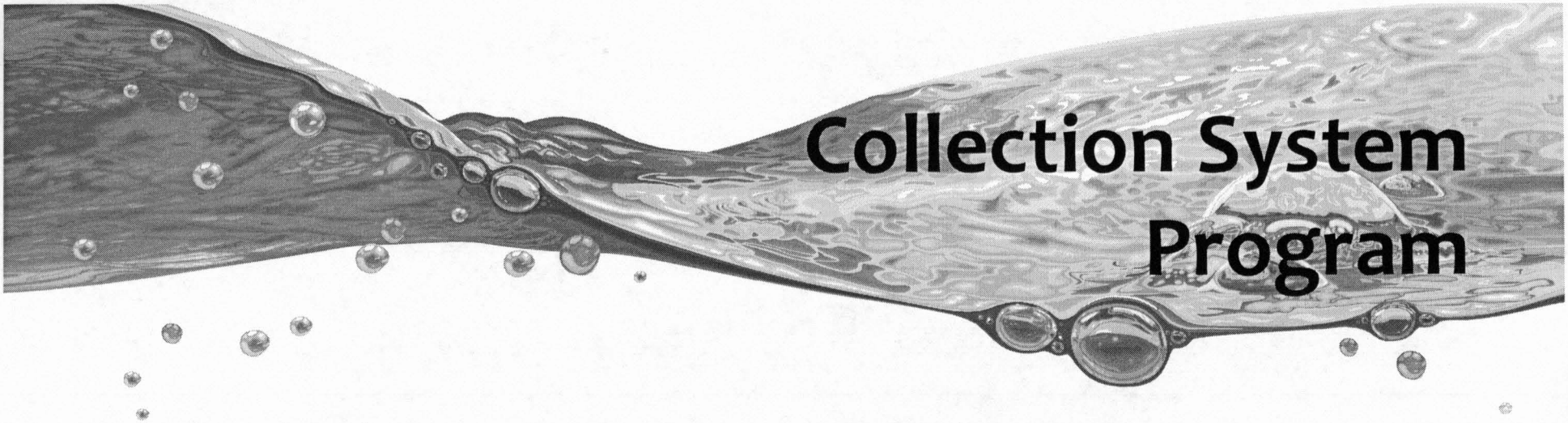
Backflow Program, continued

FDEP requirements (F.A.C. 62-555-360, effective 5/5/14)

- Commercial Properties – Annual Testing (7,000)
- Residential Properties – Every Two Years (TBD quantity of the 73,000)

Goal:

- Complete surveys for the residential properties in FY2016
- Complete testing of residential properties in FY2016
- Prepare assessment and prioritization of backflow work orders for in house staff and contractors



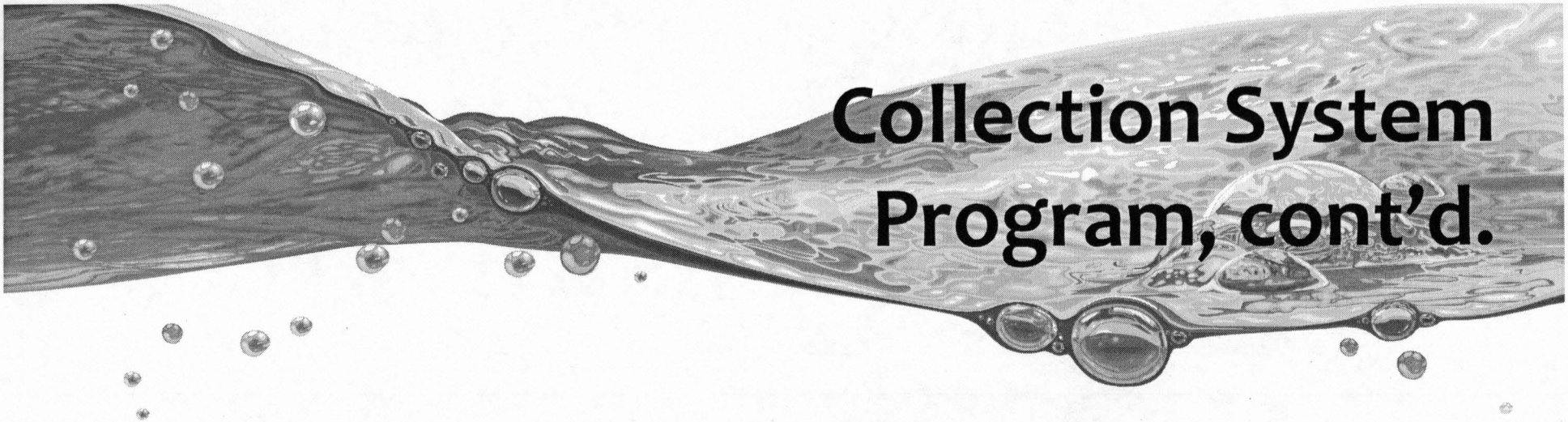
Collection System Program

Collection System Assessment – started in March 2014 using REDZONE ROBOTICS and was completed in September 2014

FY2015 Results:

- FY 14 data was prioritized and the data needed to be closely quality controlled
- Data was used to develop CIP projects

COCOA FLORIDA



Collection System Program, cont'd.

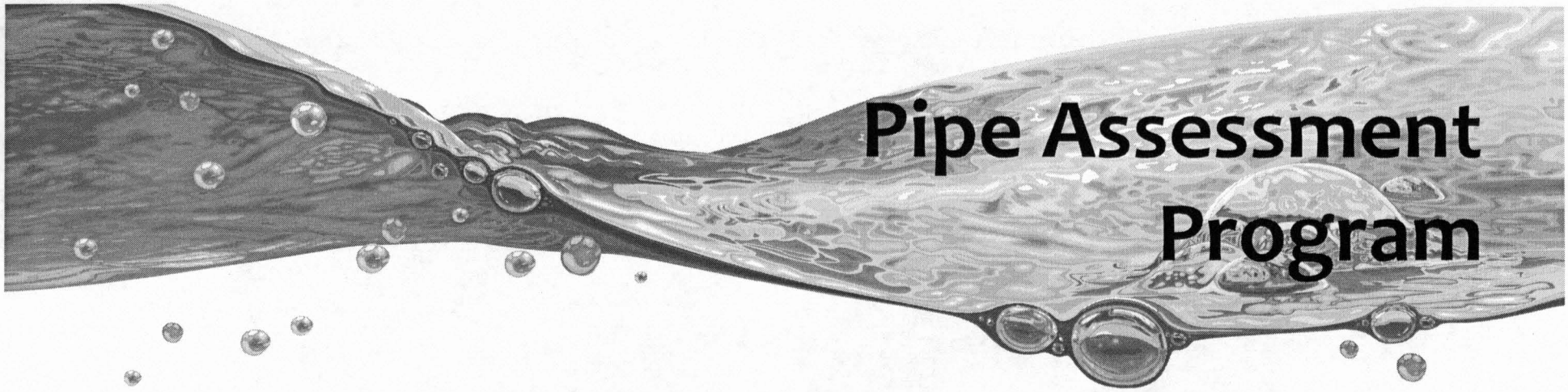
65.3 miles of gravity sewer main were assessed through the use of robotic camera

FY2015 Results:

- Structural defects
  - Point repairs - 5,902 ft (approximately 21 projects)
  - Cured in Place – 86,980 ft (16.4 miles)

FY2016 will prioritize work and prepare plans, specifications, permits for capital replacements

Phase 1 approved for $140K design/specs/permits



Pipe Assessment Program

S.R. 520 Cocoa to Cocoa Beach (7.4 miles)

Leak detection and electromagnetic inspection

No acoustic anomalies detected (i.e. no leaks)

Pipe Segment Totals	Lineal Feet	Broken Wires Detected	# Failed Prestress Wires	Allowable # Wires
2,457	39,312	288	5-20	33

Courtney Parkway to NASA meter north of SR 528 (6 miles)

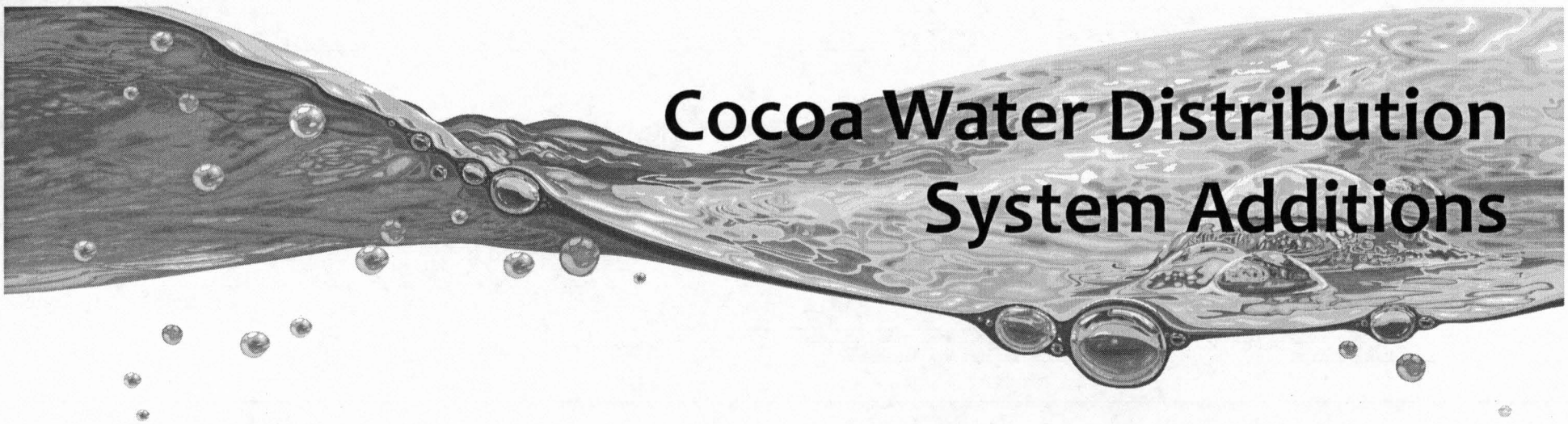
Segment Condition	% Degradation of Wall Thickness	Estimated Remaining Life	Linear Feet of Affected Pipe	% Assessed Pipe Affected
Poor	> 30%	0-23 Years	1,980	6%

COCOA FLORIDA

Cocoa Water Transmission and Distribution System Comparison (miles)

	2011	2014	2015
PVC	614.7	681.1	708.5
Ductile Iron	65.4	73.6	81.3
PCCP	58.9	64.4	65.2 64
Unknown	219.9	129.9	88.3
AC	270.0	310.0	333.7
Cast Iron	29.3	26.0	28.7
Galvanized	8.2	8.5	9.0





Cocoa Water Distribution System Additions

Pipe Additions

Year	Pipe (L.F.)	Miles	Asset Value
2013	14,095	2.67	$628,552
2014	28,727	5.4	$1,387,460
2015	40,233	7.6	$2,038,153

COCOA
FLORIDA



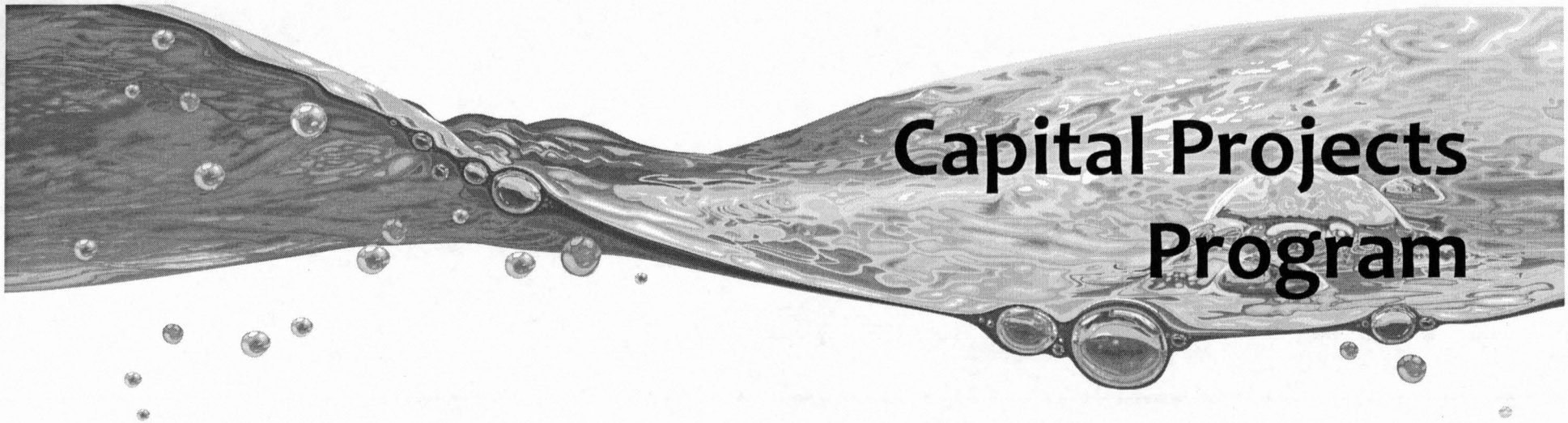
Well Field Assessment/Repair

- Staff using continuing services from CCI for well field rehabilitation work
- $250,000 per year budgeted

Results:

- Since 2010 spent through September 2015 $**870K**
- **34** wells have been assessed/rehabilitated

COCOA FLORIDA



Capital Projects Program

- Capital projects started after issuance of 2010 Bond ($22M)
- Developed detailed capital plan assessment and prioritization/scoring

Results:

- 2010 through September 2015 spent $59M using bond proceeds and operating revenues/reserves

Capital Plan
Completed Projects FY2015

- Elevated Tank Coating
- Raw Water Pipe Well 17
- Closed Loop
- Control Room
- Lift Station 5
- Pipe Diver (Atlantic Development)
- Pipe Diver/Smart Ball (Pure Tech)

COCOA
FLORIDA

Capital Projects Expenses by Fiscal Year

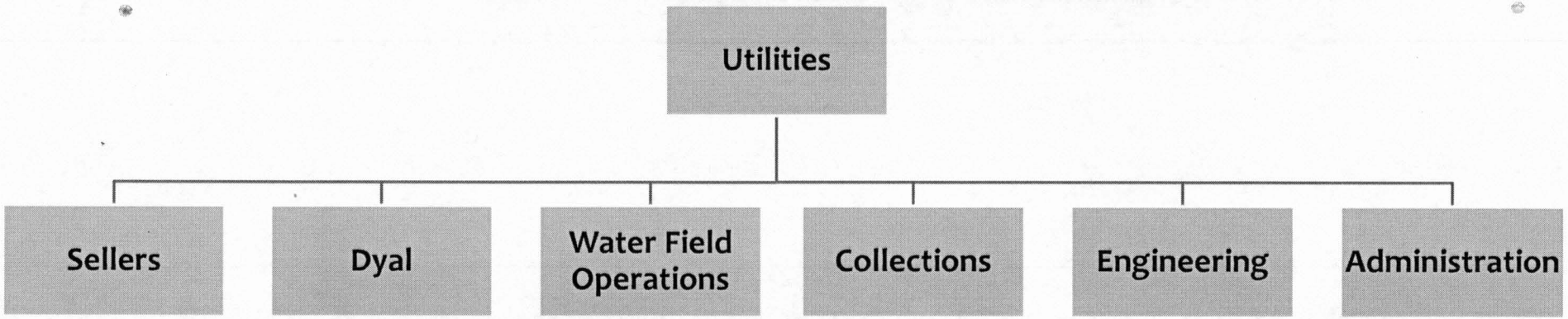
Fiscal Year	Capital Program Annual Expenditure
2011	$408,298.78
2012	$11,200,470.47
2013	$13,435,741.87
2014	$18,360,227.69
2015*	$16,088,944.53
TOTAL	**Approx. $60 million**

Source: CH2M Hill FY15 Year End Closeout Report (December 2015)

COCOA FLORIDA

Program Support Consultants/Contractors





Two (2) Engineering Consultants for water and waste water systems

Four (4) Engineering Consultants for water conveyance

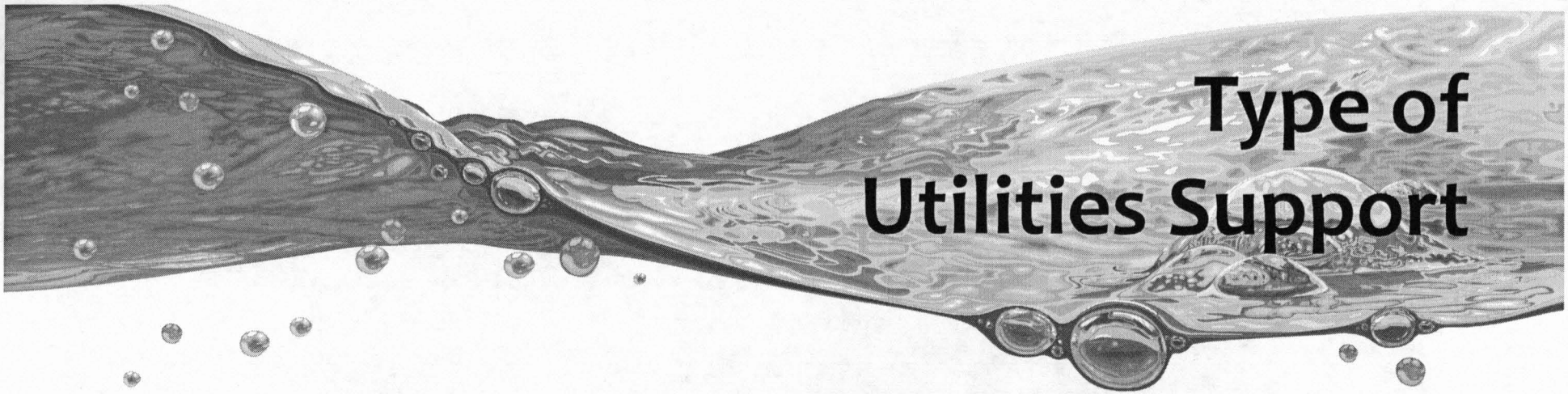
Four (4) Prequalified Contractors



Utilities

Sellers	Dyal	Water Field Operations	Collections	Engineering	Administration
CDM Smith	CH2M	CH2M	CDM Smith	CH2M	CH2M
	CCI	Ace Flow Control	Insituform	CDM Smith	
	Kapsch	Logan Diving		Bussen-Mayer, QLH, WadeTrim	
		MatchPoint			
		Atlantic, Gunnstruction, JoBear, Maxwell			

COCOA FLORIDA



Type of Utilities Support

Sellers	Dyal	Water Field Operations	Collections	Engineering	Administration
Technical Support SCADA and Instrumentation Support Construction Management	Technical Support SCADA and Instrumentation Support Construction Management	Repair Maintenance Support, Backflows, Leak Detection and pipe line assessments, GIS	Repair Maintenance Support, Point repairs, Slip Lining, GIS	CIP Development and Ranking Construction Inspection, Capital design, GIS	Program Management, Accounting and Administration

2015 Capital Program Services Costs

	Cost	Division
Administration	$581,763	Engineering
Design and Construction	$227,579	Engineering
Technical/Regulatory	$145,365	Admin./Engineering
Construction Inspection	$58,772	WFO/Engineering
GIS/Planning	$142,419	WFO
Dyal	$126,728	Dyal
Instrument/Controls Support	$197,004	Dyal
Pipeline Condition Support	$174,824	WFO
Website	$7,547	Administration
Expenses	$49,320	
TOTAL	**$1,711,321**	

COCOA FLORIDA

Program Services History

Fiscal Year	Authorized by Council	CH2M Actual Spent
FY12	$832,895	$664,078
FY13	$1,492,227	$1,063,339
FY14	$1,619,506	$1,492,540
FY15	$2,069,567	$1,711,320
TOTAL	**$6,014,195**	**$4,931,277**

$4,931,277 spent in support of approx. $60 million that includes administration of program as well as technical support throughout all the divisions (±8.26%)

Note: Pure administration, schedules, costs controls of the program are about half ($2M) to date and represent less than 4% total cost of program

COCOA FLORIDA

FY2015 Completed Capital Projects

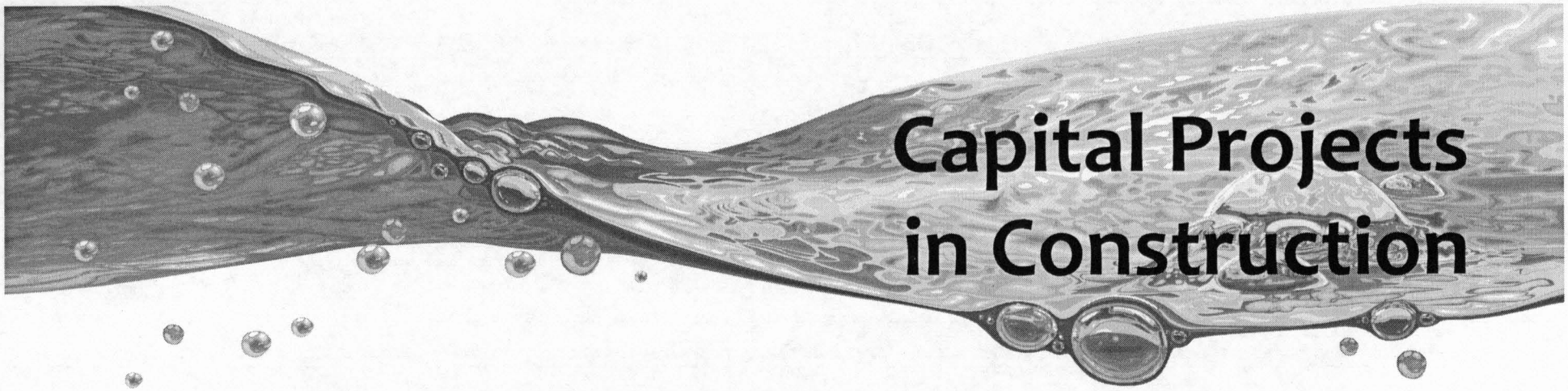
Construction

- Well Field Raw Water Pipe Line
- Elevated Tank Painting
- Raw Water Well Rehabilitation
- Dyal – Complete Wewahootee Pumping/ SCADA Programing project

Design

- East Peachtree Pipeline (IRD to US1) District 1
- Dyal Clearwell
- Westpoint MH and Victor MH

COCOA FLORIDA



Capital Projects in Construction

- Industrial Park Tank
- Indian River Drive Pipeline
- Dyal – Elevated Walkway
- Dyal – Flocculation/Sedimentation Valves
- Dyal - Liquid Oxygen Conversion
- Dyal – SCADA Hardware/Instrumentation
- Sellers – Biological Nutrient Removal (BNR)

COCOA FLORIDA

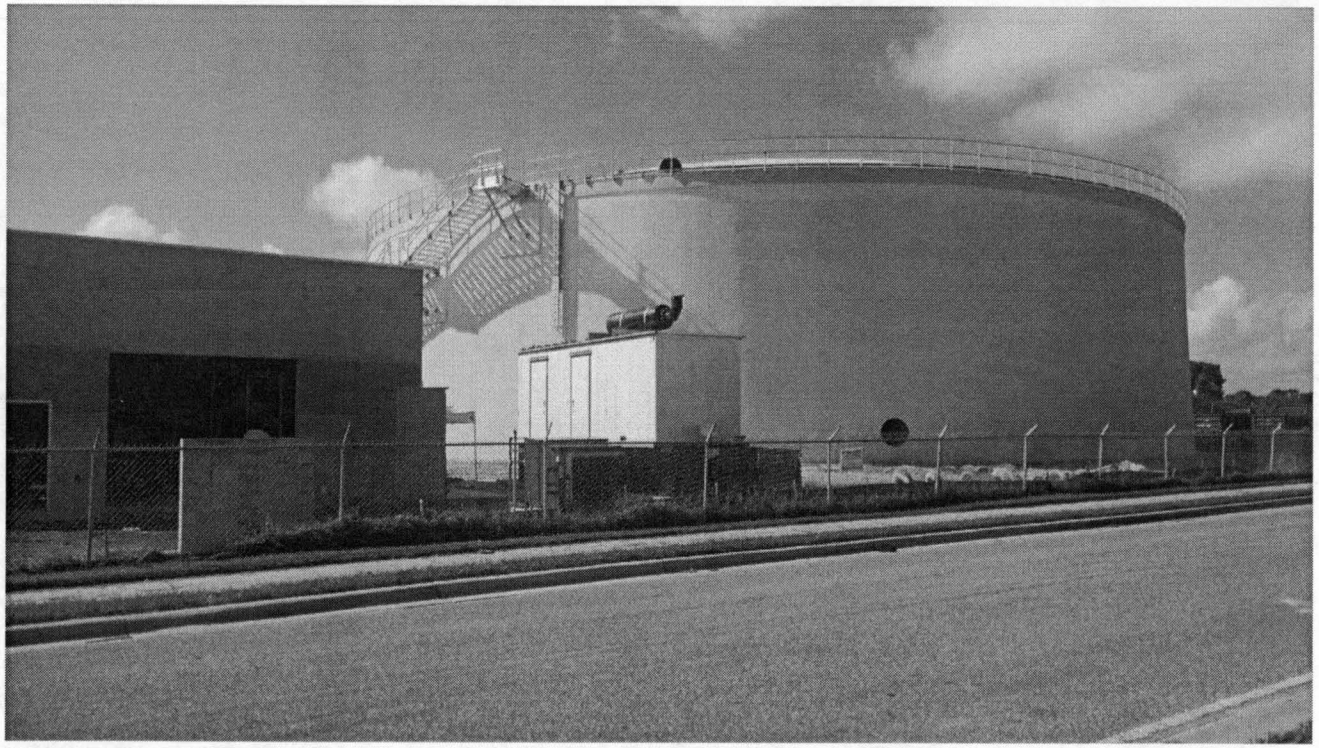
Capital Projects in Construction



Indian River Drive

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FLORIDA

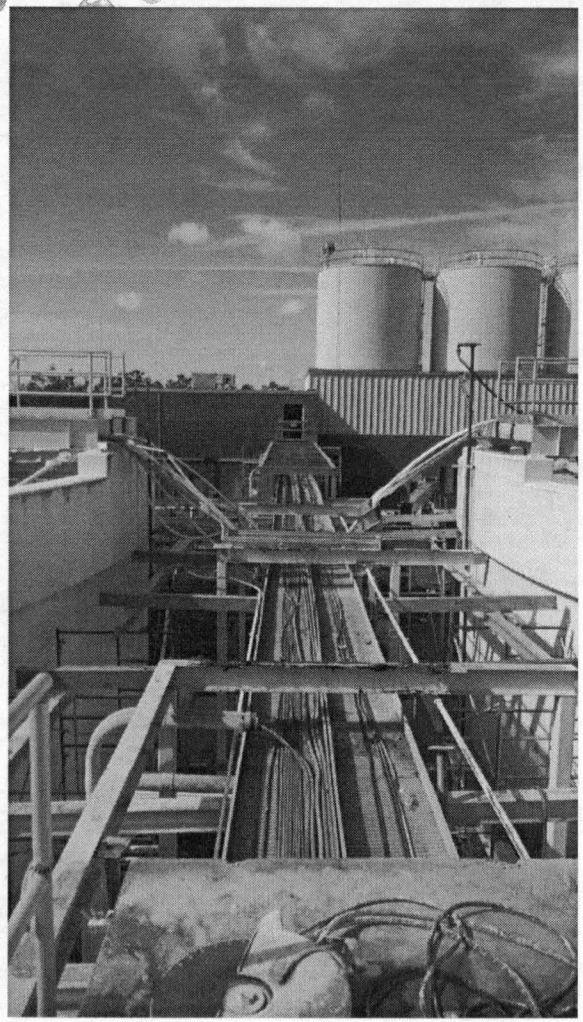
Capital Projects in Construction



Industrial Park Ground Storage Tank

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Capital Projects in Construction



Elevated
Walkway at Dyal

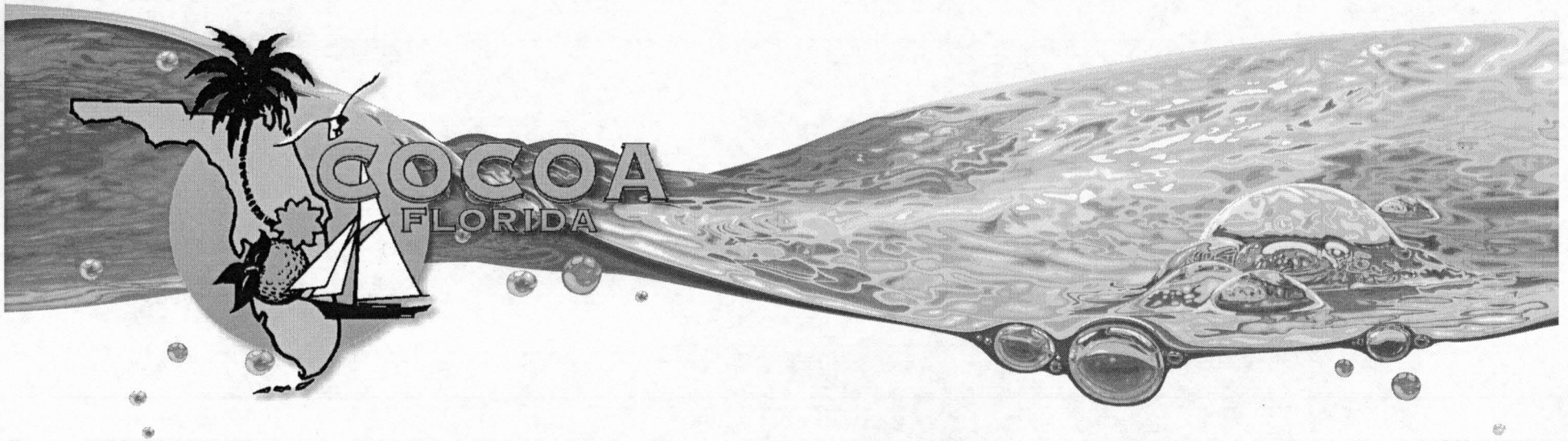
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Asset Assessments in Progress

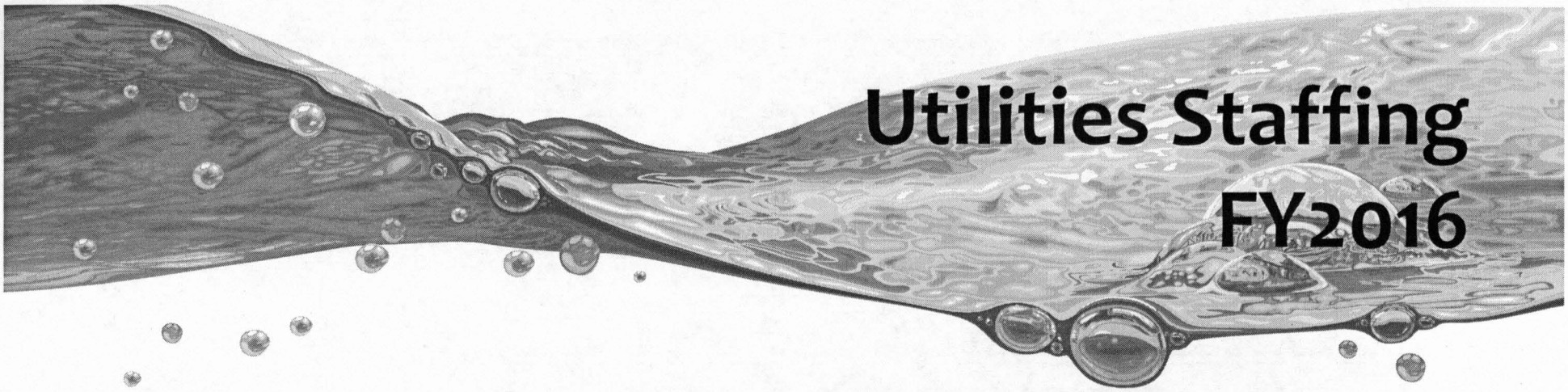
- Collections System Assessment - complete
- Leak Detection Assessment – continuing
- Backflow / Cross Connection Control Program – continuing
- Valve and Hydrants – continuing

FY2016 New Projects

- Dyal – Clearwell Construction
- Dyal – Redundant Finish Flow/Generator Design
- Westpoint Dr. and Victor Rd. Manhole Construction
- Plaza Parkway Drainage Pipe Construction
- Sellers BNR – Ph2 MCC replacement
- East Peachtree Pipeline (IRD to US1)
- Florida Ave/Rosa L Jones Pipeline
- Sanitary Sewer Rehabilitation (slip lining)



Utilities Department Staffing



Utilities Staffing FY2016

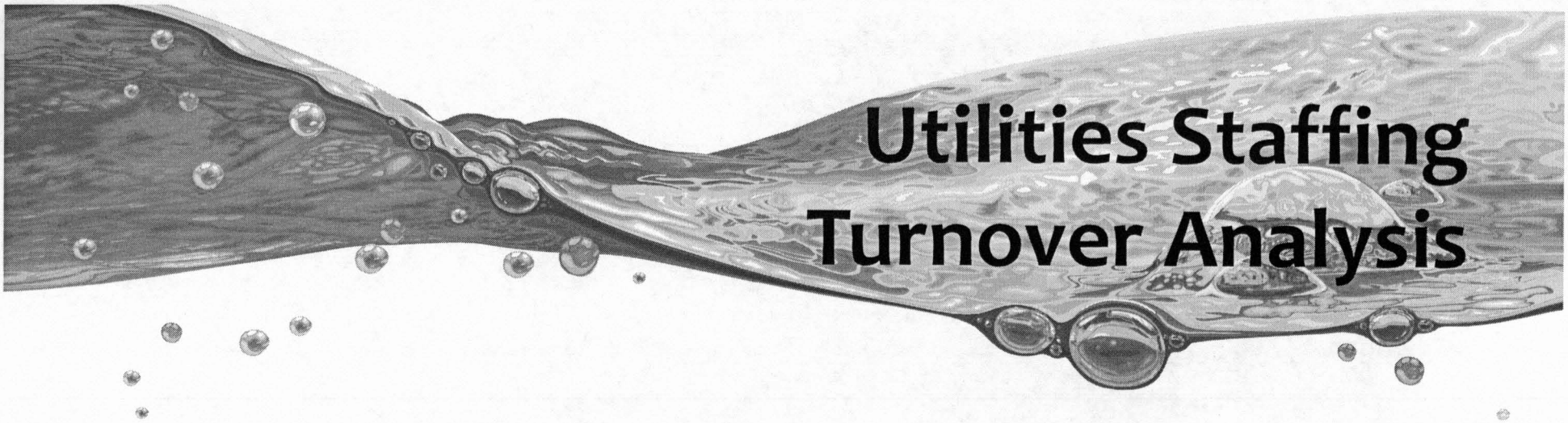
Division	Authorized	Vacant*	Requested
Administration	11	1	0
Engineering	19	6	1
Dyal WTP	47	8	5
Sellers	20	1	0
Water Field Ops	61	8	7 (6)**
Sewer Field Ops	16	1	5
	174	**25 (14%)*** **	**18(17)**

*** As of March 29, 2016**

**** One Asst. Supt. to be added based on demonstrated need to ensure proper span of control.**

***** 15 positions being interviewed or have been referred to department for interviews.**

COCOA FLORIDA



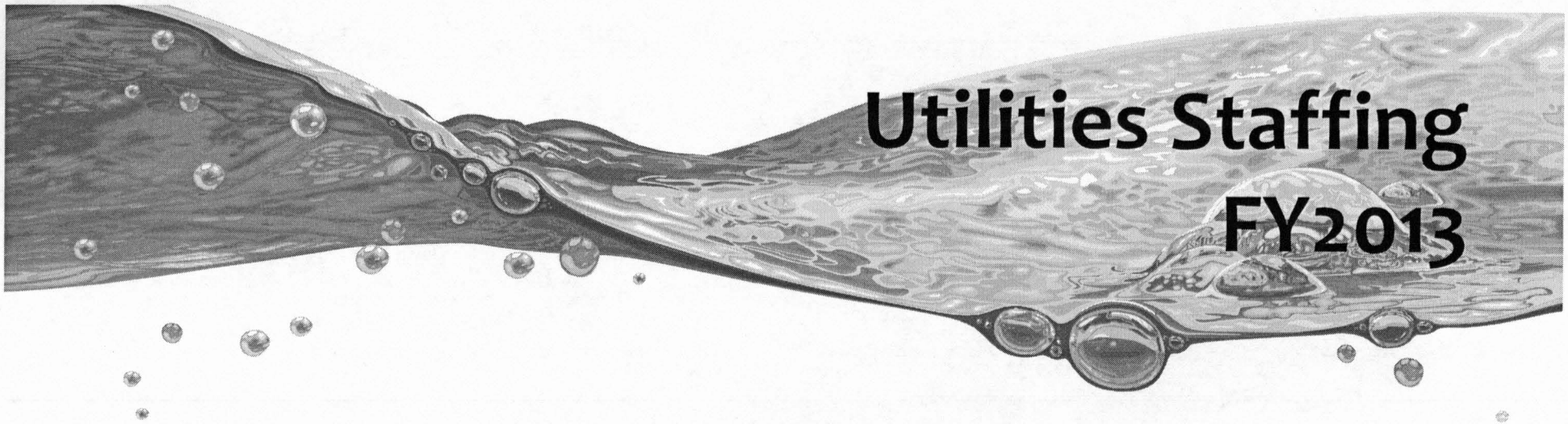
Utilities Staffing Turnover Analysis

Fiscal Year	Average Headcount	Resignation	Retirement	Involuntary
2014-2015	143	6.3% (9)	5.6% (8)	5.6% (8)
2015-2016 YTD	145	6.9% (10)	2.1% (3)	2.8% (4)

Average Tenure: 10 Years

As of March 29, 2016

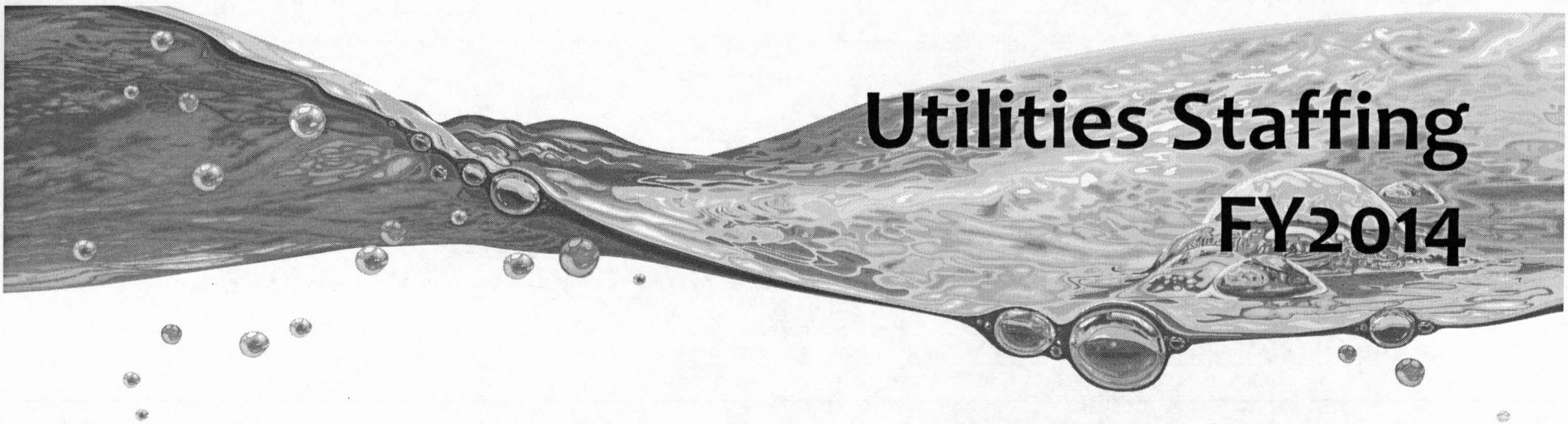
COCOA FLORIDA



Utilities Staffing FY2013

Division	Unfrozen	New
Administration	1	0
Engineering	0	0
Dyal WTP	3	0
Sellers	2	0
Water Field Ops	1	0
Sewer Field Ops	1	0

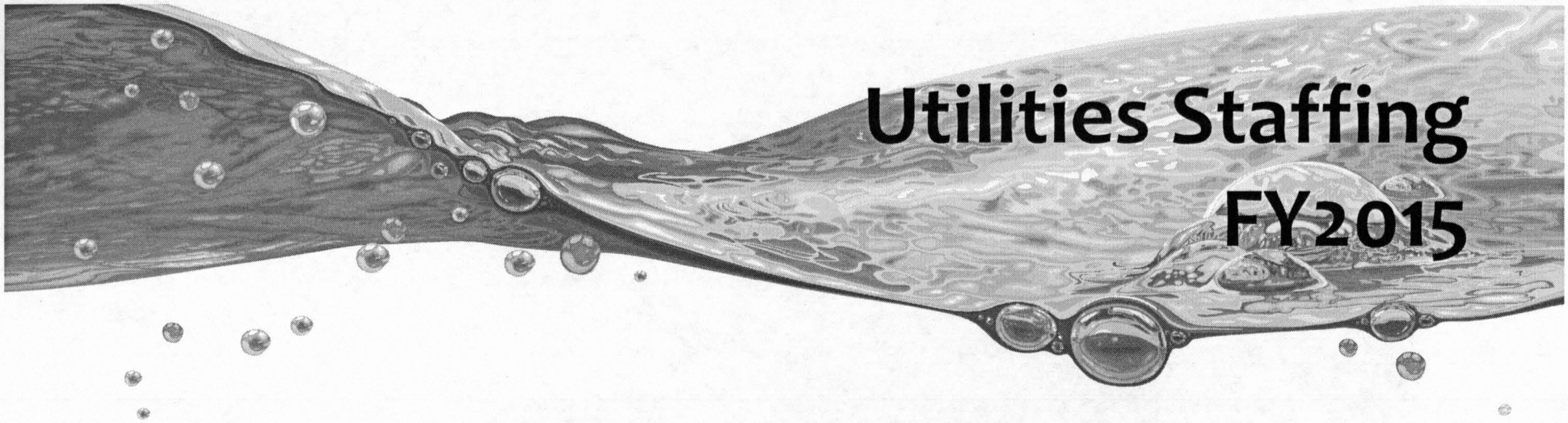
COCOA FLORIDA



Utilities Staffing
FY2014

Division	Unfrozen	New	Open-Reclassified
Administration	0	0	0
Engineering	0	0	1
Dyal WTP	0	2	0
Sellers	0	3	0
Water Field Ops	2	1	0
Sewer Field Ops	1	1	0

COCOA
FLORIDA



Utilities Staffing FY2015

Division	Unfrozen	New	Open-Reclassified
Administration	0	0	1
Engineering	0	2	0
Dyal WTP	0	4	0
Sellers	0	1	0
Water Field Ops	0	1	0
Sewer Field Ops	0	1	0

COCOA FLORIDA

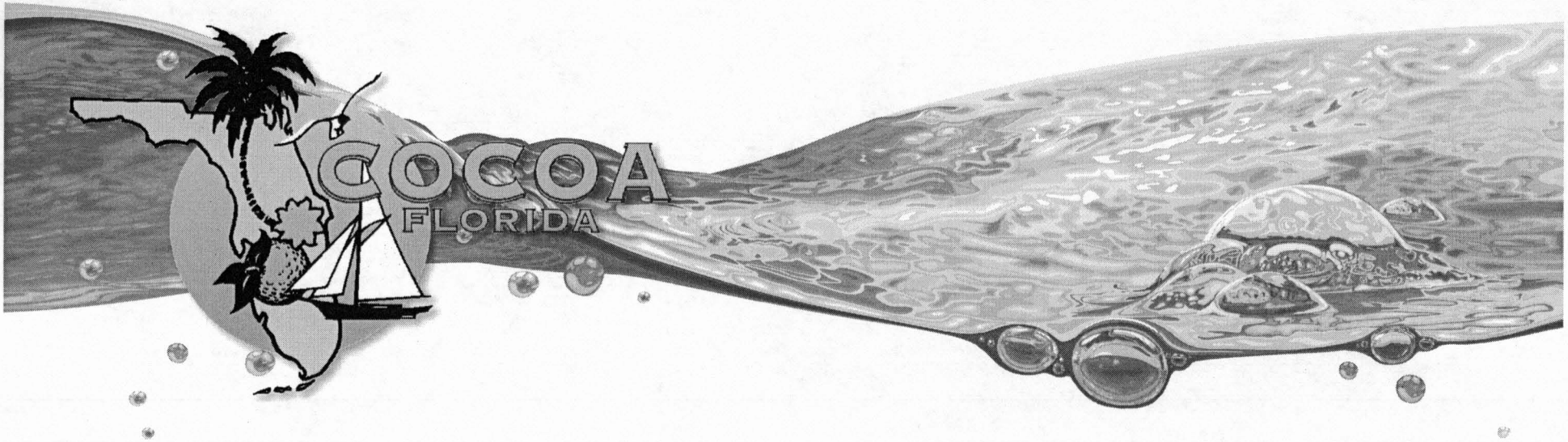
Staffing Requests FY2016 and FY2017

City Council Direction

- Currently only 4 authorized, but frozen positions, remain
  - FY2016 Mid-Year Request:
    - Authorize increase of 18 FTEs* for Utilities
    - Authorize increase of 1 FTE for HR Coordinator (Recruiter) – GF/UT
    - Consolidation of Customer Service Representatives and Cashiers responsibilities to increase counter customer service
  - FY2017 Request – Incorporated into FY2017 Budget
    - 10 FTEs (WFO)*
    - 1 FTE in Customer Service – Accounting Clerk

***One (1) Asst. Supt. would be added in either FY16 or FY17 based on demonstrated need to ensure proper span of control.**

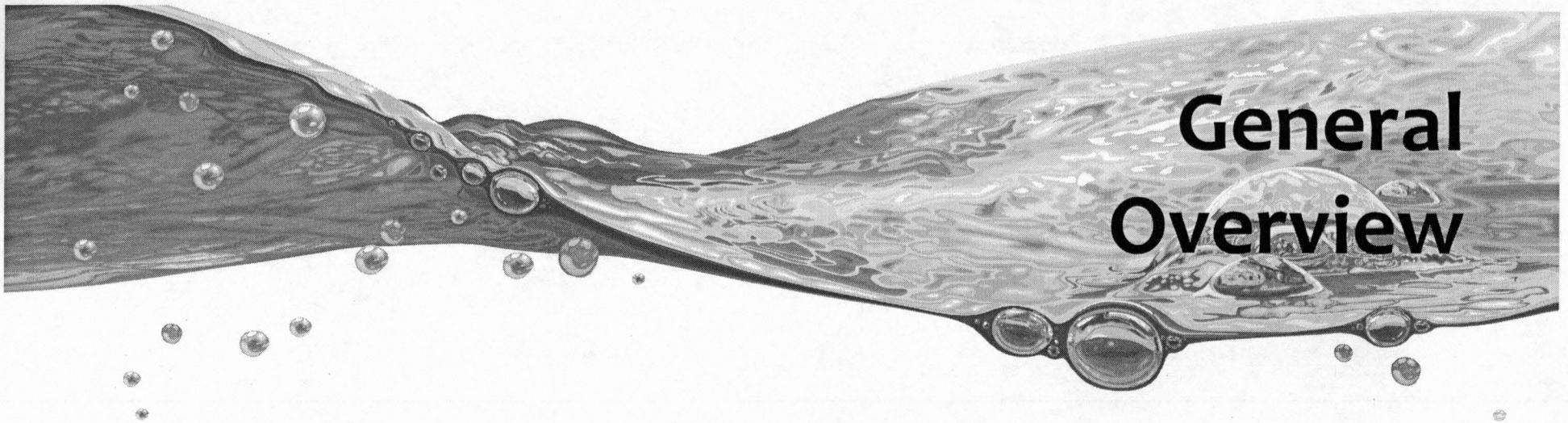
COCOA FLORIDA



45th Space Wing

Patrick AFB – Cape Canaveral AFS

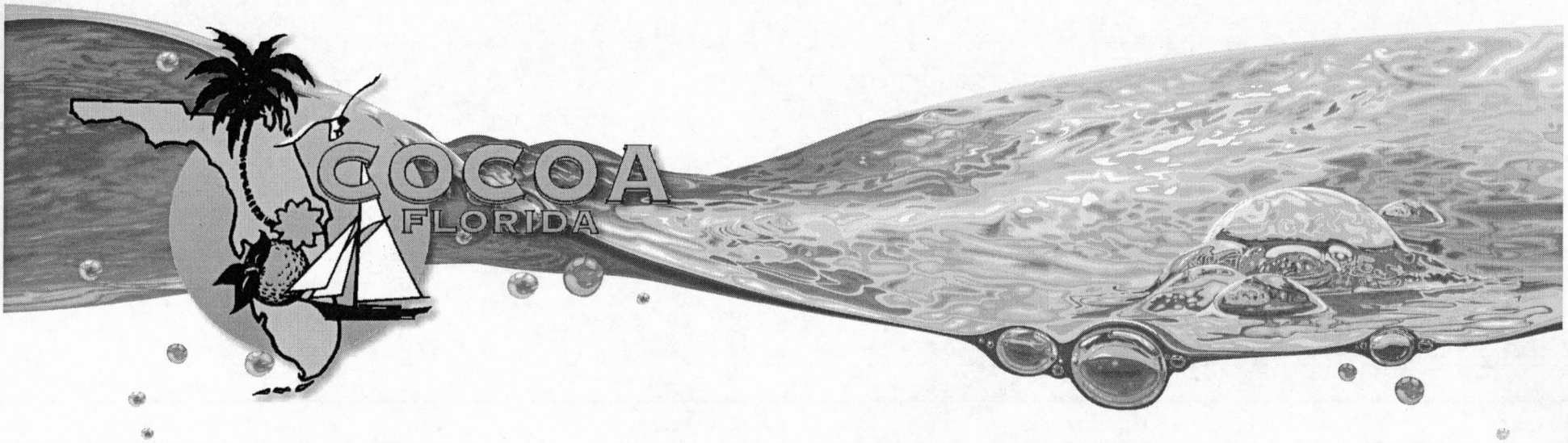
Utility Privatization



General Overview

* Anticipated Solicitation 3rd Quarter 2016 (April – June)
* Burton & Associates currently preparing a Business Case Evaluation to evaluate Go / No-Go decision point based on technical and financial analysis… and other consideration points
* Estimated cost to prepare and respond to solicitation is $1.3 to $2.0 million… response period typically 90 days
* 50 year contract to manage on-site utilities infrastructure assets (water and wastewater)
* Public and Private agencies/firms may submit

COCOA FLORIDA



Discussion, Questions, and City Council Direction

Legislation Details (With Text)

File #:	16-173	**Version:**	1	**Name:**	
Type:	Minutes			**Status:**	Minutes
File created:	4/21/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the Minutes for the regular meeting of April 12, 2016, as written or with amendments.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Minutes 04-12-16.pdf EXHIBIT A-SISTER CITY PRESENTATION.pdf EXHIBIT B- LEAD Brevard presentation.pdf EXHIBIT C-SR 520 CORRIDOR PLANNING PRESENTATION.pdf EXHIBIT D-PHOTOS PROVIDED BY KAMUS 001.pdf EXHIBIT E-info provided by Larry Sinclair 001.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 21, 2016
Agenda Date: May 10, 2016
Prepared By: Carie Shealy, City Clerk
Through:
Requested Action:
Approve the Minutes for the regular meeting of April 12, 2016, as written or with amendments.

BACKGROUND:

NA

STRATEGIC PLAN CONNECTION:

NA

BUDGETARY IMPACT:

NA

PREVIOUS ACTION:

The City Council approves the Minutes of all of its meetings following transcription.

RECOMMENDED MOTION:
Approve the Minutes for the regular meeting of April 12, 2016, as written or with amendments.

MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

April 12, 2016

A Regular meeting of the Cocoa City Council was held on Tuesday, April 12, 2016, in City Council Chambers, located in Cocoa City Hall, 65 Stone Street, in Cocoa, Florida as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 6:04 p.m.

Pastor Jarvis Wash provided the invocation and Mayor Parrish led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Henry U. Parrish III	Mayor
	Don Boisvert	Deputy Mayor
	Michael Blake	Councilman
	Anthony Garganese	City Attorney
	John Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk
ABSENT:	Tyler Furbish	Councilman
	Brenda Warner	Councilwoman

OTHER STAFF PRESENT:

Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Steve Belden, Community Services Director; Teri Butler, Finance Director; Ed Wegerif, Public Works Director; Michael Cantaloupe, Chief of Police; Gene Prince, Fire Chief; Gail Bantugan, Leisure Services Manager; Neodasha Harris, Leisure Services Coordinator; Samantha Senger, PR Specialist; and Randolph Bevard, Desktop Support Technician.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of April 12, 2016 (16-120)
2. Minutes: (a)Regular Meeting of March 8, 2016 (16-121)
   (b)Regular Meeting of March 22, 2016 (16-122)

Deputy Mayor Boisvert requested that the agenda be amended in order to add the Trash Bash presentation as III.1 under Awards and Presentations and the United Way presentation as Item III.6.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to amend the agenda for the regular meeting of April 12, 2016, as amended.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to approve the agenda with amendments for the regular meeting of April 12, 2016 and the minutes for the Regular meeting of March 8, 2016 and March 22, 2016, as written.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

III. AWARDS AND PRESENTATIONS:

1. Trash Bash 2016

Gail Bantugan, Leisure Services Manager, provided information about the history of the Trash Bash and noted that every spring, from March until May, more than 2 million volunteers are mobilized to clean up neighborhoods and litter. There is a friendly competition involved, and this year there will be 302 volunteers working to clean up trash within the City of Cocoa. The event will be on Saturday, April 16th from 8 a.m.- 12 p.m. The pickup concludes at 11 a.m., and lunch will be provided at Riverfront Park. Sponsorships of $6 are also being accepted in order provided a registered volunteer with a T-shirt. If anyone would like to participate or donate they can contact Neodasha Harris at 635-7702.

Ms. Harris added that they have had three more groups contact them so they would probably have closer to 400 volunteers.

2. Proclamation-proclaiming the month of April 2016 as "Water Conservation Month". (16-123). (Utilities Director)

Mr. Walsh read a proclamation proclaiming the month of April 2016 as Water Conservation month.

3. Sister City Presentation. (16-103). (City Manager)

Kathy Mardirosian with the Sister City Program provided a presentation[1] on the Sister City Program. She provided fun facts about Beit Shemesh, Israel, along with the Sister City mission statement.

She spoke about the Israel Peace Ambassador Tour 2016 in which there will be people from Cocoa and Brevard County going to Israel December 14th – 25th. They will be staying at the homes of many Beit Shemesh counter-parts. Also going as part of the delegation is the Sister City Dance team. They were in attendance and each one introduced themselves: Elena, 21, from Merritt Island; Elizabeth, 22, from Cocoa; and Selena, 16, from Cocoa.

Ms. Mardirosian spoke about the different types of dance that the girls do and noted that they have performed at various venues in the City. They do fundraising year round in order to help with the travel expenses to Israel.

In closing, she provided a formal invitation for Mayor Parrish to go to Israel and advised that they would work with the City in any way possible and would be happy to represent the City on behalf of the Sister City Program.

Councilman Blake asked her to elaborate on the April 10th event. In response, she stated that it was membership night at Temple Israel and it was a successful event.

4. LEAD Brevard presentation on the Cocoa Community Survey Project. (16-80). (Assistant City Manager)

[1] EXHIBIT A: Sister City Program Presentation

Samantha Senger spoke about the LEAD Brevard Leadership Action Project and noted that it was in regards to the Cocoa Community survey that had been done. She, along with LEAD Brevard had worked together for the past six months. She explained that leaders were divided into small groups and worked on different projects. It was a good mix of community leaders in this group. Each member of Council had been provided a copy of the results of all questions in the survey and a few questions and results would be presented[2].

Ben Glover noted that they had met twice a month and researched, developed, and executed this survey. It was presented to both locals and visitors and he explained various ways in which it was distributed. Over 675 surveys were distributed and collected and he explained the survey categories.

The survey targeted individuals who live work, play, and pray in the City of Cocoa. It was designed to communicate their perceptions of the quality of life in the City of Cocoa. It will be used to deliver and improve services in the City. A breakdown of where respondents live throughout the City was provided and about 4% of the population returned surveys. All areas were represented.

Mr. Wash spoke about Civic Engagement, which was the first strategic issue they looked at. Six questions were answered and two key responses were chosen. Communication was a good response, and 25% have attended a council or town hall meeting.

The next strategic issue was Community Development or redevelopment of the City's core. There were 9 questions asked and the main point of this was to get people to come to Cocoa or to get involved.

Crime was discussed and through the research they reduced the survey to six questions about crime. Two key results were shown about how residents felt about their safety. 71% felt somewhat safe, and more than half felt safe in the neighborhood at night.

The issue of Economic Development was discussed and job opportunities and business involvement were discussed.

Financial Sustainability was surveyed and it was shown how respondents would allocate funding. Police was first one the list and Administrative Services was seventh on the list.

[2] EXHIBIT B: LEAD Brevard presentation

Image was the sixth strategic issue surveyed. Of the people surveyed, the overall image of Cocoa and its reputation, 63% thought it was good or fair, and in regards to the statement "I am proud to be a resident" over half agreed.

53% felt that the City had adequate Public Safety.

LEAD Brevard thanked the City for letting them help the City with this. They thanked Samantha Senger for her help and hoped that the information obtained could be used to address plans and needs within the City of Cocoa.

Ms. Senger thanked the leaders who chose the City's project as their project and added that this survey was an important tool as the City sets their strategic plan.

City Manager Titkanich thanked LEAD Brevard and the team for their work on this survey. The strategic issues addressed came straight from the strategic planning process. Image and statistics were changing for the better and there are great groups working together in order to build a brighter future for Cocoa.

Mayor Parrish felt that the City was going head on and that this was very helpful. He thanked Ms. Senger and LEAD Brevard for all of their work on this survey.

5. SR 520 Corridor Planning and Concept Development Study presentation. (16-102). (Community Services Director)

Mr. Belden noted Judy Pizzo and Nick Lepp were in attendance to provide an update[3] on the SR 520 Corridor Planning & Concept Development Study

Ms. Pizzo thanked Council and staff and provided a brief overview of the project. She provided key background data on the project and noted that they were more than halfway through. The corridor was one mile long, extending from US 1 to the Indian River. They have had a lot of feedback from residents on how the street is traveled.

Mr. Lepp from Renaissance Planning Group provided a working vision map. He advised that this was the framework for going forward and spoke about the community workshop that was held in December 2015. Key issues were heard at that workshop, one of which was the reduction of speed. Alternatives began to build and he stressed that the first thing that was NOT an option was to do nothing (no build).

[3] EXHIBIT C: SR 520 Corridor Planning & Concept Development Study

He discussed the operations optimization and roadway improvements. Data showed people do not go the speed limit, but higher, around 42 mph, instead of the posted 35 MPH. There would be gateway features and smaller improvements such as speed signs.

Both mid and long term scenarios were discussed and are as follows:

- Option "A"
  Reconstruction of the right-of-way cross section – travel lanes reduced from 3 to 2, on-street parking added, widened sidewalks and improved aesthetics.
- Option "B"
  Same as Option "A" but without on-street parking. This option would likely be considered after a central parking structure has been constructed.
- Option "C"
  Involves construction of a round-about centered on Riveredge Blvd. and could be done in conjunction with either Option "A" or Option "B".

Option C was discussed in detail and he spoke about the round-a-bout concept and what they were hoping to achieve. It would add an additional left turn lane on the east side to compliment the one on the other side. Conceptually, this would allow for two lane traffic.

There will a public meeting on April 28th to get feedback.

Mayor Parrish felt that this was great and they took the concept further then he expected. All Council was in agreement that it was nice.

He asked about the gateway feature and Mr. Lepp stated that the round-a-bout would act as a gateway feature.

Councilman Blake added that safety would be improved and the speed would slow down considerably.

City Manager Titkanich commended them and he was impressed with this design. He compared it to the city of Edgewater. He asked about the status of the Fiske Corridor study and Ms. Pizzo advised she was pushing management to get it into project management.

6. United Way Presentation

Ms. Senger provided a quick update regarding the United Way and advised that herself, the City Manager, and Patsy Porter (Human Resources) attended the awards dinner. They received a plaque commending the increase to 90% contributions in one year. In 2014, the City gave about $8,400 and in 2015 the total was $15,400.

Suzanne with the United Way thanked staff and noted that the City doubled their contributions and that money will help those in the community. She spoke of the need in Brevard County and in Cocoa especially. The money goes to reading programs, mentoring, etc., and the City had several partner agencies throughout the County who need help.

In closing, she stated that life happens to all and you never know when something will happen. On behalf of President Rob Rains and United Way, she thanked the City.

Councilman Blake thanked the employees for their contributions.

IV. DELEGATIONS:

Paul Kamus, 116 Olive Street, Cocoa, announced the Volunteer Appreciation Luncheon that was coming up and asked about an update on the booster reels. He advised he would not let this rest until it happened. He further mentioned that he had received his property tax notice and it was .39 cents more than it should have been and felt that the overage there could pay for the booster reels. He asked if Council was going to do the booster reel challenge at the Trash Bash. He distributed photos of children with the reels to all Council members.[4]

City Manager Titkanich pointed out that in January, Council adopted a resolution regarding the fire assessment. He explained that the resolution noted the .39 cent overage. In addition, the resolution was advertised in the newspaper and it explained that if anyone wanted a check, they were to let the city know, otherwise it would be a credit next year, and it was actually .37 cents plus interest.

Joann Corby, 2462 Chapperal Drive, Melbourne, was following up on an inquiry from December regarding her husband, Michael Corby's pension. She wanted to

[4] EXHIBIT D: Photos provided by Paul Kamus

know if any decision had been made by Council. In response, the City Manager advised that there was no movement and that the City Attorney had pulled all of the briefs and that the City was not a party in this issue. It is an issue between the pension board and Ms. Corby. The pension board was aware of the concern.

Ms. Corby asked if the pension board was asked why the death provision was not implemented immediately upon her husband's death.

City Manager Titkanich did not feel that this was the correct forum in which to discuss this issue and the court had heard Ms. Corby's side. He stressed that he was not defending or speaking for the pension board, but they had that responsibility. The matter had been litigated before the courts, a determination was made, appealed, and the determination was upheld.

Ms. Corby advised it was the City's responsibility to honor the plan and the death provision was very clear. The courts approved and determined that it was 3% for ten years, but that mandate does not prevent the city from honoring the death provision. It is the City's plan for firefighters and their families. Mr. Corby met the requirements of the plan prior to his death. She believed that what their family had gone through was wrong and that the City had the ability to remove all of the pension board members.

Councilman Blake felt that it was not fair for Ms. Corby to come in front of them every month concerning this issue. He requested that she and staff sit down to address concerns and work this out in a peaceful way.

City Attorney Garganese recapped what happened and felt that they have gone above and beyond, and had much sympathy for what they were going through. He advised that he had pulled all of the court records and it was very clear. The pension board has the ability to interpret the local plan as adopted by Council. She appealed to the circuit court and filed a binding written order and finding against one point, which was the duration of the benefit. The duration of benefit as determined by pension and courts was that it was only for ten years, not a lifetime for beneficiaries. It was 10 years at 3%.

Ms. Corby pointed out that in the ordinance it was for a lifetime. She remembered when this was passed because the City was leaps and bounds over other cities because they had done something great for their employees. It was reduced from 3% to 2% but they removed the ten year cap. She provided examples of amounts at the different percentage rates.

She said that the City was killing her like it did her husband. She did not mean that as a threat, but he worked 22 years with Cocoa and never got any recognition. On top of that, look at how her family has been treated. Council and staff had the ablility to do something. She advised she had waited four months since she first came in December and is asking not to let this issue go.

City Attorney Garganese advised that Council cannot direct the pension board to violate the ordinance, as affirmed by the court of law. Pension funds are managed by the pension board. All arguments are detailed in the appellate briefs and Council was free to review all arguments.

Ms. Corby was not asking for anything to be changed but for them to follow what was approved and to honor it. She provided the example of Ms. Pine, the wife of a fallen officer who just got the law changed.

City Manager Titkanich explained how the fire pension board was created, pointing out that Council only appoints two members, the union has two members, and then they all decide who the fifth member is.

Mayor Parrish thanked her for coming.

Melissa Martin, 5404 Brilliance Circle, Cocoa, invited Council and staff to attend the Represent US event on Friday, April 15th at 6 p.m., being held in front of City Hall. It would be kicking off the clean government grassroots movement. It is a county wide event and it was being held here because it is the first city to declare its support in cleaning up government. Dave Berman from Florida Today would be covering the event.

Virgie Prude, 536 South Varr Avenue, Cocoa requested the installation of speed bumps on Varr Avenue. The City Manager explained the process and noted it was done in order to ensure the necessity of the bumps. Ms. Prude thanked the Mayor and staff for fixing Jackson and Peachtree Streets. Lastly, she asked about the process for installing a fence.

City Manager Titkanich announced that the 30 minute time limit was up for delegations.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to extend the delegation portion of the meeting by 21 minutes.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

Bernice Cox, 701 Aurora Street, Cocoa, read a letter of appreciation to Chief Cantaloupe and Sgt. Levine from the family of Ms. Mattie Cisrow. They had never seen such a professional escort and expression of love toward the family. It was something that the family would never forget. She further thanked Code Enforcement and for their work in the Pinegrove subdivision and thanked Team Cocoa.

Ruth Collins, 742 Bernard St., Cocoa, was following up from a recent visit when she requested that greenery be planted at the Martin Luther King sign and of the need for lighting at Blake Avenue and Rosa L. Jones Drive, Fiske Blvd. and Barbara Jenkins St. In addition, none of the roads in her neighborhood have middle lines painted.

In regards to her concerns, City Manager Titkanich advised that they were doing a planning study on Fiske Blvd. and explained that they were just in the planning phase and trying to get to the design phase.

Larry Sinclair, 1052 Mitchell Street, Cocoa, advised that he had passed out raffle information and a proof of a Broadmoor Acres entry sign[5] and that the 1052 Bellefonte property would soon be closing. He requested that the streets of Broadmoor Acres be looked into when doing improvements. He discussed the need to enforce laws and city rules with property owners.

Vicki Shepard, 100 Riverside Drive, #292L, Cocoa, was concerned with the removal of oak trees in Cocoa Village. She asked Aleck Greenwood (640 Brevard Avenue) to speak for her. He mentioned that years ago a tree in from of Murdocks was eliminated and he let it go even though there was nothing wrong with the tree. He has now found out that there are trees from the 1800's being removed. He felt that the tree board should be readdressed and that the trees at the old city hall property should not be removed. He believed that this issue should not be ignored and that more than one person should be making the decision regarding their removal.

Councilman Blake believed that if there was an illness to the trees then he was in support of removal or if the tree was causing damage to the pavement, etc.

[5] EXHIBIT E: Broadmoor Acres Raffle and Sign information

Otherwise, if it did not hamper with infrastructure of facilities than it should not be removed.

Allan Chapman, HCVA, 600 Florida Avenue, advised that there was a car show in the village this Saturday, April 16th from 2 p.m. – 5 p.m. and extended an invitation to Mayor Parrish to judge for Mayor's Choice.

V. CONSENT AGENDA:

1. Approve a Resolution adopting the State Fiscal Year (SFY) 2016-2019 Local Housing Assistance Plan (LHAP) and submission of the LHAP to the Florida Housing Finance Corporation for approval by the State. (16-74). (Community Services Director)

2. Approve the Fourth Amendment to Purchase Agreement to the Water Resource Consulting Services Agreement with Water Resource Associates, Inc. (WRA), Tampa, Florida, effective April 27, 2016 through April 26, 2017. (16-108)

3. Approve Task Order 2016-73 with CH2M Hill Engineers, Inc. for SCADA Support for routine maintenance and On-Call services of the Wonderware Archestra SCADA System, Project No. WS1117. (16-109). (Utilities Director)

4. To award Bid No. B-16-09-COC, Filter Media Removal and Replacement to Petticoat-Schmitt, 6380 Phillips Highway, Jacksonville, FL 32216, for the Removal and Replacement of Filter Media at the Dyal Water Treatment Plant; to authorize the City Manager to execute the contract. (16-110). (Utilities Director)

5. Award Bid No. B-16-11-COC, Viera Pump Station Stairs, to Crom Engineering & Construction Services, Gainesville, Florida, for the purchase and installation of a stairway at the Viera Pump Station; to Authorize the City Manager to execute the contract. (16-112). (Utilities Director)

6. Award Bid No. B-16-03-COC, Fleet Garage Addition, to Parkit Construction, Inc. of West Melbourne, for the expansion of the Cocoa Fleet Building, Project # CP11FS in the amount of $265,900.00; Approve a Resolution to amend the FY 2016 budget; and Approve a Resolution to authorize the City Manager to approve change orders not to exceed $10,000 for a total project cost of $275,900. (16-114). (Public Works Director)

7. Approval for the use of Tech Systems, Inc, as the roofing contractor for the Harry T. Moore Project (PW15HT) utilizing the Brevard County Purchasing Contract in the amount of $56,700; to Authorize the City Manager to approve change orders up to 10% of the project, not to exceed $5,670, bringing the total to $62,370. (16-119). (Public Works Director)

8. Approve a Resolution amending the FY 2016 Budget and approve the Interlocal Agreement between the City of Cocoa and the Diamond Square Community Redevelopment Agency in the amount of $25,000 for the Redevelopment Funding Contribution. (16-129). (Community Services Director)

9. Authorize the City Manager to sign Amendment #1 to Task Order 2016-16 (change order #1 to P.O. 67682) with Architects Design Group (ADG) for the addition of the Emergency Operations Center (EOC) design services for the Fire Headquarters/Administration Station on Dixon Blvd. (Project CP16F1); Authorize the City Manager to approve the change order for the EOC design services in the amount of $50,955. (16-135). (Public Works Director)

10. To provide approval for the City to apply for the St. Johns River Water Management District Cost-Share Program. (16-136). (Public Works Director)

*** MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the Consent agenda.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

VI. PUBLIC HEARINGS:

1. Ordinance No. 05-2016/ 2nd and Final Reading: Final Renewal of the Multi-Year Solid Waste Contract, with Modifications to Terms, with Waste Management for a period of Five (5) Years. (16-117). (Public Works Director)

Attorney Garganese read the ordinance into the record, by title only as follows, and advised that this was the second and final reading. He further noted that there were no changes to the legal instruments of the ordinance since first reading.

ORDINANCE NO. 05-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; ADOPTING A SECOND ADDENDUM TO THE SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE CITY OF COCOA AND WASTE MANAGEMENT INC. OF FLORIDA; AMENDING THE CITY CODE CHAPTER 9 HEALTH AND SANITATION, ARTICLE II SOLID WASTE, DIVISION 1 SOLID WASTE FRANCHISE TO INCORPORATE CERTAIN PROVISIONS ON THE SECOND ADDENDUM INTO THE CITY CODE; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Mayor Parrish opened the hearing to the public, there being no response, the public portion of the hearing was closed.

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve Ordinance No. 05-2016 on second and final reading.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

2. Ordinance No. 01-2016/2nd and Final Reading: Amending Sec. 14-11 of the City Code related to anchoring, mooring and docking of vessels at Riverfront Park. (16-128). (Community Services Director)

Attorney Garganese advised that at the first reading, Council received significant input and the ordinance was passed on first reading with the stipulations of staff and the city attorney getting together, along with members of the public to incorporate changes. He noted that Mr. Brad Whitmore had been instrumental in the refinement of this ordinance and that all changes were consistent with the original intent of which was to regulate boating activities at Riverfront Park. In addition, it was to protect the scenic view and amenities at Riverfront Park. He thanked all of the citizens for their input and felt that the ordinance was improved and more refined that it was at first reading.

Attorney Garganese read the ordinance in to the record, by title only, as follows. He advised that this was the second and final reading of the ordinance.

ORDINANCE NO. 01-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, REGULATING CERTAIN ACTIVITIES AT RIVERFRONT PARK INCLUDING THE AREA OF SUBMERGED LANDS DEDICTED TO THE CITY OF COCOA BY THE STATE OF FLORIDA FOR MUNICIPAL PARK AND RECREATIONAL PURPOSES; AMENDING SECTION 14-11 OF THE CITY CODE RELATED TO MOORING AND DOCKING OF VESSELS AT RIVERFRONT PARK; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND A RETROACTIVE EFFECTIVE DATE.

Mr. Belden thanked both Mr. Chapman and Mr. Whitmore for their contributions and noted that they provided a great deal of input and they were miles ahead of what they originally had in the ordinance. He pointed out significant changes to that were made.

Mayor Parrish opened the hearing to the public.

Brad Whitmore, 351 Rockledge Drive, thanked Mr. Belden, Assistant City Manager Fuhrer, and City Attorney Garganese for being open and receptive to get this ordinance to where it needs to be. After many months and modifications, a legal document has been drafted that was understandable to users (boaters). He felt that this was very well done and was set for future refinement and expansion in the event that it needs to be refined. It welcomes boaters with open arms and believed it was an exciting time for the waterfront.

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

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the Ordinance on second and final hearing.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

VII. COUNCIL BUSINESS:

1. Approve a Resolution establishing the naming of certain parks and structures within the City of Cocoa. (16-90). (Assistant City Manager)

Assistant City Manager Fuhrer advised that this item was in regards to naming certain parks and structures within the City of Cocoa and the following locations were being proposed.

- Riverfront Park covered walkway pavilion dedicated to Mildred Williams.
- Riverfront Park covered walkway pavilion, dedicated to the Monroe High School principals.
- Fern and Prospect Park Grounds, "Gilmore Grounds", Larry and Domita Gilmore.
- Cocoa Manor Park, named as "Autumn's Place".

Councilman Blake thanked all of the families that were in attendance for giving a part of their life and sharing their loved ones with the City.

He acknowledged everyone in attendance, such as Juanita Johnson, Mr. Green, Mr. B.A. Morris, Larry Gilmore and family, and the Lightholder family.

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

2. Approve the requested June 18, 2016 street closure in association with the proposed Juneteenth Special Event. (16-124). (Community Services Director)

Mr. Belden noted that this was a request to approve a street closure for the annual Juneteenth event and pointed out that this would not be counted towards the 24 allowable days, Mr. Belden noted this was a request to approve a street closure for the annual Juneteenth Special Event and this would not be counted towards the 24 days allowable, as it does not take place in the CBD.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

3. Consideration of a Code Enforcement Lien Reduction for the property located at 1201 Tulip Lane, CE 11-211, owner Imran Qureshi. (16-130). (Community Services Director)

Mr. Belden advised that at a Code Enforcement Board hearing on June 16, 2011, the board found the owner, Michael J. Arab, in violation of the following: Section 6-1003(b), Protective Treatment. The board provided the owner sufficient time to correct said violations. Consistent with the Code Enforcement Board's order a lien was recorded against the property effective July 17, 2011. The lien ran at $100 per day from July 17, 2011 until compliance was achieved on August 1, 2015.

The lien is $147,600 and the current owner, Imran Qureshi, is requesting that the lien be forgiven since the violations were imposed against the previous owner, and he was not aware of the liens at the time he purchased the property.

Staff's recommendation was that the lien be reduced to $500, and at the Code Enforcement Board's meeting held on March 17, 2016, they recommended by a 6-1 vote that the lien be reduced to $500.

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to reduce the lien to $500.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

4. Consideration of a Code Enforcement Lien Reduction for the property located at 1201 Tulip Lane, CE 15-442, owner Imran Qureshi. (16-131). (Community Services Director)

Mr. Belden advised that at a Code Enforcement Board hearing on June 18, 2015, the board found the owner, Michael J. Arab, in violation of the following: Section 6-900(b)(5), Boarded Up Buildings; Section 6-1003 (b), Protective Treatment; and Section 6-1003(g), Roofs & Drainage. The board provided the owner sufficient time to correct said violations. Consistent with the Code Enforcement Board's order a lien was recorded against the property effective July 15, 2015. The lien ran at $250 per day from July 15, 2015 until compliance was achieved on November 30, 2015.

The lien is $34,500 and the current owner, Imran Qureshi, is requesting that the lien be forgiven since the violations were imposed against the previous owner, and he was not aware of the liens at the time he purchased the property.

Staff's recommendation was that the lien be reduced to $500, and at the Code Enforcement Board's meeting held on March 17, 2016, they recommended by a 6-1 vote that the lien be reduced to $500.

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to reduce the lien to $500.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

5. Consideration of a Donation Application of the Marine Resources Council of East Florida, Inc., for their State of the Indian River Lagoon Project. (16-138). (Assistant City Manager)

This item was tabled due to the absence of two council members. It will be brought back to a future meeting when all would be in attendance.

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to table the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

.

VIII. CITY BUSINESS:

1. Approve a Resolution waiving the Competitive Bidding Process for the purpose of making a Sole Source Purchase of Replacement and Installation Services of One Lime Slaker from Water Treatment and Controls, Pensacola, Florida; to Approve a Resolution amending the FY 2016 Budget. (15-599). (Utilities Director)

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake; to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

2. Approve a Resolution amending the FY 2016 budget to establish the Reserve for Health Insurance (Self-Funded Insurance) and to establish the FY 2016 budget for Fund 530 Health Insurance Fund. (16-20). (Finance Director)

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

3. Authorize the City Manager to approve Change Order #1 to Purchase Order No. 67114 issued to Ace Flow Control, Longwood, Florida, for Additional Testing, Repair, and Replacement Activities associated with the City's Cross Connection Control Program, Project Number WS13BC; and Approve a Resolution adjusting the FY 2016 Budget. (16-105). (Utilities Director)

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

4. Approve a Resolution adjusting the Fiscal Year 2016 budget, accounting for four Firefighters retirement accrual payouts, using a combination of excess overtime budget and contingency. (16-133). (Finance Director)

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

MULTI-YEAR CONTRACTS:

5. To Award Bid No. B-16-05-COC, Sellers WRF MCC and Conduit Replacement Project to Chinchor Electric, Inc., of Enterprise, Florida, for construction of the Motor Control Centers 1-6 and Conduit Replacement, Project No. WS1222; to Approve as a Multi-Year Contract from FY2016 through FY2017; to Approve a Resolution amending the FY 2016 budget; to Approve a Resolution authorizing

the City Manager to approve change orders in an amount not to exceed $212,218.20 (10% Contingency); and to authorize the City Manager to execute the contract. (16-97). (Utilities Director)

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

6. To approve a Multi-Year contract Addendum #3 renewal to participate in a Cooperative Purchase Agreement for printing, sorting, stuffing, and mailing statement billing for monthly water customers, utilizing the City of Melbourne, Melbourne, Florida service agreement, number 12-133-0-2012 which was awarded by Melbourne City Council to AXIS, INC., on March 15, 2013; and to authorize the City Manager to sign the appropriate contract. (16-101). (Finance Director)

Ms. Butler pointed out that the company is now called Cathedral, however, everything remained the same.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

7. To approve a Multi-Year addendum to and reinstatement of the Municipal Services Agreement for Emma Jewel Charter School, Inc. for student busing services. (16-115). (City Manager)

* **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake

THE MOTION CARRIED UNANIMOUSLY (3-0)

IX. INFORMATIONAL AGENDA:

1. Ad Valorem Tax Exemption 2015 Annual Report received from Project Taylor and affirmed by the Brevard County Property Appraiser. (16-42). (Community Services Director)

2. New local business tax receipts. (16-132). (Community Services Director)

X. REPORTS:

Mr. Walsh advised that the structural improvements on the tank were complete and they were about to being the process of chlorinating the tank for use and hoped to have it done within a few weeks.

Mr. Belden noted that the Florida Avenue Streetscape Project was getting under way and advised that they had gone out to bid. That should take about 45 days and the total project time about 18 months. They hope to start late summer or early fall.

Mr. Wegerif provided a brief report on Peachtree Street. Paving on both the east and west sides has been done, with only a little piece remaining. They were now pouring curbs and noted it would be a little more pedestrian friendly.

Chief Cantaloupe mentioned that it was National Telecommunicators Week and thanked dispatch for all of their hard work. In addition, he reminded all that Tour De Fource would be coming through Cocoa on Thursday, April 14th and he would let everyone know of an exact time when it was known. They would be feeding them at the Civic Center.

Assistant City Manager Fuhrer advised that in last year's budget, funds had been set aside to fix the batting cages at Stradley Park. The board took it upon themselves to do that, but they then asked for security fencing. Cocoa Little League presented the City with a recognition plaque for the fencing.

Furthermore, he spoke about the Endeavor Elementary Pavilion Project, mentioning that the students of Endeavor Elementary provided the City with a book full of letters of appreciation. He assured Council that he would keep them apprised of the construction of the pavilion.

City Manager Titkanich asked for Council members to forward comments and concerns to the Assistant City Manager or himself. In addition, if they had no further comments to let him know so that it could be brought to Council.

Councilman Blake reported on his attendance at Taste of Israel noting that it was a great time. He thanked Beit Shemesh and everyone involved.

He thanked Mr. Belden for the improvements at Lee Wenner Park and mentioned that many are impressed with the clearing. He asked that the City look into a position of a certified mangrove trimmer, even if they had to send someone to school for certification.

Councilman Blake further asked about the possibility of a playground being installed in the Hawthorn Apartments area. He stated it was Councilman Furbish's district, but would like to see about putting playground equipment in that area.

In closing, he reminded all to buy local, spend local, and keep it local.

Deputy Mayor Boisvert announced that his first great grandson was born on April 11, 2016.

Mayor Parrish asked about the flag stickers on the new police cars.

He mentioned that he had received an email from Harriet (an alumni from Monroe High School) and they were requesting the memorial marker or some sort of marker for Monroe High School. City Manager Titkanich believed that this information had already been provided to them. Mayor Parrish believed it was new information.

Mayor Parrish spoke about the upcoming car show.

He asked if the city was on schedule and budget for the fire stations and in response, City Manager Titkanich assured Council that staff understood their directive and $ 8 million was the amount. There was a bid meeting this morning and one of the items added was the EOC. The City Manager advised that there would be a number of resolutions and items brought to Council for borrowing or going out to collect revenues. The EOC cannot be funded through the fire assessment.

Mayor Parrish wanted to make sure they stayed on budget since the Governor changed their plan. The parking structure would come later, but he wanted to make sure that the fire stations were built right and on budget.

City Manager Titkanich reassured him that all of staff were on the same page and he understood the necessity of coming in at or under budget. Items such as the Fiske corridor would also be discussed at the upcoming budget workshops.

Mayor Parrish pointed out that his overall strategy of spending money was on all four corners of the City and being the best that we can be.

Lastly, he thanked the Assistant City Manager for the strategic planning meeting that they had and sent get well wishes to Councilman Furbish and Councilwoman Warner.

XI. ADJOURNMENT.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to adjourn the regular meeting of April 12, 2016.**

AYES: Parrish, Boisvert, Blake

The motion carried unanimously (3-0)

The meeting adjourned at 8:30 a.m.

_____

Henry U. Parrish III, Mayor

ATTEST:

_____

Carie Shealy, City Clerk


Sister City Program
COCOA, FLORIDA
BEIT SHEMESH, ISRAEL

Beit Shemesh, Israel



Fun Fact about our Sister City

Beit Shemesh is the youngest 4,000 year old city in Israel. Modern Beit Shemesh was founded only 57 years ago, and today it has a population approaching 80,000, over 60% are under the age of 21.



Excerpt from Sister City Mission Statement:

Meet and **develop personal relationships** with the citizens of Beit Shemesh, Israel, through meaningful exchanges of people, ideas, cultural knowledge, and understanding

Raise up the next generation of peacemakers in Cocoa and its surrounding communities and Beit Shemesh, creating peace and understanding in a turbulent world, working with youth in schools and community programs in the Cocoa area and Beit Shemesh, utilizing technology, **the arts**, literature, and sports.



Israel Peace Ambassador Tour 2016

December 14th - December 25th, 2016

Sister City will be sending a delegation from Brevard County, Florida to our Sister City of Beit Shemesh, Israel.

SISTER CITY PROGRAM

SHALOM DANCERS

PEACE
LOVE
DANCE



Our Dancers



















Improv



World Dance



Jazz/Hip HipHop





Modern

Sister City Program
SHALOM DANCERS
PEACE LOVE DANCE

Masada



SUPPORT OUR PEACE AMBASSADOR TOUR ISRAEL 2016



LEARN MORE AT WWW.SISTERCITYPROGRAM.ORG

SUPPORT OUR PEACE AMBASSADOR TOUR ISRAEL 2016

Sister City Program
SHALOM DANCERS
PEACE LOVE DANCE

PLEASE CONSIDER INVESTING IN ISRAEL AND THESE YOUNG PEOPLE BY BECOMING A PEACE AMBASSADOR SPONSOR:

PEACE SPONSOR	**$1000.00**
TRUTH SPONSOR	**$500.00**
LIGHT SPONSOR	**$250.00**
LOVE SPONSOR	**$100.00**

TO MAKE A TAX-DEDUCTIBLE SPONSORSHIP DONATION MAIL CHECKS TO:
Sister City program
PO Box 564 Cocoa, FL 32923
(Memo: Shalom Dancers)

Sister City Program
COCOA, FLORIDA
BEIT SHEMESH, ISRAEL

THANK YOU FOR YOUR SUPPORT AS WE TRAVEL AND PERFORM IN ISRAEL, DECEMBER 2016

The world is full of misconceptions and outright lies about America's only democratic ally in the Middle East—Israel. Our college campuses, our media and sometimes even our government reflect an anti-Israel bias. One of the best ways to combat this agenda is by promoting opportunities for young people to experience the truth about Israel and the Jewish people by visiting the land of Israel. Firsthand, real-life experience is the greatest teacher. Traveling to Israel insures that Israel becomes a part of the traveler, a part this person will nurture and protect. When Israel is in the heart of these young people, no darkness can snuff it out. Young people must take the torch of truth and carry it to future generations or else the light of Israel will be extinguished. When you invest in young peoples' opportunities to visit Israel, you invest in Israel itself. You invest in its well-being and its future.

BUILDING UNDERSTANDING AND PEACE THROUGH RELATIONSHIPS, EXPERIENCE, AND KNOWLEDGE

LEARN MORE AT WWW.SISTERCITYPROGRAM.ORG



Summer Dance Camps

Best of Broadway

World Dance

Telling Stories through Dance

Mayor Parrish



On our Israel Ambassador Tour 2016

-Sister City and The Shalom Dancers

L E A D

BREVARD

City of Cocoa Community Survey

EXHIBIT B: LEAD Brevard Presentation

Cocoa Community Survey

LEAD Brevard 2015-2016 Leadership Action Project

- **LEAD Brevard partnered with the City of Cocoa to distribute a survey about the City for both locals and visitors**
- **The LEAD Brevard Team distributed surveys online, in water bills, at local schools, libraries and churches, and at several Cocoa Special Events. The City also did some Facebook promotions as well.**
- **Over 675 surveys were collected from residents, visitors and business owners.**
- **The survey results will be an integral part of the performance reporting required during the implementation and monitoring of the strategic plan.**

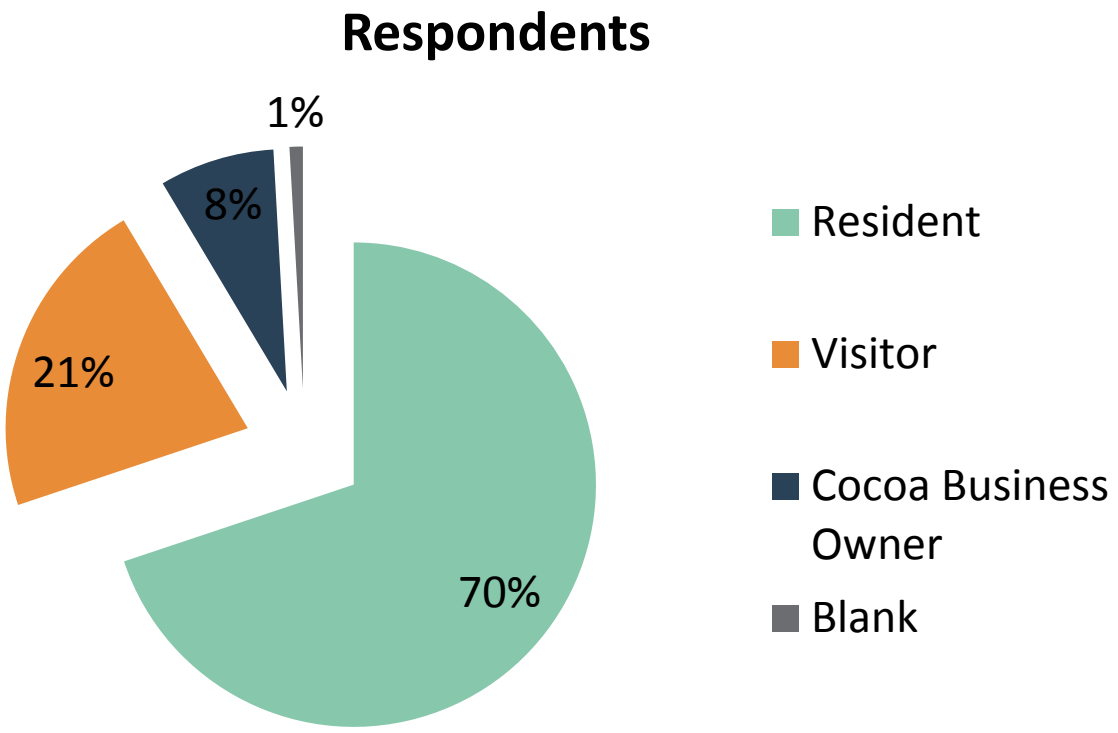
Survey Categories

LEAD Brevard 2015-2016 Leadership Action Project



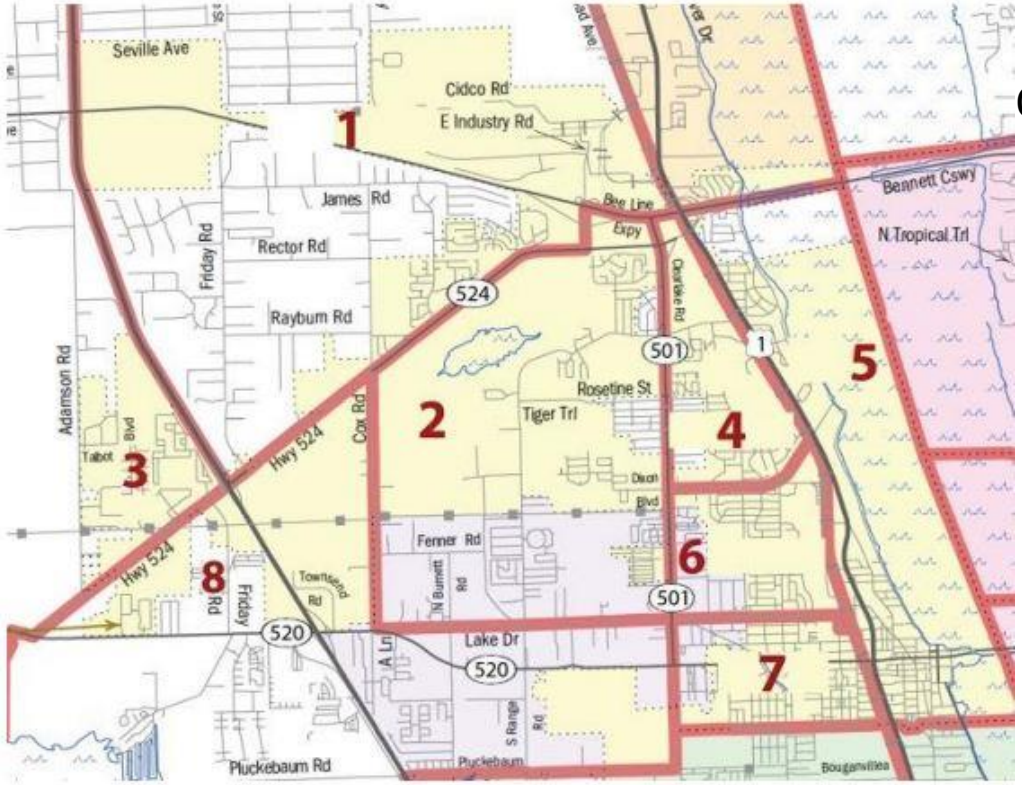
Key Results

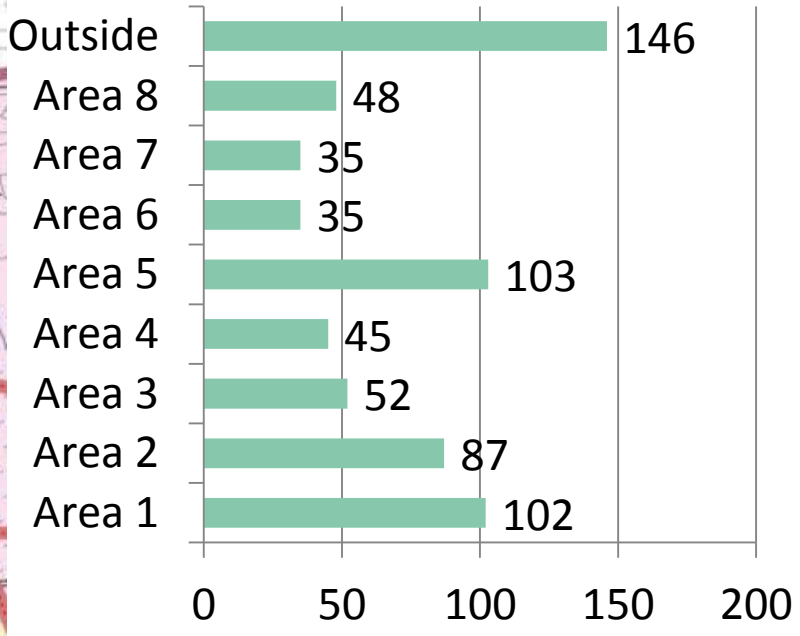
LEAD Brevard 2015-2016 Leadership Action Project



Key Results

LEAD Brevard 2015-2016 Leadership Action Project



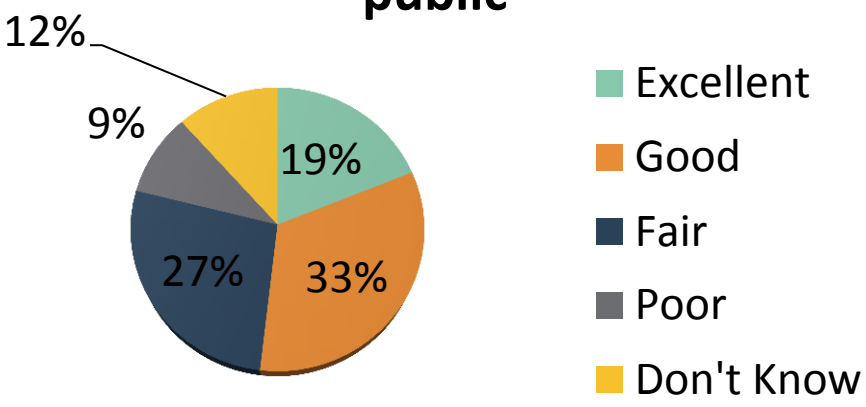


Key Results

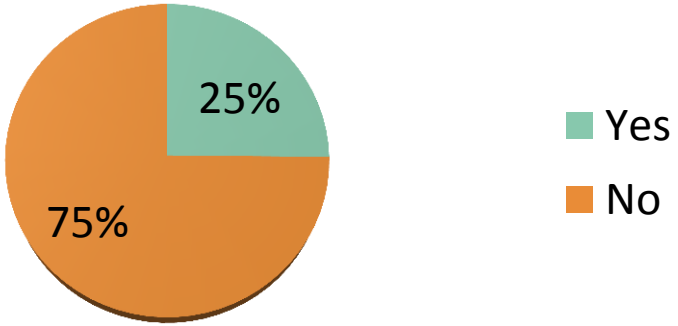
LEAD Brevard 2015-2016 Leadership Action Project

Civic Engagement

Rate the effectiveness of Communications with the public



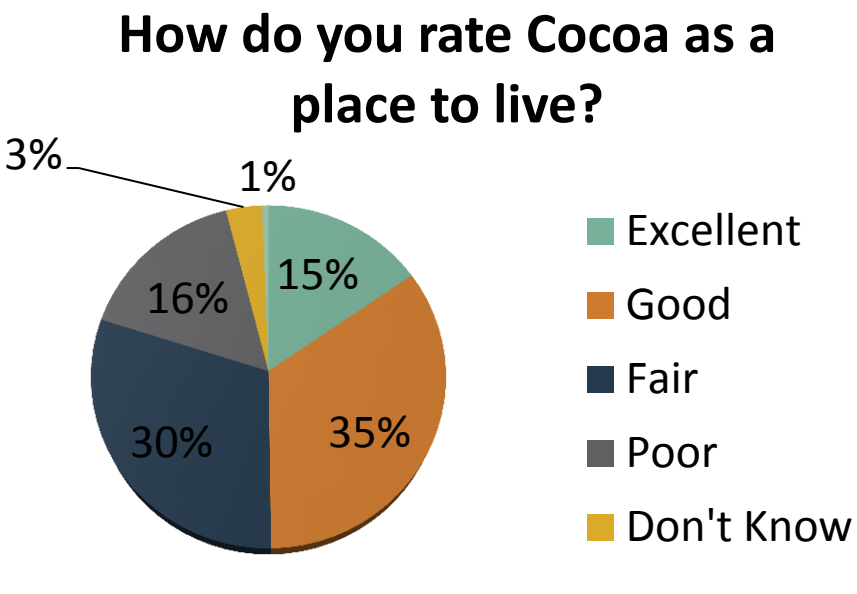
Have you attended a Cocoa City council or town hall meeting this year?

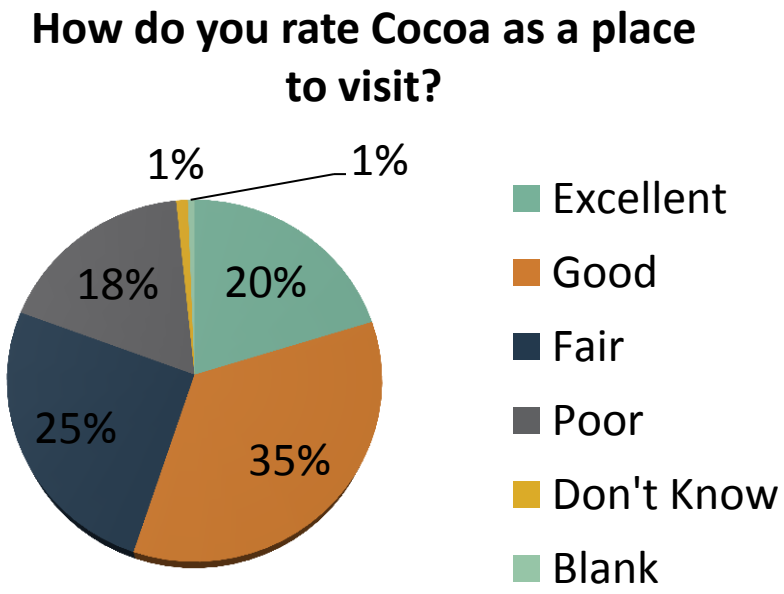


Key Results

LEAD Brevard 2015-2016 Leadership Action Project

Community Development



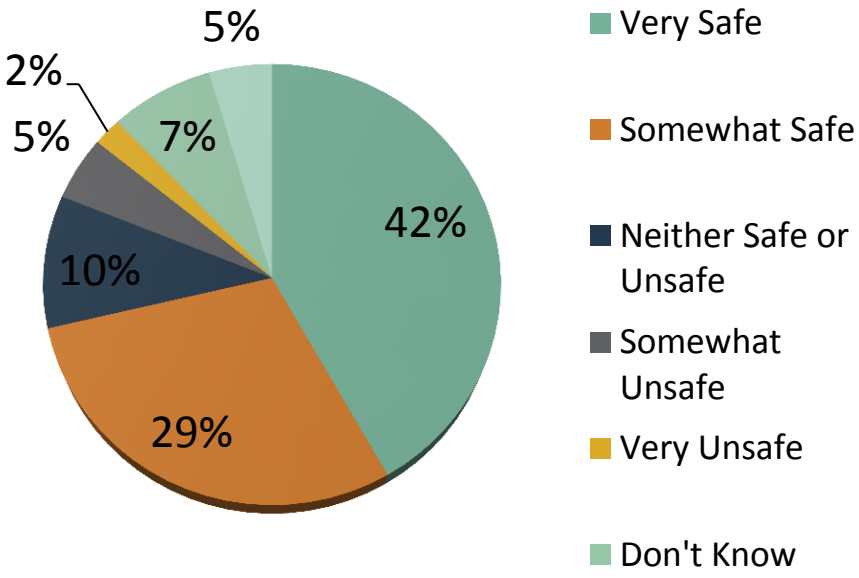


Key Results

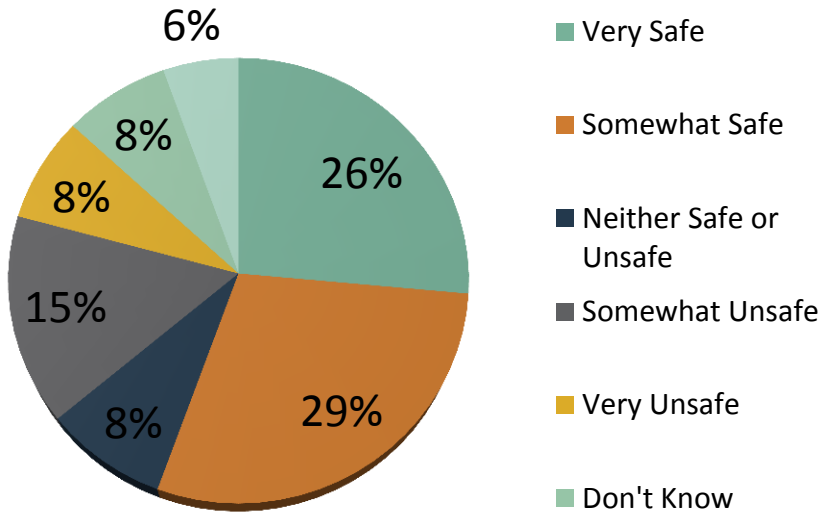
LEAD Brevard 2015-2016 Leadership Action Project

Crime

Do you feel safe in your neighborhood during the day?



Do you feel safe in your neighborhood at night?

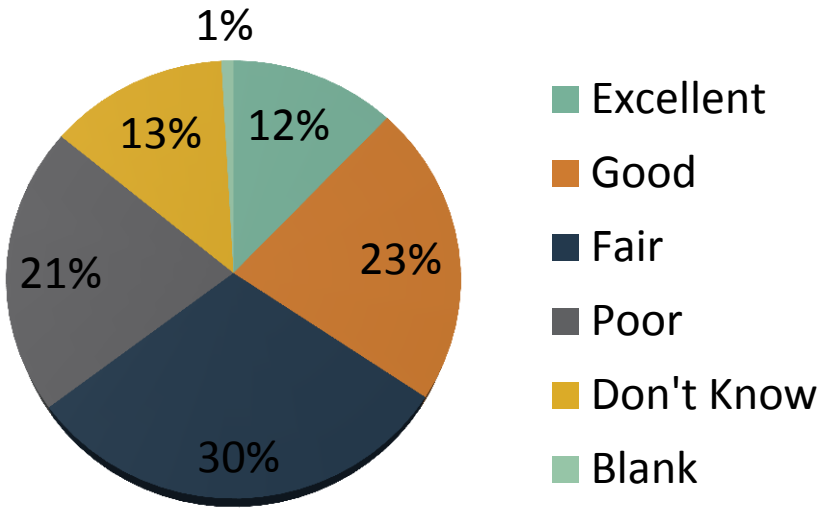


Key Results

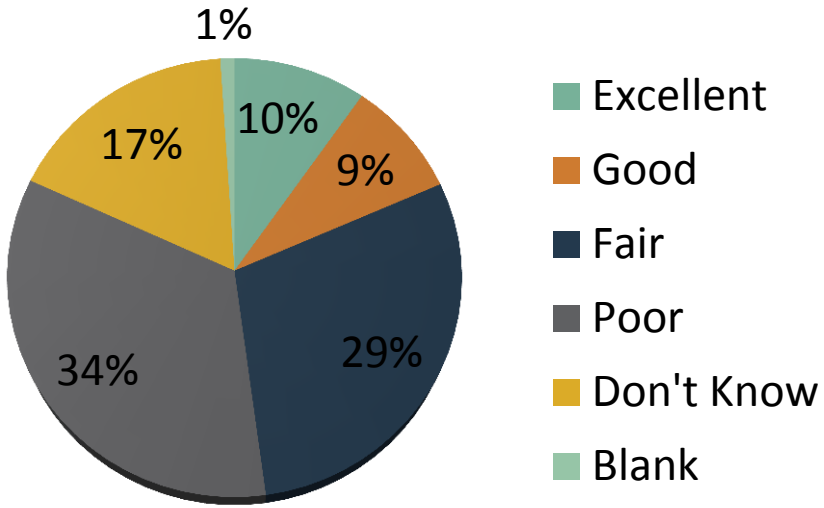
LEAD Brevard 2015-2016 Leadership Action Project

Economic Development

How do you rate the City's economic growth?



How do you rate job opportunities in Cocoa?



Key Results

LEAD Brevard 2015-2016 Leadership Action Project

Fiscal Sustainability

Rank the following departments in terms of how you think public funds should be allocated:

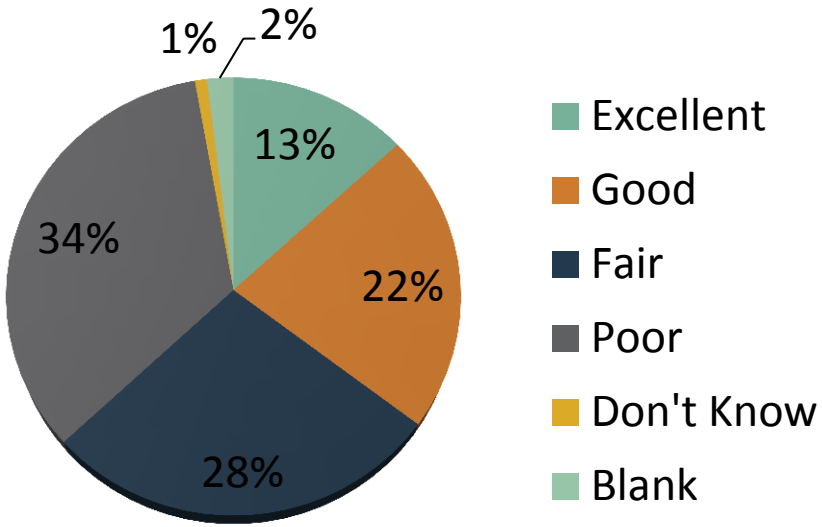
1. **Police**
2. **Community Services**
3. **Utilities**
4. **Fire**
5. **Finance**
6. **Public Works**
7. **Administrative Services**

Key Results

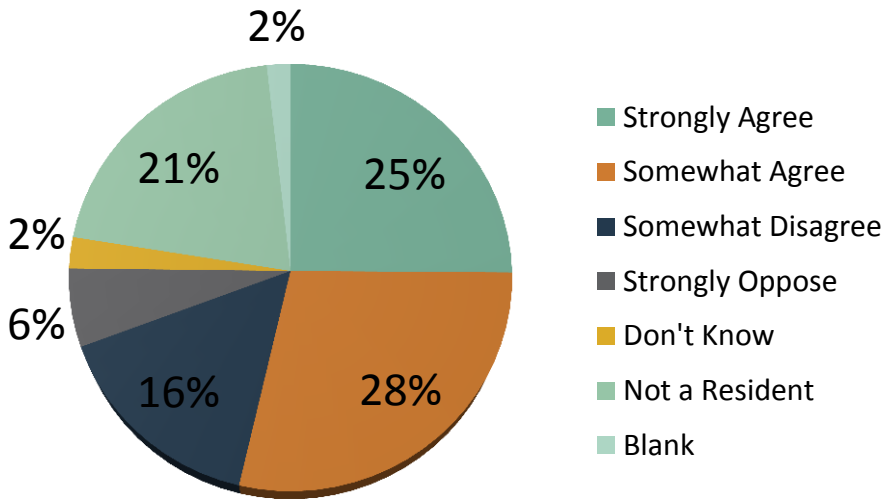
LEAD Brevard 2015-2016 Leadership Action Project

Image

How do you rate the overall image or reputation of Cocoa?



I am proud to be a resident of Cocoa

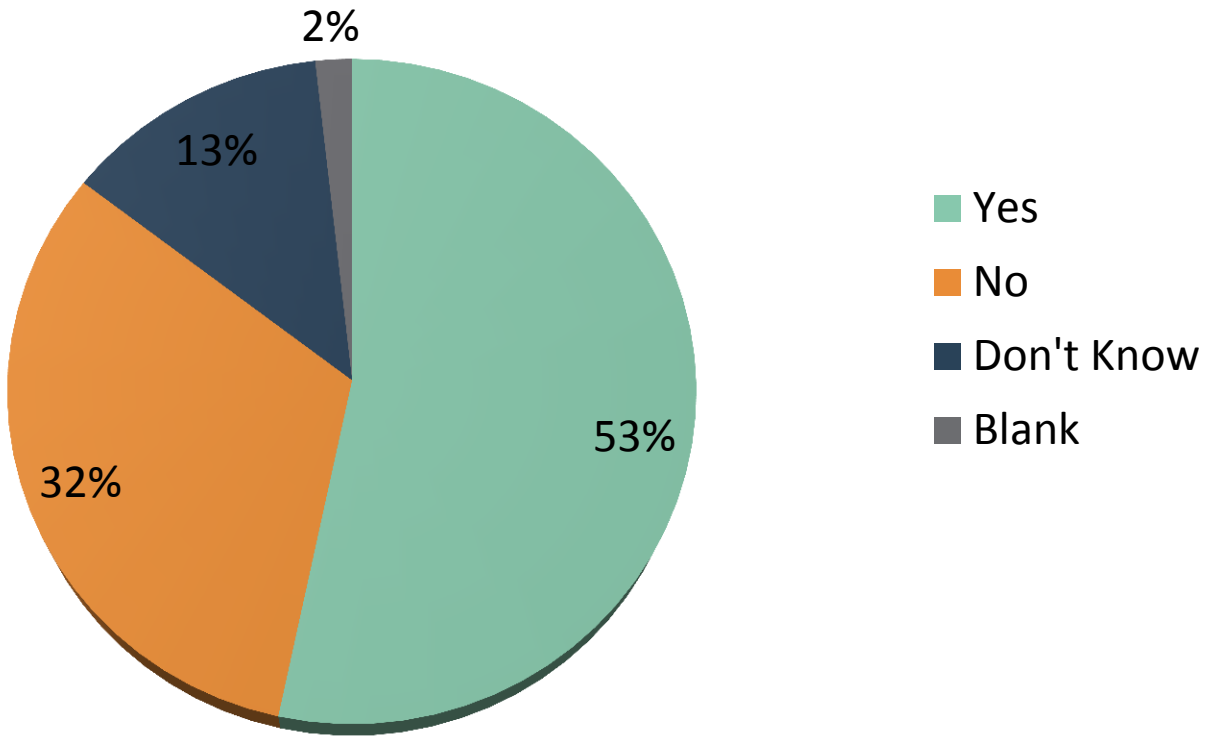


Key Results

LEAD Brevard 2015-2016 Leadership Action Project

Public Safety

Do you feel there is adequate public safety presence in Cocoa?



www.CocoaFL.org

City of Cocoa Government	@CityofCocoa	City of Cocoa	City of Cocoa, Florida	City of Cocoa, Florida	Cocoa, Florida





SR 520 CORRIDOR PLANNING AND CONCEPT DEVELOPMENT STUDY

EXHIBIT C: SR 520 CORRIDOR PLANNING & CONCEPT DEVELOPMENT STUDY

FDOT

PRESENTATION OVERVIEW

1 CONTEXT

2 WORKING VISION & NEED

3 COMMUNITY WORKSHOP

4 DEVELOPMENT OF SCENARIOS

1 CONTEXT

Key background and data

PROJECT

PLANNING PHASE

Define the Problem

- Public Involvement Plan
- Stakeholder Coordination
- Existing Conditions

Define the Purpose and Need

- Needs Assessment
- Future Conditions
- *Public Workshop*
- Purpose & Need Development
- Identify Evaluation Criteria
- Land Use/Transp. Compatibility Review

Define and Select Alternative(s)

- Alternatives Development
- *Public Workshop (if needed)*
- Select Alternative(s)

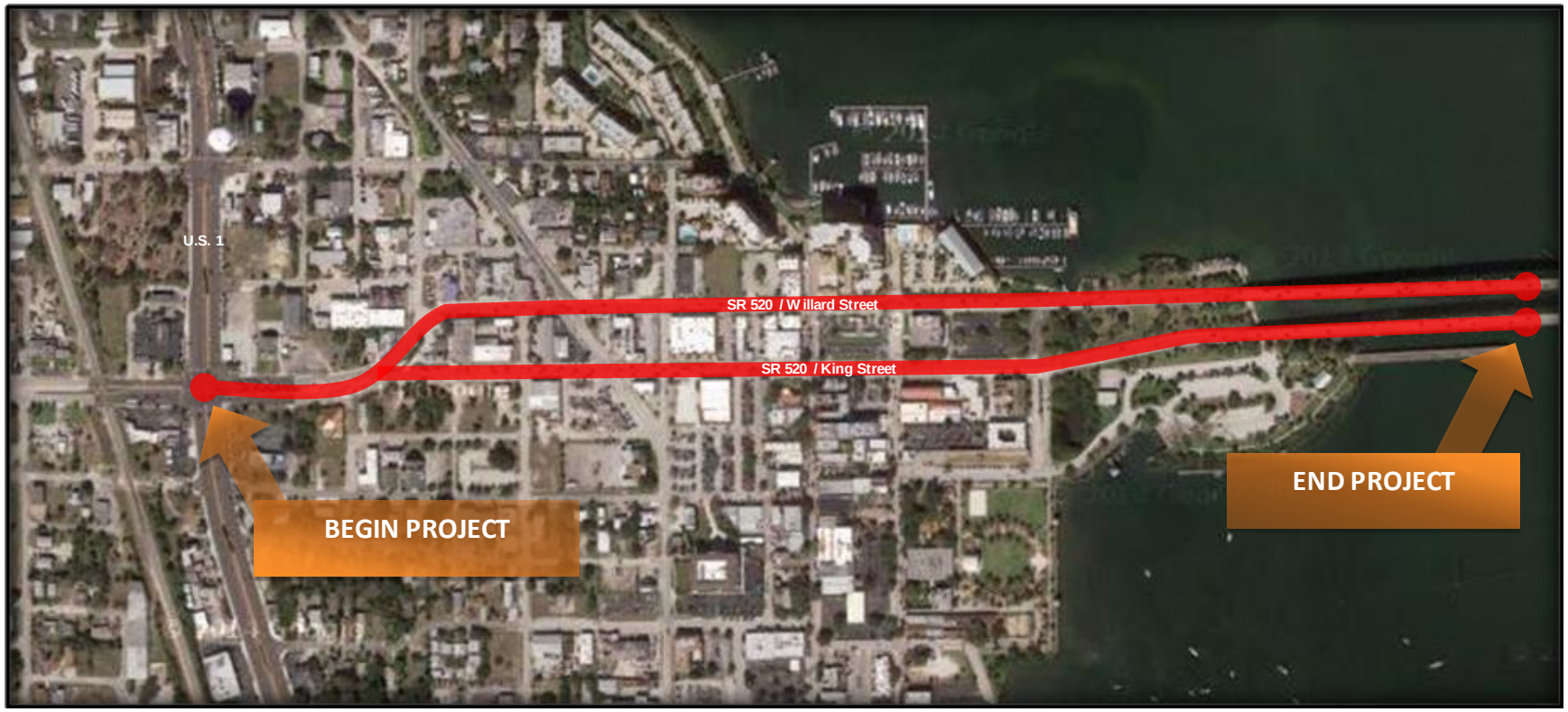
Concept Development

- Develop Alternative(s)
- Comparative Evaluation
- *Public Workshop*
- Identify Alternative(s) for Advancement
- Develop Final Concept Plans

Corridor Management Plan

- Implementation Strategy
- Project Wrap-up
- Next Phase Scoping

PROJECT CORRIDOR



SR 520 CORRIDOR

- 1 mile long
- From US 1 to the Indian River
- Primarily made up of 2 one-way roads:
  - Willard: 2 or 3 lanes
  - King: 3 lanes
- Over 23,000 vehicles per day in each direction
- Posted speed: 35 mph
- Also used by pedestrians, bikes, and transit

CRASH MAP

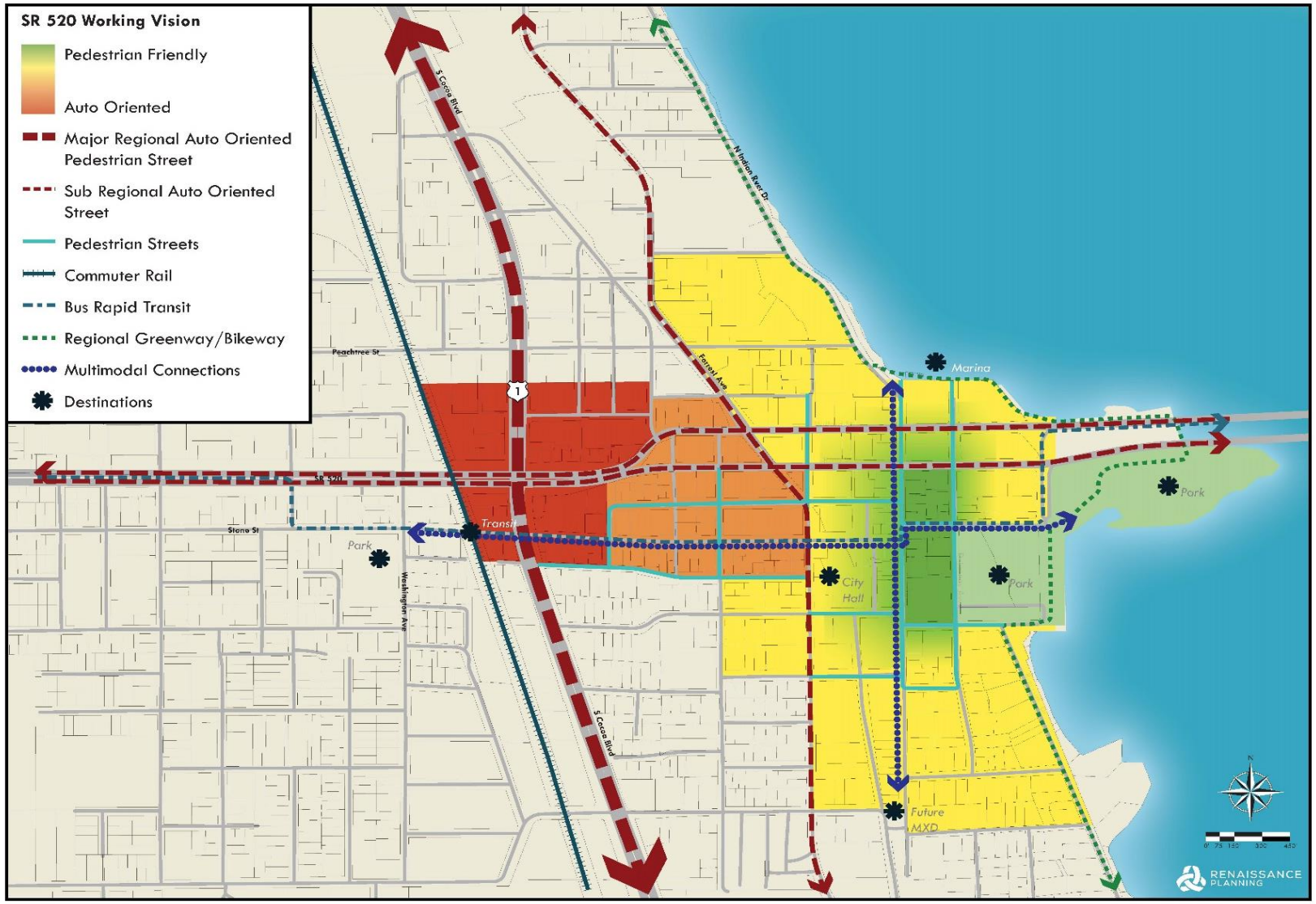


- Between 2010 and 2015, there were 579 crashes in the corridor
- 263 injuries and no fatalities
- 15 crashes involving bicycles and pedestrians

2 WORKING VISION & NEED

Starting point for concept planning

WORKING VISION MAP



Roadway Types and Potential Opportunities

Major Regional Auto-Oriented: priority for automobile traffic and higher speeds

Sub-Regional Auto-Oriented: significant auto emphasis but also includes transit and pedestrian elements

Pedestrian Streets: priority for walking

Commuter Rail: potential for future service on the FEC line

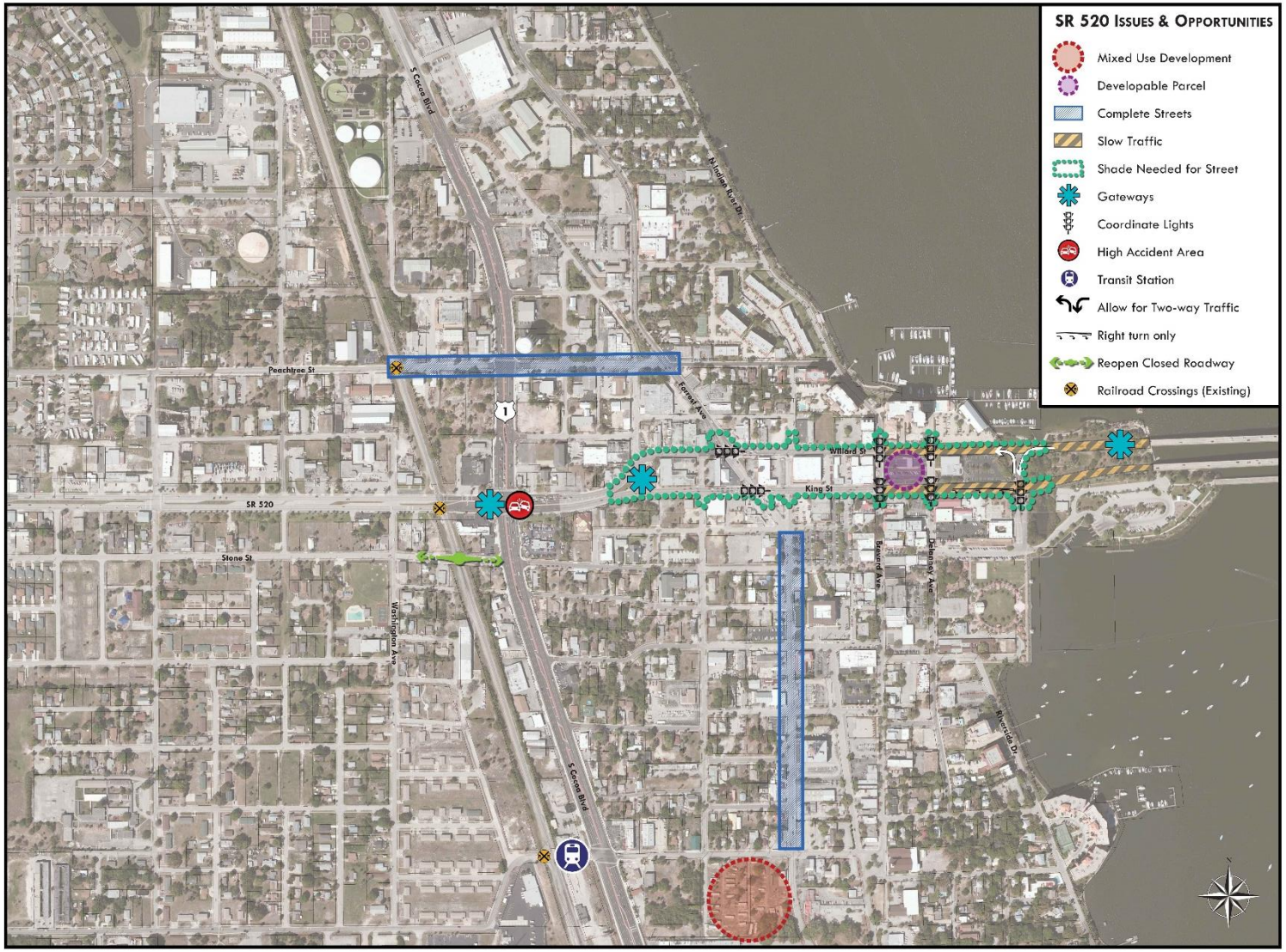
Bus Rapid Transit: future corridor along SR 520, diverting to Stone and Harrison Streets through the study area

Regional Greenway/Bikeway: potential pathway along the waterfront with access into Cocoa Village

3 COMMUNITY WORKSHOP

Stakeholder input forms a foundation for planning

ISSUES + OPPORTUNITIES



- Community workshop held on December 1, 2015
- Three identical sessions were held, each having a presentation and workshop component
- Approximately 75 people attended the sessions

WHAT WE HEARD

- Reduce vehicle speeds coming off bridge
- Improve the Forrest Ave. intersections
- Widen sidewalks and enhance walkways with color and/or textures
- Add streetscape amenities to give character and sense of place
- Create multi-use trail under bridge to get pedestrians and bicycles off SR 520
- Add gateway features, wayfinding and public art
- Designate parking areas for tour buses
- Need more parking in Village area; add parking structure
- Improve drop-off/loading for Cocoa Village Playhouse
- Open old pier for fishing – make it a pedestrian amenity







4 DEVELOPMENT SCENARIOS

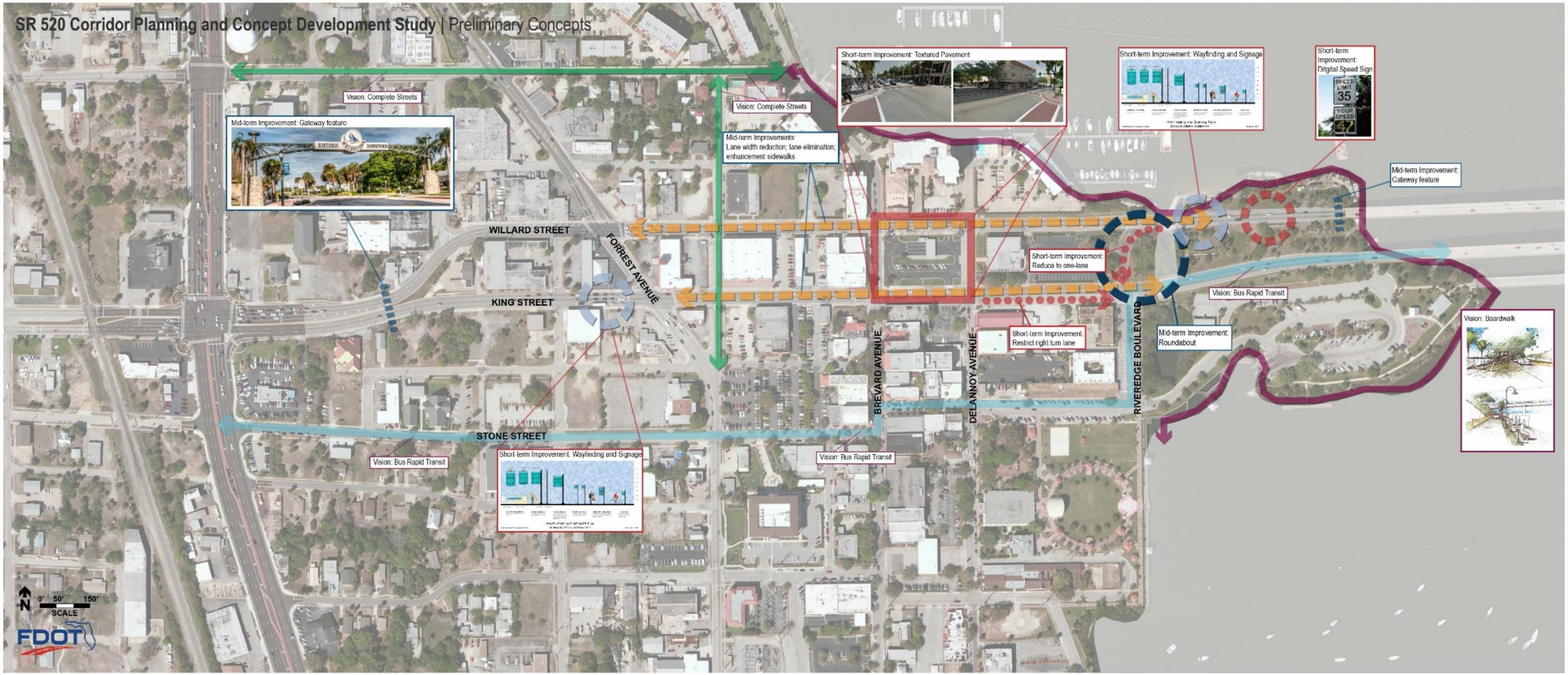
Exploring future options

ALTERNATIVES

1. Do nothing (no build) – NOT AN OPTION
   - Consider how conditions may change if no action is taken
2. Operations optimization
   - Variety of roadway alterations possible: separating the right-turn lane from through traffic, reducing the number of lanes, adding textured concrete and pavement markings, etc.
   - FDOT can make basic improvements to address the purpose and need
3. Roadway improvements
   - Improvements at either or both ends of the corridor to slow traffic and signal entry into a distinctive, ped/bike-oriented place – roundabouts, diverging one-way pair, etc.
   - Funding beyond FDOT would be required – partnership with City/CRA



CORRIDOR-WIDE CONCEPT



SHORT TERM – ADDITION OF ON-STREET PARKING



MID- AND LONG-TERM STRATEGIES

The mid- and long-term scenarios are more specific and cover complex alternatives, both to the roadway and to the sidewalk zone, to optimize traffic flow and increase efficiency. Scenarios to be considered include:

- **Option "A"**
  - Reconstruction of the right-of-way cross section – travel lanes reduced from 3 to 2, on-street parking added, widened sidewalks and improved aesthetics
- **Option "B"**
  - Same as Option "A" but without on-street parking. This option would likely be considered after a central parking structure has been constructed
- **Option "C"**
  - Involves construction of a roundabout centered on Riveredge Blvd. and could be done in conjunction with either Option "A" or Option "B"



MID- AND LONG-TERM STRATEGIES - STREETSCAPE



MID- AND LONG-TERM STRATEGIES - ROUNDABOUT



PROJECT CONTACTS

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Nick Lepp – Consultant Project Manager
Renaissance Planning
121 S. Orange Ave, Orlando FL 32801
(407) 487-0061 x129
Email: nlepp@citiesthatwork.com



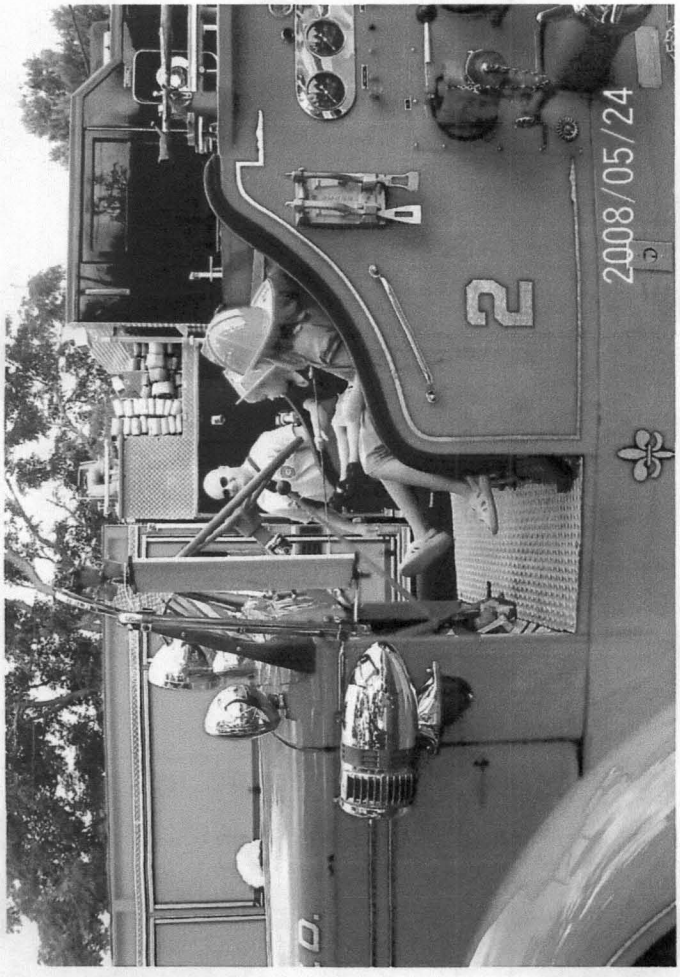
SR 520 CORRIDOR PLANNING AND CONCEPT DEVELOPMENT STUDY

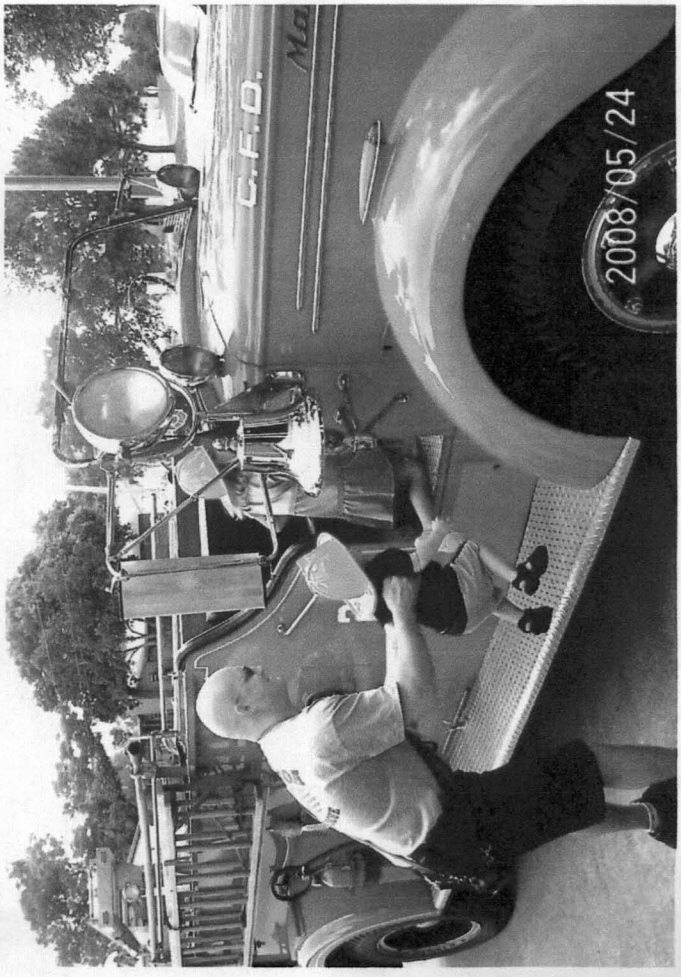
FDOT

EXHIBIT D: PHOTOS PROVIDED BY PAUL KAMUS









To Lt Paul Kamus

FROM

VANESSA and Connor

Clark

Thank you for our

visit

Broadmoor Acres Benefit Raffle

Broadmoor Acres Community Restoration and Preservation

Broadmoor Acres Community Restoration and Preservation is conducting a Benefit Raffle. Funds will pay for Arts & Collectibles Sale on May 14th & 15th, 2016 at the Cocoa Civic Center in Historic Cocoa Village; Community Lighting Program; Community Clean Up and Community BBQ's and other events which will bring us together as a community and make Broadmoor Acres a clean, safe, great place to live.

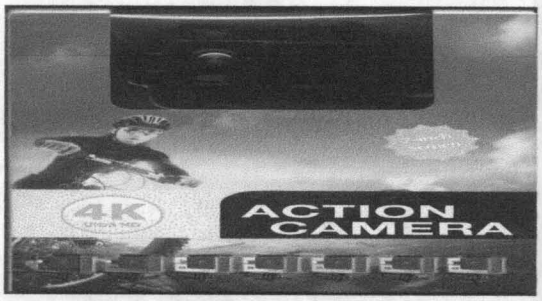
First prize is Samsung GalaxyTab 4 7" Android Tablet with 8GB with 32GB more with microSD





2nd & 3rd Prizes of Asus ZenPad C7.0 Android Tablets 8GB with up to 64GB microSD Card capable

4th Prize 4K Ultra HD Wi-Fi waterproof action Camera



Call 321-735-8071 or 386-290-5851 for Tickets

Tickets are 1 for $5.00 or 3 for $10.00 you do not need to be present to win. Winners contacted by phone number put on Ticket



Scale - 1:8

PLEASE READ ENTIRE PAGE AND PROOF THIS ARTWORK CAREFULLY

DISCLAIMER: The colors in your design proof are a close representation of the final product, they may appear different on your monitor or on printed paper. Sample prints may be requested to ensure color. It is the customers responsibility to know whether or not they are authorized to use any *Copyright, Trademark or License Agreements* on the item that is being customized. *All artwork produced by FastSigns Daytona Beach is copyrighted and cannot be reproduced without the expressed written consent of FastSigns Daytona Beach.*

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386.256.4784

Customer: Broadmoor Acres	**Work Order:**
Address:	**Estimate:**
Ordered By:	Width: 18" Height: 24"
Date: 4/12/2016 **Due Date:**	**Notes:**
Designer: Jeff Whiting	

Legislation Details (With Text)

File #:	16-174	**Version:**	1	**Name:**	
Type:	Minutes			**Status:**	Minutes
File created:	4/21/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the Minutes for the District 4 Town Hall Meeting held on April 19, 2016, as written or with amendments.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Minutes 4-19-2016 District 4 Town Hall Meeting.pdf Exhibit A-Fire Station Analysis 001.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 21, 2016
Agenda Date: May 10, 2016
Prepared By: Carie Shealy, City Clerk
Through:
Requested Action:
Approve the Minutes for the District 4 Town Hall Meeting held on April 19, 2016, as written or with amendments.

BACKGROUND:

NA

STRATEGIC PLAN CONNECTION:

NA

BUDGETARY IMPACT:

NA

PREVIOUS ACTION:

The City Council approves the Minutes of all its meetings following transcription.

RECOMMENDED MOTION:

Approve the Minutes for the District 4 Town Hall Meeting held on April 19, 2016, as written or with amendments.

MINUTES

CITY OF COCOA
DISTRICT 4 TOWN HALL MEETING

April 19, 2016

A Town Hall Meeting was held on Tuesday, April 19, 2016, at Cocoa Fire Station 3, 2003 Michigan Avenue, Cocoa, Florida, as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 6:01 p.m.

Mayor Parrish welcomed citizens and advised there would be a presentation on the status of the fire stations first followed by Citizen questions and concerns.

He introduced Councilmembers to those in attendance and expressed his concerns and prayers to Councilman Furbish.

Present:	Henry Parrish	Mayor
	Don Boisvert	Deputy Mayor
	Brenda Warner	Councilwoman
	Michael Blake	Councilman
	John Titkanich	City Manager
	Matt Fuhrer	Assistant City Manager
	Angela Ferguson	Assistant City Clerk
Absent:	Tyler Furbish	Councilman

City Manager Titkanich introduced staff members present:

Tammy Gemmati, Administrative Services Director; Lora Howell, Deputy Finance Director; Michael Cantaloupe, Chief of Police; Jack Walsh, Utilities Director; Gene Prince, Fire Chief; Steve Belden, Community Services Director; Ed Wegerif, Public Works Director; Samantha Senger, Public Relations Specialist; Jonathan Lamm, Deputy Fire Chief; Lauri McGee, Firefighter/EMT; Lt. Shane Proctor, Firefighter/EMT; Chris Perry, Desktop Support Tech.

II. Discussion Topics

1. Fire Station Location Information

City Manager Titkanich stated that the City is three years into the process of the Fire Stations project. The fire assessment had been levied in order to provide

funding for staffing, critical heavy equipment purchases, and construction of the new stations.

He noted that Architects Design Group performed an analysis to determine the needs and optimal locations for the three stations.

City Manager Titkanich advised that there is a tentative agreement with the County to provide ALS and EMS services at the current Fire Station #2 and discussions were being held with the City of Rockledge regarding coordinated efforts.

Chief Prince provided a presentation[1] compiled by Architects Design Group outlining their analysis of the current and future fire stations highlighting structural and spatial needs, location requirements, budget, and response times.

The station relocation analysis showed that the newest station was built in 1980. Since that build, station needs have changed requiring ADA compliance, separate quarters for female firefighters/EMTs, and more space in general for bunks and storage. He further notated that the spatial needs assessment took into account employee considerations that were all relayed back to ADG.

Elevations, site plans, and floor plans were shown and discussed.

Out of the fifteen different scenarios that were considered, three location sites were selected based on facts such as high hazard areas, population growth, and where the calls for service originated from.

Those sites were: SR 524 across from the Sunoco station, Clearlake and Dixon Blvd., and Brunson Blvd.

Chief Prince highlighted that the response time target is to respond to 90% of all calls within four minutes for all three stations.

The timelines from start to completion for all three stations were compared and he advised that the project was on track to start construction in November.

Chief Prince stated that Station 1 (Clearlake and Dixon Blvd) is out for RFQ on the design build phase of the project and stressed that the total budget for all three stations is eight million ($8,000,000) dollars. Along with ADG, they will strive to ensure best practices to keep within budget.

[1] Exhibit A: Fire Station Analysis

In closing, he noted that approval was given to move forward with the design of the EOC addition to Fire Station 1.

Councilman Blake said it was an excellent presentation and asked for confirmation on the numbers of the stations. In response, Chief Prince confirmed that the Dixon/ Clearlake Road location was Fire Station #1, Brunson Boulevard was designated as Fire Station #2, and S.R. 524 was Fire Station #3.

2. Citizen Input

Clarence Whipple, 1201 Counts, Cocoa, asked when construction would start for Fire Station 2. In response, City Manager Titkanich advised that negotiations between the Cocoa CRA and the City would be taking place regarding the Brunson Blvd. property that is owned by the CRA. In furtherance, he advised that environmental work is being done now.

Mr. Whipple questioned the progress of the Heart of Cocoa meeting room on Factory Street and asked if it could be put at the Brunson Blvd location. City Manager Titkanich noted that the Brunson Blvd. is not a feasible location due to the busy thoroughfares of S.R. 520 and U.S. 1 if someone had to get there on foot. He stated that the City is requesting a non-profit company occupy and take care of the meeting space and it is slated to go out to bid in the next budget cycle again. The bids in the first request came in too high for the project.

Tracy Moore, 2747 Wentworth Place, Cocoa, wanted to see the slide regarding the Fire Department response times in the Diamond Square area.

City Manager Titkanich explained the brown shaded areas on the slide as being outside the four minute response time, however, the Diamond Square district is inside the targeted zone. In addition, he reiterated that the tentative agreement between the City and Brevard County would bring additional ALS and EMS support to the current Fire Station 2 to further aid citizens.

Councilman Blake asked about the future of the Fire Station #3 structure and City Manager Titkanich explained that it would be utilized for storage of the brush truck, antique truck and other equipment.

Mayor Parrish added that aside from Fire Station #3 which was built in 1980, the other stations are 55+ years old.

Mr. Whipple inquired as to when there would be a Fire Station meeting for District 1 and in response, City Manager Titkanich advised when there is more concrete information on hand in regards to the County agreement, then they could proceed. He just wanted to have something to bring to the citizens.

Mr. Whipple wanted to make sure the City expounded and highlighted to the citizens the 90%, 4 minute response time in that district because he did not want citizens to think they were losing something by taking the City services out of the current Fire Station #2. He wanted the City to be on point and to "sell" it to the citizens by making sure they know they are gaining something, not losing something. He further suggested that the City make it simple to digest for all.

City Manager Titkanich pointed out that even when the City had to close Station 2 for 6-8 weeks, during that time, response times did not suffer and there was no noticeable difference when Fire Station 1 covered their calls.

Mr. Whipple stated that the types of calls in District 1 have changed over the years to more medical calls. The City Manager concurred.

Tracy Moore asked if there would be more opportunities for employment with the building of the new fire stations and City Manager Titkanich advised her they were fully staffed at this point and that added that the County still covers the EMS.

Councilwoman Warner asked about construction jobs being created.

City Manager Titkanich indicated with eight million dollars of construction there could be, but that the City hopes to utilize just one contractor to minimize the cost and maximize the savings.

Lorraine Koss, 2115 N. Indian River Dr., Cocoa, asked about the percentage of calls that are actually for the County, pointing out the odd enclaves of County area within the City, specifically near Clearlake Road.

To that, Chief Prince indicated out of the 4,600 or so calls for service, only about 500 are County calls. He detailed different scenarios and clarified that neighboring agencies work together to provide mutual aid to one another. He stressed this was a routine practice with fire service in general.

City Manager Titkanich spoke to the citizens about the work being done across from Eastern Florida State College and advised it was an 84 unit elderly residence facility.

Mr. Wegerif mentioned a DOT project for Clearlake Road towards Michigan which will straighten out the curve north of Walmart, add lanes with controlled turns, and landscaping. He indicated that it is only in the design phase and the project could be completed in three to five years.

He further spoke about a study being done from Industry Road to I 95 and added that it is the next area of building growth in the City.

Paul Kamus, 116 Olive Street, Cocoa, requested that a booster reel be pulled out from the pumper so that Council could have a hands on demonstration.

Chief Prince advised that Council could arrange that at a different time if they so wished.

Councilman Blake asked about the results of the Trash Bash and Ms. Senger noted that there were 402 volunteers and 10,112 pounds of trash collected.

Tracy Moore, reiterated the sensitivity of the next meeting about the fire stations and wanted the City to know that they understood that the citizens will not go without quality services. In response, City Manager Titkanich again affirmed that when the agreements are in hand with the County they will go forward with a community meeting.

Council and staff thanked everyone for attending.

III. ADJOURNMENT:

*** The Town Hall Meeting adjourned at 7:10 pm.**

_____

Henry U. Parrish III, Mayor

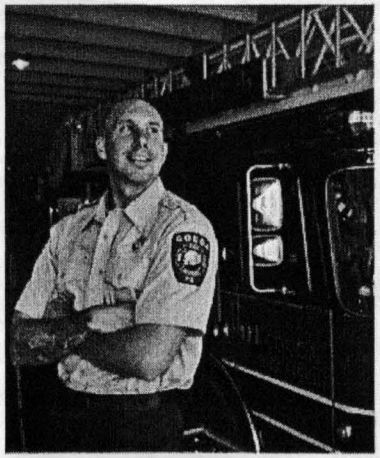
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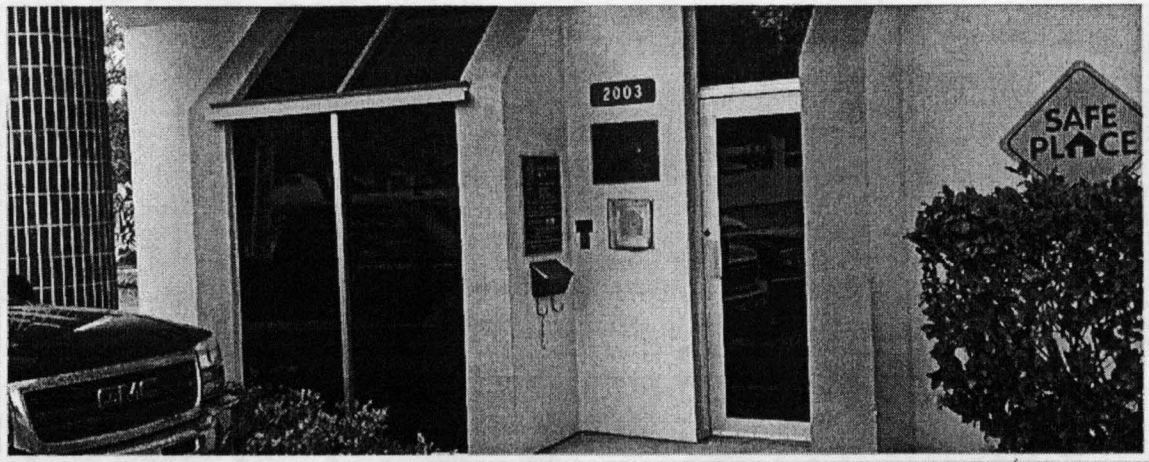
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Carie Shealy, City Clerk
(Transcribed by A. Ferguson, Assistant City Clerk)

City of Cocoa

Community Outreach March 29, 2016 Fire Station No. 3





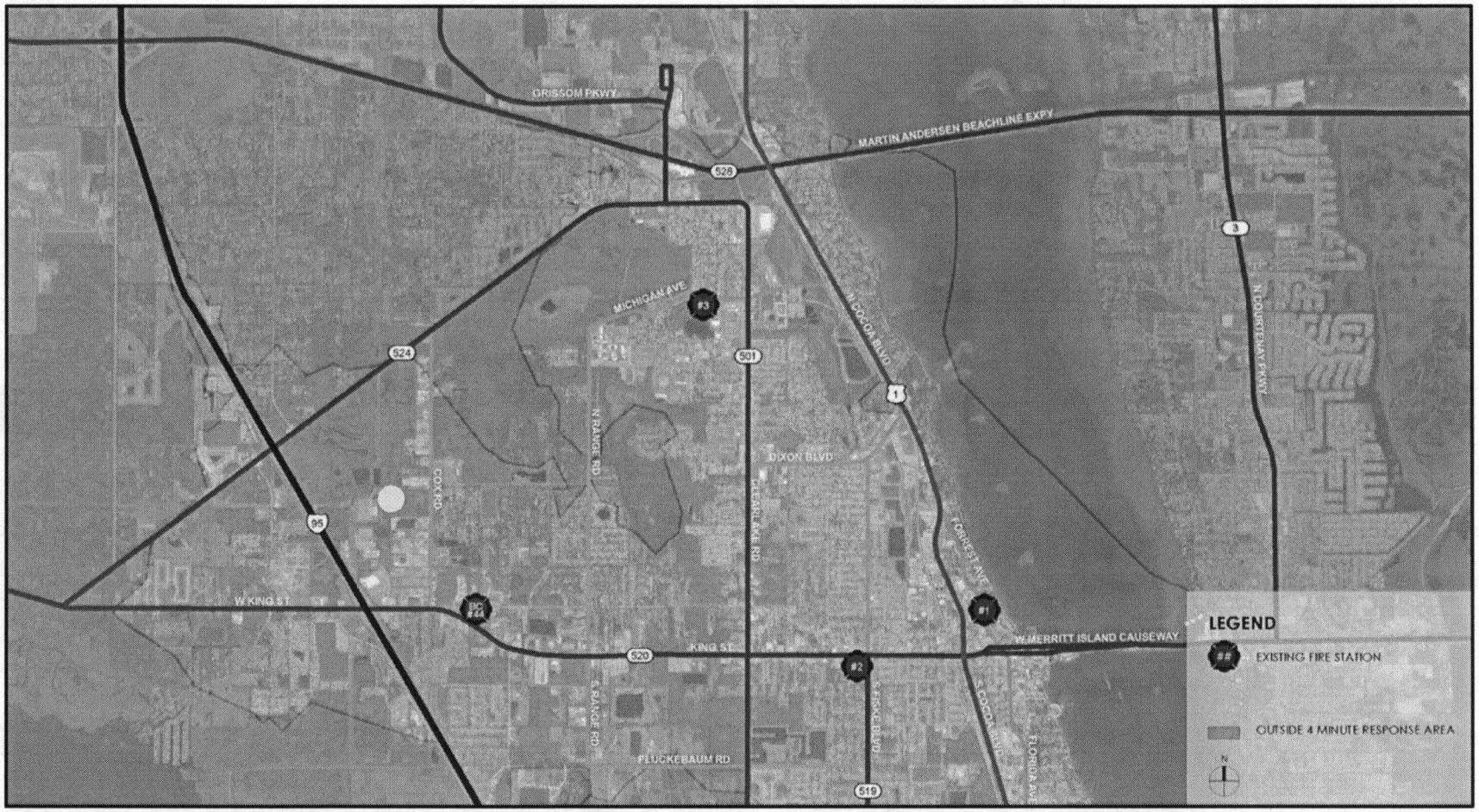


Architects Design Group
WINTER PARK, FL • DALLAS, TX

Agenda

- Station Relocation Analysis
- Space Needs Assessment
- Design Status
- Schedule
- Budget
- Questions and Answers

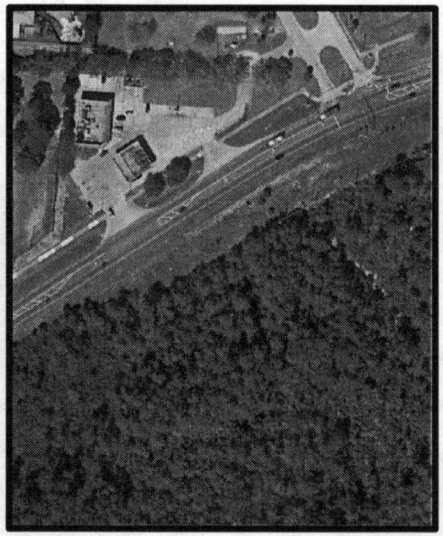
City of Cocoa Fire Station Relocation Analysis- Existing Stations



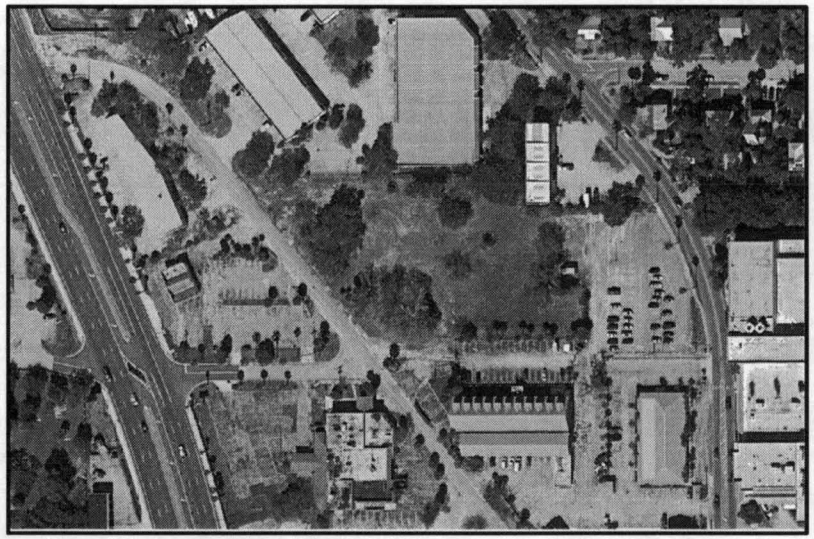
- Aggregate four (4) minute response time.
- NFPA Standard – 90% capture all calls.
- One Station east of railroad.
- Readily available sites or controlled by the City.
- Future growth areas North and West of S.R. 524.

City of Cocoa Fire Station Relocation Analysis

Sites Designated for Development



S.R. 524



Brunson Blvd.



Dixon Blvd. / Clearlake

City of Cocoa Fire Station Relocation Analysis

Response Scenario Summary

Scenario Rankings

Scenario	Total Score	Dependence on BC #44 Adjustment	Ease of Property Acquisition Adjustment	Coverage East of Railroad Adjudtment	Percent of City Area Covered	Area Score	Percent of All City Calls	Calls Score	Percent of Total Square Feet	Building Area Score	Percent of Total Building Value	Building Value Score	Percent of Total Population	Population Score	Percent of Total Housholds	Households Score	Percent of Total Elevated Risk Properties	Elevated Risk Score	Percent of Total Maximum Risk Properties	Maximum Risk Score
Scenario 7B (47, 130, 145, BC44)	32	-2	2	2	81.40%	4	95.66%	4	96.74%	4	94.38%	4	95.60%	4	95.01%	4	97.73%	4	100.00%	4
Scenario 5B (25, 130, 144, BC44)	32	-2	2	2	82.86%	4	94.43%	4	96.84%	4	94.41%	4	95.81%	4	95.19%	4	97.73%	4	100.00%	4
Scenario 4 (80, 144, 313, BC44)	31	-2		2	79.99%	4	93.44%	4	94.97%	4	93.34%	4	95.48%	4	94.86%	3	97.27%	4	94.74%	4
Scenario 2 (53, 144, 166)	22				78.20%	3	92.92%	3	92.75%	3	91.18%	3	91.14%	2	90.44%	2	96.36%	3	94.74%	3
Scenario 6B (25, 130, 161, BC44)	21	0	-2	2	69.92%	3	90.29%	2	90.22%	2	88.69%	3	95.39%	3	95.10%	4	88.41%	2	92.11%	2
Scenario 1 (53, 144, 321, BC44)	20	2		0	76.69%	3	92.59%	3	93.22%	3	91.61%	3	90.05%	1	89.04%	1	96.59%	3	94.74%	3
Scenario 3 (66, 161, 297)	19			2	67.88%	2	90.24%	2	90.33%	3	86.88%	2	91.00%	2	89.72%	2	91.14%	3	94.74%	3
Scenario 7 (47, 130, 145)	18		2	2	69.05%	2	90.64%	3	90.06%	2	84.51%	2	92.48%	3	91.89%	3	88.64%	2	84.21%	1
Scenario 5 (25, 130, 144)	15				68.40%	2	90.61%	2	89.87%	2	84.32%	2	92.48%	2	91.89%	2	88.41%	2	84.21%	1
Scenario 6 (25, 130, 161)	13		2	2	66.40%	1	89.24%	1	87.37%	1	84.11%	1	93.19%	3	93.29%	3	87.27%	1	89.47%	2
Current With BC44	9	-2			65.95%	1	89.90%	1	84.60%	1	78.37%	1	80.03%	1	79.59%	1	88.41%	1	92.11%	2
Current Without BC44	8	-2			51.71%	1	86.13%	1	77.70%	1	68.15%	1	76.70%	1	76.28%	1	78.64%	1	78.95%	1
Scenario 8B (25, 159, 411, BC44)	8	-2	2	2	56.13%	1	75.36%	1	70.78%	1	74.39%	1	76.71%	1	75.34%	1	82.27%	1	76.32%	1
Scenario 8 (25, 159 , 411)	8		2	2	52.01%	1	75.21%	1	67.77%	1	69.50%	1	74.52%	1	73.53%	1	81.14%	1	73.68%	1

- **Fifteen Scenarios evaluated**
- **Scores determined for each variable.**

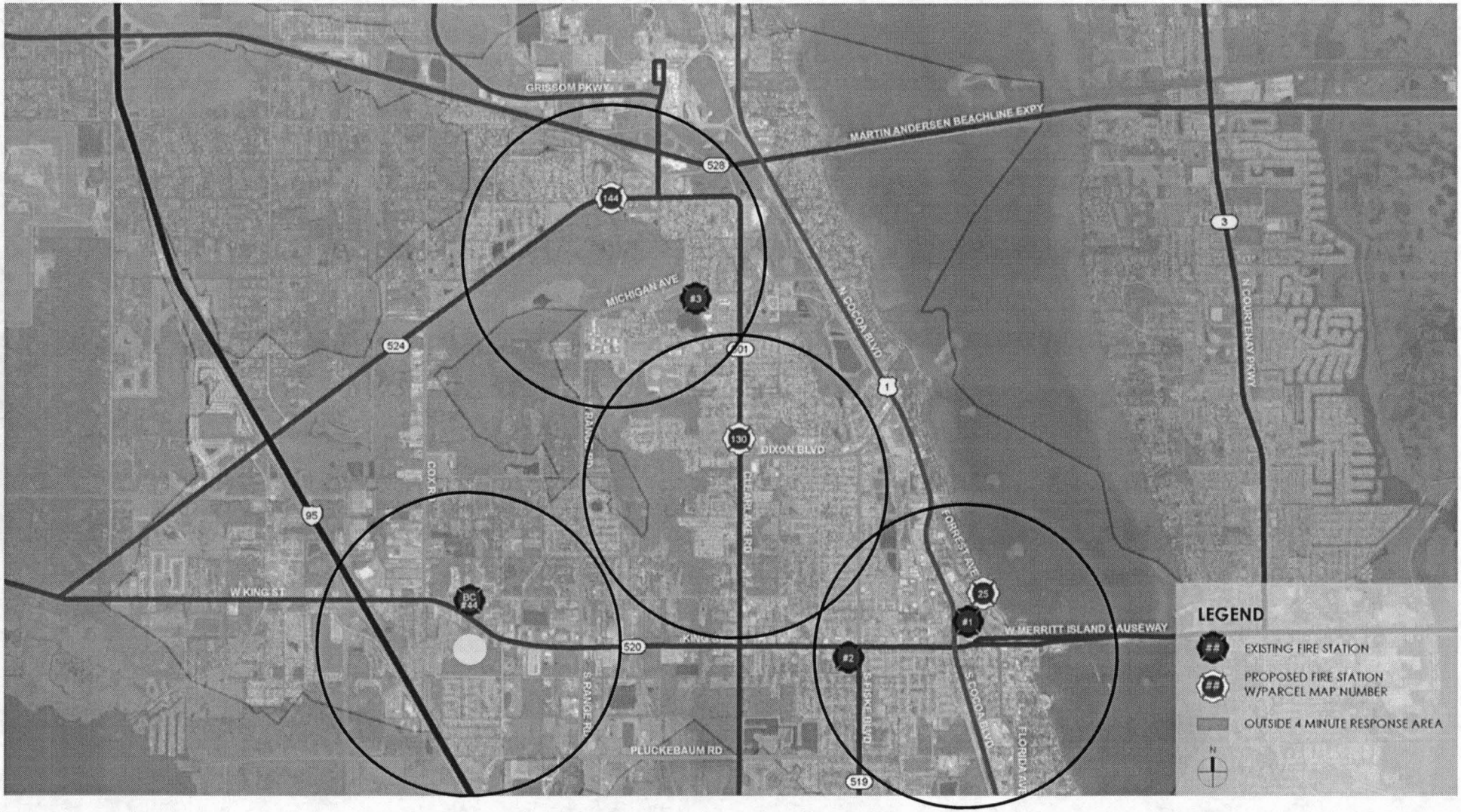
City of Cocoa Fire Station Relocation Analysis

Characteristics of Top Three Station Siting Scenarios

	Scenario			
Characteristic	**Status Quo**	**7B**	**5B**	**4**
Aggregate Scenario Score	9	32	32	31
Ease of Property Acquisition	N/A	High	High	Unknown
Coverage East of Railroad	Yes	Yes	Yes	Yes
Percent of City Area Covered	65.95%	81.40%	82.86%	79.99%
Percent of All City Calls	89.90%	95.66%	94.43%	93.44%
Percent of Total Square Feet	84.60%	96.74%	96.84%	94.97%
Percent of Total Building Value	78.37%	94.38%	94.41%	93.34%
Percent of Total Population	80.03%	95.60%	95.81%	95.48%
Percent of Total Households	79.59%	95.01%	95.19%	94.86%
Percent of Total Elevated Risk Properties	88.41%	97.73%	97.73%	97.27%
Percent of Total Maximum Risk Properties	92.11%	100.00%	100.00%	94.74%

Selected Scenario 5B

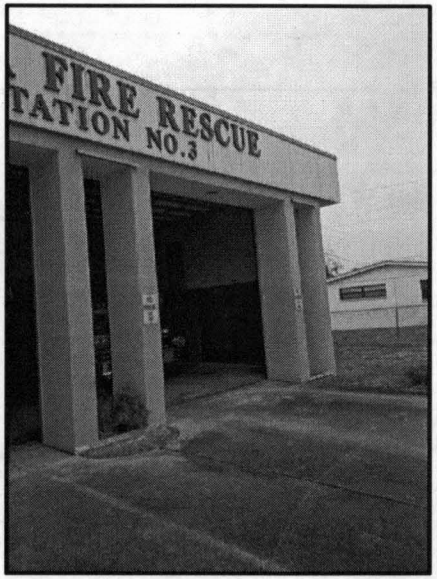
City of Cocoa Fire Station Relocation Analysis

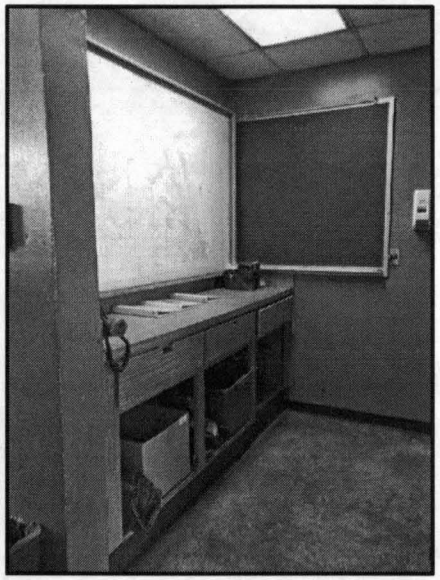


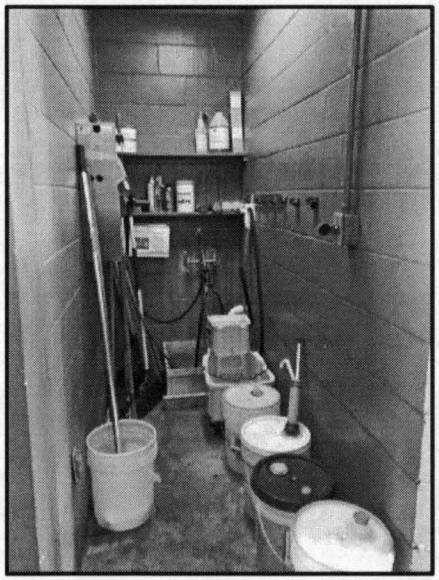
Selected Response Scenario 5B

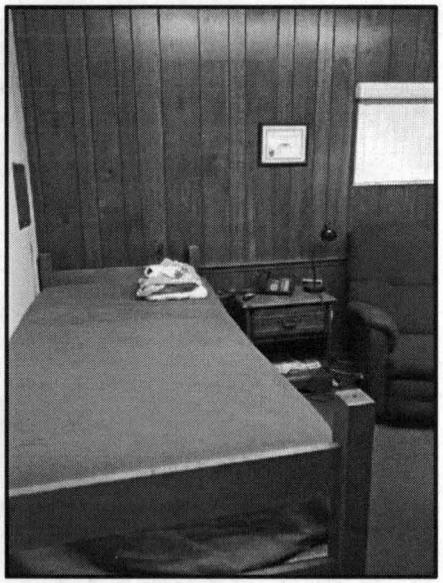
City of Cocoa Fire Station Facilities Study

Spatial Needs Assessment – Existing Station No. 3 (Satellite)

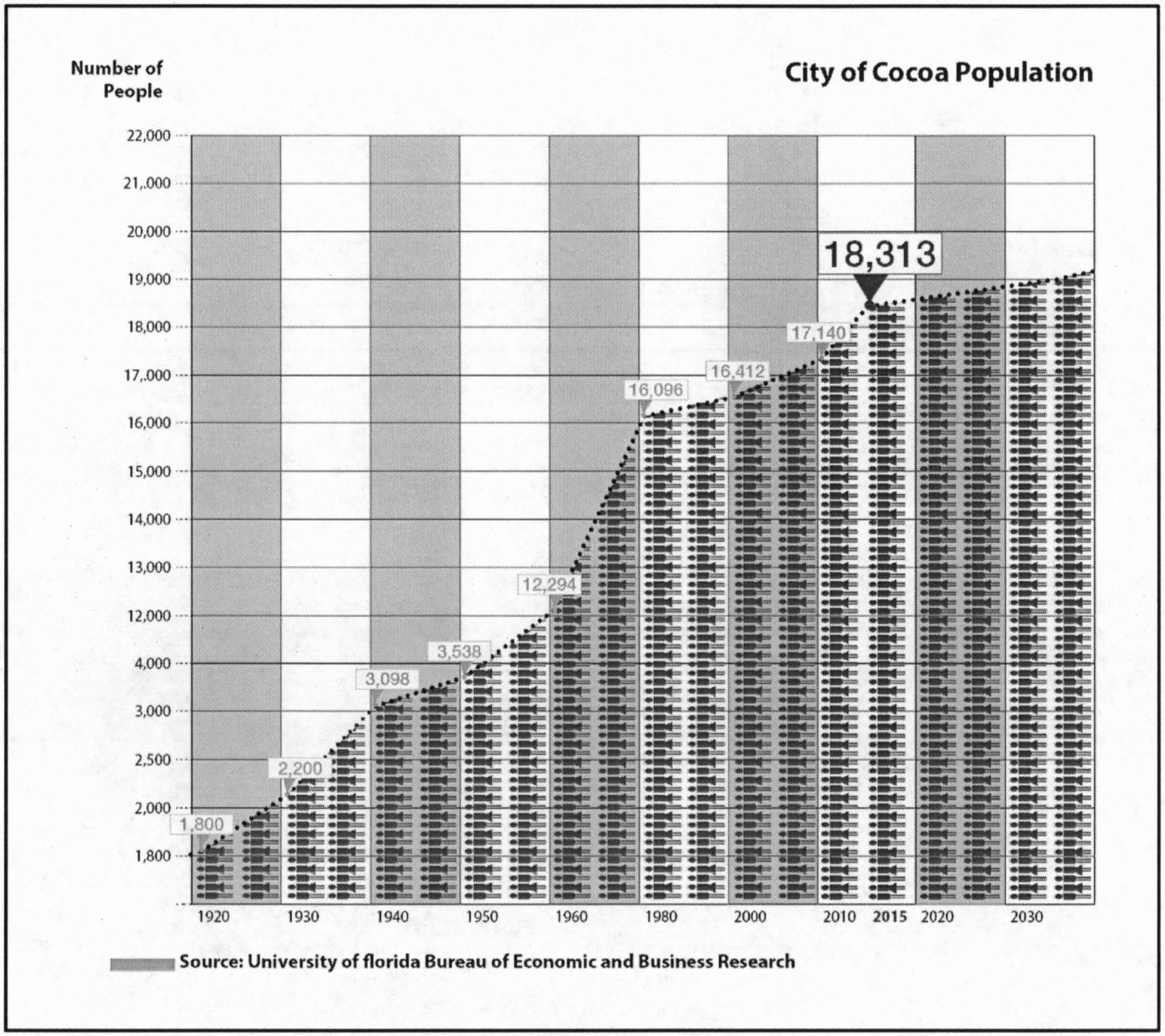






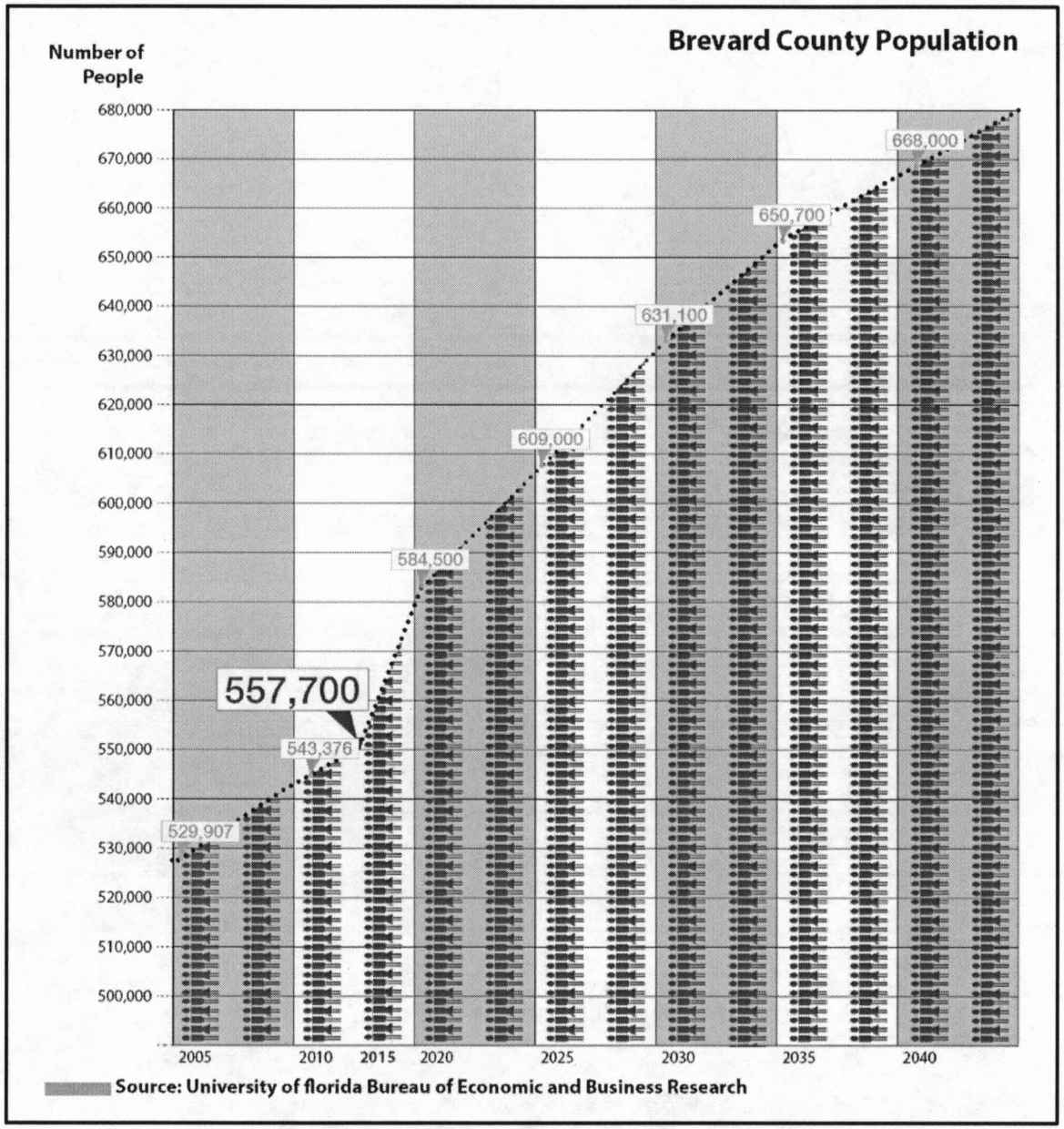


City of Cocoa Fire Station Facilities Study



Spatial Needs Assessment

City of Cocoa Fire Station Facilities Study



Spatial Needs Assessment

City of Cocoa Fire Station Facilities Study

Spatial Needs Assessment: Conclusions

Headquarters Station – 15,661 SF

- Administration
- Command Area
- Crew Quarters – 8 Bunkrooms
- Apparatus and Support – 4 Bays
- Plan for Future EOC (2,825 SF)

Satellite Station – 7,043 SF

- Command Area (Lieutenant)
- Crew Quarters – 5 Bunkrooms
- Apparatus and Support – 2 Bays
- Plan for Future Apparatus Bay and 3 Bunkrooms

City of Cocoa Fire Station Facilities Study

Comparable Facility Tours - Conclusions

Program / Spatial Needs Assessment

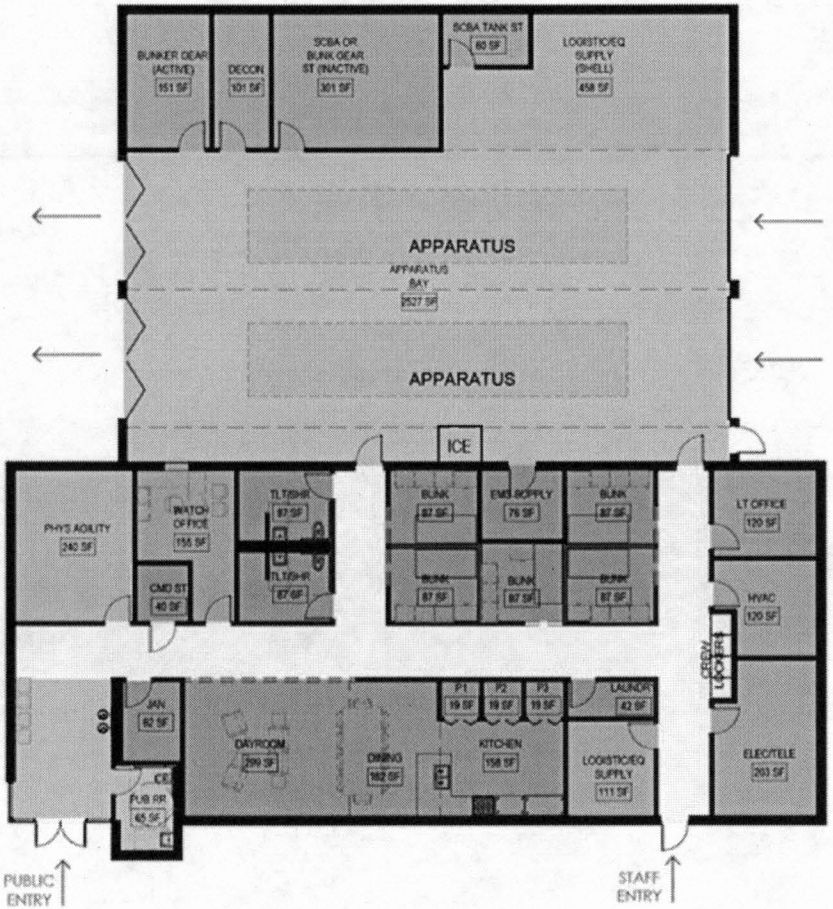
1.0 Headquarters Station - Administration & EOC

Fire Department Facilities Study
Cocoa, Florida
ADG Project Number: 868-11

General Notes	Space Designation		Space Requirements (square feet)			
	No.	Space Function	Recommended Areas	Brevard Viera	Holopaw	Harmony
	1.5	**Crew Quarters**				
	1.5.1	Food Preparation / Kitchen	160	100	107	279
	1.5.2	Shift Pantry @ 20 S.F. each	60	(3) 48	(3) 29	(3) 28
1.5.3: Provide near Kitchen. Sound attenuation required.	1.5.3	Ice Machine	20	20	12	16
	1.5.4	Dining Area	240	800	474	585
1.5.5: Sized for seating 10 crew with millwork for media equipment and storage.	1.5.5	Dayroom	360			
	1.5.6	Command Bunkroom w/ RR & Shower	---	---	202	(2) 408
1.5.7: Provide with partial height walls.	1.5.7	Bunkroom (9' x 10' module)	540	(9) 880	(6) 640	(8) 848
1.5.9: Provides additional storage to wardrobe included with Bunkroom.	1.5.8	Crew Storage Lockers (2' x 2'-6" module)	30			
	1.5.9	Toilet / Shower @ 120 S.F. each	240	(2) 240	(2) 268	(3) 411
	1.5.10	Domestic Laundry (washer/dryer)	60	w/apparatus	48	48
	1.5.11	Subtotal: Crew Quarters	1,710	---	---	---
1.5.12: General allowance for space utilized for corridors, wall thickness, etc.	1.5.12	Efficiency Factor @ 30%	513	---	---	---
	1.5.13	**Total**	2,223	---	---	---

City of Cocoa Fire Station No. 3 Relocation

Satellite Floor Plan – Fire Station No. 3 Plan



LEGEND

- PUBLIC
- ADMINISTRATION
- CREW
- PHYSICAL AGILITY
- FACILITY SUPPORT
- APPARATUS/STORAGE

0 8' 16' 32'

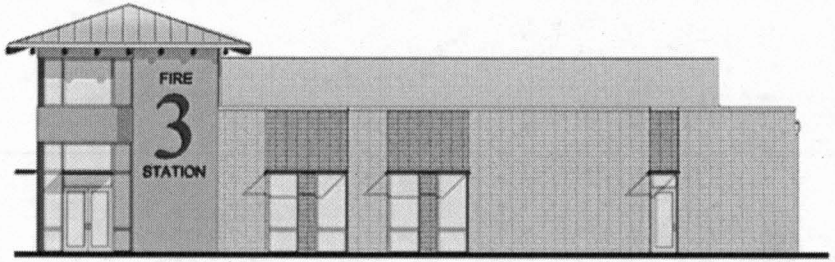
City of Cocoa Fire Station No. 3 Relocation

Satellite Site Plan – Site Plan Fire Station No. 3 / SR 524

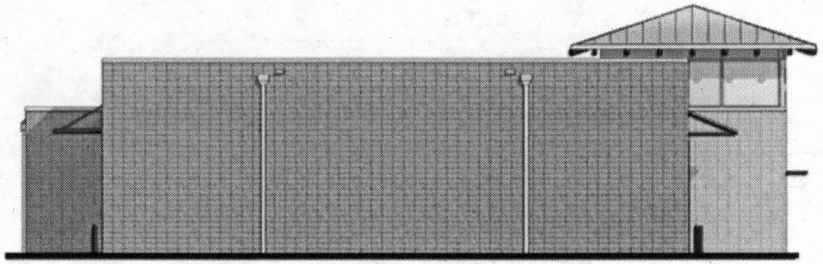


City of Cocoa Fire Station No. 3 Relocation

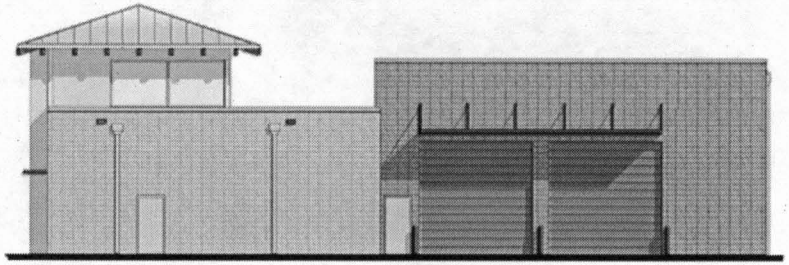
Satellite Elevation Concept



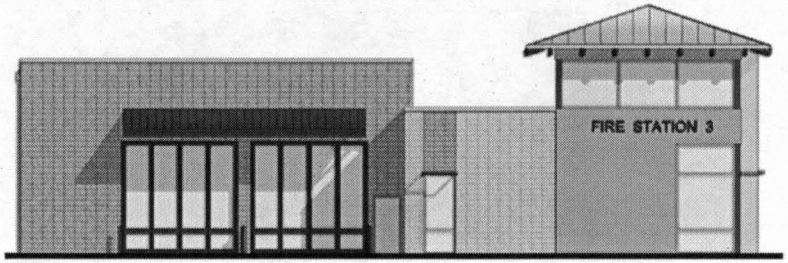
WEST ELEVATION



EAST ELEVATION



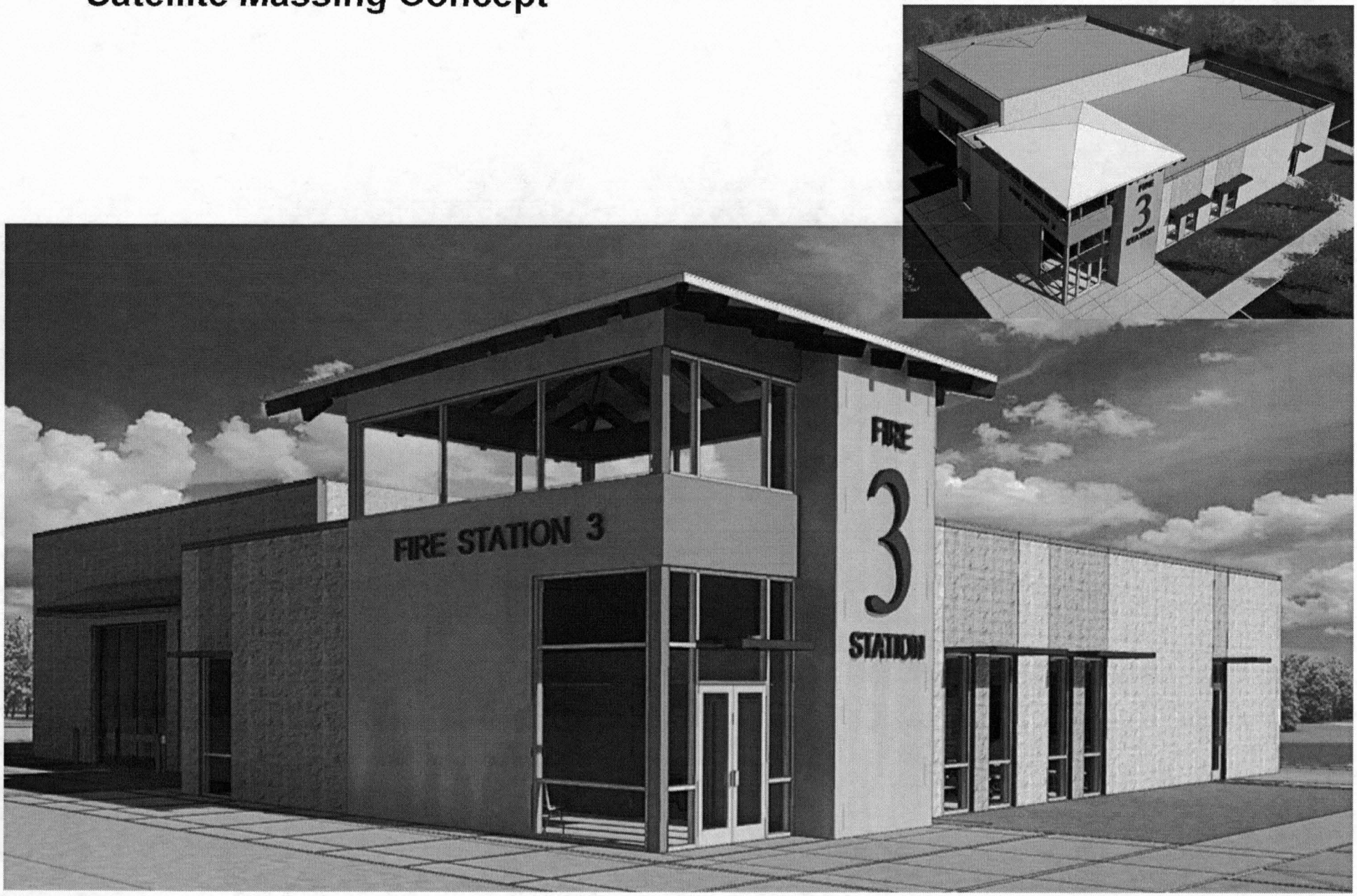
SOUTH ELEVATION



NORTH ELEVATION

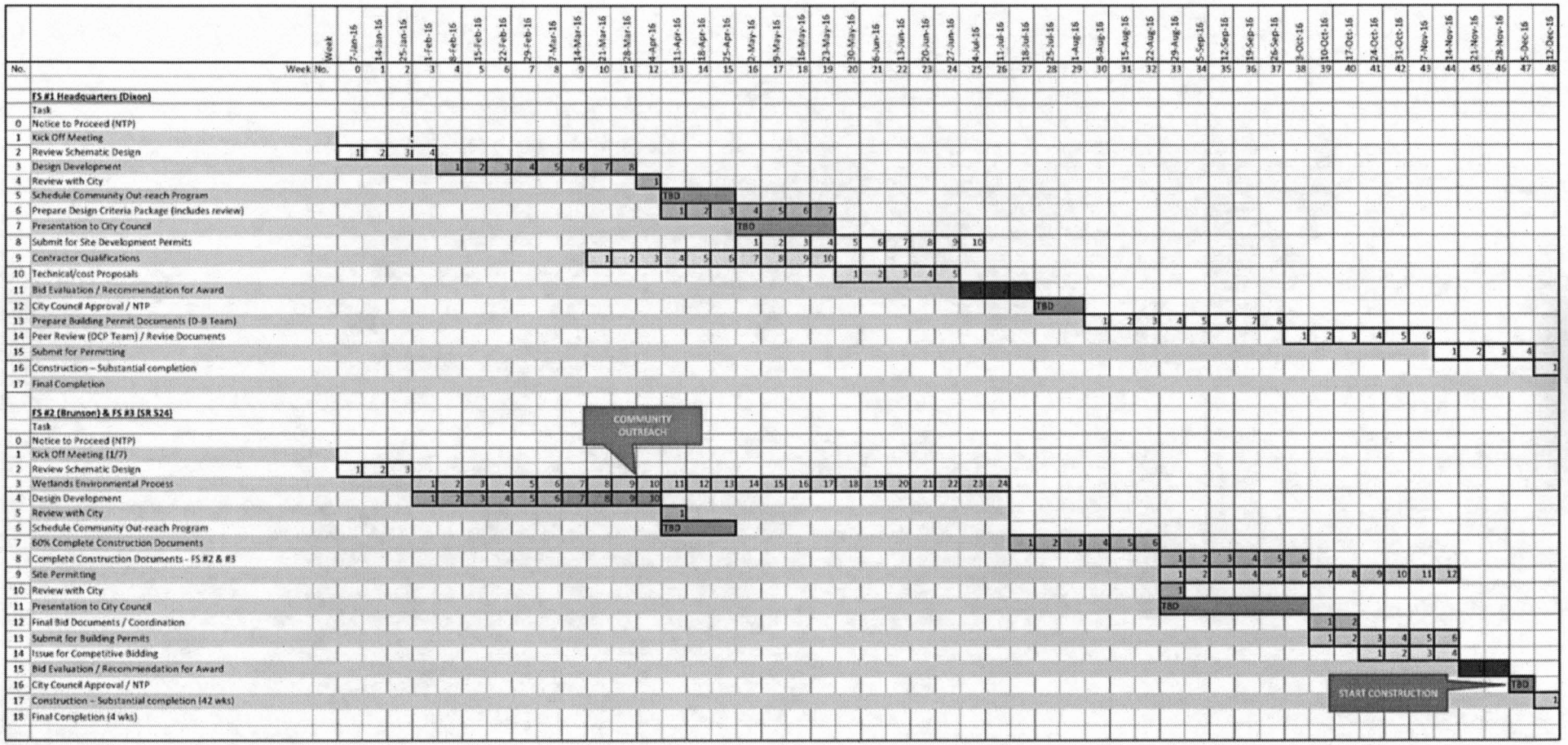
City of Cocoa Fire Station No. 3 Relocation

Satellite Massing Concept



City of Cocoa Fire Station No. 3 Relocation

Milestone Schedule



No.	Week No.	Week	7-Jan-16	14-Jan-16	25-Jan-16	1-Feb-16	8-Feb-16	15-Feb-16	22-Feb-16	29-Feb-16	7-Mar-16	14-Mar-16	21-Mar-16	28-Mar-16	4-Apr-16	11-Apr-16	18-Apr-16	25-Apr-16	2-May-16	9-May-16	16-May-16	23-May-16	30-May-16	6-Jun-16	13-Jun-16	20-Jun-16	27-Jun-16	4-Jul-16	11-Jul-16	18-Jul-16	25-Jul-16	1-Aug-16	8-Aug-16	15-Aug-16	22-Aug-16	29-Aug-16	5-Sep-16	12-Sep-16	19-Sep-16	26-Sep-16	3-Oct-16	10-Oct-16	17-Oct-16	24-Oct-16	31-Oct-16	7-Nov-16	14-Nov-16	21-Nov-16	28-Nov-16	5-Dec-16	12-Dec-16
			0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
	FS #1 Headquarters (Dixon)																																																		
	Task																																																		
0	Notice to Proceed (NTP)																																																	
1	Kick Off Meeting																																																	
2	Review Schematic Design		1	2	3	4																																												
3	Design Development					1	2	3	4	5	6	7	8																																						
4	Review with City													1																																					
5	Schedule Community Out-reach Program														TBD																																				
6	Prepare Design Criteria Package (includes review)														1	2	3	4	5	6	7																													
7	Presentation to City Council																	TBD																																	
8	Submit for Site Development Permits																	1	2	3	4	5	6	7	8	9	10																							
9	Contractor Qualifications											1	2	3	4	5	6	7	8	9	10																											
10	Technical/cost Proposals																					1	2	3	4	5																							
11	Bid Evaluation / Recommendation for Award																										1	2	3																				
12	City Council Approval / NTP																													TBD																			
13	Prepare Building Permit Documents (D-B Team)																															1	2	3	4	5	6	7	8										
14	Peer Review (DCP Team) / Revise Documents																																								1	2	3	4	5	6					
15	Submit for Permitting																																													1	2	3	4	
16	Construction – Substantial completion																																																1
17	Final Completion																																																
	FS #2 (Brunson) & FS #3 (SR 524)																																																
	Task																																																
0	Notice to Proceed (NTP)																																																
1	Kick Off Meeting (1/7)																																																
2	Review Schematic Design		1	2	3																																												
3	Wetlands Environmental Process					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24																					
4	Design Development					1	2	3	4	5	6	7	8	9	10																																			
5	Review with City															1																																	
6	Schedule Community Out-reach Program															TBD																																	
7	60% Complete Construction Documents																													1	2	3	4	5	6															
8	Complete Construction Documents - FS #2 & #3																																			1	2	3	4	5	6								
9	Site Permitting																																			1	2	3	4	5	6	7	8	9	10	11	12		
10	Review with City																																			1													
11	Presentation to City Council																																			TBD													
12	Final Bid Documents / Coordination																																								1	2							
13	Submit for Building Permits																																								1	2	3	4	5	6			
14	Issue for Competitive Bidding																																										1	2	3	4			
15	Bid Evaluation / Recommendation for Award																																													1	2		
16	City Council Approval / NTP																																															TBD	
17	Construction – Substantial completion (42 wks)																																																1
18	Final Completion (4 wks)																																																

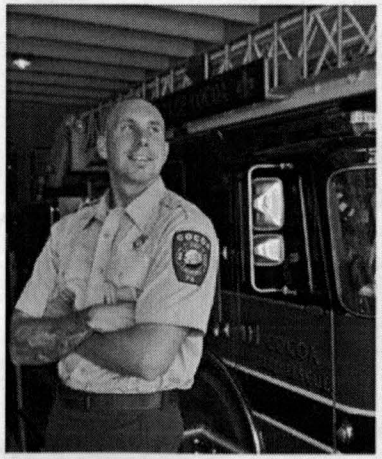
City of Cocoa Fire Station No. 3 Relocation

Budget / Estimate of Probable Cost

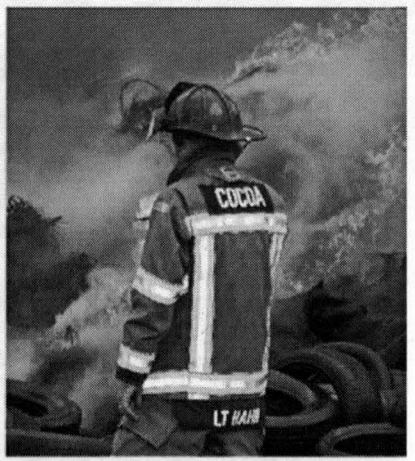
City of Cocoa Fire Department Facilities Study						
		Cost Per Unit	Units (SF)*	FD Headquarters No.1	FS No. 2	FS No. 3
Opinion of Probable Cost				Dixon Blvd.	Brunson Blvd.	S.R. 524
Project "Hard Costs"						
Building Construction (SF):						
Fire Headquarters	@	$165.00	15,110	2,493,150		
Satellite Station (no expansion)	@	$165.00	7,236		1,193,940	1,193,940
Satellite Station (single-bay expansion)	@	$120.00	474			56,880
Building Hardening	@	$16.00		241,760	115,776	123,360
Site Development (SF):						
Fire Administration				353,670		
Satellite Station					255,151	255,151
Subtotal "Hard Costs"				**3,088,580**	**1,564,867**	**1,629,331**
Other Potential "Soft costs"						
Land Aquisition				250,000		250,000
FF&E Allowance						
Fire Administration		Allowance		140,000		
Satellite Station		Allowance			70,000	70,000
Technology -Structured Cabling		Allowance		60,000	30,000	30,000
Technology Systems		Allowance		88,000	49,000	49,000
Professional Design Fees, Miscellaneous "Soft" Costs and Contingency (includes survey, geotech, permitting, etc.)	@	10%		308,858	156,487	162,933
Subtotal "Soft Costs"				**846,858**	**305,487**	**561,933**
Total Project Opinion of Probable Cost				**3,935,438**	**1,870,353**	**2,191,264**
Project Total			30,056	GSF		**7,997,055**

City of Cocoa

Community Outreach March 29, 2016 Fire Station No. 3







Architects Design Group
WINTER PARK, FL • DALLAS, TX

Discussion / Q + A / Council Consensus

Legislation Details (With Text)

File #:	16-169	**Version:**	1	**Name:**	
Type:	Awards/Presentations			**Status:**	Agenda Ready
File created:	4/19/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Awarding of the US 1 Corridor Community Redevelopment Agency Business Recognition Award. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Certificate.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 19, 2016
Agenda Date: May 10, 2016
Prepared By: Susan D. McGrady, CRA Program Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Awarding of the US 1 Corridor Community Redevelopment Agency Business Recognition Award.

BACKGROUND:

At the US 1 Corridor Community Redevelopment Agency (CRA) meeting on January 12, 2015 the Agency voted to establish the US 1 CRA Business Recognition Award Program. The purpose of the Program is to recognize those businesses who have demonstrated above-average efforts in maintaining their property, thereby contributing to the overall appearance of the community at large while adhering to all appropriate codes and permits.

At the CRA meeting on February 22, 2016 the Agency voted East Coast Lumber/Ace Hardware as the second recipient of the Award.

Mr. Brian Blocker will be in attendance to accept.

STRATEGIC PLAN CONNECTION:

The Strategic Issues of Economic Development, Community Development and Image are impacted by this Agenda Item.

BUDGETARY IMPACT:

There is no budgetary impact.

PREVIOUS ACTION:

The first US 1 Corridor CRA Business Recognition Award was presented to Chaparral Mexican Grill on August 25, 2015.

RECOMMENDED MOTION:

Awarding of the US 1 Corridor Community Redevelopment Agency Business Recognition Award.

US 1 CORRIDOR CRA
BUSINESS
RECOGNITION AWARD

This certificate is awarded to

East Coast Lumber/Ace Hardware

in recognition of

Above Average Efforts in Property Maintenance

Henry U. Parrish III, Mayor, City of Cocoa

Date: May 10, 2016

Legislation Details (With Text)

File #:	16-179	**Version:**	1	**Name:**	
Type:	Awards/Presentations			**Status:**	Agenda Ready
File created:	4/26/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Presentation of the City of Cocoa's 2016 "Cocoa Works" Summer Youth Employment Program. (Administrative Services Director)				
Sponsors:	Department Director				
Indexes:	EEO, Recruitment, staffing				
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 26, 2016
Agenda Date: May 10, 2016
Prepared By: Tammy B. Gemmati, PHR, Administrative Services Director
Through: John A. Titkanich, Jr., AICP, City Manager
Requested Action:
Presentation of the City of Cocoa's 2016 "Cocoa Works" Summer Youth Employment Program.

BACKGROUND:

City Staff will be presenting on the City of Cocoa's 2016 Summer Youth Program, "Cocoa Works." The City is partnering with CareerSource Brevard to provide a paid summer internship to 22 high school students from Cocoa High and Rockledge High. This is a needs-based program eligible only for high school students who reside within the City of Cocoa city limits.

While structured in different format than prior City summer employment programs, this program is being reinstituted based on citizen input received from the Mayor's Crime Awareness and Prevention Summit, as well as a community-based event that solicited public comment. Additionally, City Council provided direction at its FY2016 Budget Workshop to include the summer youth program in the FY2016 budget.

STRATEGIC PLAN CONNECTION:

Providing Cocoa youth a meaningful employment opportunity during the summer that also provides a program to develop their employability skills is in an investment in the future and addresses systemic issues of poverty and unemployment. Recruiting from local Cocoa residents will assist in the strategic item of community development to help young disadvantaged citizens receive an

opportunity to gain experience in a public servant position. Although these positions are temporary summer positions, it may provide a career path for regular full-time positions upon the student's graduation from High School.

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

None

RECOMMENDED MOTION:

Presentation of the City of Cocoa's 2016 "Cocoa Works" Summer Youth Employment Program.

Legislation Details (With Text)

File #:	16-167	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Consent Agenda
File created:	4/19/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Dr. Joe Lee Smith Center for Justice. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Sponsor Recertification Application FY 2016-17.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 19, 2016
Agenda Date: May 10, 2016
Prepared By: Susan D. McGrady, CRA Program Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Dr. Joe Lee Smith Center for Justice.

BACKGROUND:

At the Cocoa City Council meeting held on September 8, 2015 City Council approved the submission of a Community Contribution Tax Credit Program Sponsor Project Application to the Florida Department of Economic Opportunity (DEO) for the Dr. Joe Lee Smith Center for Justice. Subsequently, on September 25, 2015 the City was notified by the DEO of its approval to participate in the Community Contribution Tax Credit Program and assigned Project number CC-0502-A.

Each Project Sponsor is required to submit a Recertification Application to the DEO no later than June 2 of each year to coincide with the State of Florida Fiscal Year which runs from July 1 to June 30. The Recertification allows for the City to continue to be eligible to participate in the Community Contribution Tax Credit Program and receive tax-deductible donations. Donors may receive a credit of up to fifty percent (50%) of the value of the donation which can be used as a credit on their corporate income tax, insurance premium tax or as a refund against sales tax.

STRATEGIC PLAN CONNECTION:

The Strategic Issues of Image and Community Development are furthered by this Agenda Item.

BUDGETARY IMPACT:

There is no budgetary impact with this item.

PREVIOUS ACTION:

At the Cocoa City Council meeting held on September 8, 2015 City Council approved the submission of a Community Contribution Tax Credit Program Sponsor Project Application to the Florida Department of Economic Opportunity (DEO) for the Dr. Joe Lee Smith Center for Justice.

RECOMMENDED MOTION:

Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Dr. Joe Lee Smith Center for Justice.

COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM
SPONSOR RECERTIFICATION APPLICATION

FORM A: AGENCY PROFILE

NAME OF SPONSOR:	**City of Cocoa**
PROJECT NUMBER:	**CC-0502-A**
NAME OF APPROVED PROJECT:	**Dr. Joe Lee Smith Center for Justice**
CONTACT PERSON:	**John A. Titkanich, Jr., AICP**
TITLE:	**City Manager**
MAILING ADDRESS:	**65 Stone Street Cocoa FL 32922**
PHONE:	**(321) 433-8660**
FAX:	**(321) 433-8690**
E-MAIL ADDRESS:	**jtitkanich@cocoafl.org**
WEB SITE ADDRESS:	**www.cocoafl.org**

PROVIDE INFORMATION IF YOUR DONORS RECEIVED TAX CREDITS IN FY 2015/16:
SUMMARIZE ACTIVITIES BASED ON APPROVED DONATIONS:

NUMBER OF JOBS CREATED, IF APPLICABALE, (based on tax credits approved in FY 2015/16)	**0 Full Time Equivalents**
NUMBER OF STRUCTURES BUILT or REHABILITATED (based on tax credits approved in FY 2015/16)	**0 Structures Built** **0 Structures Rehabilitated**
DOLLAR AMOUNT OF APPROVED TAX CREDITS	**$ 0.00**
ESTIMATED COMPLETION DATE OF PROJECT (IF APPLICABLE):	**December 2018**

COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM

SPONSOR RECERTIFICATION APPLICATION

FORM B: NO CHANGES TO PROJECT

The following correspondence is a formal request to have:

City of Cocoa
(Name of Sponsor)

and its project # CC-0502-A be recertified as eligible under the provisions of the Community Improvement Act of 1980 as amended.

I, John A. Titkanich, Jr., serving as a duly elected or appointed officer
(Printed Name)

City Manager, herewith make this request for
(Title)

recertification and state that there are **no** changes in the project activities or its location as originally submitted within our project proposal submitted to the Department of Commerce, the Office of Tourism, Trade and Economic Development (OTTED) or the Florida Department of Economic Opportunity (DEO).

I acknowledge that DEO reserves the right to request additional information necessary for the processing of an application for recertification and that DEO may deny a request if it determines that the proposed project does not meet the requirements of Florida Statutes.

(Signature)

(Date)

Legislation Details (With Text)

File #:	16-168	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Consent Agenda
File created:	4/19/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Magnolia Point Homeownership Project. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Sponsor Recertification Application FY 2016-17 Magnolia Point.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 19, 2016
Agenda Date: May 10, 2016
Prepared By: Susan D McGrady, CRA Program Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Magnolia Point Homeownership Project

BACKGROUND:

At the Cocoa City Council meeting held on October 13, 2015 City Council approved the submission of a Community Contribution Tax Credit Program Sponsor Project Application to the Florida Department of Economic Opportunity (DEO) for the Magnolia Point Homeownership Project. Subsequently, on October 28, 2015 the City was notified by the DEO of its approval to participate in the Community Contribution Tax Credit Program and assigned Project number CC-0502-B.

Each Project Sponsor is required to submit a Recertification Application to the DEO no later than June 2 of each year to coincide with the State of Florida Fiscal Year which runs from July 1 to June 30. The Recertification allows for the City to continue to be eligible to participate in the Community Contribution Tax Credit Program and receive tax-deductible donations. Donors may receive a credit of up to fifty percent (50%) of the value of the donation which can be used as a credit on their corporate income tax, insurance premium tax or as a refund against sales tax.

STRATEGIC PLAN CONNECTION:

The Strategic Issues of Image and Community Development are furthered by this Agenda Item.

BUDGETARY IMPACT:

There is no budgetary impact with this item.

PREVIOUS ACTION:

At the Cocoa City Council meeting held on October 13, 2015 City Council approved the submission of a Community Contribution Tax Credit Program Sponsor Project Application to the Florida Department of Economic Opportunity (DEO) for the Magnolia Point Homeownership Project.

RECOMMENDED MOTION:

Approve the submission of a Community Contribution Tax Credit Program Sponsor Recertification Application to the Florida Department of Economic Opportunity for the Magnolia Point Homeownership Project

COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM
SPONSOR RECERTIFICATION APPLICATION

FORM A: AGENCY PROFILE

NAME OF SPONSOR:	**City of Cocoa**
PROJECT NUMBER:	**CC-0502-B**
NAME OF APPROVED PROJECT:	**Magnolia Point Homeownership Project**
CONTACT PERSON:	**John A. Titkanich, Jr., AICP**
TITLE:	**City Manager**
MAILING ADDRESS:	**65 Stone Street Cocoa FL 32922**
PHONE:	**(321) 433-8660**
FAX:	**(321) 433-8690**
E-MAIL ADDRESS:	**jtitkanich@cocoafl.org**
WEB SITE ADDRESS:	**www.cocoafl.org**

PROVIDE INFORMATION IF YOUR DONORS RECEIVED TAX CREDITS IN FY 2015/16:
SUMMARIZE ACTIVITIES BASED ON APPROVED DONATIONS:

NUMBER OF JOBS CREATED, IF APPLICABALE, (based on tax credits approved in FY 2015/16)	**0 Full Time Equivalents**
NUMBER OF STRUCTURES BUILT or REHABILITATED (based on tax credits approved in FY 2015/16)	**0 Structures Built** **0 Structures Rehabilitated**
DOLLAR AMOUNT OF APPROVED TAX CREDITS	**$ 0.00**
ESTIMATED COMPLETION DATE OF PROJECT (IF APPLICABLE):	**November 2016**

COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM

SPONSOR RECERTIFICATION APPLICATION

FORM B: NO CHANGES TO PROJECT

The following correspondence is a formal request to have:

City of Cocoa
(Name of Sponsor)

and its project # CC-0502-B be recertified as eligible under the provisions of the Community Improvement Act of 1980 as amended.

I, John A. Titkanich, Jr., serving as a duly elected or appointed officer
(Printed Name)

City Manager, herewith make this request for
(Title)

recertification and state that there are **no** changes in the project activities or its location as originally submitted within our project proposal submitted to the Department of Commerce, the Office of Tourism, Trade and Economic Development (OTTED) or the Florida Department of Economic Opportunity (DEO).

I acknowledge that DEO reserves the right to request additional information necessary for the processing of an application for recertification and that DEO may deny a request if it determines that the proposed project does not meet the requirements of Florida Statutes.

(Signature)

(Date)

Legislation Details (With Text)

File #:	16-181	**Version:**	1	**Name:**	Craft brewery in CBD second reading
Type:	Ordinance			**Status:**	Public Hearing
File created:	4/27/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Ordinance No. 06-2016/ 2nd and Final Reading: Amending Appendix A, Zoning, of the City Code to allow craft breweries as a Special Exception use in the CBD (Central Business District) Zoning District. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Ordinance No. 06-2016 CBD Craft breweries.pdf CBD Zoning.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 27, 2016
Agenda Date: May 10, 2016
Prepared By: Steven Biel, Senior Planner
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve the Second reading of Ordinance 06-2016, amending Appendix A, Zoning, of the City Code to allow craft breweries as a Special Exception use in the CBD (Central Business District) Zoning District.

BACKGROUND:

In accordance with Section 1(G)(2), Article XXII, Appendix A (Zoning), of the Code of the City of Cocoa, the Planning and Zoning Board shall consider and study the following when an amendment to the zoning code is proposed:

a. The need and justification for the change.

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning programs and to the comprehensive plan, with appropriate consideration as to whether the proposed changes will further the purposes of [the] zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

Need and justification for change

On March 22, 2016, City Council approved a request by Dirty Oar Beer Company, LLC for a zoning

text amendment that permits as a Special Exception use, in the C-C (Core Commercial) zoning district, the production of craft beer only and for associated bar and lounge areas, provided that these areas do not exceed 50 percent of the total square footage of the operation and would be able to serve beer and wine only (Ordinance No. 03-2016).

There appears to be additional interest in other craft breweries opening in the City. The City is proposing a zoning text amendment (Ordinance No. 06-2016) that permits craft breweries as a Special Exception in the CBD (Central Business District) zoning district. Craft breweries are a growing trend in Florida, as well as across the country, and staff believes Cocoa Village is poised to benefit from the experiences associated with a local craft brewery.

The proposed ordinance would specifically allow for craft breweries with or without a bar and/or lounge area as an accessory use, subject to the following: a) onsite production shall be limited to beer only; b) no alcohol consumption, other than associated with a bar and lounge area, shall be permitted on-site; and c) all materials and supplies related to the brewery operation shall be stored in an enclosed structure. It should be noted that bars and lounges are currently permitted in the CBD zoning district as a Special Exception.

The Board of Adjustment would hold a public hearing for any applications that fall under the proposed ordinance and would potentially receive input from citizens. The Board of Adjustment could impose conditions as it deems appropriate.

Relationship and consistency with Comprehensive Plan Policies and Objectives

The following Comprehensive Plan policies support the applicant's request:

- Future Land Use Element Goal 1.1: Create and maintain a broad range of land use activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.

- Future Land Use Element Goal 1.3: The City of Cocoa shall enhance the quality of life and prosperity of its citizens through the retention and creation of a wide range of profitable business opportunities and jobs.

STRATEGIC PLAN CONNECTION:

N/A

BUDGETARY IMPACT:

Budgeted N/A

PREVIOUS ACTION:

City Council approved the first reading of Ordinance 06-2016 at its April 26, 2016 meeting.

RECOMMENDED MOTION:

Approve the Second reading of Ordinance 06-2016, amending Appendix A, Zoning, of the City Code to allow craft breweries as a Special Exception use in the CBD (Central Business District) Zoning District.

ORDINANCE NO. 06-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, OF THE CITY CODE TO ALLOW CRAFT BREWERIES AS A SPECIAL EXCEPTION USE IN THE CENTRAL BUSINESS DISTRICT ("CBD") ZONING DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, INCORPORATION INTO THE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the City of Cocoa is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City anticipates that craft beer breweries will increase in popularity in the future; and

WHEREAS, the City Council of the City of Cocoa finds that in order to encourage the location of these facilities, the City Code must be amended to provide for additional appropriate zoning categories for craft breweries; and

WHEREAS, the Planning and Zoning Board has reviewed these proposed amendments at a duly noticed public hearing held on April 13, 2016, and said Board has recommended approval of the amendment to the City Code; and

WHEREAS, the City Council of the City of Cocoa, hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cape Canaveral.

NOW, THEREFORE, THE CITY OF COCOA HEREBY ORDAINS AS FOLLOWS:

Section 1. **Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Council of the City of Cocoa.

Section 2. **Amendment to Appendix A, Zoning.** Appendix A, Zoning, of the Code of Ordinances, City of Cocoa, Florida, is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while asterisks (***) indicate a deletion from this Ordinance of text existing in Appendix A, Zoning. It is intended that the text in Appendix A Zoning, denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance):

Appendix A - Zoning

*** * ***

*** * ***

Article XI. – Schedule of District Regulations

*** * ***

Sec. 13. – District and Intent – CBD, Central Business District.

*** * ***

(C) SPECIAL EXCEPTIONS.

*** * ***

(26) Craft breweries, with or without a bar and/or lounge area as an accessory use, subject to the following:

a. Onsite production shall be limited to beer, only; and
b. No alcohol consumption, other than that associated with a bar and lounge area, shall be permitted on-site; and
c. All materials and supplies related to the brewery operation shall be stored in an enclosed structure.

*** * ***

Section 3. **Repeal of Prior Inconsistent Ordinances and Resolutions**. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 4. **Incorporation Into Code**. This Ordinance shall be incorporated into the Cocoa City Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

Section 5. **Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

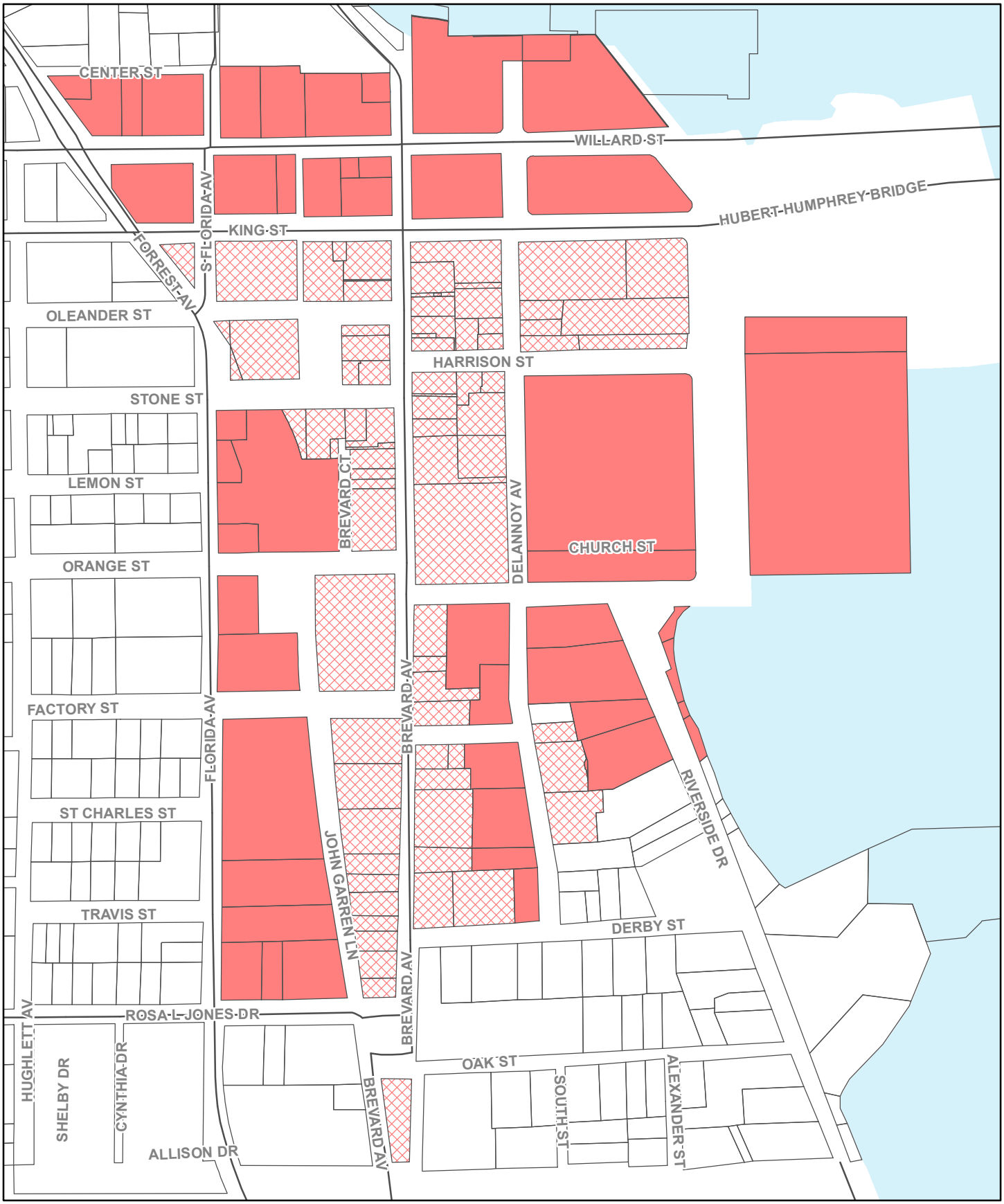
ADOPTED, by the City Council of the City of Cocoa, Florida, this ____ day of _____, 2016.

_____
Henry U. Parrish, Mayor

ATTEST:

_____
Carie Shealy, City Clerk

City of Cocoa - Zoning



CBD: Central Business District

CBD-CVO: Central Business District - Cocoa Village Overlay

Legislation Details (With Text)

File #:	16-182	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Public Hearing
File created:	4/27/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Ordinance No. 07-2016/2nd reading: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan. (Administrative Services Director)				
Sponsors:	Department Director				
Indexes:	benefits, Pension, retiree				
Code sections:					
Attachments:	Ordinance 07-2016.pdf Email Correspondence Accepting Proposed Changes.pdf Cocoa General EE Pension Proposed Ordinance Letter_03232016.pdf Signed MOU Letter.pdf No Impact Letter - Foster_Foster 4-25-16.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 27, 2016
Agenda Date: May 10, 2016
Prepared By: Tammy B. Gemmati, PHR, Administrative Services Director
Through: John A. Titkanich, Jr., AICP, City Manager
Requested Action:
Ordinance No. 7-2016/2nd reading: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan; Providing for incorporation into the Code; Providing for severability of provisions; Repealing all ordinances and resolutions in conflict herewith and providing an effective date.

BACKGROUND:

The City of Cocoa General Employees' Retirement Plan is currently a closed retirement plan with only three active employee participants, with two of these participants covered by LIUNA Collective Bargaining. Per Florida Statute 112.66(11), the City was required to revise the Code related to the definition of compensation for pensionable earnings for overtime earnings and payments for unused

sick and annual/vacation leave. The first step to the Code revision was executing a memorandum of understanding (MOU) between the City and LIUNA on March 21, 2016. Upon the next LIUNA Collective Bargaining Agreement, these changes will be included under Article 14 Wages.

In addition to the changes mentioned above, on March 23, 2016 Scott R. Christiansen, Pension Plan Attorney requested other plan changes related to the Internal Revenue Code (IRC) and additional amendments to clarify certain provisions in the Plan. This proposed ordinance was submitted to the City's pension attorney Jim Linn of Lewis, Longman & Walker for review. After this review, a majority of the recommendations were kept and some language was modified in the draft ordinance written by Mr. Linn.

On April 11, 2016, Mr. Christiansen's staff accepted Mr. Linn's recommendations; therefore, City staff recommends moving forward with the proposed ordinance.

A summary of the amendments to the pension plan in the proposed ordinance include:

1. Section 2-105, Definitions
   - Actuarial Equivalent - amend the definition to incorporate the Mortality Table currently being used by the plan's actuary
   - Credited Service - clarification of IRC regulations on leave conversions
   - Salary - incorporates recent negotiated changes to overtime and unused sick and annual leave, as written in MOU (attached document).
   - Spouse - to clarify the definition in accordance with a recent US Supreme Court ruling.

2. Section 2-107, Board of Trustees - amended to provide a change in the make-up of the trustees in order the Board to continue to have the members needed for a quorum. Since there are few active members of the plan, the residency requirements were removed. Three (3) of the board trustees are appointed by City Council, of which one (1) of these appointments maybe the City Manager or the designee of another city employee.

3. Section 2-108, Finances and Fund Management - amended to incorporate recent IRC requirements with regard to investments in commingled funds.

4. Section 2-114, Optional Forms of Benefits - subsection (b) has been amended to clarify that if proof of good health of the joint pensioner being replaced, the actuary will assume that the joint pensioner has deceased for purposes of calculating the new payment.

5. Section 2-118, Maximum Pension - several subsections amended to comply with IRC changes.

6. Section 2-119, Minimum Distribution of Benefits - amended for a reference clarification in subsection (b)(2)d.

7. Section 2-127, Prior Government Service - amended for a reference correction.

8. Section 2-132, Deferred Retirement Option Plan - several amendments related to recent direction from the IRS in connection with the issuance of several Favorable Determination Letters to clarify investment returns on DROP accounts and add several sections clarifying the DROP

provisions as required by the IRS.

9. Incorporation Into Code

10. Severability

11. Repeal of Prior Inconsistent Ordinances and Resolutions

12. Effective Date - upon adoption

The first reading of this proposed ordinance was at the April 26, 2016 City Council meeting. Since then, the General Pension Plan's actuary firm Foster and Foster provided a letter stating because the changes do not result in a change in the valuation results, it is their opinion that a formal Actuarial Impact Statement is not required in support of its adoption.

STRATEGIC PLAN CONNECTION:

Containing the retirement plan costs helps maintain financial sustainability for the City. Moreover, maintaining this closed retirement plan helps retain employees at the City of Cocoa for a long tenure and meet the City's obligation to retirees.

BUDGETARY IMPACT:

Budgeted: Yes

The budgetary impact is determined by the Plan's actuary in the associated Actuarial Valuation Report. On the October 1, 2015 report the City's required annual contribution is $651,442. This amount is budgeted is respective retirement contribution account lines of those few active employees.

PREVIOUS ACTION:

At a Regular City Council Meeting on April 26, 2016, Council approved the first reading of Ordinance No. 7-2016: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan; Providing for incorporation into the Code; Providing for severability of provisions; Repealing all ordinances and resolutions in conflict herewith and providing an effective date.

At a Regular City Council Meeting on October 22, 2013, Council approved Ordinance No. 12-2013 related to the General Employees' Retirement Plan, amending Section 2-105, Definitions; Amending Section 2-108, Finances and Fund Management; and Section 2-118, Maximum Pension of the City of Cocoa Code of Ordinances.

At a Regular City Council Meeting on January 26, 2010, Council approved Ordinance No. 04-2010 amending multiple sections of the General Employees' Retirement Plan.

RECOMMENDED MOTION:

Ordinance No. 7-2016/2nd reading: Related to changes in the General Employees' Retirement Plan due to legislative and Internal Revenue Code compliance changes amending Section 2-105, Definitions; Section 2-107, Board of Trustees; Section 2-108, Finances and Fund Management; Section 2-114, Optional Forms of Benefits; Section 2-118, Maximum Pension; Section 2-119, Minimum Distribution of Benefits; Section 2-127, Prior Government Service; Section 2-132, Deferred Retirement Option Plan; Providing for incorporation into the Code; Providing for severability of provisions; Repealing all ordinances and resolutions in conflict herewith and providing an effective date..

ORDINANCE NO. 07-2016

AN ORDINANCE OF THE CITY OF COCOA, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, GENERAL EMPLOYEES' RETIREMENT PLAN, OF THE CITY OF COCOA CODE OF ORDINANCES; AMENDING SECTION 2-105, DEFINITIONS; AMENDING SECTION 2-107, BOARD OF TRUSTEES; AMENDING SECTION 2-108, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 2-114, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 2-118. MAXIMUM PENSION; AMENDING SECTION 2-119, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 2-127, PRIOR GOVERNMENT SERVICE; AMENDING SECTION 2-132, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA;

SECTION 1: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-105, Definitions, to amend the definitions of "Actuarial Equivalent", "Credited Service", "Salary", and "Spouse", to read as follows:

* * * * *

Actuarial equivalent means a benefit or amount of equal value, based upon the ~~1983 Group Annuity~~ RP-2000 Combined Healthy Unisex Mortality Table and an interest rate ~~of eight (8%) per annum~~ equal to the investment return assumption set forth in the most recent actuarial valuation approved by the Board. This definition may only amended by the city pursuant to the recommendation of the board using assumptions adopted by the board with the advice of the plan's actuary, such that actuarial assumptions are not subject to city discretion.

* * * * *

Credited service means the total number of years and fractional parts of years of service as a general employee with member contributions to the system, when required, omitting intervening years or completed months when such member may not be employed by the city as a general employee. If a vested member terminates his employment, his accumulated contributions will be returned only upon written request of the member. If a non-vested member terminates employment, his accumulated contributions, if less than one-thousand dollars ($1,000.00), shall be returned. If a Member who is not vested terminates employment, his Accumulated Contributions, if one-thousand dollars ($1,000.00) or more, will be returned only upon the written request of the Member and upon completion of a written election to receive a cash lump sum or to rollover the lump sum amount on forms designated by the Board. Upon return of a member's accumulated contributions, all of his rights and benefits under the system are forfeited and terminated.

The years or fractional parts of years that a member performs "Qualified Military Service" consisting of voluntary or involuntary "service in the uniformed services" as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) (P.L.103-353), after

separation from employment as a general employee with the city to perform training or service, shall be added to his years of credited service fo**r** all purposes, including vesting, provided that:

(1) The member is entitled to reemployment under the provisions of USERRA

(2) The member returns to his employment as a general employee with the city within one (1) year from the earlier of the date of his military discharge or his release from active service, unless otherwise required by USERRA.

(3) The member deposits into the fund the same sum that the member would have contributed, if any, if he had remained a general employee during his absence. The maximum credit for military service pursuant to this subsection shall be five (5) years. The member must deposit all missed contributions within a period equal to three (3) times the period of military service, but not more than five (5) years, following reemployment or he will forfeit the right to receive credited service for his military service pursuant to this paragraph.

(4) This paragraph is intended to satisfy the minimum requirements of USERRA. To the extent that this paragraph does not meet the minimum standards of USERRA, as it may be amended from time to time, the minimum standards shall apply.

In the event a member dies on or after January 1, 2007, while performing USERRA Qualified Military Service, the beneficiaries of the member are entitled to any benefits (other than benefit accruals relating to the period of qualified military service) as if the member had resumed employment and then died while employed.

Beginning January 1, 2009, to the extent required by section 414(u)(12) of the code, an individual receiving differential wage payments (as defined under section 3401(h)(2) of the code) from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

Leave conversions of unused accrued paid time off shall not be permitted to be applied toward the accrual of credited service either during each plan year of a member's employment with the City or in the plan year in which the member terminates employment.

* * * * *

Salary means the total compensation for services rendered to the city as a general employee reported on the member's W-2 form plus all tax deferred, tax-sheltered or tax exempt items of income derived from elective employee payroll deductions or salary reductions. Notwithstanding the preceding sentence, effective November 14, 2012, Salary shall not include payments for unused sick leave or unused annual leave; provided, payments for unused sick and annual leave shall be included for employees who were employed and not participating in the DROP on November 14, 2012, in an amount equal to the leave hours accrued on November 14, 2012 or the amount paid out upon termination of employment, whichever is less. Notwithstanding any other provision of this paragraph, effective October 1, 2015 payments for overtime in excess of one hundred fifty (150) hours per fiscal year shall be excluded from Salary.

Compensation in excess of the limitations set forth in section 401(a)(17) of the Code as of the first day of the plan year shall be disregarded for any purpose, including employee contributions or any benefit calculations. The annual compensation of each member taken into account in determining benefits or employee contributions for any plan year beginning on or after January 1,

2002, may not exceed $200,000, as adjusted for cost-of-living increases in accordance with Code Section 401(a)(17)(B). Compensation means compensation during the fiscal year. The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year. If the determination period consists of fewer than 12 months, the annual compensation limit is an amount equal to the otherwise applicable annual compensation limit multiplied by a fraction, the numerator of which is the number of months in the short determination period, and the denominator of which is 12. If the compensation for any prior determination period is taken into account in determining a member's contributions or benefits for the current plan year, the compensation for such prior determination period is subject to the applicable annual compensation limit in effect for that prior period. The limitation on compensation for an "eligible employee" shall not be less than the amount which was allowed to be taken into account hereunder as in effect on July 1, 1993. "Eligible employee" is an individual who was a member before the first plan year beginning after December 31, 1995.

* * * * *

Spouse means the lawful wife or husband of a member member's or retiree's spouse under applicable law at the time benefits become payable.

* * * * *

SECTION 2: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-107, Board of Trustees, subsection (a), to read as follows:

* * * * *

(a) The sole and exclusive administration of and responsibility for the proper operation of the system and for making effective the provisions of this article are hereby vested in a board of trustees. The board is hereby designated as the plan administrator. The board shall consist of five (5) trustees, ~~two (2)~~ three (3) of whom shall be appointed by the city council, ~~and be residents of the city or retirees of this plan,~~ and ~~two (2)~~ one (1) of whom shall be a full-time general employees who are is a member~~s~~ of the system, who shall be elected by a majority of the general employees who are members of the system. The fifth trustee shall be ~~a retiree and shall be~~ chosen by a majority of the previous four (4) trustees and shall have the same rights as each of the other four (4) trustees appointed or elected as herein provided. The city council may appoint the City Manager to serve as one of the ~~two~~ three (3) ~~residents of the~~ city appointees, and such appointment shall constitute ex officio duties ~~on~~ of the City Manager. The City Manager may designate another city employee to serve as trustee in place of the City Manager. At least one of the three city council appointees shall be a retiree of the system. Each trustee shall serve as a trustee for a period of three (3) years, unless he/she sooner vacates the office or unless a member trustee's employment with the city is terminated, whereupon a successor shall be chosen in the same manner as the departing trustee to serve the remainder of the term. Each trustee may succeed himself/herself in office. Drop participants can be elected as and vote for elected trustees. The board shall establish and administer the nominating and election procedures for each election. The board shall meet at least quarterly each year. The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature and description.

* * * * *

SECTION 3: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-108, Finances and Fund Management, subsection (6)b.3., to read as follows:

* * * * *

3. In addition, the board may, upon recommendation by the board's investment consultant, make investments in group trusts meeting the requirements of Internal Revenue Service Revenue Ruling 81-100, and Revenue Ruling 2011-1, IRS Notice 2012-6 and Revenue Ruling 2014-24 or successor rulings or guidance of similar import, and operated or maintained exclusively for the commingling and collective investment of monies, provided that the funds in the group trust consist exclusively of trust assets held under plans qualified under section 401(a) of the code, individual retirement accounts that are exempt under section 408(e) of the code, eligible governmental plans that meet the requirements of section 457(b) of the code, and governmental plans under 401(a)(24) of the code. For this purpose, a trust includes a custodial account or a separate tax favored account maintained by an insurance company that is treated as a trust under section 401(f) or under section 457(g)(3) of the code. While any portion of the assets of the fund are invested in such a group trust, such group trust is itself adopted as a part of the system or plan.

i. Any collective or common group trust to which assets of the fund are transferred pursuant to subsection 3. shall be adopted by the board as part of the plan by executing appropriate participation, adoption agreements, and/or trust agreements with the group trust's trustee.

ii. The separate account maintained by the group trust for the plan pursuant to subsection 3. shall not be used for, or diverted to, any purpose other than for the exclusive benefit of the members and beneficiaries of the plan.

iii. For purposes of valuation, the value of the separate account maintained by the group trust for the plan shall be the fair market value of the portion of the group trust held for the plan, determined in accordance with generally recognized valuation procedures.

* * * * *

SECTION 4: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-114, Optional Forms of Benefits, subsection (b), to read as follows:

* * * * *

(b) The member, upon electing any option of this section, will designate the joint pensioner (subsection (a)(2) above) or beneficiary (or beneficiaries) to receive the benefit, if any, payable under the system in the event of member's death, and will have the power to change such designation from time to time. Such designation will name a joint pensioner or one (1) or more primary beneficiaries where applicable. If a member has elected an option with a joint pensioner or beneficiary and member's retirement income benefits have commenced, member may thereafter change his designated beneficiary at any time, but may only change his joint pensioner if the designated joint pensioner and the member were married at the time of member's retirement and are divorced subsequent thereto and the joint pensioner is alive at the time of the change; provided however, in no event may a member change his or her designated joint pensioner more than twice. In the absence of proof of good health of the joint pensioner being replaced, the actuary will assume that the joint pensioner has deceased for purposes of calculating the new payment.

* * * * *

SECTION 5: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-118, Maximum Pension, subsections (f), (h), (l)(2) and by adding subsection (m), to read as follows:

* * * * *

(f) *Less than Ten (10) Years of Participation ~~or Service~~*. The maximum retirement benefits payable under this section to any member who has completed less than ten (10) years of ~~credited service with the City~~ participation shall be the amount determined under subsection (a) of this section multiplied by a fraction, the numerator of which is the number of the member's years of ~~credited service~~ participation and the denominator of which is ten (10) of the limit determined without regard to this subsection. The reduction provided by this subsection cannot reduce the maximum benefit below 10%. The reduction provided for in this subsection shall not be applicable to pre-retirement disability benefits paid pursuant to Sec. 2-112, or pre-retirement death benefits paid pursuant to Sec. 2-111.

* * * * *

(h) *Ten Thousand Dollar ($10,000) Limit; Less Than Ten Years of Service*. Notwithstanding anything in this Sec. 2-118, the retirement benefit payable with respect to a member shall be deemed not to exceed the limit set forth in this subsection (h) of Sec. 2-118 if the benefits payable, with respect to such member under this system and under all other qualified defined benefit pension plans to which the City contributes, do not exceed ten thousand dollars ($10,000) for the applicable limitation year and or for any prior limitation year, and the City has not at any time maintained a qualified defined contribution plan in which the member participated; provided, however, that if the member has completed less than ten (10) years of credited service with the City, the limit under this subsection (h) of Sec. 2-118 shall be a reduced limit equal to ten thousand dollars ($10,000) multiplied by a fraction, the numerator of which is the number of the member's years of credited service and the denominator of which is ten (10).

* * * * *

(l)(2) No member of the system shall be allowed to receive a retirement benefit or pension which is in part or in whole based upon any service with respect to which the member is already receiving, or will receive in the future, a retirement benefit or pension from a different employer's retirement system or plan. This restriction does not apply to social security benefits or federal benefits under Chapter 67 1223, Title 10, U.S. Code.

(m) *Effect of Direct Rollover on 415(b) Limit*. If the plan accepts a direct rollover of an employee's or former employee's benefit from a defined contribution plan qualified under Code Section 401(a) which is maintained by the employer, any annuity resulting from the rollover amount that is determined using a more favorable actuarial basis than required under Code Section 417(e) shall be included in the annual benefit for purposes of the limit under Code Section 415(b).

SECTION 6: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-119, Minimum Distribution of Benefits, subsection (b)(2)d., to read as follows:

* * * *

(b)(2) d. If the member's surviving spouse is the member's sole designated beneficiary and the surviving spouse dies after the member but before distributions to the surviving spouse begin, this subsection (b)(2), other than subsection (b)(2)a, will apply as if the surviving spouse were the member.

For purposes of this subsection (b)(2) ~~and subsection (e)~~, distributions are considered to begin on the member's required beginning date or, if subsection (b)(2)d applies, the date of distributions are required to begin to the surviving spouse under subsection (b)(2)a. If annuity payments irrevocably commence to the member before the member's required beginning date (or to the member's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (b)(2)a), the date distributions are considered to begin is the date distributions actually commence.

* * * * *

SECTION 7: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-127, Prior Government Service, subsection (5), to read as follows:

* * * * *

(5) In no event, however, may credited service be purchased pursuant to this section for prior service with any other governmental agency, if such prior service forms or will form the basis of a retirement benefit or pension from a different employer's retirement system or plan as set forth in section 2-118, subsection ~~(k)(2)~~ (l)(2).

* * * * *

SECTION 8: That Chapter 2, Administration, Article VI, General Employees' Retirement Plan of the Code of Ordinances of the City of Cocoa is hereby amended by amending Section 2-132, Deferred Retirement Option Plan, to read as follows:

Sec. 2-132. Deferred Retirement Option Plan.

(a) DEFINITIONS -- For the purpose of this section, the following terms shall be defined as indicated below.

(1) "DROP" means the deferred retirement option plan established pursuant to this section.

(2) "DROP account" means the account established for each DROP participant, which shall be part of the Fund, and which shall consist of the amount credited to an individual DROP participant in accordance with this section.

(3) "DROP entry date" means the date an eligible member begins to participate in the DROP.

(4) "DROP participant" means an eligible member who is participating in the DROP.

(5) "DROP period" means the duration of a member's participation in the DROP, from the DROP entry date to the date a participant ceases to participate in the DROP and separates from City employment. The maximum DROP period may not be longer than 60 months.

(6) *"Total return of the assets"* -- For purposes of calculating earnings on a member's DROP account pursuant to subsection (e)(6), for each fiscal year quarter, the percentage increase (or decrease) in the interest and dividends earned on investments, including realized and unrealized gains (or losses), of the total Plan assets.

(b) ELIGIBILITY -- A member who reaches the earliest normal retirement date under the plan shall be eligible to participate in the DROP.

(c) WRITTEN ELECTION -- To participate in the DROP, a member must complete and execute the forms supplied by the City, together with a letter of resignation from City employment effective upon the last day of the member's participation in the DROP. A member's written election to participate in the DROP and letter of resignation shall be irrevocable.

(d) ACCRUED LEAVE PAYMENT – Upon electing to participate in the DROP, an eligible member may elect to receive payment for accrued unused sick and annual leave in accordance with City policy, as follows:

(1) in a lump sum prior to the DROP entry date; or

(2) in a lump sum upon termination of employment.

(e) PARTICIPATION IN THE DROP

(1) An eligible member may participate in the DROP for a maximum of 60 months. An eligible member must elect to participate in the DROP and may begin participating in the DROP after reaching the earliest normal retirement date.

(2) A member who elects to participate in the DROP can elect to terminate DROP participation and City employment sooner than the maximum DROP period, with 30 days advance written notice to the City and the Board of Trustees.

(3) An eligible member who elects to participate in the DROP will be considered to have retired for purposes of the retirement plan. The member's monthly retirement benefit, determined in accordance with the plan based on years of credited service and average final compensation at the time the member enters the DROP, will be paid into his or her DROP account every month during the DROP period. No member or city contributions shall be required after a member enters the DROP, and the member will not accrue any additional credited service or any additional benefits, other than cost-of-living increases if applicable, under the retirement plan after entering the DROP.

(4) A member who elects to participate in the DROP shall not be eligible for disability or preretirement death benefits under the retirement plan.

(5) Participation in the DROP is not a guarantee of employment, and DROP participants will be subject to the same employment standards and policies that are applicable to employees who are not DROP participants.

(6) In addition to the monthly additions to the member's DROP account provided for in above, a member's DROP account shall be debited or credited with earnings or losses after each fiscal year quarter. <u>to be credited or debited to the member's DROP account, determined as of the last business day of each fiscal year quarter and debited or credited as of such date, determined as follows:</u>

The balance in a member's DROP account at the end of the quarter shall be credited or debited at a rate equal to the net investment return realized by the system for that quarter. "Net investment return" for the purpose of this paragraph is the total return of the assets in which the member's DROP account is invested by the board net of brokerage commissions, transaction costs and management fees.

For purposes of calculating earnings on a member's DROP account pursuant to this subsection (e)(6), brokerage commissions, transaction costs, and management fees shall be determined for each quarter by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these quarterly contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

A member's DROP account shall only be credited or debited with earnings or losses and monthly benefits while the member is a participant in the DROP. A member's final DROP account value for distribution to the member upon termination of participation in the DROP shall be the value of the account at the end of the quarter immediately preceding termination of participation, plus any monthly periodic additions made to the DROP account subsequent to the end of the previous quarter and prior to distribution.

(7)The fund shall be responsible for any and all expenses related to administering the DROP.

(8)As a condition of participating in the DROP, each participant must agree that his or her City employment shall terminate on the last day of the DROP period, determined in accordance with this section.

(f) PAYOUT OF DROP ACCOUNT

Within thirty (30) days after the end of the calendar quarter following the end of a participant's DROP period, the participant's DROP account shall be payable, at the participant's option, in full in a single lump sum payment, less withholding taxes; or as a direct rollover, paid directly to the custodian of an eligible retirement plan; or as a partial lump sum paid to the participant or to the designated beneficiary, with the remaining accrued benefit transferred directly to the custodian of an eligible retirement plan. Distribution of the amount in a participant's DROP account will not be made unless the participant completes a written request for distribution and a written election on forms designated by the Board to either receive a cash lump sum or a rollover of the lump sum amount. The DROP participant or designated beneficiary shall specify in writing the payee(s) and amounts to be paid to each. If a DROP participant dies before his or her DROP account is distributed, the participant's designated beneficiary shall have the same rights as the participant with respect to the distribution of the DROP account. If the member has not designated a beneficiary, the DROP account balance shall be paid to the member's estate. Regardless of the payment option selected by the participant or beneficiary, the Board of Trustees may take whatever action is necessary to comply with the Internal Revenue Code.

(g) RULES AND PROCEDURES

The Board of Trustees may adopt rules and procedures for participation and administration of the DROP that are not in conflict with this section. The DROP is intended to comply with all the applicable provisions of the Internal Revenue Code and Florida Statutes.

(h) *The DROP is not a separate retirement plan.* Instead, it is a program under which a member who is eligible for normal retirement under the system may elect to accrue future retirement benefits in the manner provided in this section 2-132 for the remainder of his employment, rather than in the normal manner provided under the plan. Upon termination of employment, a member is entitled to a lump sum distribution of his or her DROP account balance or may elect a rollover. The DROP account distribution is in addition to the member's monthly benefit.

(i) *Notional account*. The DROP account established for such a member is a notional account, used only for the purpose of calculation of the DROP distribution amount. It is not a separate account in the system. There is no change in the system's assets, and there is no distribution available to the member until the member's termination from the DROP. The member has no control over the investment of the DROP account.

(j) *No employer discretion*. The DROP benefit is determined pursuant to a specific formula which does not involve employer discretion.

(k) *IRC limit*. The DROP account distribution, along with other benefits payable from the system, is subject to limitation under Internal Revenue Code Section 415(b).

SECTION 9: **Incorporation Into Code.** This ordinance shall be incorporated into the Cocoa City Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 10: **Severability.** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 11: **Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances or resolutions adopted by the City Council, or parts of ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

SECTION 12: **Effective Date.** This ordinance shall become effective upon adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, IN A REGULAR MEETING ASSEMBLED ON THE 10th DAY OF MAY, 2016.

_____
MAYOR

_____
ATTEST
CITY CLERK

First Reading: April 26, 2016

Second Reading: May 10, 2016

Effective Date: May 10, 2016

Legal Ad Published: April 30, 2016

Tammy Gemmati

From: Sheila Hutcheson <shutch9750@aol.com>
Sent: Monday, April 11, 2016 4:42 PM
To: debbie@cdpension.com; Tammy Gemmati
Cc: Douglas Lozen; Doug; scott@cdpension.com; Sheila Hutcheson
Subject: Re: Cocoa General Employees' Retirement Plan

Tammy,
Please email the ordinance once any changes are made and the Actuary will prepare the impact statement. Thanks.

Sheila Hutcheson
Pension Plan Administrator
3860 Grantline Road
Mims, FL 32754
321-267-3082
321-267-4728 (facsimile)
shutch9750@aol.com
On 4/11/2016 11:47 AM, Debbie McCord wrote:

> Good morning Tammy,
>
> Scott reviewed the revised ordinance and has no objection to the changes, with the exception of:
>
> A. Mr. Linn indicated that he is not recommending a change to the normal retirement date, yet part of the original language changing this section inadvertently remains on page 4. We would ask that the language after the paragraph break on page 4:
>
> " * * * * *
> ...following attainment of age....
> to the end of the page 4 be removed, as this pertains to the change in normal retirement age and date.
>
> B. There are two format changes on page 9 that should be made:
>
> -- In subsection (i), Notional account: in the last sentence, the final words "over the investment of the DROP account", should also be underlined as that is new text.
>
> -- In subsection (k), IRC limit, there is additional spaces that are underlined that should be removed.
>
> We look forward to this moving on to the City Council for adoption.
> Thank you and please feel free to contact us if you have any questions,
> Debbie
>
> *Debbie McCord*
>
> ***Asst. to Scott R. Christiansen***

Office Manager
Christiansen & Dehner, P.A.
63 Sarasota Center Blvd., Suite 107
Sarasota, FL 34240
941-377-2200
Debbie@cdpension.com

Original message
From: "Tammy Gemmati" <tgemmati@cocoafl.org>
To: debbie@cdpension.com; \(Doug.Lozen@foster-foster.com\); Doug.Lozen@foster-foster.com; shutch9750@aol.com;
Dated: 4/11/2016 9:44:52 AM
Subject: RE: Cocoa General Employees' Retirement Plan

Apologies. I just realized I did not provide Jim's comments related to the City's proposed changes. His comments include:

1. Contains most of the Internal Revenue Code compliance changes in the draft ordinance prepared by Scott Christiansen. Sections 4 (normal retirement date) and 5 (disability benefits) of Mr. Christiansen's draft ordinance are not included in the attached revision, because in my judgment they are not required to maintain compliance with federal law.

2. Revises the definition of "salary" on page 2 to reflect the recent MOU between the city and LIU.

3. Revises the pension board composition on page 3 to reflect my understanding of the city's intent.

The revisions on pages 2 and 3 are highlighted.

Thanks,

Tammy

From: Tammy Gemmati
Sent: Friday, April 08, 2016 4:56 PM
To: 'debbie@cdpension.com'; 'Douglas Lozen' (Doug.Lozen@foster-foster.com); shutch9750@aol.com
Cc: John Titkanich
Subject: RE: Cocoa General Employees' Retirement Plan
Importance: High

All,

Attached is our proposed ordinance, after input from Jim Linn. Please review the comments mentioned below to explain the change. I would like to move forward with formatting it for an agenda item to Council. If you have any further input please advise.

Thanks,

Tammy

From: Debbie McCord [mailto:debbie@cdpension.com]
Sent: Wednesday, March 23, 2016 3:06 PM
To: Hutcheson; Sheila; Linn; James; Lozen; Doug
Cc: Tammy Gemmati
Subject: Cocoa General Employees' Retirement Plan

Good afternoon,

Attached please find correspondence from Scott Christiansen and a proposed ordinance for the City of Cocoa General Employees' Retirement Plan.

Please feel free to call if you have any questions.
Thank you,
Debbie

Debbie McCord

Asst. to Scott R. Christiansen
Office Manager
Christiansen & Dehner, P.A.
63 Sarasota Center Blvd., Suite 107
Sarasota, FL 34240
941-377-2200
Debbie@cdpension.com

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Law Offices
Christiansen & Dehner, P.A.
63 Sarasota Center Blvd. Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

March 23, 2016

Ms. Sheila Hutcheson, Administrator
Cocoa General Employees' Retirement Plan
3860 Grantline Road
Mims, Florida 32754

Re: Cocoa General Employees' Retirement Plan - Proposed Ordinance

Dear Sheila:

Enclosed please find a proposed ordinance amending the City of Cocoa General Employees' Retirement Plan. With changes to the Internal Revenue Code (IRC) and its associated Regulations, guidance from the Internal Revenue Service (IRS) and changes clarifying certain provisions in the plan, the following amendments to the pension plan are proposed:

1. Section 2-105, Definitions, is being amended for IRC changes and requirements, to amend the definitions of:

    a. Actuarial Equivalent - to amend the definition to incorporate the Mortality Table currently being used by the plan's actuary
    b. Credited Service - to clarify IRC regulations on leave conversions
    c. Salary - in incorporate recently negotiated changes to overtime and unused sick and annual leave
    d. Spouse - To clarify the definition in accordance with a recent US Supreme Court ruling

2. Section 2-107, Board of Trustees, has been amended to provide for a change in the make-up of the trustees in order that the Board continue to have the members needed for a quorum. There are very few active members of the plan.

3. Section 2-108, Finances and Fund Management, is being amended to further incorporate recent IRC requirements with regard to investments in commingled funds.

4. Section 2-110, Benefit amounts and eligibility, is being amended to change the Normal Retirement Date to include IRC required language regarding Normal Retirement Age and Normal Retirement Date.

5. Section 2-112, Disability, is being amended to more clearly identify those individuals who may be eligible to apply for a disability pension who have been terminated by the City due to medical reasons.

   It further clarifies the final payment date to disability retirees. The normal form of benefits is a life-only benefit and should be reflected as such in the disability section.

6. Section 2-114, Optional Forms of Benefits, subsection (b), has been amended to clarify that if proof of good health of a joint pensioner who is being replaced is not provided, the actuary will assume that the joint pensioner is deceased for purposes of calculating the revised benefit amount.

7. Section 2-118, Maximum Pension, has had several subsections amended to comply with IRC changes.

8. Section 2-119, Minimum Distribution of Benefits, is being amended for a reference clarification in subsection (b)(2)d.

9. Section 2-127, Prior Government Service, subsection (5), is being amended to correct a reference.

10. Section 2-132, Deferred Retirement Option Plan, is being amended in accordance with recent direction from the IRS in connection with the issuance of several recent Favorable Determination Letters to clarify investment returns on DROP accounts and add several sections clarifying the DROP provisions as required by the IRS.

By copy of this letter to the Board's actuary, Foster & Foster, Inc., I am requesting that they provide you with a letter indicating the cost, if any, associated with the adoption of this ordinance. If you have any questions with regard to this ordinance, please feel free to give me a call.

Yours very truly,

Scott R. Christiansen

SRC/dm
enclosure

cc: Doug Lozen, with enclosure
Jim Linn, with enclosure

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF COCOA
AND
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA (LIUNA)

This is an agreement between the City of Cocoa, hereinafter referred to as City, and the Laborers' International Union of North America Local 678, hereinafter referred to as LIUNA. This agreement is intended to implement State law on the inclusion of overtime payments and payouts of unused sick and annual leave in pensionable earnings related to active members of the City of Cocoa General Pension Plan. This Agreement creates a new Article 14.5 of the City and LIUNA Collective Bargaining Agreement effective October 1, 2015 through September 30, 2018, to read as follows:

14.5 Effective on and after the effective date of the LIUNA Agreement (October 1, 2015), the definition of salary in the General Employees' Retirement Plan will be amended to include employee W-2 earnings, but shall exclude payments for overtime in excess of one-hundred fifty (150) hours per fiscal year and payments for unused sick and annual leave; provided, payments of unused sick and annual leave shall be included for employees who were employed and not participating in the DROP on November 14, 2012, in an amount equal to the leave hours leave accrued on the November 14, 2012 or the amount paid out upon termination of employment, whichever is less.

Mutually agreed to on March 21, 2016

Signed: _____ LIUNA

Signed: _____ City of Cocoa

FOSTER & FOSTER
ACTUARIES AND CONSULTANTS

April 25, 2016

VIA EMAIL AND MAIL

Board of Trustees
c/o Ms. Sheila Hutcheson, Plan Administrator
3860 Grantline Road
Mims, Florida 32754

Re: City of Cocoa
General Employees' Retirement Plan

Dear Board:

As requested, we have reviewed the proposed Ordinance 07-2016 including, but not limited to, the following proposed changes:

1) Amending the definition of Salary, as required by Senate Bill 1128, Florida Statutes.
2) Amending the definition of Actuarial Equivalence to use the RP-2000 Combined Healthy Unisex Mortality Table and an interest rate equal to the investment return assumption set forth in the most recent actuarial valuation approved by the Board.
3) Amending the definition of Credited Service to exclude leave conversions of unused accrued paid time off in the accrual of credited service.

Given that the above referenced Plan is closed to new participants, and that the 3 remaining Members are at or near Normal Retirement eligibility, it is our opinion that the current 20% final pay load assumption remain unchanged for purposes of this amendment.

Because the changes do not result in a change in the valuation results, it is also our opinion that a formal Actuarial Impact Statement is not required in support of its adoption. However, since the Division of Retirement must be aware of the current provisions of all public pension programs, it is recommended that you send a copy of this letter and a copy of the fully executed Ordinance (upon passage) to the following office:

Mr. Keith Brinkman
Bureau of Local Retirement Systems
Division of Retirement
P. O. Box 9000
Tallahassee, FL 32315-9000

If you have any questions, please let me know.

Sincerely,

Douglas H. Lozen, EA, MAAA

Legislation Details (With Text)

File #:	16-170	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	Council Busines
File created:	4/20/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Shine the Light 5K Road Closure request for 05/21/2016. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	2016_Road_Closure.pdf Shine a light 5k.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 20, 2016
Agenda Date: May 10, 2016
Prepared By: Gail Bantugan, Leisure Services Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve the requested May 21, 2016 street closure in association with the proposed Shine the Light 5K Race.

BACKGROUND:

The race is part of the “Race Happy” Family Weekend which includes the Cocoa Triathlon which will take place on Sunday, May 22. The Triathlon road closure request has already been approved by Council on March, 22, 2016. This is a race that is in addition to the triathlon to benefit “Safe Call Now” to raise awareness for suicide prevention. The race will be held by the same organization that is sponsoring the Cocoa Tri. This race is also being supported by the Cocoa Police Department.

Shine the Light 5K, May 21, 2016 6:30 pm-8:30 pm road closure

Harrison St.: Between Delannoy Ave. and Riveredge Blvd.

Riveredge Blvd.: Between King St. and Harrison St.

King St.: Between Brevard Ave. and Riveredge Blvd. **(Rolling)**

Brevard Ave.: Between King St. and Oak St.

John Garren Ln.: Between Rosa L. Jones Dr. and Oak St.

Oak St.: Between John Garren Ln. and Riverside Dr.

Riverside Dr.: Between Oak St. and Church St.

Derby St.: Between Riverside Dr. and Brevard Ave.

The requested street closure is 3 hours and located in the CBD. Therefore the street closure counts as one-half day towards the maximum 24 street closure days. With the approval of this request the total number of approved street closures will be 15 ½ days.

STRATEGIC PLAN CONNECTION:

The approval of the road closures will help to enhance the image of Cocoa as an inviting destination for Visitors as well as re-enforce a sense of community and increased event participation for its citizens.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

This is the inaugural year for this race.

RECOMMENDED MOTION:

Approve the requested May 21, 2016 street closure in association with the proposed Shine the Light 5K Race.

Date	Event	Expected Attendance	Location	Road Closure Time	
1/18/2016	Parade: Martin Luther King Jr. Walk and Celebration	500	Riverfront Park	2-3pm	Provo going Riverf
2/20/2016	Cocoa Village Mardi Gras	8,000	Cocoa Village	3pm-12am	Breva Delan Churc and H Breva
3/5/2016	St. Marks Episopal Academy Lions on the Run 5K	100	St. Marks Academy	7am-12pm	Rivers Ave, . Breva
3/5-3/6/2016	HCVA Spring Craft Fair	9,000	Cocoa Village	10am-5pm	Breva St, Ol Munic Breva Breva Ave f Harris w ash
4/1/2016	Village Idiot 5K Village Lost Their Idiot	500	Cocoa Vilalge	6:30pm-10:00pm	Churc Park a Drive: Oak S Rivers Breva Street Street
4/16/2016	HCVA - Car Show	500	Cocoa Village	10am-5pm	HCVA 2016 5:00 p 520 a Harris and B Olean to pub
					Breva Facto Olean

05/14-05/15 2016	HCVA Summer Craft Fair	9,000	Cocoa Village	10am-5pm	the Mi Harris Breva Churc Delan Delan Harris
5/21/2016	Shine the Light 5K	200	Cocoa Village	6:30pm-8:30pm	Harris Ave. a King S and R Breva and C John (Jones Oak S and R Rivers and C
5/22/2016	Cocoa Village Triathlon Multi Race	300	Cocoa, Cocoa Village, Rockledge, Brevard County	7am-9am	Multi F Harris and B Delan and 5 SR 52 Breva on all segm
6/18/2016	Juneteenth I Arts and Cultural Festival	1,000	City of Cocoa Neighborhood	7am-7pm	Pineap and B Betw Street Mang
7/4/2016	July 4th Celebration	12,000	Riverfront Park	6am-11pm	Harris
9/17/2016	HCVA Car Show and Sidewalk Sale	500	Cocoa Village	10am-5pm	Breva

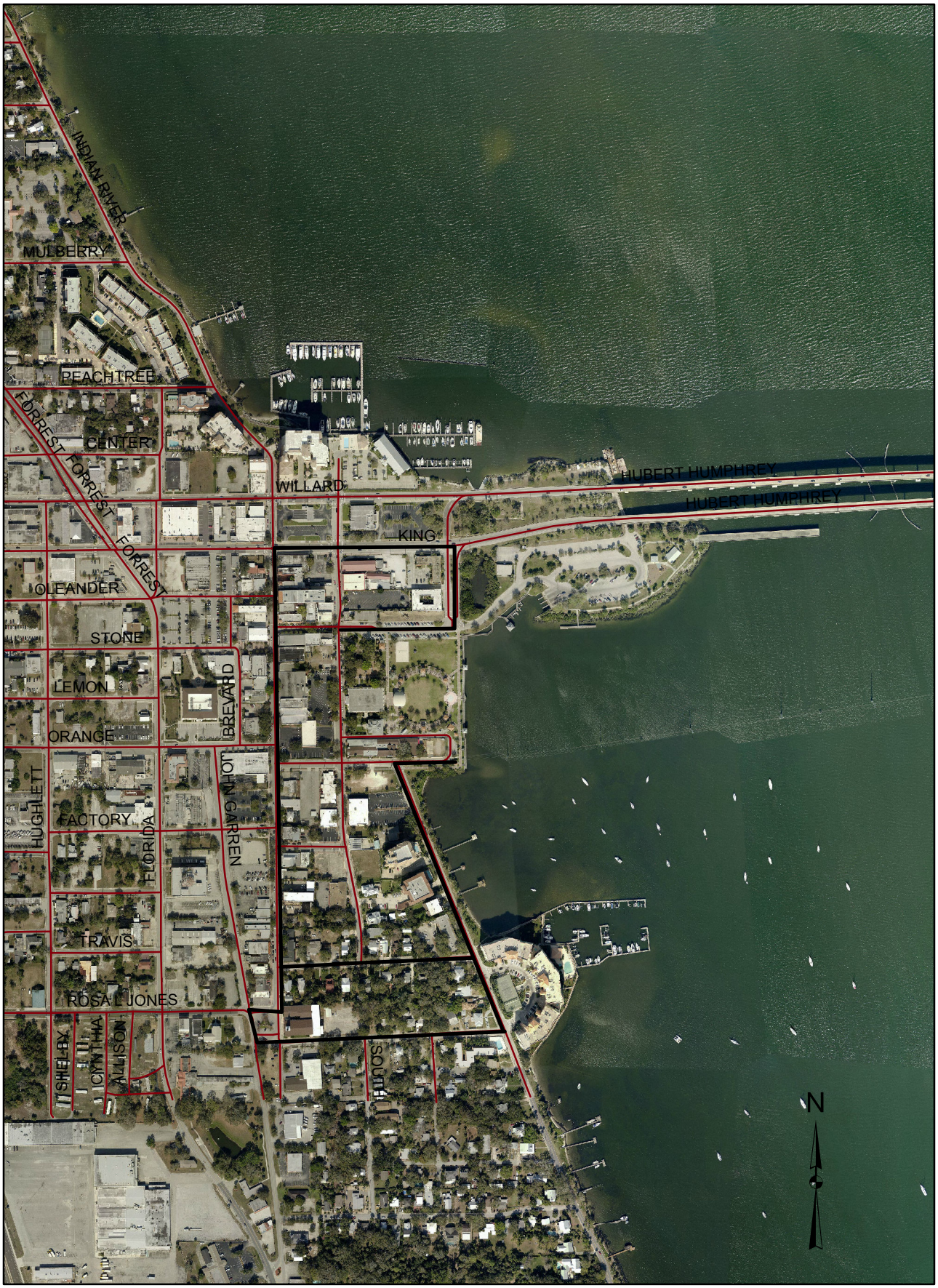
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	St., O
10/15-10/16/2016	HCVA Fall Craft Fair	9,000	Cocoa Village	10am-5pm	Breva Orang Olean the M Delan and H Harris Ave a
10/28/2016	CMS Run for Your Lives Zombie Fun Run	500	Cocoa Village	Harrison Street between Delannoy and Riveredge 3:00pm-10:00pm. Course closure 6:30-8:30	Churc Riverf Rivers Churc Oak S Rivers Breva Street
10/30/2016	City of Cocoa's Halloween in the Village	5,000	Cocoa Village and Riverfront Park	4pm-9pm	Harris Breva Churc Delan Harris
11/5/2016	FEDS Step up for Down Syndrome	500	Riverfront Park	7am-10am	Rivers
11/27/2016	Space Coast Marathon - Running Zone Foundation	5,000	Riverfront Park	6am-11am	Breva Indian
12/3-12/4/2016	HCVA Holiday Craft Fair	9,000	Cocoa Village	10am-5pm	Breva Orang Olean the M Delan Harris Harris Ave a
12/10/2016	Cocoa/Rockledge Holiday Parade and Tree Lighting	500	Rockledge/Cocoa Village	4pm-9pm	Florid St., D Rivere
	**City sponsored function				

Street Closures	Council Approval	Est. # of days for road closure
ɔst Park on Varr Ave. to SR 520 east to Riveredge Blvd. into front Park	City Manager Approval Per Sec. 2-403 Article XI Special Events and Parades	0.00
ard from Harrison to Church, inoy From Church to Harrison, ch from Brevard to Delannoy Harrison from Delannoy to ard.	Council approval on 10/4/2015	1.00
side Dr., Oak Street, Brevard John Garren Ln, Factory st. ard Ave, Delannoy Ave, Church	Approved 2/23/2016	0.50
ard Ave from King St to Factory eander St from Brevard to cipal Parking, Orange Ave from ard Place, Church St from ard to Delannoy Ave, Delannooy rom Church to Harrison St son St. from Brevard to Park rooms.	Approved 2/23/2016	2.00
ch Street: Betw een Riverfront and Riverside Drive. Riverside : Betw een Church Street and Street. Oak Street: Betw een side Drive and Brevard Avenue ard Avenue: Betw een Oak t and Harrison Street.Harrison t: Bet	Approved 2/23/2016	1.00
A Car Show , Saturday, April 16, –Requesting from 10:00 am – om. Brevard Ave.: Betw een SR nd Church St. son St.: Betw een Delannoy Ave. Brevard Ave. nder St.: Betw een Brevard Ave. olic restrooms.	Approved 2/23/2016	1.00
ard Ave: Betw een SR520 and ry St. nder St.: Betw een Brevard up to Municipal Parking		

unicipal Parking son: Betw een Riveredge and ard ch St.: Betw een Brevard and noy noy St.: Betw een Church and son.	Approved 2/23/2016	2.00
son Street Betw een Delannoy and Riveredge Blvd Street Betw een Brevard Ave Riveredge Blvd (Rolling) ard Ave Betw een King Street Oak Street Garren Ln Betw een Rosa L. s and Oak Street Street Betw een John Garren Ln Riverside Drive side Dr. Betw een Oak Street Church Street		0.50
Race Bike Course: son Street: Betw een Riveredge Brevard Ave. noy Street: Betw een Harrison 520 20 crossing at Delannoy and ard: Cocoa PD w ill be positioned four corners of 520.The bike ent w ill commence north on	Approved 2/23/2016	0.50
pple Avenue: Betw een SR 520 Barbara Jenkins, Stone Street: een Fiske and Mango, Temple t: Betw een Pineapple and o	This event is not included in the CBD closures	
son from Riveredge to Delannoy		**
ard Ave., Church St., Harrsion	Approved 2/23/2016	1.00

leander St.	Approved 2/23/2016	1.00
ard Ave: Betw een King and ge Ave, nder St.: Betw een Brevard up to lunicipal Parking noy Ave: Betw een Church Harrison son St.: Betw een Delannoy and Brevard Ave.	Approved 2/23/2016	2.00
ch Street: Betw een front Park and Riverside Drive side Drive: Betw een ch Street and Oak Street Street: Betw een side Drive and Brevard Avenue ard Avenue: Betw een Oak t and Harris	Approved 2/23/2016	1.00
son Street: Riveredge to ard Ave., Brevard Ave to ch Street, Church Street to noy Street, Delannoy to son		**
side and Church	Approved 2/23/2016	0.50
ard, Orange, Florida, SR 520, n River Dr., Church, Riverside	Approved 2/23/2016	0.50
ard Ave: Betw een King and ge Ave, nder St.: Betw een Brevard up to lunicipal Parking noy Ave: Betw een Church and son son St.: Betw een Delannoy and Brevard Ave.	Approved 2/23/2016	2.00
a Ave., Brevard Ave., Maryland elannoy Ave., Harrsion St., edge Blvd		**
	Total	15.50

Shine The Light 5K Street Closure



Legislation Details (With Text)

File #:	16-175	**Version:**	1	**Name:**	
Type:	Informational Item			**Status:**	City Business
File created:	4/26/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve a resolution amending the FY 2016 Budget, to correct an error within Agenda 16-114 Budgetary Impact. The second part of the Budget Amendment, transferring the budget between the General Fund (001) and the Capital Project Fund (301), was inadvertently omitted. (Finance Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	City Council Agenda Item 16-114.pdf Original BAF.pdf Budget Resolution FY 2016.pdf BAF-PW-Fleet Expansion Correction (5-10-16)16-175.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 26, 2016
Agenda Date: May 10, 2016
Prepared By: Lora Howell, Deputy Finance Director
Through: Teri Butler, CGFO, Finance Director
Requested Action:
Approve a resolution amending the FY 2016 Budget, to correct an error within Agenda 16-114 Budgetary Impact. The second part of the Budget Amendment, transferring the budget between the General Fund (001) and the Capital Project Fund (301), was inadvertently omitted.

BACKGROUND:

On April 12, 2016 City Council approved, Bid, #B-16-03-COC to Parkit Construction and also approved amending the FY2016 Budget for the Fleet Garage Addition. Agenda 16-114 inadvertently omitted one side of the Budgetary Impact and did not include the second part of the Budget Amendment moving the $38,709 between the Capital Projects Fund and the General Fund. To fully disclose the complete budgetary impact, Finance is returning to City Council for approval in completing the transfer in its entirety to keep the funds in budgetary balance.

STRATEGIC PLAN CONNECTION:

Fiscal Responsibility/Transparency

BUDGETARY IMPACT:

Budgeted (Not Fully) Yes
If not budgeted, is amendment/transfer attached? Yes

Original Request on April 12, 2016:
From: 301-3580-519.62-00 CP1501 Gen Govt. Svcs/Buildings $38,709
To: 001-3580-519.62-00 CP11FS Public Works Capital Buildings $38,709

Correct Request:
Transfer: 001-0000-381.91-30 Transfer from Cap Project Fund $38,709
Transfer: 301-3580-581.91-01 Transfer To Gen Fund 001$38,709

From: 301-3580-519.62-00 CP1501 Gen Govt. Svcs/Buildings $38,709
To: 001-3580-519.62-00 CP11FS Public Works Capital Buildings $38,709

PREVIOUS ACTION:

Approval of Agenda Item 16-114, amending the budget for the Fleet garage expansion.

RECOMMENDED MOTION:

Approve a resolution amending the FY 2016 Budget, to correct an error within Agenda 16-114 Budgetary Impact. The second part of the Budget Amendment, transferring the budget between the General Fund (001) and the Capital Project Fund (301), was inadvertently omitted.

CITY COUNCIL AGENDA ITEM

Memo Date: March 25, 2016
Agenda Date: April 12, 2016
Prepared By: Charlene Neuterman, Project Manager
Through: Everett J. Wegerif, P.E., Public Works Director, City Engineer
Requested Action:

To award Bid #B-16-03-COC, Fleet Garage Addition, to Parkit Construction, Inc. of West Melbourne, for the Expansion of the Cocoa Fleet Building, Project # CP11FS in the amount of $265,900.00; Approve a resolution to amend the FY2016 budget; and Approve a resolution to authorize the City Manager to approve change orders not to exceed $10,000 for a total project cost of $275,900.

BACKGROUND:

Bids for the subject offering were opened on March 15, 2016 at 3:00pm. Purchasing sent out one thousand, sixteen (1,016) invitations and notifications to bid and received nine (9) responses from forty three (43) plan holders. The apparent low bidder is Parkit Construction, Inc. of West Melbourne.

Project #CP11FS was established to expand the Fleet Services Building Garage to accommodate larger vehicles for repair.

Staff requests the approval of Bid # B-16-03-COC for the Total Base Bid of $263,400.00 and the Alternate Bid #1 (LED in Lieu of Fluorescents) in the amount of $2,500.00, in order to proceed with the construction of the Fleet Building Expansion. Because the budgeted amount of $275,000 is not enough to complete the project due to the fact that architectural services were expended on design, additional funding is necessary. Staff proposes an amendment to the FY2016 budget to transfer funds from 301-3580-519-62-00 (Project CP1501 – Heart of Cocoa Meeting Room) in the amount of $38,709 to complete the project. Staff also requests authorization for the City Manager to approve change orders not to exceed $10,000.

STRATEGIC PLAN CONNECTION:

N/A

BUDGETARY IMPACT:

Budgeted (not fully)	Yes
If not budgeted, is amendment/transfer attached?	Yes

Amount Requested	($38,709.00)
Project Number	CP1501

Account Number	301-3580-519-62-00
Account Name	Gen Govt Svcs/Buildings

Amount Requested	$ 275,900.00
Project Number	CP11FS
Account Number	001-3580-519-62-00
Account Name	Capital Buildings

Source of Funds: X Operating Revenue

PREVIOUS ACTION:

None.

RECOMMENDED MOTION:

To award Bid #B-16-03-COC, Fleet Garage Addition, to Parkit Construction, Inc. of West Melbourne, for the Expansion of the Cocoa Fleet Building, Project # CP11FS in the amount of $265,900.00; Approve a resolution to amend the FY2016 budget; and Approve a resolution to authorize the City Manager to approve change orders not to exceed $10,000 for a total project cost of $275,900.

GROUP NUMBER . : 02666 BUDGET TRANSFER
GROUP USER . . : COCOATH Hagan, Anthony T - Techni

TRANS NO	TRANS DATE	DOCUMENT TYPE	ACCOUNT NUMBER	DESCRIPTION 1	PROJECT	BUDGET AMOUNT	ORIG(Y/N)
	DESCRIPTION 2		WORK ORDER	JOB# FACILITIES ID			
0000100	04/18/2016	2016-26	301-3580-519.62-00	ADDITIONAL FUNDS FOR	CP1501	38,709.00-	
	FLEET EXPANSION PRJCT			000			
0000200	04/18/2016	2016-26	001-3580-519.62-00	ADDITIONAL FUNDS FOR	CP11FS	38,709.00	
	FLEET EXPANSION PRJCT			000			

TOTALS:

	AMOUNT CALCULATED	AMOUNT ENTERED	DIFFERENCE
COUNT:	2	2	
AMOUNT:			

City of Cocoa Budget Adjustment Form FY 2016

SELECT ADJUSTMENT TYPE: BUDGET TRANSFER | REQUESTING DEPARTMENT #: 3580 | DATE PREPARED: 03/31/16

'FROM' ACCOUNT(S)

ADJUSTMENT AMOUNT	ACCOUNT NUMBER	PROJECT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	AMENDED BUDGET	ADJUSTED BUDGET	UNENCUMBERED BALANCE
($ 38,709)	301-3580-519.62-00	CP1501	Gen Govt Svcs/Buildings	$ 8,125,000	$ 7,634,650	$ 7,595,941	$ 7,151,460
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
($ 38,709)	TOTAL						

'TO' ACCOUNT(S)

ADJUSTMENT AMOUNT	ACCOUNT NUMBER	PROJECT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	AMENDED BUDGET	ADJUSTED BUDGET	UNENCUMBERED BALANCE
$ 38,709	001-3580-519.62-00	CP11FS	Public Works Capital Buildings	$ 275,000	$ 275,000	$ 313,709	$ 275,631
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 38,709	TOTAL						

REASON/JUSTIFICATION FOR ADJUSTMENT:

Additional funds are needed for the Fleet Services Building expansion project (CP11FS). Staff is transferring funds 301-3580-519-62-00 account to cover the difference in the bid package costs. The agenda to award the contract to the lowest bidder for the project is going to the 4/12/16 Council Meeting (item # 16-114) for approval.

City COUNCIL APPROVAL REQUIRED? *YES* (●) *NO* ( ) *DATE APPROVED:* 04/12/16 *RESOLUTION #:* 2016-26

City Council approval is needed for all transfers greater than $50,000 and transfers between Departments / Funds. Attach copy of agenda item and City Clerk's Journal noting approval.

3/31/16	Charlene Neuterman — Digitally signed by Charlene Neuterman Date: 2016.03.31 11:16:06 -04'00'	3/31/16	Lea Taylor — Digitally signed by Lea Taylor DN: dc=org, dc=cocoafl, ou=CH, cn=Lea Taylor, email=ltaylor@cocoafl.org Date: 2016.03.31 14:31:10 -04'00'	4/13/16	Teri Butler — Digitally signed by Teri Butler Date: 2016.04.13 14:35:01 -04'00'
Date	Requestor's Signature	Date	Finance Approval Signature	Date	Finance Director's Signature
3/31/16	Everett J. Wegerif — Digitally signed by Everett J. Wegerif	3/31/16	Lora Howell — Digitally signed by Lora Howell DN: dc=org, dc=cocoafl, ou=CH, cn=Lora Howell, email=lhowell@cocoafl.org Date: 2016.03.31 16:25:44 -04'00'	4/18/16	John A. Titkanich — Digitally signed by John A. Titkanich Date: 2016.04.18 09:51:24 -04'00'
Date	Department Director's Signature	Date	Deputy Fin. Director's Signature	Date	City Manager's Signature

FINANCE USE ONLY:

Date Entered: 4/18/16 Entered By: _____ Group #: 02666

Approved 07/13

Revised eform 11/18/15 - IT

RESOLUTION NO. 2016-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, AMENDING THE CITY OF COCOA BUDGET FOR FISCAL YEAR 2016; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cocoa adopted the final budget for the fiscal year commencing on October 1, 2015, and ending on September 30, 2016, at a regular meeting held on September 22, 2015; and

WHEREAS, in accordance with Article XII, Section 5 of the City of Cocoa Charter, whereby the Council may, at any time by resolution, transfer any unused and unencumbered appropriation or portion thereof from one office or department to another; and

WHEREAS, the City Council deems it to be in the best interest of the City of Cocoa to amend its budget as provided in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COCOA, as follows:

SECTION 1. The 2015-2016 fiscal year budget shall be amended as detailed in the attached sheets.

SECTION 2. All prior resolutions or prior resolutions inconsistent with this resolution are hereby repealed to the extent of the conflict.

SECTION 3. This resolution shall become effective immediately upon its adoption by the City Council of the City of Cocoa, Florida.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the10th day of May, 2016.

_____
Henry U. Parrish III, Mayor

ATTEST:

_____
Carie Shealy, City Clerk

City of Cocoa Budget Adjustment Form FY 2016

SELECT ADJUSTMENT TYPE: BUDGET AMENDMENT | REQUESTING DEPARTMENT #: 1500 | DATE PREPARED: 04/19/16

'REVENUE' ACCOUNT(S)

ADJUSTMENT AMOUNT	ACCOUNT NUMBER	PROJECT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	AMENDED BUDGET	ADJUSTED BUDGET	UNENCUMBERED BALANCE
$ 38,709	001-0000-381.91-30		TXFR FROM CAP PROJECT FUND	$ 0	$ 56,403	$ 95,112	$ 95,112
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 38,709	TOTAL						

'EXPENSE' ACCOUNT(S)

ADJUSTMENT AMOUNT	ACCOUNT NUMBER	PROJECT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	AMENDED BUDGET	ADJUSTED BUDGET	UNENCUMBERED BALANCE
$ 38,709	301-3580-581.91-01		TRANSFER TO GEN FUND 001	$ 0	$ 56,403	$ 95,112	$ 95,112
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 0				$ 0	$ 0	$ 0	$ 0
$ 38,709	TOTAL						

REASON/JUSTIFICATION FOR ADJUSTMENT:

This BAF is to correct an error in the balancing of funds on Agenda #16-114 that went to council on 4/26/16.

CITY COUNCIL APPROVAL REQUIRED? *YES* (●) *NO* ( ) *DATE APPROVED:* _____ *RESOLUTION #:* 2016-47

City Council approval is needed for all transfers greater than $50,000 and transfers between Departments / Funds. Attach copy of agenda item and City Clerk's Journal noting approval.

4/19/16	Lea Taylor (Digitally signed by Lea Taylor, DN: dc=org, dc=cocoafl, ou=CH, cn=Lea Taylor, email=ltaylor@cocoafl.org, Date: 2016.04.19 09:08:02 -04'00')	4/26/16	Lea Taylor (Digitally signed by Lea Taylor, DN: dc=org, dc=cocoafl, ou=CH, cn=Lea Taylor, email=ltaylor@cocoafl.org, Date: 2016.04.26 15:54:19 -04'00')		
Date	Requestor's Signature	Date	Finance Approval Signature	Date	Finance Director's Signature
4/26/16	Everett J. Wegerif (Digitally signed by Everett J. Wegerif, DN: dc=org, dc=cocoafl, ou=Users, cn=Everett J. Wegerif, email=ewegerif@cocoafl.org, Date: 2016.04.26 15:53:53 -04'00')	4/26/16	Lora Howell (Digitally signed by Lora Howell, DN: dc=org, dc=cocoafl, ou=CH, cn=Lora Howell, email=lhowell@cocoafl.org, Date: 2016.04.26 17:04:14 -04'00')		
Date	Department Director's Signature	Date	Deputy Fin. Director's Signature	Date	City Manager's Signature

FINANCE USE ONLY:

Date Entered: _____ Entered By: _____ Group #: _____

Legislation Details (With Text)

File #:	16-176	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	City Business
File created:	4/26/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve a resolution certifying Cross-Brands Mfg. LLC's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Economic Incentive App (Cross-Brands Mfg LLC).pdf 2016-48 AVT Reso (Cross-Brands Mfg, LLC).pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 26, 2016
Agenda Date: May 10, 2016
Prepared By: Joan A. Junkala, Economic Development Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve a resolution certifying Cross-Brands Mfg. LLC's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation.

BACKGROUND:

The City currently has an economic development ad valorem tax exemption program designed to allow communities to offer tax incentives in the form of abatements, to induce certain qualified industries to locate or expand their operations within the city of Cocoa.

Following approval by Cocoa voters on November 8, 1995, authorizing an economic development ad valorem tax exemption program, Cocoa City Council approved Resolution No. 96-24, providing a general procedure for the granting of economic development ad valorem tax exemptions. Through a referendum ballot, Cocoa voters subsequently authorized Cocoa City Council to extend the program for another ten (10) years pursuant to section 196.1995, Florida Statutes on November 8, 2005, and again on November 4, 2014 following its expiration in November 2015.

Cross-Brands Mfg. LLC, a health and beauty aid product manufacturer is a Florida registered corporation founded in March 2016. The company is a start-up made up of seven individuals who

have over 150 years of a combined experience in consumer packaged goods, specifically focused in sun care product development, design, sales, and distribution. The seven founding members met while working together at Sun & Skin Care Research (SSCR), Inc., a former Cocoa manufacturer that was sold to a private equity group in 2015.

Cross-Brands Mfg. LLC is exploring several locations to locate a 75,000 SF facility, to include Ashville (North Carolina), Amelia Island (Florida), North Miami (Florida), and 851 Greensboro Road in Cocoa (former SSCR headquarters). Cross-Brands is seeking economic incentives to open their facility at the Cocoa facility and plans to create 60 full-time equivalent (FTE) jobs with an average annual wage of $45,000 and invest a total of approximately $2,100,000 in building expansion/improvements and equipment in the first three years.

An Economic Impact Analysis provided by the EDC of Florida's Space Coast indicates that for every one position created by Cross-Brands Mfg. LLC, approximately 1.33 additional jobs will be developed to support the operation, resulting in a net new wage of over $7 million. The analysis also predicts that the project will contribute over $21 million to Gross Domestic Product.

Cross-Brands Mfg, LLC has submitted an application for City economic development incentives. The company is eligible for an Ad Valorem Tax Abatement 70 percent phased out over a seven (7) year period. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the exemption applied for were granted is $7,031.

STRATEGIC PLAN CONNECTION:

This project has a direct connection to the Economic Development strategic issue in that it will increase the City's economic position within the Space Coast and allow the City a competitive edge in attracting other like projects that will facilitate additional private capital investment, business, and jobs in Cocoa.

BUDGETARY IMPACT:

The City's AVT Abatement is a performance-based incentive. The company will only receive abatements on actual investment. All documentation of performance per the Economic Incentive Agreement will be required for submittal and review prior to the abatement.

The ad valorem tax abatement will apply only to new improvements to real property and tangible personal property related to the expansion. The value of the land, solid waste, disposal, stormwater utility, and fire assessment fees are not abated.

The budgetary impact will be determined based on Brevard County Property Appraiser's review and evaluation. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the abatement applied for were granted is $7,031.

PREVIOUS ACTION:

There has been no previous action.

RECOMMENDED MOTION:
Approve a resolution certifying Cross-Brands Mfg. LLC's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation.

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

INCENTIVE APPLICATION

GENERAL INFORMATION

Business/Project Name: CROSS-BRANDS MFG. LLC.

Property Owner Name: Mr. Donald Lee

Address: 851 Greensboro Road, Cocoa FL 32926

Authorized Agent: Daniel C. Beard Title: President - Operations

Telephone: 321-863-5111 E-mail: dbeardfla@gmail.com

Address: 2050 Porpoise Street, Merritt Island, FL 32952

BUSINESS INFORMATION

Primary business activity: Contract manufacturing for Health and Beauty products.

NAICS Code: 325620 Federal Tax I.D. Number: 81-1999324

Is the business located in one or more of the following: ☐ Enterprise Zone ☐ Brownfield

Business Structure: (check one)
☐ Proprietorship ☒ Limited Liability Corporation
☐ Partnership ☐ Corporation
☐ Other: _____

If a corporation, please indicate the city and state of incorporation: Cocoa, FL

Date of incorporation: 3/28/2016

If a subsidiary, name of parent company: N/A

Publicly Traded: No

Total number of existing jobs in Cocoa: Full-time: 0 Part-time: 0

Average Annual Wage of existing employees (excluding benefits): 0

Are you filing as: ☒ **NEW BUSINESS** ☐ **BUSINESS EXPANSION**

Total number of new jobs to be created in years 1 thru 3: Full-time: 50 Part-time: 20 = 10 FTE
(List all detail in Jobs Sheet form)

60 FTE

Average Annual Wage of new jobs to be created (excluding benefits): $45k

Amount of investment in new building construction in years 1 thru 3: $1,250,000

2,100,000

Please explain: Possible development of 15,000 square foot office building on available acre lot.

Amount of investment in new machinery/equipment in in years 1 thru 3: $850,000

Please explain: Purchasing $750,000 of filling and packaging machines year 1 plus $100,000 year 2.

Anticipated date operations will commence: 8/1/2016

Please indicate which incentive program you are applying for:

☒ EDI Fund ☒ Ad Valorem Tax Abatement ☐ Small Business Assistance Program

Please provide a project overview and a detailed explanation of how economic development incentives will increase the business's capability to provide new products/services or increase the overall efficiency of your business.

Cross-Brands Mfg. LLC. will be manufacturing and distributing Health and Beauty care products with multiple business partners. Economic development incentives will allow us to secure the latest in technology for meeting and exceeding industry expansion. This will bring more opportunitites for us to grow and add more employees. We also intend to market in-house product lines that will exponentially increase our growth.

SUBMITTAL REQUIREMENTS

1. Proof of ownership, or lease (to include property owners contact information)
2. Site Plan
3. Boundary Survey
4. Copy of Business Tax Receipt issued by the City of Cocoa or written statement certifying that business owner shall make application for, and obtained, a business tax receipt prior to any grant award being paid by the City.
5. Color photographs illustrating current conditions for which improvements are proposed
6. Estimates, quotes, or bids from a certified general contractor for proposed improvements
7. Complete written description of work to be performed, including illustrations or sketches.

Please contact the Office of Economic Development for questions related to this application.

CITY USE ONLY

Economic Development Manager's Analysis:

This project qualifies for seven years ad valorem tax abatement starting @ 10% and decreasing from there; this project also qualifies for EDI fund of $300 per job, with a maximum of $50,000 (per jobs creation focus). All incentives are estimated to total $61,192 over the course of seven years. Please find incentive evaluation & impact analysis attached. (ET)

Community Services Director's Recommendation:

X Approve ☐ Deny

Comments: Approve per E.D. Manager financial analysis.

Amount Awarded to applicant if applicable: _____

DATE: 4-21-16 SIGNED: _____
(Community Services Director)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the City of Cocoa for the current fiscal year from ad valorem tax sources:

_____

II. Revenue lost to the City of Cocoa for the current fiscal year by virtue of exemptions previously granted under this section:

_____

III. Estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:

_____

IV. Estimate of the taxable value lost to the City of Cocoa if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied:_____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

CROSS-BRANDS MFG. LLC Ad Valorem Tax Abatement Executive Summary

CROSS-BRANDS MFG. LLC is a Florida registered corporation founded in March 2016. The Corporation is a start-up of 7 people who combined have over 150 years of consumer packaged goods experience, specifically with a focus in Sun Care Product Development, Design, Sales and Distribution. All of the original members met while working together at Sun and Skin Care Research Inc., a Cocoa Florida Manufacturing Company that was sold to a Private Equity Group in 2012. CROSS-BRANDS MFG. LLC is currently exploring physical location for our operation.

CROSS-BRANDS MFG. LLC is a health and beauty aid product manufacturing provider offering a wide range of manufacturing for skin and hair care products including development, filling, packaging and shipping. We will initially focus on filling for marketing organizations in the sun care industry but intend to expand to other categories, including filling private label products for both independent marketers and directly for retail organizations.

CROSS-BRANDS MFG. LLC is exploring several locations for its' plant location, including Ashville North Carolina, Amelia Island, Florida, North Miami and the 851 Greensboro Road, Cocoa Florida site. CROSS-BRANDS is interested in Cocoa due to location of some key members of our corporation, its central location, easy access to a major highway and the previous use of the facility has proven to work well for our plans. Other locations are in consideration due to potential business acquisitions, work force pools and local business incentives.

CROSS-BRANDS is looking for a facility with a minimum of 75,000 sq. ft. with extra space to expand if needed in the future. The Company will be adding 20 new employees in 2016, increasing to 70 employees by year three. We will be investing $850,000 in new equipment and building improvements.

We are projecting our Company to reach an annual sales of $23,000,000 by 2021 with employee counts reaching over 200. We intend to be an active participant in the local community and will continue to provide a positive and lasting impact on the Space Coast economy. We are eagerly anticipating the Commission's assistance with our interest in locating in Brevard County through the approval of CROSS-BRANDS MFG. LLC for the Ad Valorem Tax Abatement Program.

ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

Ad Valorem Tax Abatement
Job Creation
Distribution Worksheet

Job Title / Description	Number of Jobs	Wage	Anticipated Hire Timeline (by year)
President – CROSS-BRANDS MFG. LLC	1	$60k	7/1/2016
Vice President Marketing	1	$60k	7/1/2016
Vice President Sales	1	$60k	7/1/2016
Sales Director	2	$50k	8/1/2016
Sales Coordinator / Customer Service	1	$35k	9/1/2016
Purchasing Manager – CROSS-BRANDS MFG. LLC	1	$35k	10/1/2016
Director Product Design	1	$35k	7/1/2016
Manufacturing Engineer – CROSS-BRANDS MFG. LLC	1	$35k	7/1/2016
Director Manufacturing – CROSS-BRANDS MFG. LLC	1	$35k	7/1/2016
Mixing Coordinator – CROSS-BRANDS MFG. LLC	1	$35k	9/1/2016
Production Manager – CROSS-BRANDS MFG. LLC	1	$35k	9/1/2016
Production Staff – CROSS-BRANDS MFG. LLC	5	$20k	9/1/2016
Accountant – CROSS-BRANDS MFG. LLC	1	$25k	7/1/2016
Shipping Manager – CROSS-BRANDS MFG. LLC	1	$30k	10/1/2016
Warehouse Staff–CROSS-BRANDS MFG. LLC	1	$25k	9/1/2016
Computer Systems Analyst–CROSS-BRANDS MFG. LLC	1	$25k	1/1/2017
Mixing Assistant – CROSS-BRANDS MFG. LLC	1	$20k	1/1/2017
Production Staff–CROSS-BRANDS MFG.LLC	15	$20k	1/1/2017
Warehouse Staff–CROSS-BRANDS MFG. LLC	2	$20k	2/1/2017
Production Staff–CROSS-BRANDS MFG. LLC	24	$20k	1/1/2018
Warehouse Staff-CROSS-BRANDS MFG. LLC	7	$20k	1/1/2018

ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

ECONOMIC IMPACT ANALYSIS

Cross-Brands Manufacturing

City of Cocoa

04/14/16

Overview:

New Job Commitment:	70	Capital Investment:	$2,100,000
Average Annual Wage:	$45,000		

Economic impact from job creation:

Jobs	Net New Wage	Contribution to GDP
70 (Direct)	$3,150,000 (Direct)	$14,283,702 (Direct)
61 (Indirect)	$2,791,907 (Indirect)	$4,573,558 (Indirect)
32 (Induced)	$1,154,548 (Induced)	$2,153,149 (Induced)
163 TOTAL	$7,096,455 TOTAL	$21,010,408 TOTAL

- For every employment position created by Cross-Brands Manufacturing approximately 1.33 additional jobs will be developed to support the operation of the facility.

- For every payroll dollar paid to Cross-Brands Manufacturing approximately $1.25 will be generated for consumer spending.

City Tax Impact

Years 1-10		Annual Taxes on Construction
Projected Tax Assessed	$	5,979.00
Potential Abatement (at 100%)	$	5,979.00
		Annual Taxes on Personal Property
Projected Tax Assessed	$	4,065.72
Potential Abatement (at 100%)	$	4,065.72

Years 11+: Company will be assessed for 100% of tax liability

Tax Millage Code – 15D0 NAICS – 325620 IMPLAN Sector – 182

Analysis based on information supplied by Cross-Brands Manufacturing - April 2016

Economic impact calculations furnished by EDC Research Office, using IMPLAN Professional 3.0 (www.IMPLAN.com).

Abatement & millage numbers are estimates; all final numbers determined solely by the Brevard County Property Appraiser's Office and the City of Cocoa.

**Subject to City of Cocoa's Ad Valorem Tax Abatement Program Guidelines.*

Project Citizen Kane

Jobs	60 FTE			
Wages	$45,000			
Cap Inv	$2,100,000	$1,680,000.00	$10,044.72	$7,864.75
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	70%	7,031
2	70%	7,031
3	70%	7,031
4	70%	7,031
5	60%	6,027
6	50%	5,022
7	40%	4,018
8	0%	0
9	0%	0
10	0%	0
TOTAL		**43,192**
EDI Fund		
Jobs	$300/60 FTE	18,000
Utilities		
TOTAL		
TOTAL		**$61,192**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	60%	4,719
2	60%	4,719
3	60%	4,719
4	60%	4,719
5	60%	4,719
6	60%	4,719
7	0%	0
8	0%	0
9	0%	0
10	0%	0
TOTAL		**28,313**
TOTAL		**$28,313**

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

City of Cocoa Ad Valorem Tax Exemption
Scoring Sheet

Business Name: _____

Number of New Employees	Points	Existing Business Expansion Option
10-20	3	25% Increase in Employees
21-60	6 ✓	50% Increase in Employees
61-99	9	75% Increase in Employees
100 and up	10	100% Increase in Employees

Average Annual Wage	Points
Below Average	0
Average ($33,411)*	4
25% Above Average ($41,764)	7 ✓
50% Above Average ($50,117)	9
100% Above Average ($66,822)	10

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,000 - $ 4,000,000	2 ✓
$ 4,000,000 - $ 7,000,000	3
$ 7,000,000 - $10,000,000	4
$10,000,000 and up	5

Special District	Points
Enterprise Zone, Brownfield, HUBZone	1

Total Points** | 15 |

Certified By: _____ _____
City Staff Member Date

* The Average Annual Wage is determined by the average wage of the city of Cocoa. This figure shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.

Program Guidelines

Total Points	Percentage of Exemption by Year	Length of Exemption
11 - 13 points**	Years 1 through 3: 60% Year 4: 50% Year 5: 40% Year 6: 30%	6 years
14 - 16	Years 1 through 4: 70% Year 5: 60% Year 6: 50% Year 7: 40%	7 years ✓ Total est abatement 43,192
17 - 19	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50%	8 years
20 - 22	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40%	9 years
23 - 25	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40% Year 10: 30%	10 years

** Minimum of 11 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

The City Council reserves the right to vary the ad valorem incentives for certain target industries and businesses deemed critical for the future economic development of the City. In addition, for such targeted industries and businesses, the City Council may consider other economic incentives, such as an ad valorem reimbursement grant incentive, in accordance with the City's home rule and statutory economic development powers. Ad Valorem Abatement or reimbursement grants for such target industries and businesses will be derived on a negotiated schedule and may include such factors as occupied existing business space, development of new business space, capital improvements made, number of jobs created, annual wages, number of relocated jobs, and number of local residents hired.

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

Economic Development Incentive Fund
Scoring Sheet

Business Name: _____

Number of New Employees	Points	Existing Business Expansion Option
10 - 20	4	25% Increase in Employees
21 - 50	5	50% Increase in Employees
51 - 100	6 ✓	75% Increase in Employees
101 and up	7	100% Increase in Employees

Average Annual Wage	Points
Below Living Wage	0
Living Wage ($28,766)*	5
City Average Wage ($33,411)**	6
State Average Wage ($41,375)***	8 ✓

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,001 - $ 4,000,000	2 ✓
$ 4,000,001 and up	3

Special District	Points
Enterprise Zone, Brownfield	1

Total Points+ [16]

Certified By: _____ _____
City Staff Member Date

* The Living Wage shall be updated every other year as provided by CareerSource Brevard.
** The average annual wage of the City of Cocoa shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.
*** The State of Florida annual average wage shall be updated at the beginning of each calendar year as provided by Enterprise Florida, Inc.

Scoring

TOTAL $21,000

Total Points	Incentive
10 - 13	$100 per job
14 - 16	$300 per job ✓
17 - 19	$500 per job

MAX $60,000 (JOB CREATION)

+ Minimum of 10 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

RESOLUTION NO. 2016-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, CERTIFYING THAT CROSS BRANDS MANUFACTURING L.L.C.'S APPLICATION FOR AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION IS ELIGIBLE FOR AN EXEMPTION; AUTHORIZING THE COMMUNITY SERVICES DIRECTOR TO RETAIN A COPY OF THE APPLICATION FOR THE CITY AND TO FORWARD THIS RESOLUTION AND THE ORIGINAL APPLICATION TO THE BREVARD COUNTY PROPERTY APPRAISER; PROVIDING FOR THE REPEAL OR PRIOR INCONISTENT RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 196.1995, Florida Statutes, and Article VII of the Florida constitution, a duly authorized referendum ballot was held on November 8, 1995 whereby the citizens of Cocoa, by majority vote, authorized the City Council of the City of Cocoa to consider granting economic development ad valorem tax exemptions to new businesses and expansions of existing businesses; and

WHEREAS, a duly authorized referendum ballot was held on November 8, 2005 whereby such authority was renewed for an additional ten (10) year period pursuant to the majority vote of the citizens of Cocoa; and

WHEREAS, a duly authorized referendum ballot was held on November 4, 2014 whereby such authority was renewed for an additional ten (10) year period pursuant to the majority vote of the citizens of Cocoa; and

WHEREAS, Resolution No. 2014-18 sets forth the general guidelines and procedure for granting economic development ad valorem tax exemptions; and

WHEREAS, the City Council desires to utilize the authority to offer and grant such property tax exemptions for purposes of such property tax exemptions for purposes of supporting economic growth within the City by providing an incentive for employment opportunities that will lead to the improvement of the quality of life of the residents of Cocoa and the positive expansion of the local economy; and

WHEREAS, in furtherance of this purpose, the City Council desires to offer economic development ad valorem tax exemptions to new businesses relocating to the City of Cocoa and expansions of businesses already in the City of Cocoa; and

WHEREAS, the City Council finds it is in the best interests of the public health, safety, and welfare to offer and grant economic development ad valorem tax exemptions in accordance with the requirements and procedures contained in Resolution 2014-18; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, THAT:

Section 1. **Recitals**. The foregoing recitals are affirmed and incorporated herein as part of the Resolution.

Section 2. **Eligibility.** Based on preliminary information, Cross Brands Manufacturing, L.L.C.'s application qualifies for an economic development ad valorem tax exemption based on Resolution 2014-18, Section 5. Eligible business, Subsection A. Paragraph 1, "New Business," which shall mean:

> 1. A business or organization establishing 10 or more new jobs to employ 10 or more full-time employees in the City of Cocoa, paying an average wage for such new jobs that is above the average wage in the Cocoa area, which principally engages in any one or more of the following operations:
>
> a. Manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or
>
> b. Is a target industry business as defined by section 288.106(2)(q), Florida Statutes, as may be amended;
>
> 2. A business or organization establishing 25 or more new jobs to employ 25 or more full-time employees in the City of Cocoa, the sales factor of which, as defined by s. 220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; or
>
> 3. An office space in the City of Cocoa owned and used by a business or organization newly domiciled in the City of Cocoa; provided such office space houses 50 or more full-time employees of such business or organization; provided that such business or organization office first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business or organization.
>
> 4. A business or organization that is situated on property annexed into the City of Cocoa, and that, at the time of annexation,

is receiving an economic development ad valorem tax exemption form the county under section 196.1995, Florida Statutes; or

5. Any business or organization located in an enterprise zone or brownfield area that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business or organization.

Section 3. **Certification.** Based on a preliminary analysis by the Community Development Director; and by meeting the eligibility criteria as set forth in Resolution No. 2014-18, the City Council certifies that Cross Brands Manufacturing, L.L.C. is eligible to make application for ad valorem tax abatement.

Section 4. **Forwarding to the Brevard County Property Appraiser**. The City Council authorizes the Community Services Director to retain an Ad Valorem Tax Exemption application for the City and to forward this Resolution and the original application to the Brevard County Property Appraiser's Office.

Section 5. **Repeal of Prior Inconsistent Resolutions**. All resolutions or any parts thereof in conflict herewith are hereby repealed to the extent of the conflict.

Section 6. **Severability**. Should any section or provision of this resolution or any portion hereof, and paragraph, sentence or work be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole or part thereof to declared invalid.

Section 7. **Effective date.** This Resolution shall become effective immediately upon its adoption by the City of Cocoa, Florida.

ADOPTED at a regular meeting of the city Council of the City of Cocoa, Florida, assembled this 10th day of May, 2016.

_____

Henry U. Parrish, III, Mayor

ATTEST:

_____

Carie Shealy, City Clerk

Legislation Details (With Text)

File #:	16-178	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	City Business
File created:	4/26/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Ordinance No. 2016-11/1st Reading: Preliminarily granting Cross-Brands Mfg, LLC an ad valorem tax abatement of 70 percent phased out over seven (7) years, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Ordinance No. 11-2016.pdf Economic Incentive App (Cross-Brands Mfg LLC).pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 26, 2016
Agenda Date: May 10, 2016
Prepared By: Joan A. Junkala, Economic Development Director
Through: Steven P. Belden, Community Services Director
Requested Action:
Approve the first reading of an Ordinance preliminarily granting Cross-Brands Mfg, LLC an ad valorem tax abatement of 70 percent phased out over seven (7) years, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company.

BACKGROUND:

Cross-Brands Mfg. LLC, a health and beauty aid product manufacturer is a Florida registered corporation founded in March 2016. The company is a start-up made up of seven individuals who have over 150 years of a combined experience in consumer packaged goods, specifically focused in sun care product development, design, sales, and distribution. The seven founding members met while working together at Sun & Skin Care Research (SSCR), Inc., a former Cocoa manufacturer that was sold to a private equity group in 2015.

Cross-Brands Mfg. LLC is exploring several locations to locate a 75,000 SF facility, to include Ashville (North Carolina), Amelia Island (Florida), North Miami (Florida), and 851 Greensboro Road in Cocoa (former SSCR headquarters). Cross-Brands is seeking economic incentives to open their facility at the Cocoa facility and plans to create 60 full-time equivalent (FTE) jobs with an average annual wage of $45,000 and invest a total of approximately $2,100,000 in building expansion/improvements and equipment in the first three years.

An Economic Impact Analysis provided by the EDC of Florida's Space Coast indicates that for every one position created by Cross-Brands Mfg. LLC, approximately 1.33 additional jobs will be developed to support the operation, resulting in a net new wage of over $7 million. The analysis also predicts that the project will contribute over $21 million to Gross Domestic Product.

Cross-Brands Mfg, LLC has submitted an application for City economic development incentives. The company is eligible for an Ad Valorem Tax Abatement 70 percent phased out over a seven (7) year period. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the exemption applied for were granted is $7,031.

Should City Council approve the ad valorem tax abatement request, Cross-Brands Mfg. LLC would be required to enter into an Economic Incentive Agreement by and between the City of Cocoa. The Agreement would establish terms for performance requirements, annual review for compliance, and appropriate claw back provisions for non-performance.

STRATEGIC PLAN CONNECTION:

This project has a direct connection to the Economic Development strategic issue in that it will increase the City's economic position within the Space Coast and allow the City a competitive edge in attracting other like projects that will facilitate additional private capital investment, business, and jobs in Cocoa.

BUDGETARY IMPACT:

The City's AVT Abatement is a performance-based incentive. The company will only receive abatements on actual investment. All documentation of performance per the Economic Incentive Agreement will be required for submittal and review prior to the abatement.

The ad valorem tax abatement will apply only to new improvements to real property and tangible personal property related to the expansion. The value of the land, solid waste, disposal, stormwater utility, and fire assessment fees are not abated.

The budgetary impact will be determined based on Brevard County Property Appraiser's review and evaluation. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the abatement applied for were granted is $7,031.

PREVIOUS ACTION:

There has been no previous action.

RECOMMENDED MOTION:

Approve the first reading of an Ordinance preliminarily granting Cross-Brands Mfg, LLC an ad valorem tax abatement of 70 percent phased out over seven (7) years, and allow the City Manager to enter into an Economic Incentive Agreement between the City and the company.

ORDINANCE NO. 11-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO CROSS BRANDS MANUFACTURING L.L.C.; PROVIDING AN EXPIRATION DATE FOR THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF SECTION 196.012(14), FLORIDA STATUTES; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; PROVIDING A REQUIREMENT FOR AN ANNUAL REPORT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, economic development and the creation of jobs are priorities of the City Council of the City of Cocoa; and

WHEREAS, the citizens of Cocoa voted to provide economic incentives to new and expanding businesses in the November 8, 2005 and November 4, 2014 general elections; and

WHEREAS, Cross Brands Manufacturing, L.L.C. ("**Cross Brands**") has requested that the City of Cocoa exempt from ad valorem taxation the assessed value of proposed new construction to its real property made to facilitate the establishment of its business in manufacturing and distributing health and beauty products, and all of the net increase in tangible personal property it acquires to facilitate such new business; and

WHEREAS, the Property Appraiser has provided the City of Cocoa with its report as required by section 196.1995(9), Florida Statutes; and

WHEREAS, it has been determined that Cross Brands meets the requirements of section 196.012(14), Florida Statutes, as a new business to be located in Cocoa; and

WHEREAS, the City Council of the City of Cocoa, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Council of the City of Cocoa.

Section 2. **Economic Development Ad Valorem Tax Exemption.**

(a) An economic development ad valorem tax exemption is hereby granted to Cross Brands, located in Cocoa, Florida, for new improvements to real property and tangible personal property purchased as equipment.

(b) The total amount of revenue available to the City of Cocoa from ad valorem tax sources for the current fiscal year is $4,294,115.39. The City of Cocoa loses $7,450.68 for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect from previous years.

(c) The estimated taxable value lost to the City of Cocoa for the current fiscal year attributable to the exemption granted to Cross Brands is $1,250,000 for improvements to real property and $850,000 for personal property. The estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation is $7,031.

(d) The tax exemption hereby granted shall be for a term of seven (7) years, commencing with the first year the new improvements and personal property are added to the assessment roll, and lasting six (6) years thereafter, for seventy percent (70%) of the City ad valorem taxes for years 1 through 4, and subsequently as follows:

60% of the City ad valorem taxes for year 5,
50% of the City ad valorem taxes for year 6,
40% of the City ad valorem taxes for year 7, and

(e) In accordance with the findings of the Cocoa City Council and the Brevard County Property Appraiser, the property hereby exempted from ad valorem tax exemption meets the definition of a new business, as defined by section 196.012(4), Florida Statutes.

(f) The economic development ad valorem tax exemption is subject to the terms and conditions of Resolution 2014-18 and/or other terms and conditions required by the City Council.

Section 3. **Evidence of Continued Eligibility.**

(a) Cross Brands shall submit to the City of Cocoa an annual report providing evidence of continued compliance with the definition of a "new business" or an "expansion of an existing business" for each of the seven (7) years during which Cross Brands is eligible to receive ad

valorem tax exemption. The annual report shall be received by the City Council no later than January 31 of each year.

(b) If the annual report is not received, or if the annual report indicates that Cross Brands no longer meets the criteria of section 196.012, Florida Statutes, the City Council shall revoke by ordinance this economic development ad valorem tax exemption, reimpose the ad valorem taxes exempted, and Cross Brands shall be required to make payment of the taxes exempted in addition to interest accrued at the maximum rate allowed by law.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 5. Not Incorporated Into Code. This ordinance shall not be incorporated into the Cocoa City Code.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective upon adoption by the City Council of the City of Cocoa, Florida and upon the complete execution of an Economic Incentive Agreement between the City of Cocoa and Cross Brands.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 24th day of May, 2016.

_____

Henry U. Parrish, **III, Mayor**

ATTEST:

_____

Carie Shealy, City Clerk

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

INCENTIVE APPLICATION

GENERAL INFORMATION

Business/Project Name: CROSS-BRANDS MFG. LLC.

Property Owner Name: Mr. Donald Lee

Address: 851 Greensboro Road, Cocoa FL 32926

Authorized Agent: Daniel C. Beard Title: President - Operations

Telephone: 321-863-5111 E-mail: dbeardfla@gmail.com

Address: 2050 Porpoise Street, Merritt Island, FL 32952

BUSINESS INFORMATION

Primary business activity: Contract manufacturing for Health and Beauty products.

NAICS Code: 325620 Federal Tax I.D. Number: 81-1999324

Is the business located in one or more of the following: ☐ Enterprise Zone ☐ Brownfield

Business Structure: (check one)
☐ Proprietorship ☒ Limited Liability Corporation
☐ Partnership ☐ Corporation
☐ Other: _____

If a corporation, please indicate the city and state of incorporation: Cocoa, FL

Date of incorporation: 3/28/2016

If a subsidiary, name of parent company: N/A

Publicly Traded: No

Total number of existing jobs in Cocoa: Full-time: 0 Part-time: 0

Average Annual Wage of existing employees (excluding benefits): 0

Are you filing as: ☒ **NEW BUSINESS** ☐ **BUSINESS EXPANSION**

Total number of new jobs to be created in years 1 thru 3: Full-time: 50 Part-time: 20 = 10 FTE
(List all detail in Jobs Sheet form)

60 FTE

Average Annual Wage of new jobs to be created (excluding benefits): $45k

Amount of investment in new building construction in years 1 thru 3: $1,250,000

2,100,000

Please explain: Possible development of 15,000 square foot office building on available acre lot.

Amount of investment in new machinery/equipment in in years 1 thru 3: $850,000

Please explain: Purchasing $750,000 of filling and packaging machines year 1 plus $100,000 year 2.

Anticipated date operations will commence: 8/1/2016

Please indicate which incentive program you are applying for:

☒ EDI Fund ☒ Ad Valorem Tax Abatement ☐ Small Business Assistance Program

Please provide a project overview and a detailed explanation of how economic development incentives will increase the business's capability to provide new products/services or increase the overall efficiency of your business.

Cross-Brands Mfg. LLC. will be manufacturing and distributing Health and Beauty care products with multiple business partners. Economic development incentives will allow us to secure the latest in technology for meeting and exceeding industry expansion. This will bring more opportunitites for us to grow and add more employees. We also intend to market in-house product lines that will exponentially increase our growth.

SUBMITTAL REQUIREMENTS

1. Proof of ownership, or lease (to include property owners contact information)
2. Site Plan
3. Boundary Survey
4. Copy of Business Tax Receipt issued by the City of Cocoa or written statement certifying that business owner shall make application for, and obtained, a business tax receipt prior to any grant award being paid by the City.
5. Color photographs illustrating current conditions for which improvements are proposed
6. Estimates, quotes, or bids from a certified general contractor for proposed improvements
7. Complete written description of work to be performed, including illustrations or sketches.

Please contact the Office of Economic Development for questions related to this application.

CITY USE ONLY

Economic Development Manager's Analysis:

This project qualifies for seven years ad valorem tax abatement starting @ 10% and decreasing from there; this project also qualifies for EDI fund of $300 per job, with a maximum of $50,000 (per jobs creation focus). All incentives are estimated to total $61,192 over the course of seven years. Please find incentive evaluation & impact analysis attached. (ET)

Community Services Director's Recommendation:

X Approve ☐ Deny

Comments: Approve per E.D. Manager financial analysis.

Amount Awarded to applicant if applicable: _____

DATE: 4-21-16 SIGNED: _____
(Community Services Director)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the City of Cocoa for the current fiscal year from ad valorem tax sources:

_____

II. Revenue lost to the City of Cocoa for the current fiscal year by virtue of exemptions previously granted under this section:

_____

III. Estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:

_____

IV. Estimate of the taxable value lost to the City of Cocoa if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied:_____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

CROSS-BRANDS MFG. LLC Ad Valorem Tax Abatement Executive Summary

CROSS-BRANDS MFG. LLC is a Florida registered corporation founded in March 2016. The Corporation is a start-up of 7 people who combined have over 150 years of consumer packaged goods experience, specifically with a focus in Sun Care Product Development, Design, Sales and Distribution. All of the original members met while working together at Sun and Skin Care Research Inc., a Cocoa Florida Manufacturing Company that was sold to a Private Equity Group in 2012. CROSS-BRANDS MFG. LLC is currently exploring physical location for our operation.

CROSS-BRANDS MFG. LLC is a health and beauty aid product manufacturing provider offering a wide range of manufacturing for skin and hair care products including development, filling, packaging and shipping. We will initially focus on filling for marketing organizations in the sun care industry but intend to expand to other categories, including filling private label products for both independent marketers and directly for retail organizations.

CROSS-BRANDS MFG. LLC is exploring several locations for its' plant location, including Ashville North Carolina, Amelia Island, Florida, North Miami and the 851 Greensboro Road, Cocoa Florida site. CROSS-BRANDS is interested in Cocoa due to location of some key members of our corporation, its central location, easy access to a major highway and the previous use of the facility has proven to work well for our plans. Other locations are in consideration due to potential business acquisitions, work force pools and local business incentives.

CROSS-BRANDS is looking for a facility with a minimum of 75,000 sq. ft. with extra space to expand if needed in the future. The Company will be adding 20 new employees in 2016, increasing to 70 employees by year three. We will be investing $850,000 in new equipment and building improvements.

We are projecting our Company to reach an annual sales of $23,000,000 by 2021 with employee counts reaching over 200. We intend to be an active participant in the local community and will continue to provide a positive and lasting impact on the Space Coast economy. We are eagerly anticipating the Commission's assistance with our interest in locating in Brevard County through the approval of CROSS-BRANDS MFG. LLC for the Ad Valorem Tax Abatement Program.

ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

Ad Valorem Tax Abatement
Job Creation
Distribution Worksheet

Job Title / Description	Number of Jobs	Wage	Anticipated Hire Timeline (by year)
President – CROSS-BRANDS MFG. LLC	1	$60k	7/1/2016
Vice President Marketing	1	$60k	7/1/2016
Vice President Sales	1	$60k	7/1/2016
Sales Director	2	$50k	8/1/2016
Sales Coordinator / Customer Service	1	$35k	9/1/2016
Purchasing Manager – CROSS-BRANDS MFG. LLC	1	$35k	10/1/2016
Director Product Design	1	$35k	7/1/2016
Manufacturing Engineer – CROSS-BRANDS MFG. LLC	1	$35k	7/1/2016
Director Manufacturing – CROSS-BRANDS MFG. LLC	1	$35k	7/1/2016
Mixing Coordinator – CROSS-BRANDS MFG. LLC	1	$35k	9/1/2016
Production Manager – CROSS-BRANDS MFG. LLC	1	$35k	9/1/2016
Production Staff – CROSS-BRANDS MFG. LLC	5	$20k	9/1/2016
Accountant – CROSS-BRANDS MFG. LLC	1	$25k	7/1/2016
Shipping Manager – CROSS-BRANDS MFG. LLC	1	$30k	10/1/2016
Warehouse Staff–CROSS-BRANDS MFG. LLC	1	$25k	9/1/2016
Computer Systems Analyst–CROSS-BRANDS MFG. LLC	1	$25k	1/1/2017
Mixing Assistant – CROSS-BRANDS MFG. LLC	1	$20k	1/1/2017
Production Staff–CROSS-BRANDS MFG.LLC	15	$20k	1/1/2017
Warehouse Staff–CROSS-BRANDS MFG. LLC	2	$20k	2/1/2017
Production Staff–CROSS-BRANDS MFG. LLC	24	$20k	1/1/2018
Warehouse Staff-CROSS-BRANDS MFG. LLC	7	$20k	1/1/2018

ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

ECONOMIC IMPACT ANALYSIS

Cross-Brands Manufacturing

City of Cocoa

04/14/16

Overview:

New Job Commitment:	70	Capital Investment:	$2,100,000
Average Annual Wage:	$45,000		

Economic impact from job creation:

Jobs	Net New Wage	Contribution to GDP
70 (Direct)	$3,150,000 (Direct)	$14,283,702 (Direct)
61 (Indirect)	$2,791,907 (Indirect)	$4,573,558 (Indirect)
32 (Induced)	$1,154,548 (Induced)	$2,153,149 (Induced)
163 TOTAL	$7,096,455 TOTAL	$21,010,408 TOTAL

- For every employment position created by Cross-Brands Manufacturing approximately 1.33 additional jobs will be developed to support the operation of the facility.

- For every payroll dollar paid to Cross-Brands Manufacturing approximately $1.25 will be generated for consumer spending.

City Tax Impact

Years 1-10		Annual Taxes on Construction
Projected Tax Assessed	$	5,979.00
Potential Abatement (at 100%)	$	5,979.00
		Annual Taxes on Personal Property
Projected Tax Assessed	$	4,065.72
Potential Abatement (at 100%)	$	4,065.72

Years 11+: Company will be assessed for 100% of tax liability

Tax Millage Code – 15D0 NAICS – 325620 IMPLAN Sector – 182

Analysis based on information supplied by Cross-Brands Manufacturing - April 2016

Economic impact calculations furnished by EDC Research Office, using IMPLAN Professional 3.0 (www.IMPLAN.com).

Abatement & millage numbers are estimates; all final numbers determined solely by the Brevard County Property Appraiser's Office and the City of Cocoa.

**Subject to City of Cocoa's Ad Valorem Tax Abatement Program Guidelines.*

Project Citizen Kane

Jobs	60 FTE			
Wages	$45,000			
Cap Inv	$2,100,000	$1,680,000.00	$10,044.72	$7,864.75
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	70%	7,031
2	70%	7,031
3	70%	7,031
4	70%	7,031
5	60%	6,027
6	50%	5,022
7	40%	4,018
8	0%	0
9	0%	0
10	0%	0
TOTAL		**43,192**
EDI Fund		
Jobs	$300/60 FTE	18,000
Utilities		
TOTAL		
TOTAL		**$61,192**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	60%	4,719
2	60%	4,719
3	60%	4,719
4	60%	4,719
5	60%	4,719
6	60%	4,719
7	0%	0
8	0%	0
9	0%	0
10	0%	0
TOTAL		**28,313**
TOTAL		**$28,313**

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

City of Cocoa Ad Valorem Tax Exemption
Scoring Sheet

Business Name: _____

Number of New Employees	Points	Existing Business Expansion Option
10-20	3	25% Increase in Employees
21-60	6 ✓	50% Increase in Employees
61-99	9	75% Increase in Employees
100 and up	10	100% Increase in Employees

Average Annual Wage	Points
Below Average	0
Average ($33,411)*	4
25% Above Average ($41,764)	7 ✓
50% Above Average ($50,117)	9
100% Above Average ($66,822)	10

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,000 - $ 4,000,000	2 ✓
$ 4,000,000 - $ 7,000,000	3
$ 7,000,000 - $10,000,000	4
$10,000,000 and up	5

Special District	Points
Enterprise Zone, Brownfield, HUBZone	1

Total Points** | 15 |

Certified By: _____ _____
City Staff Member Date

* The Average Annual Wage is determined by the average wage of the city of Cocoa. This figure shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.

Program Guidelines

Total Points	Percentage of Exemption by Year	Length of Exemption
11 - 13 points**	Years 1 through 3: 60% Year 4: 50% Year 5: 40% Year 6: 30%	6 years
14 - 16	Years 1 through 4: 70% Year 5: 60% Year 6: 50% Year 7: 40%	7 years ✓ Total est abatement 43,192
17 - 19	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50%	8 years
20 - 22	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40%	9 years
23 - 25	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40% Year 10: 30%	10 years

** Minimum of 11 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

The City Council reserves the right to vary the ad valorem incentives for certain target industries and businesses deemed critical for the future economic development of the City. In addition, for such targeted industries and businesses, the City Council may consider other economic incentives, such as an ad valorem reimbursement grant incentive, in accordance with the City's home rule and statutory economic development powers. Ad Valorem Abatement or reimbursement grants for such target industries and businesses will be derived on a negotiated schedule and may include such factors as occupied existing business space, development of new business space, capital improvements made, number of jobs created, annual wages, number of relocated jobs, and number of local residents hired.

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

Economic Development Incentive Fund
Scoring Sheet

Business Name: _____

Number of New Employees	Points	Existing Business Expansion Option
10 - 20	4	25% Increase in Employees
21 - 50	5	50% Increase in Employees
51 - 100	6 ✓	75% Increase in Employees
101 and up	7	100% Increase in Employees

Average Annual Wage	Points
Below Living Wage	0
Living Wage ($28,766)*	5
City Average Wage ($33,411)**	6
State Average Wage ($41,375)***	8 ✓

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,001 - $ 4,000,000	2 ✓
$ 4,000,001 and up	3

Special District	Points
Enterprise Zone, Brownfield	1

Total Points+ [16]

Certified By: _____ _____
City Staff Member Date

* The Living Wage shall be updated every other year as provided by CareerSource Brevard.
** The average annual wage of the City of Cocoa shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.
*** The State of Florida annual average wage shall be updated at the beginning of each calendar year as provided by Enterprise Florida, Inc.

Scoring

TOTAL $21,000

Total Points	Incentive
10 - 13	$100 per job
14 - 16	$300 per job ✓
17 - 19	$500 per job

MAX $60,000 (JOB CREATION)

+ Minimum of 10 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

Legislation Details (With Text)

File #:	16-180	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	City Business
File created:	4/27/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Approve a resolution certifying Project Citizen Kane's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Economic Incentive App (Wal-Mart Stores East LP).pdf 2016-49 AVT Reso (Wal-Mart Stores East, LP).pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 27, 2016
Agenda Date: May 10, 2016
Prepared By: Joan A. Junkala, Economic Development Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve a resolution certifying Project Citizen Kane's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation.

BACKGROUND:

The City currently has an economic development ad valorem tax exemption program designed to allow communities to offer tax incentives in the form of abatements, to induce certain qualified industries to locate or expand their operations within the city of Cocoa.

Following approval by Cocoa voters on November 8, 1995, authorizing an economic development ad valorem tax exemption program, Cocoa City Council approved Resolution No. 96-24, providing a general procedure for the granting of economic development ad valorem tax exemptions. Through a referendum ballot, Cocoa voters subsequently authorized Cocoa City Council to extend the program for another ten (10) years pursuant to section 196.1995, Florida Statutes on November 8, 2005, and again on November 4, 2014 following its expiration in November 2015.

Project Citizen Kane, also known as Wal-Mart Stores East, LP, is considering developing a 460,000 SF refrigerated warehouse and distribution facility in Cocoa. Wal-Mart is considering the purchase of

approximately 132 acres of the 270 acres owned by Canaveral Port Authority generally located southeast of Interstate 95 and State Road 524. The company plans to create 239 new jobs by 2020 with an average wage of $42,421, and invest $96,200,000 in new building construction and equipment.

An Economic Impact Analysis provided by the EDC of Florida's Space Coast indicates that for every one position created by Wal-Mart Stores East, LP, approximately 0.51 additional jobs will be developed to support the operation, resulting in a net new wage of over $7 million. The analysis also predicts that the project will contribute approximately $18.5 million to Gross Domestic Product.

Wal-Mart Stores East, LP has submitted an application for City economic development incentives. The company is eligible for an Ad Valorem Tax Abatement 80 percent phased out over an eight (8) year period. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City over the eight year period is estimated to be $2,852,892. (It is important to note that the company also qualifies for a $100,000 Economic Development Incentive Fund, in addition to the standard AVT Abatement.)

After further evaluation, staff is recommending an AVT-Cash Hybrid that would reduce the impact on the City's tax revenue over the eight year period. The hybrid includes an ad valorem tax abatement of 40 percent for five (5) years totaling approximately $920,288, and a $2,000,000 cash incentive reimbursed in $500,000 increments upon completion of the following benchmarks: building permit issuance, completion of site improvements, C.O. issuance, and at the time building operations begin. The total value of the proposed AVT-Cash Hybrid is estimated to be $2,920,288. (The company will forgo the additional $100,000 Economic Development Incentive Fund through acceptance of the proposed incentive package.)

STRATEGIC PLAN CONNECTION:

Project Citizen Kane has a direct connection to the Economic Development strategic issue in that it will increase the City's economic position within the Space Coast and allow the City a competitive edge in attracting other like projects that will facilitate additional private capital investment, business, and jobs in Cocoa.

BUDGETARY IMPACT:

The City's AVT Abatement is a performance-based incentive. The company will only receive abatements on actual investment. All documentation of performance per the Economic Incentive Agreement will be required for submittal and review prior to the abatement.

The ad valorem tax abatement will apply only to new improvements to real property and tangible personal property related to the expansion. The value of the land, solid waste, disposal, stormwater utility, and fire assessment fees are not abated.

The budgetary impact will be determined based on Brevard County Property Appraiser's review and evaluation. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the abatement applied for were granted is $184,058.

PREVIOUS ACTION:

There has been no previous action.

RECOMMENDED MOTION:

Approve a resolution certifying Project Citizen Kane's eligibility for ad valorem tax abatement and authorize City staff to retain a copy of the application for the City and to forward the resolution and the original application to the Brevard County Property Appraiser for review and evaluation.

J. M. MULLIS, INC.
Professional Project Location Specialists

High Priority

CONFIDENTIAL **Email**

Date: Wednesday, April 20, 2016

Memo To: Greg Weiner - Senior Director, Business Development
Julie Roslin - Manager, Business Development
Economic Development Commission of Florida's SpaceCoast

Joan Junkala - Economic Development Manager
City of Cocoa, Office of Economic Development

From: J. Michael Mullis

Subject: Project "Citizen Kane" (Ref. – Completed Incentive Applications)

Please find attached the completed City and County Incentive Applications for Project "Citizen Kane".

Please feel free to contact Denise or myself if you have any questions.

Thank you.

Mike

:al

cc: Denise Mott

File No.: ActDocs\3112\ltr-040.doc

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

INCENTIVE APPLICATION

GENERAL INFORMATION

Business/Project Name: Project "Citizen Kane"

Property Owner Name: Wal-Mart Stores East, LP

Address: Port Canaveral Logistics Park, Cocoa, Brevard County, FL (western portion - approx 132 AC) Tax IDs 2407968 & 2407075

Authorized Agent: J.M. Mullis, Inc. Title: _____

Telephone: Mike Mullis (901)734-6994) or Denise Mott (407-920-4626) E-mail: mmullis@jmmullis.com; denisem@jmmullis.com

Address: 3753 Tyndale Drive; Suite 101, Memphis, TN 38125

BUSINESS INFORMATION

Primary business activity: Refrigerated warehousing and distribution

NAICS Code: 49312 Federal Tax I.D. Number: 71-0862119

Is the business located in one or more of the following: □ Enterprise Zone □ Brownfield

Business Structure: (check one)
□ Proprietorship □ Limited Liability Corporation
X Partnership □ Corporation
□ Other: _____

If a corporation, please indicate the city and state of incorporation: Delaware

Date of incorporation: November 2001

If a subsidiary, name of parent company: Wal-Mart Stores, Inc.

Publicly Traded: WMT (NYSE)

Total number of existing jobs in Cocoa: Full-time: N/A Part-time: N/A

Average Annual Wage of existing employees (excluding benefits): N/A

Are you filing as: **X NEW BUSINESS** **□ BUSINESS EXPANSION**

Total number of new jobs to be created: Full-time: 239 Part-time: _____
(List all detail in Jobs Sheet form) *Jobs created Years 2018, 2019, 2020

Average Annual Wage of new jobs to be created (excluding benefits): $42,421

Amount of investment in new building construction in the first year: $84,200,000

Please explain: Year 1: $20,000,000; Year 2: $64,200,000 – Refrigerated warehouse new construction

Amount of investment in new machinery or equipment in the first year: Year 2: $12,000,000

Please explain: logistics equipment will be installed after construction is complete in year 2

* TOTAL CAP $96,200,000 * over 3 Yr Pd: 2016, 2017, 2018

Anticipated date operations will commence: Q1/Q2 2018

Please indicate which incentive program you are applying for:

X EDI Fund X Ad Valorem Tax Abatement □ Small Business Assistance Program

Please provide a project overview and a detailed explanation of how economic development incentives will increase the business's capability to provide new products/services or increase the overall efficiency of your business.

The current location being considered in Cocoa, Brevard County, has three significant financial issues:

1. Inbound logistics costs for product movements.
2. Very expensive site development costs due to wetlands and subsurface soil conditions.
3. Significant costs from all required offsite road improvements.

SUBMITTAL REQUIREMENTS

1. Proof of ownership, or lease (to include property owners contact information)
2. Site Plan
3. Boundary Survey
4. Copy of Business Tax Receipt issued by the City of Cocoa or written statement certifying that business owner shall make application for, and obtained, a business tax receipt prior to any grant award being paid by the City.
5. Color photographs illustrating current conditions for which improvements are proposed
6. Estimates, quotes, or bids from a certified general contractor for proposed improvements
7. Complete written description of work to be performed, including illustrations or sketches.

Please contact the Office of Economic Development for questions related to this application.

CITY USE ONLY

Economic Development Manager's Analysis:

The company qualifies for 9 yr NT abatement starting @ 80% and phasing out over the nine years. The company also qualifies for →

$100,000 (Job creation & utilities) EDI Fund. The proposed incentive is anticipated to ~~have~~ total $2.95 million. The city is seeking to offer an AVT-cash hybrid, to include a 40% AVT abatement over 5 yrs and an upfront cash incentive of $2M in $500,000 increments. (See Proj. evaluation attached.) Totaling $2.92M.

Community Services Director's Recommendation:

☑ Approve ☐ Deny

Comments: Approve per E.D. Manager analysis

Amount Awarded to applicant if applicable: _____

DATE: 4-25-16 SIGNED: Stan P. Bebb
(Community Services Director)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the City of Cocoa for the current fiscal year from ad valorem tax sources:

_____

II. Revenue lost to the City of Cocoa for the current fiscal year by virtue of exemptions previously granted under this section:

_____

III. Estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:

_____

IV. Estimate of the taxable value lost to the City of Cocoa if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied: _____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

Walmart Ad Valorem Tax Abatement Executive Summary

Walmart helps people around the world save money and live better – anytime and anywhere -- in retail stores, online, and through their mobile devices. Each week, more than 250 million customers and members visit our 11,500 stores in 28 countries and e-commerce sites in 11 countries. Walmart employs more than 2.2 million associates worldwide with 1.4 million in the U.S. Walmart continues to be a leader in sustainability, corporate philanthropy and employment opportunity. Additional information about Walmart can be found by visiting http://corporate.walmart.com.

The Port Canaveral Logistics Park located in the City of Cocoa, Brevard County, was selected out of a pool of other potential sites throughout Florida and South Georgia due to its skilled labor pool, central location, and access to a growing market.

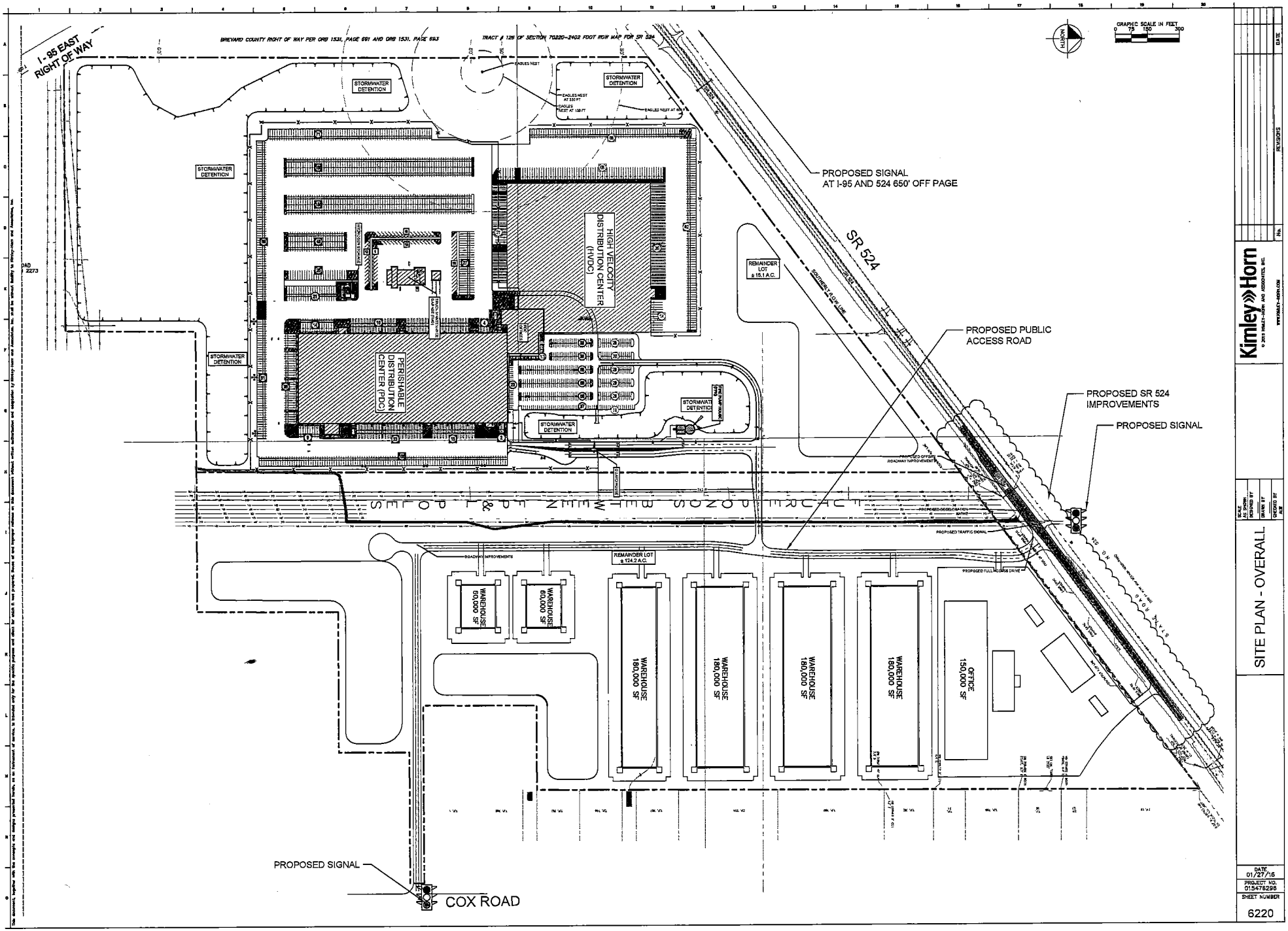
Walmart is reviewing the feasibility of the construction of approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could potentially employ 100 employees within 12 months, increasing to 239 within 3 years. The Company could invest $84.2 in building construction costs and invest at least $12M+ in new equipment.

The Company has existing distribution facilities in 6 locations throughout Florida. The Ad Valorem Tax Abatement program would be of great benefit due to three significant financial issues-

1. Inbound logistics costs for product movements.

2. Very expensive site development costs (estimated $28M) due to wetlands and subsurface soil conditions.

3. Significant costs from all required offsite road improvements.



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REVISIONS

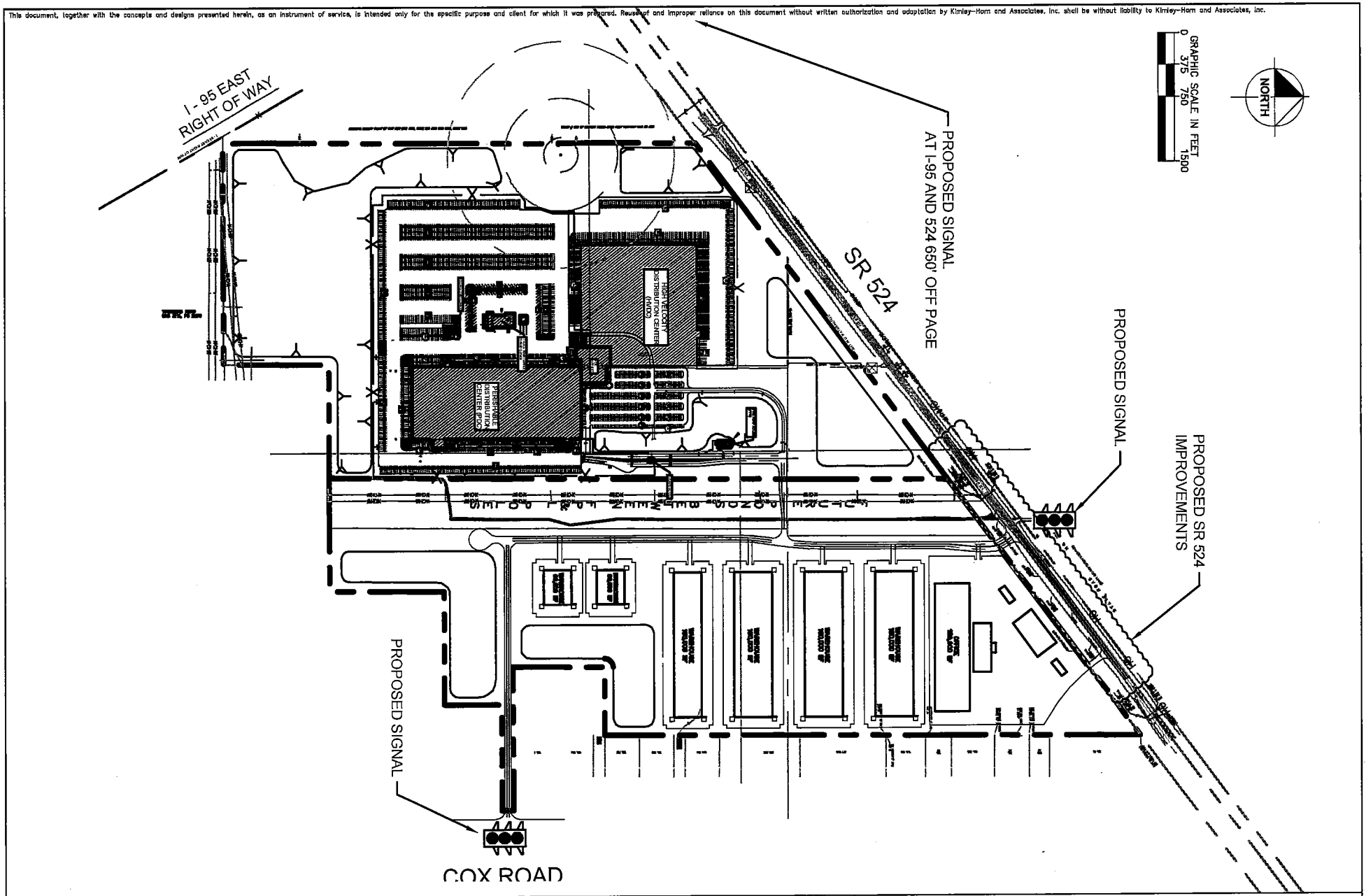
No.	DATE

SCALE: AS SHOWN
DESIGNED BY:
DRAWN BY:
CHECKED BY: AJF

SITE PLAN - OVERALL

DATE: 01/27/16
PROJECT NO. 015478296
SHEET NUMBER: 6220

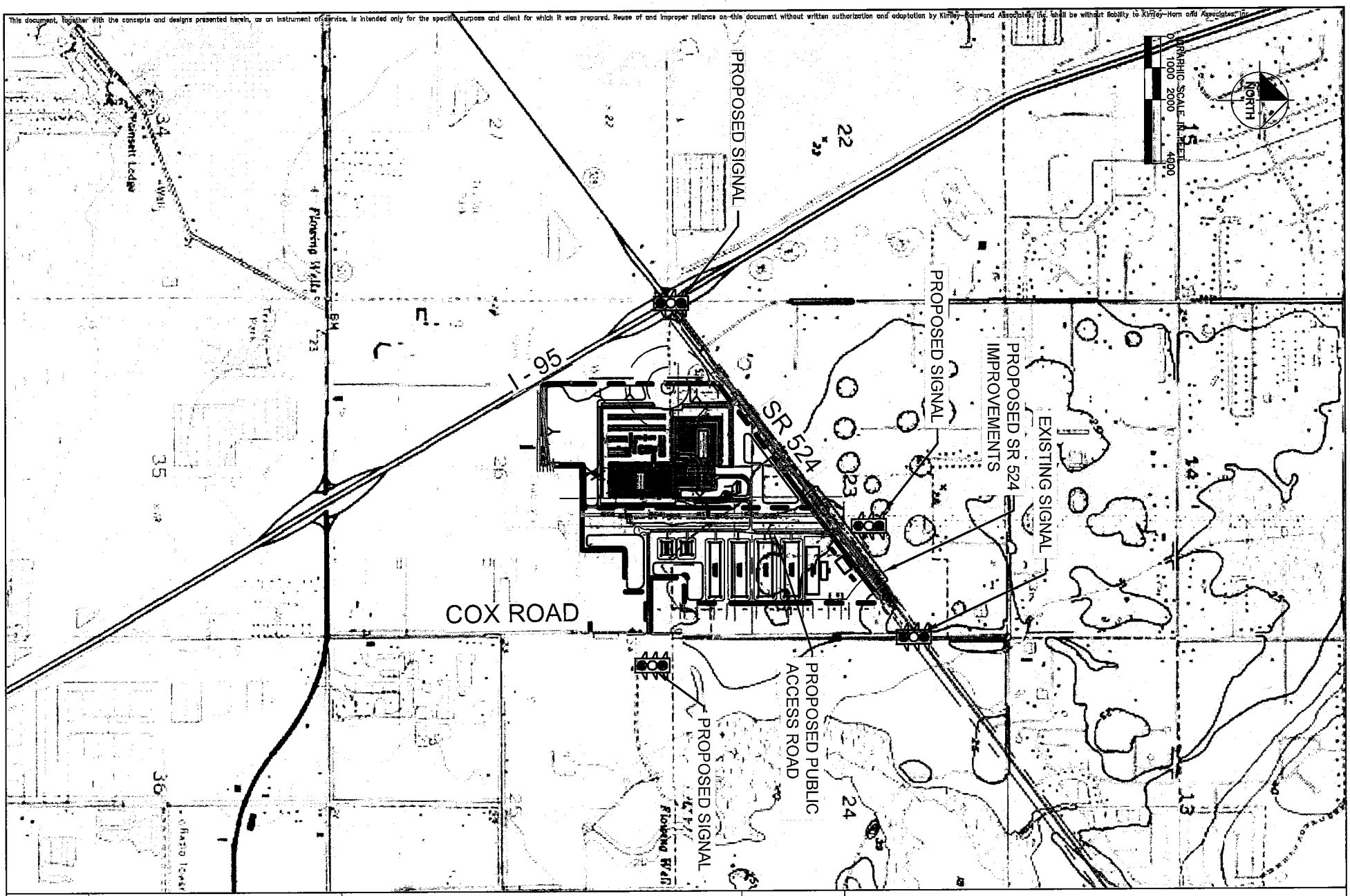
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SHEET	SITE PLAN	CITIZEN KANE DISTRIBUTION CENTER	DATE	Kimley»Horn
A-0	OVERALL	BREVARD COUNTY, FL	04/21/16	
			PROJECT NO. 015476294	

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500 N. PINE ISLAND RD, SUITE 450, PLANTATION, FL 33324
PHONE: 954-535-5134 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000595

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SHEET				
A-1	SITE PLAN USGS MAP	CITIZEN KANE DISTRIBUTION CENTER BREVARD COUNTY, FL	DATE 04/21/16 PROJECT NO. 015476294	Kimley»Horn

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800 N. PINE ISLAND RD, SUITE 450, PLANTATION, FL 33324
PHONE: 954-535-5134 FAX: 561-883-8175
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ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

ECONOMIC IMPACT ANALYSIS

Wal-Mart Stores East, LP

City of Cocoa

04/20/16

Overview:

New Job Commitment:	239	Capital Investment:	$96,200,000
Average Annual Wage:	$42,421		

Economic impact from job creation:

Jobs	Net New Wage	Contribution to GDP
239 (Direct)	$10,138,619 (Direct)	$10,284,977 (Direct)
57 (Indirect)	$2,285,175 (Indirect)	$3,755,294 (Indirect)
66 (Induced)	$2,413,520 (Induced)	$4,501,176 (Induced)
362 TOTAL	$14,837,315 TOTAL	$18,541,447 TOTAL

- For every employment position created by Wal-Mart Stores East, LP approximately 0.51 additional jobs will be developed to support the operation of the facility.

- For every payroll dollar paid to Wal-Mart Stores East, LP approximately $0.46 will be generated for consumer spending.

City Tax Impact

Years 1-10		Annual Taxes on Construction
Projected Tax Assessed	$	402,745.44
Potential Abatement (at 100%)	$	402,745.44
		Annual Taxes on Personal Property
Projected Tax Assessed	$	57,398.40
Potential Abatement (at 100%)	$	57,398.40

Years 11+: Company will be assessed for 100% of tax liability

Tax Millage Code – 13D0 NAICS – 541614 IMPLAN Sector – 454

Analysis based on information supplied by Wal-Mart Stores East, LP - April 2016

Economic impact calculations furnished by EDC Research Office, using IMPLAN Professional 3.0 (www.IMPLAN.com).

Abatement & millage numbers are estimates; all final numbers determined solely by the Brevard County Property Appraiser's Office and the City of Cocoa.

**Subject to City of Cocoa's Ad Valorem Tax Abatement Program Guidelines.*

SUPPLEMENTAL APPLICATION

BREVARD COUNTY ECONOMIC DEVELOPMENT
AD VALOREM TAX EXEMPTION PROGRAM

APPLICANT NAME: Wal-Mart Stores East, LP

NOTICE: This supplement is to be used by the applicant to provide additional information required by Economic Development Ad Valorem Tax Abatement Ordinance, Chapter 102, Division 3, Sections 181-191, Brevard County Code; and to provide other information requested by the Board of County Commissioners and the entities who will review the application.

Any business seeking an exemption shall file an application with the County before the business has made the decision to locate a new business in the County or before the business has made the decision to expand an existing in the County. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to final County Economic Development Tax Abatement approval (and not made contingent upon County approval) may constitute grounds for disapproval. Projects, which clearly do not require inducement, will not be approved.

1. Length of exemption requested is total of 10 years (length of exemption approved is sole discretion of County Commission and commences on the adoption date of the ordinance granting the exemption).

2. Property Owner Name: Wal-Mart Stores East, LP

   Address: 702 S.W. 8th Street, Bentonville, AR 72716

   Telephone No. (479) 273-4000 FAX No. ( )

3. Authorized Agent: J. M. Mullis, Inc.

   Address: 3753 Tyndale Dr., Ste 101 , Memphis, TN 38125

   Telephone Number: (901-734-6994 (Mullis) Fax No. (407-920-4626 (Denise Mott)

4. Type of industry or business: Refrigerated warehouse and distribution

5. Brief description of product and expansion plans (The applicant is to provide an executive summary of its business plan): EXECUTIVE SUMMARY ATTACHED

6. Anticipated number of new employees (The applicant is to provide a breakdown of jobs to be created by category and planned salary to be paid by position): 239 (BREAKDOWN ATTACHED)

7. Percent Increase in overall employment: N/A

8. Expected number of new employees who will reside in Brevard County: 100%

9. Percentage of existing employees who have resided in the County for more than two years: N/A

10. Anticipated average wage of employees: $42,421/YR

11. Anticipated average annual payroll: $10M

12. Anticipated new capital investment as a result of expansion or relocation of business:

    New construction value: $84,200,000
    New personal property value: $12,000,000

13. Environmental impact of business. (Identify the number and type of environmental permits required as a result of this project: e.g. air, soil and water pollution, water and sewer, dredge and fill, stormwater, industrial wastewater; provide a brief narrative statement of the company's environmental impacts):

    A portion of the subject property is proposed to be developed into a perishable distribution center. The Company will develop in accordance with applicable regulations. As such, the Company will be applying for permits through City, County, State, and US government agencies. Applications will be submitted for water and sewer permits through FDEP, a state Environmental Resource Permit through SJRWMD, a dewatering permit though SJRWMD, and a 404 permit through the US Army Corps of Engineers.

14. Anticipated volume of business or production: N/A

15. The relocation or expansion would not occur without the exemption: Yes [X] No [ ]

16. Source of supplies (local or otherwise):

    % source of supplies County: TBD
    % source of supplies Florida: TBD
    % source of supplies out-of-state: TBD

17. Business is/will be located in a community redevelopment area: Yes [ ] No [X]

    Name of area:

SIGNATURES:

I hereby confirm the information provided by Wal-Mart Stores East, LP to the Economic Development Commission of Florida's Space Coast and the Board of County Commissioners for the purpose of calculating the economic impact and benefit of the proposed tax abatement is true, accurate and complete. I further confirm that Wal-Mart Stores East, LP is not in violation of any federal, state or local law, or regulation governing environmental matters. I hereby acknowledge and agree upon approval of the Economic Development Ad Valorem Tax Abatement Ordinance by the Brevard County Board of County Commissioners that Wal-Mart Stores East, LP will provide the Brevard Workforce its job openings to be posted on www.employflorida.com and agrees to consider for employment candidates referred by Brevard Workforce.

DATE: 4/18/2016

SIGNED: _____
(Applicant)

TITLE: Vice President – Real Estate

SIGNED: _____
(Preparer)

_____
(Preparer's Address)

_____
(Preparer's Telephone Number)

ECONOMIC DEVELOPMENT COMMISSION (EDC) USE ONLY

EDC Economic Impact Analysis:

_____
_____
_____
_____
_____
_____
_____
_____

EDC's Recommendation:

The Economic Development Commission of Florida's Space Coast hereby certifies that it has proof, to the satisfaction of the EDC, that the applicant meets the criteria of a new business or for an expansion of an existing business as defined in Section 184, Chapter 102, Brevard County Code. Furthermore, the EDC has conducted an economic impact analysis, applying acceptable multipliers as defined by the State Department of Commerce, which concludes that the applicant does hereby meet the economic benefit test; and, therefore, the EDC recommends to the Brevard County Commission that the applicant receive an ad valorem tax exemption for _____ percent of its eligible taxes and for a period of _____ years.

DATE: _____ SIGNED: _____
(EDC President)

COUNTY USE ONLY

County Manager's Recommendation:

_____
_____
_____
_____

DATE: _____ SIGNED: _____
(County Manager)

BREVARD COUNTY
ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION
Chapter 196, Florida Statutes

To be filed with the Board of County Commissioners, the governing board of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1. Business name: Wal-Mart Stores East, LP

   Mailing address: 702 S.W. 8th Street, Bentonville, AR 72716

2. Name of person in charge of business: _____

   Telephone No.: (____) _____ FAX No.: (____) _____

3. Location of business (**legal description and street address**) of property for which this report is filed: _____

4. Date business opened at this facility: _____

5. a. Description of the improvements to real property for which this exemption is requested: _____

   b. Date of commencement of construction of improvements: _____

6. a. Description of the tangible personal property for which this exemption is requested and date when property was purchased:

APPRAISER'S ONLY Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Condition			Taxpayer's Estimate of Fair Market Value		USE

   b. Average value of inventory on hand: _____

   c. Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.

7. Do you desire exemption as a "New Business" [ ] or as an "Expansion of an Existing Business" [ ]

8. Describe the type or nature of your business: _____

9. Trade level (check as many as apply):

   Wholesale [ ] Manufacturing [ ] Professional [ ] Service [ ] Office [ ] Other [ ]

10. a. Number of full time employees employed in Florida:_____

(DR 418)
b. If an expansion of an existing business:

(1) Net increase in employment_____ or _____%
(2) Increase in productive output resulting from this expansion _____ %

11. Sales factor for the facility requesting exemption:

Total sales in Florida from this facility - one (1) location only _____divided by
Total sales everywhere from this facility - one (1) location only _____ = _____

12. For office space owned and used by a corporation newly domiciled in Florida: Not yet incorporated

a. Date of incorporation in Florida _____
b. Number of full-time employees at this location_____

13. If requesting an exemption due to location in a slum or blighted area, please furnish such additional information as required by the County Commission, City Commission, or Property Appraiser.

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

DATE:_____ Signed: _____
(Preparer)

SIGNED:_____ _____
(Taxpayer) (Preparer's Address)

TITLE:_____ _____
(Preparer's Telephone Number)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the County or municipality for the current fiscal year from ad valorem tax sources:
_____

II. Revenue lost to the County or municipality for the current fiscal year by virtue of exemptions previously granted under this section:
_____

III. Estimate of the revenue which will be lost to the County during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:
_____

IV. Estimate of the taxable value lost to the County or municipality if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied:_____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

APPLICATION*
Public Companies

1. SIGNATURE

The undersigned person hereby affirms that he or she has been duly authorized and empowered to verify, execute and deliver this Application, that he or she will read this Application (including all attachments hereto) and he or she has knowledge of all of the facts stated herein, and that this Application, and all information submitted in connection herewith, shall be complete and accurate and shall contain no misstatements, misrepresentations, or omissions of material facts, to the best of his or her knowledge and belief.



Signature

4/18/2016
Date

LB Johnson
Name

Vice President - Real Estate
Title

Wal-Mart Stores, Inc.
Company

2. BUSINESS INFORMATION

A. Legal name of the Applicant: Wal-Mart Stores East, LP

B. Please provide contact information for the primary contact at the Applicant.

Anita Hargett	Sr. Manager - Tax
Name	*Title*
479-721-1877	anita.hargett@walmart.com
Telephone No.	*Email Address*

2608 SE J Street
Street Address

Bentonville	AR	72716	USA
City	*State*	*Zip Code*	*Country*

C. Name of Ultimate Parent Company (if applicable): Wal-Mart Stores, Inc.

* For an explanation of certain capitalized terms used in this Application, please see Appendix 1.

D. Applicant's or Ultimate Parent Company's (if applicable) ticker symbol: WMT

E. Applicant's Federal Employer Identification Number: 71-0862119

F. Applicant's Reemployment Assistance Number (Formerly Unemployment #): 1597688

G. Applicant's Florida Sales Tax Registration Number (if applicable): 80-8012734733-8

H. Last day of Applicant's fiscal year (e.g., December 31, September 30, etc.): January 31

A. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) in Florida: ***Note: Employment for all Walmart entities as of 12/31/2015 reported under Wal-Mart Associates, Inc. on the FL Employer's Quarterly Report. Includes full-time, part-time and seasonal employment.*** 105,411

A. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) worldwide: ***Note: Employment for all Walmart entities worldwide per the 2015 Annual Report. Includes full-time, part-time and seasonal employment.*** 2.2 Million

B. What type of legal entity is the applicant?

C-Corporation	☐	S-Corporation	☐
Limited Liability Company	☐	Partnership	☒

C. Is it presently anticipated that the Applicant will have corporate income tax liability in Florida?[1]

Yes ☒ No ☐

3. PROJECT OVERVIEW

A. Which of the following best describes the Applicant:

☐ New business to Florida
☒ Existing Florida business creating and/or retaining jobs[2]

B. How many employees of the Applicant, the Ultimate Parent Company and its Subsidiaries (other than the Applicant) will be transferred from other Florida locations in connection with the Project (on a Full-Time Equivalent Job Basis), please indicate the number of employees being transferred and from which Florida county?

[1] In most cases, limited liability companies, S corporations, and partnerships will not have corporate income tax liability.
[2] A QTI Tax Refund award cannot be granted for existing Florida jobs.

We do not plan to transfer employees but may have employees in other locations that may want to transfer given the closer proximity to their home or for the promotion potential and/or higher wages.

C. Please describe the Project, including the specific business activity(ies) and functions of the Project:
Walmart is reviewing the feasibility of the construction of an approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could employ 100 employees within 12 months, increasing to 239 within 3 years. The Company could be spending $84.2M in building construction costs and investing at least $12M+ in new equipment.

D. What is the anticipated commencement date of the Project? Operational Q1/Q2 2018

E. Break down of the Project's primary business activity(ies)/job functions and the corresponding wages:

Applicant's Activities	6 Digit NAICS Code(s)	Project Function (total = 100%)	Average Annualized Wage ($)
Logistics Management	541614	10%	$74,864
Maintenance Associates	541614	30%	$43,672
Operations/Support Associates	541614	60%	$32,344

F. Please provide the address of the proposed permanent location of the Project:
Southeast corner of Interstate 95 and SR524 within the Port Canaveral Logistics Park
Street Address

City *State* *Zip Code*

G. Will the Project be located in a current or proposed Brownfield Area?
Yes ☐ No ☒
If Yes, does the proposed site have a Brownfield Site Rehabilitation Agreement in place or are you pursuing one?
If yes, identify the site
Yes ☐ No ☒ number?
Will the Project be located in a designated Rural Area of Opportunity?
Yes ☐ No ☒ If yes, which area?

Will the Project be located in an Urban area[3]?
Yes ☐ No ☒ If yes, describe?

H. Which of the following best describes the location of the Project:

☐ Regional headquarters — If it is a regional headquarters, what region?

☐ National headquarters

☐ International headquarters

[3] An Urban area may include a Community Redevelopment Area (CRA), Urban Job Tax Credit eligible area, Federal Empowerment Zone, and an Urban Revitalization Area.

☒ Not applicable

I. Please provide an estimate of the percentage of goods or services from the Project that will be sold or delivered to customers outside of Florida:
20-50%% Explain, if necessary: Years 1-3

4. JOB AND WAGE OVERVIEW

A. How many new-to-Florida Full-Time Equivalent Jobs are projected to be created as part of the Project? 239

B. If the Applicant operates in Florida, how many of the Applicant's Full-Time Equivalent Jobs in Florida that would have otherwise moved to another state are projected to be **retained** as part of the Project? N/A

C. What is the projected annualized average wage (excluding benefits) of the **retained** Full-Time Equivalent Jobs in Florida listed in Section 4(B) above (if any)?[4] N/A

D. What is the projected annualized average wage (excluding benefits) of the new Full-Time Equivalent Jobs Florida jobs created as part of the Project?[5] $42,421

E. What is the projected annualized average cost to the Applicant of benefits for each Full-Time Equivalent Florida Job created and retained as part of the Project? $4,615 (hourly) $9,143 (salary)

F. Please list the benefits that are included in the above calculation (*e.g.*, health insurance, matching 401(k) contributions, etc.)?
Medical health insurance is offered to all full-time associates with the following options:
- Health Reimbursement Account (HRA) Plans
- Health Savings Account (HSA) Plans
- HMO Plans (where available)

In addition, employees are also eligible for dental plans, vision, company-paid life insurance, business travel accident insurance, long-term disability, and the company's 401(k) plan.

G. Does the applicant contract with a third-party company to provide payroll services?
Note: All associates will be paid by a separate entity, Wal-Mart Associates, Inc. Yes ☐ No ☒

5. CAPITAL INVESTMENT OVERVIEW

A. Describe the capital investment in connection with the Project in real and personal property (Examples: construction of new facility; remodeling of facility; upgrading, replacing, or buying new equipment.): Walmart is contemplating construction of an approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could spend $84.2M+ in building construction costs and invest at least $12M+ in new equipment, if the project locates.

B. Identify whether the Project will be located in a/an:

[4] All cash payments to the employees (other than reimbursements of business expenses) should be included.
[5] All cash payments to the employees (other than reimbursements of business expenses) should be included.

☐ Leased space with renovations or build out
☒ Newly constructed building(s) on newly acquired land
☐ Newly constructed building(s) on previously acquired land
☐ Newly acquired existing building(s) with renovations
☐ Addition to previously acquired existing building(s)
☐ Other (please describe in 5A above)

C. List the projected capital investment to be made **in** Florida in connection with the Project (by type and year):

Calendar Year :	2016	2017	2018			Total
Land or Building Purchase	$4,000,000	$	$	$	$	$4,000,000
Construction / Renovations	$20,000,000	$54,200,000	$10,000,000	$	$	$84,200,000
Manufacturing Equipment	$	$	$	$	$	$
R&D Equipment	$	$	$	$	$	$
Other Equipment (computer equipment, office furniture, etc.) Logistics Equipment	$	$6,000,000	$6,000,000	$	$	$12,000,000
Total Capital Investment	$24,000,000	$60,200,000	$16,000,000	$	$	$100,200,000

D. List the projected capital investment to be made **outside** of Florida, for equipment that will be located at the Project location in connection with the Project (by type and year):

Calendar Year :						Total
Manufacturing Equipment	$	$	$	$	$	$
R&D Equipment	$	$	$	$	$	$
Other Equipment (computer equipment, office furniture, etc.)	$	$	$	$	$	$
Total Capital Investment	$	$	$	$	$	$

E. What is the estimated square footage of the new or expanded facility? ~460,000 Sq. Ft.

6. COMPETITIVE LANDSCAPE

A. What role will the incentive(s) play in the Applicant's decision to locate the Project in Florida?
The Company has existing distribution facilities in 6 locations throughout Florida. Incentives would be of great benefit due to three significant financial issues-

1. Inbound logistics costs for product movements.
2. Very expensive site development costs (estimated at $28M+) due to wetlands and subsurface soil conditions.
3. Significant costs from all required offsite road improvements.

Costs will play an important factor in the location decision, and any incentives that can help to offset the costs will improve the feasibility of the project locating in Florida versus in neighboring Georgia.

B. What other states or countries (**including the cities**) is the Applicant considering for the Project?
FL – Edgewater, Crescent City; GA – Valdosta

C. What advantages or incentives offered by these locations does the Applicant consider important in its decision?
No cost site; 20-yr property tax reduction package averaging a 50% savings; State Site Prep Grant; State Training package.

D. What advantages or disadvantages offered by the proposed Florida location does the Applicant consider important in its decision?
Advantages - City cash grant and property tax savings package; County property tax savings package; accelerated permitting. Disadvantages – Higher priced real estate and higher operating costs.

E. Indicate any additional internal or external competitive issues impacting the Applicant's decision regarding the Project's location?
Georgia's lower operating costs and better incentive package.

7. DISCLOSURE

A. Is (1) the Applicant, the Ultimate Parent Company or any of its Subsidiaries, or (2) any Principal Executive Officer of the Applicant or the Ultimate Parent Company or (3) any entity that any Principal Executive Officer of the Applicant or the Ultimate Parent Company Controls (a) the subject of a pending criminal prosecution or governmental enforcement action in any jurisdiction; (b) to the best of the Applicant's knowledge after due inquiry, the subject of any criminal, civil, or regulatory investigation by any law enforcement authority in the State of Florida, or any regulatory body in the State of Florida; or (c) subject to any unsatisfied tax liens in Florida or judgment liens in any jurisdiction in the U.S.?

Yes ☐ No ☒ If yes, explain?

8. CONFIDENTIALITY

In accordance with Section 288.075 of the Florida Statutes, the Applicant may request that Enterprise Florida, Inc. and the Department of Economic Opportunity maintain the confidentiality of all information regarding the Project (including information contained in this application) for the lesser of a 12 month period after the date of this application (which may be extended for an additional 12 months upon request), 6 months after the issuance of the final project order approving the project or until the information is otherwise disclosed.
Please indicate whether the Applicant is requesting confidential treatment of the Project in accordance with Section 288.075 of the Florida Statutes. (Does not apply to SDST sales tax exemption applicants.)
☒ Yes ☐ No

***** PLEASE BE SURE TO ATTACH THE PROPER INCENTIVE ATTACHMENT SHEET(S).*****

APPENDIX 1

EXPLANATION OF TERMS

The following terms used in this Application have the meanings set forth below:

AFFILIATE – An entity that is controlled, directly or indirectly, by the ultimate parent entity of such person.

APPLICANT – The entity(ies) that will satisfy all job creation and capital investment requirements under the incentive agreement with the Department and which are applying on or amending this Application.

BROWNFIELD Site with a Brownfield Site Rehabilitation Agreement – Has the meaning ascribed to such term in Section 288.107 of the Florida Statutes.

CONTROL – The power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person or entity that (i) is a director, general partner or officer exercising executive responsibility (or having similar status or functions); (ii) directly or indirectly has the right to vote 50% or more of a class of a voting security or has the power to sell or direct the sale of 50% or more of a class of voting securities; or (iii) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 50% or more of the capital, is presumed to control that company.

DEPARTMENT – The Department of Economic Opportunity.

FELONY – For jurisdictions that do not differentiate between a felony and a misdemeanor, a felony is an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least $1,000. The term also includes a general court martial.

FOUND – Includes adverse final actions, including consent decrees in which the respondent has neither admitted nor denied the findings, but does not include agreements, deficiency letters, examination reports, memoranda of understanding, letters of caution, admonishments, and similar informal resolutions of matters.

FULL-TIME EQUIVALENT JOB – One employee or two or more employees (without duplication) who perform at least 40 hours of paid work per week.

JOBS – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

MISDEMEANOR – For jurisdictions that do not differentiate between a felony and a misdemeanor, a misdemeanor is an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than $1,000. The term also includes a special court martial.

NAICS – Those classifications contained in the North American Industry Classification System, as published in 2012 by the Office of Management and Budget, Executive Office of the President, and updated from time to time.

ORDER – A written directive issued pursuant to statutory authority and procedures, including orders of denial, suspension, or revocation; does not include special stipulations, undertakings or agreements relating to payments, limitations on activity or other restrictions unless they are included in an order.

PRINCIPAL EXECUTIVE OFFICER – With respect to any entity, such entity's chief executive officer, chief financial officer, chief operations officer or any person who performs similar functions regardless of title.

PROJECT – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

RURAL AREA OF OPPORTUNITY – Has the meaning ascribed to such term in Section 288.0656 of the Florida Statutes.

SUBSIDIARY – An entity that is directly or indirectly controlled by the Applicant or the Ultimate Parent.

ULTIMATE PARENT – An entity that directly or indirectly controls the Applicant, which is not directly or indirectly controlled by any other entity.

Joan Junkala

From: Denise Mott <denisem@jmmullis.com>
Sent: Wednesday, April 20, 2016 2:47 PM
To: 'Julie Roslin'; 'Gregory Weiner'; Joan Junkala
Cc: Mike Mullis
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

Of note for clarification—the job creation schedule I just provided is for the total full time headcount of 239. The schedule we will provide for QTI is based upon only those jobs which meet the 115% average wage ($50,261) threshold as follows:

Number of net new jobs	Date Jobs will be created
40 (40)	12/31/2018
40 (80)	12/31/2019
40 (120)	12/31/2020
Total 120	

Denise E. Mott
(407) 920-4626

From: Denise Mott
Sent: Wednesday, April 20, 2016 2:27 PM
To: 'Julie Roslin' <JRoslin@spacecoastedc.org>; Mike Mullis <mmullis@jmmullis.com>; Gregory Weiner <GWeiner@spacecoastedc.org>; 'jjunkala@cocoafl.org' <jjunkala@cocoafl.org>
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

# of New Jobs	Aggregate Jobs	Date Jobs will be created
100	100	12/31/2018
50	150	12/31/2019
89	239	12/31/2020

Denise E. Mott
(407) 920-4626

From: Julie Roslin [mailto:JRoslin@spacecoastedc.org]
Sent: Wednesday, April 20, 2016 1:55 PM
To: Mike Mullis <mmullis@jmmullis.com>; Gregory Weiner <GWeiner@spacecoastedc.org>; 'jjunkala@cocoafl.org' <jjunkala@cocoafl.org>
Cc: Denise Mott <denisem@jmmullis.com>
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

Thank you! Would you mind filling in the following job creation chart for the project so we can show the commission what the job creation timeline is:

# of New Jobs	Date jobs will be created
	12/31/2016
	12/31/2017
	12/31/2018
	12/31/2019

Project Citizen Kane (project eligibility under traditional incentive programs)

Jobs	239			
Wages	$42,421			
Cap Inv	$96,200,000	$76,960,000.00	$460,143.84	$360,280.54
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	80%	368,115
2	80%	368,115
3	80%	368,115
4	80%	368,115
5	80%	368,115
6	70%	322,101
7	60%	276,086
8	50%	230,072
9	40%	184,058
10	0%	0
TOTAL		**2,852,892**
EDI Fund		
Jobs	Qual:$500/job	$50,000 (max)
Utilities	Qual:$500/job	$50,000 (max)
TOTAL		**$100,000**
TOTAL		**$2,952,891.81**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	70%	252,196
2	70%	252,196
3	70%	252,196
4	70%	252,196
5	70%	252,196
6	70%	252,196
7	70%	252,196
8	0%	0
9	0%	0
10	0%	0
TOTAL		**1,765,375**
TOTAL		**$1,765,375**

* EDC AVT Council will likely vote for 100% for 10 Yrs

Total SF	460,000	
Land	4,000,000	*Doesn't count towards Cap Inv
Building	84,200,000	
Equipment	12,000,000	
TOTL CAP	**100,200,000**	
Avg Wage	**42,421**	
New Jobs	**239**	

Project Citizen Kane (project eligibility under AVT-Cash Hybrid)

Jobs	239			
Wages	$42,421			
Cap Inv	$96,200,000	$76,960,000.00	$460,143.84	$360,280.54
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	40%	184,058
2	40%	184,058
3	40%	184,058
4	40%	184,058
5	40%	184,058
6	0%	0
7	0%	0
8	0%	0
9	0%	0
10	0%	0
TOTAL		**920,288**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	70%	252,196
2	70%	252,196
3	70%	252,196
4	70%	252,196
5	70%	252,196
6	70%	252,196
7	70%	252,196
8	0%	0
9	0%	0
10	0%	0
TOTAL		**1,765,375**

* EDC AVT Council will likely vote for 100% for 10 Yrs

Upfront Cash Incentive

Build permit issued	500,000
Site improvements complet	500,000
C.O. issued	500,000
Business Operations begin	500,000
TOTAL	**$2,000,000**
TOTAL INCENTIVE PKG:	**$2,920,288**

Total SF	460,000	
Land	4,000,000	*Doesn't count towards Cap Inv
Building	84,200,000	
Equipment	12,000,000	
TOTL CAP	**100,200,000**	
Avg Wage	**42,421**	
New Jobs	**239**	

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

City of Cocoa Ad Valorem Tax Exemption
Scoring Sheet

Business Name: Project Citizen Kane

Number of New Employees	Points	Existing Business Expansion Option
10-20	3	25% Increase in Employees
21-60	6	50% Increase in Employees
61-99	9	75% Increase in Employees
100 and up	10 ✓	100% Increase in Employees

Average Annual Wage	Points
Below Average	0
Average ($33,411)*	4
25% Above Average ($41,764)	7 ✓
50% Above Average ($50,117)	9
100% Above Average ($66,822)	10

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,000 - $ 4,000,000	2
$ 4,000,000 - $ 7,000,000	3
$ 7,000,000 - $10,000,000	4
$10,000,000 and up	5 ✓

Special District	Points
Enterprise Zone, Brownfield, HUBZone	1

Total Points** 22

Certified By: _____ City Staff Member 4/21/16 Date

* The Average Annual Wage is determined by the average wage of the city of Cocoa. This figure shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.

Program Guidelines

Total Points	Percentage of Exemption by Year	Length of Exemption
11 - 13 points**	Years 1 through 3: 60% Year 4: 50% Year 5: 40% Year 6: 30%	6 years
14 - 16	Years 1 through 4: 70% Year 5: 60% Year 6: 50% Year 7: 40%	7 years
17 - 19	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50%	8 years
20 - 22	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40%	9 years
23 - 25	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40% Year 10: 30%	10 years

** Minimum of 11 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

The City Council reserves the right to vary the ad valorem incentives for certain target industries and businesses deemed critical for the future economic development of the City. In addition, for such targeted industries and businesses, the City Council may consider other economic incentives, such as an ad valorem reimbursement grant incentive, in accordance with the City's home rule and statutory economic development powers. Ad Valorem Abatement or reimbursement grants for such target industries and businesses will be derived on a negotiated schedule and may include such factors as occupied existing business space, development of new business space, capital improvements made, number of jobs created, annual wages, number of relocated jobs, and number of local residents hired.

THE CITY OF COCOA
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OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

Economic Development Incentive Fund
Scoring Sheet

Business Name: Project Citizen Care

Number of New Employees	Points	Existing Business Expansion Option
10 - 20	4	25% Increase in Employees
21 - 50	5	50% Increase in Employees
51 - 100	6	75% Increase in Employees
101 and up	7 ✓	100% Increase in Employees

Average Annual Wage	Points
Below Living Wage	0
Living Wage ($28,766)*	5
City Average Wage ($33,411)**	6
State Average Wage ($41,375)***	8 ✓

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,001 - $ 4,000,000	2
$ 4,000,001 and up	3 ✓

Special District	Points
Enterprise Zone, Brownfield	1

Total Points+ [18] Certified By: _____ City Staff Member 4/21/16 Date

* The Living Wage shall be updated every other year as provided by CareerSource Brevard.
** The average annual wage of the City of Cocoa shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.
*** The State of Florida annual average wage shall be updated at the beginning of each calendar year as provided by Enterprise Florida, Inc.

Scoring

Total Points	Incentive
10 - 13	$100 per job
14 - 16	$300 per job
17 - 19	$500 per job ✓

+ Minimum of 10 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

RESOLUTION NO. 2016-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, CERTIFYING THAT WAL-MART STORES EAST, LP'S APPLICATION FOR AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION IS ELIGIBLE FOR AN EXEMPTION; AUTHORIZING THE COMMUNITY SERVICES DIRECTOR TO RETAIN A COPY OF THE APPLICATION FOR THE CITY AND TO FORWARD THIS RESOLUTION AND THE ORIGINAL APPLICATION TO THE BREVARD COUNTY PROPERTY APPRAISER; PROVIDING FOR THE REPEAL OR PRIOR INCONISTENT RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 196.1995, Florida Statutes, and Article VII of the Florida constitution, a duly authorized referendum ballot was held on November 8, 1995 whereby the citizens of Cocoa, by majority vote, authorized the City Council of the City of Cocoa to consider granting economic development ad valorem tax exemptions to new businesses and expansions of existing businesses; and

WHEREAS, a duly authorized referendum ballot was held on November 8, 2005 whereby such authority was renewed for an additional ten (10) year period pursuant to the majority vote of the citizens of Cocoa; and

WHEREAS, a duly authorized referendum ballot was held on November 4, 2014 whereby such authority was renewed for an additional ten (10) year period pursuant to the majority vote of the citizens of Cocoa; and

WHEREAS, Resolution No. 2014-18 sets forth the general guidelines and procedure for granting economic development ad valorem tax exemptions; and

WHEREAS, the City Council desires to utilize the authority to offer and grant such property tax exemptions for purposes of such property tax exemptions for purposes of supporting economic growth within the City by providing an incentive for employment opportunities that will lead to the improvement of the quality of life of the residents of Cocoa and the positive expansion of the local economy; and

WHEREAS, in furtherance of this purpose, the City Council desires to offer economic development ad valorem tax exemptions to new businesses relocating to the City of Cocoa and expansions of businesses already in the City of Cocoa; and

WHEREAS, the City Council finds it is in the best interests of the public health, safety, and welfare to offer and grant economic development ad valorem tax exemptions in accordance with the requirements and procedures contained in Resolution 2014-18; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, THAT:

Section 1. **Recitals**. The foregoing recitals are affirmed and incorporated herein as part of the Resolution.

Section 2. **Eligibility.** Based on preliminary information, Wal-mart Stores East, LP's application qualifies for an economic development ad valorem tax exemption based on Resolution 2014-18, Section 5. Eligible business, Subsection A. Paragraph 1, "New Business," which shall mean:

> A business or organization establishing 10 or more new jobs to employ 10 or more full-time employees in the City of Cocoa, paying an average wage for such new jobs that is above the average wage in the Cocoa area, which principally engages in any one or more of the following operations:
>
> a. Manufactures, processes, compounds, fabricates, or produces for sale items of tangible personal property at a fixed location and which comprises an industrial or manufacturing plant; or
>
> b. Is a target industry business as defined by section 288.106(2)(q), Florida Statutes, as may be amended;
>
> 2. A business or organization establishing 25 or more new jobs to employ 25 or more full-time employees in the City of Cocoa, the sales factor of which, as defined by s. 220.15(5), for the facility with respect to which it requests an economic development ad valorem tax exemption is less than 0.50 for each year the exemption is claimed; or
>
> 3. An office space in the City of Cocoa owned and used by a business or organization newly domiciled in the City of Cocoa; provided such office space houses 50 or more full-time employees of such business or organization; provided that such business or organization office first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business or organization.
>
> 4. A business or organization that is situated on property annexed into the City of Cocoa, and that, at the time of annexation,

is receiving an economic development ad valorem tax exemption form the county under section 196.1995, Florida Statutes; or

5. Any business or organization located in an enterprise zone or brownfield area that first begins operation on a site clearly separate from any other commercial or industrial operation owned by the same business or organization.

Section 3. **Certification.** Based on a preliminary analysis by the Community Development Director; and by meeting the eligibility criteria as set forth in Resolution No. 2014-18, the City Council certifies that Wal-mart Stores East, LP, is eligible to make application for ad valorem tax abatement.

Section 4. **Forwarding to the Brevard County Property Appraiser**. The City Council authorizes the Community Services Director to retain an Ad Valorem Tax Exemption application for the City and to forward this Resolution and the original application to the Brevard County Property Appraiser's Office.

Section 5. **Repeal of Prior Inconsistent Resolutions**. All resolutions or any parts thereof in conflict herewith are hereby repealed to the extent of the conflict.

Section 6. **Severability**. Should any section or provision of this resolution or any portion hereof, and paragraph, sentence or work be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereto as a whole or part thereof to declared invalid.

Section 7. **Effective date.** This Resolution shall become effective immediately upon its adoption by the City of Cocoa, Florida.

ADOPTED at a regular meeting of the city Council of the City of Cocoa, Florida, assembled this 10th day of May, 2016.

_____

Henry U. Parrish, III, Mayor

ATTEST:

_____

Carie Shealy, City Clerk

Legislation Details (With Text)

File #:	16-184	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	City Business
File created:	4/27/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Ordinance No. 12-2016/1st reading: Preliminarily granting Project Citizen Kane an Ad Valorem Tax (AVT) Abatement of forty (40) percent for five (5) years and authorize the City Manager to execute an AVT Economic Incentive Agreement with the Company. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Ordinance No. 12-2016.pdf Economic Incentive App (Wal-Mart Stores East LP).pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 27, 2016
Agenda Date: May 10, 2016
Prepared By: Joan A. Junkala, Economic Development Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Approve the first reading of an Ordinance preliminarily granting Project Citizen Kane an Ad Valorem Tax (AVT) Abatement of forty (40) percent for five (5) years and authorize the City Manager to execute an AVT Economic Incentive Agreement with the Company.

BACKGROUND:

Project Citizen Kane, also known as Wal-Mart Stores East, LP, is considering developing a 460,000 SF refrigerated warehouse and distribution facility in Cocoa. Wal-Mart is considering the purchase of approximately 132 acres of the 270 acres owned by Canaveral Port Authority generally located southeast of Interstate 95 and State Road 524. The company plans to create 239 new jobs by 2020 with an average wage of $42,421, and invest $96,200,000 in new building construction and equipment.

An Economic Impact Analysis provided by the EDC of Florida's Space Coast indicates that for every one position created by Wal-Mart Stores East, LP, approximately 0.51 additional jobs will be developed to support the operation, resulting in a net new wage of over $7 million. The analysis also predicts that the project will contribute approximately $18.5 million to Gross Domestic Product.

Wal-Mart Stores East, LP has submitted an application for City of Cocoa economic development incentives. The company is eligible for an Ad Valorem Tax (AVT) Abatement of 80 percent phased

out over an eight (8) year period. Based on the City's current millage rate of 5.9790 and the eligible abatement, the estimate of revenue which would be lost to the City over the eight year period is estimated to be $2,852,892. (It is important to note that the company also qualifies for a $100,000 Economic Development Incentive Fund, in addition to the standard AVT Abatement.)

After further evaluation, staff is recommending an AVT-Cash hybrid incentive package that would lessen the impact on the City's ad valorem tax revenue over the eight year period. The hybrid incentive package includes an ad valorem tax abatement of forty (40) percent for five (5) years totaling approximately $920,288, and an Economic Incentive Agreement in the amount of $2,000,000 cash incentive that would be awarded in $500,000 increments upon completion of the following benchmarks: building permit issuance, completion of site improvements, C.O. issuance, and at the time building operations begin. (This item is anticipated to go before City Council on May 24, 2016.) The total value of the proposed AVT-Cash Hybrid is estimated to be $2,920,288. (The company will forgo the additional $100,000 Economic Development Incentive Fund through acceptance of the proposed incentive package.)

STRATEGIC PLAN CONNECTION:

Project Citizen Kane has a direct connection to the Economic Development strategic issue in that it will increase the City's economic position within the Space Coast and allow the City a competitive edge in attracting other like projects that will facilitate additional private capital investment, business, and jobs in Cocoa.

BUDGETARY IMPACT:

The City's AVT Abatement is a performance-based incentive. The company will only receive abatements on actual investment. All documentation of performance per the Economic Incentive Agreement will be required for submittal and review prior to the abatement.

The ad valorem tax abatement will apply only to new improvements to real property and tangible personal property related to the expansion. The value of the land, solid waste, disposal, stormwater utility, and fire assessment fees are not abated.

The budgetary impact will be determined based on Brevard County Property Appraiser's review and evaluation. Based on the City's current millage rate of 5.9790 and the recommended abatement, the estimate of revenue which will be lost to the City during the first eligible fiscal year if the abatement applied for were granted is $184,058.

PREVIOUS ACTION:

There has been no previous action.

RECOMMENDED MOTION:

Approve the first reading of an Ordinance preliminarily granting Project Citizen Kane an Ad Valorem Tax (AVT) Abatement of forty (40) percent for five (5) years and authorize the City Manager to execute an AVT Economic Incentive Agreement with the Company.

ORDINANCE NO. 12-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION TO WAL-MART STORES EAST, LP; PROVIDING AN EXPIRATION DATE FOR THE EXEMPTION; FINDING THAT THE BUSINESS MEETS THE REQUIREMENTS OF SECTION 196.012(14), FLORIDA STATUTES; PROVIDING FOR PROOF OF ELIGIBILITY FOR EXEMPTION; PROVIDING A REQUIREMENT FOR AN ANNUAL REPORT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City is granted the authority, under Section 2(b), Article VIII, of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, economic development and the creation of jobs are priorities of the City Council of the City of Cocoa; and

WHEREAS, the citizens of Cocoa voted to provide economic incentives to new and expanding businesses in the November 8, 2005 and November 4, 2014 general elections; and

WHEREAS, Wal-Mart Stores East, LP ("**Walmart**") has requested that the City of Cocoa exempt from ad valorem taxation the assessed value of proposed new construction to its real property made to facilitate the establishment of its business in refrigerated warehousing and product distribution, and all of the net increase in tangible personal property it acquires to facilitate such new business; and

WHEREAS, the Property Appraiser has provided the City of Cocoa with its report as required by section 196.1995(9), Florida Statutes; and

WHEREAS, it has been determined that Walmart meets the requirements of section 196.012(14), Florida Statutes, as a new business to be located in Cocoa; and

WHEREAS, the City Council of the City of Cocoa, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and the intent and purpose of the City Council of the City of Cocoa.

Section 2. **Economic Development Ad Valorem Tax Exemption.**

(a) An economic development ad valorem tax exemption is hereby granted to Walmart, located in Cocoa, Florida, for new improvements to real property and tangible personal property purchased as equipment.

(b) The total amount of revenue available to the City of Cocoa from ad valorem tax sources for the current fiscal year is $4,294,115.39. The City of Cocoa loses $7,450.68 for the current fiscal year by virtue of economic development ad valorem tax exemptions currently in effect from previous years.

(c) The estimated taxable value lost to the City of Cocoa for the current fiscal year attributable to the exemption granted to Walmart is $84,200,000 for improvements to real property and $12,000,000 for personal property. The estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation is $184,058.

(d) The tax exemption hereby granted shall be for a term of five (5) years, commencing with the first year the new improvements and personal property are added to the assessment roll, and lasting four (4) years thereafter, for forty percent (40%) of the City ad valorem taxes for years 1 through 5.

(e) In accordance with the findings of the Cocoa City Council and the Brevard County Property Appraiser, the property hereby exempted from ad valorem tax exemption meets the definition of a new business, as defined by section 196.012(14), Florida Statutes.

(f) The economic development ad valorem tax exemption is subject to the terms and conditions of Resolution 2014-18 and/or other terms and conditions required by the City Council.

Section 3. **Evidence of Continued Eligibility.**

(a) Walmart shall submit to the City of Cocoa an annual report providing evidence of continued compliance with the definition of a "new business" or an "expansion of an existing business" for each of the five (5) years during which Walmart is eligible to receive ad valorem tax exemption. The annual report shall be received by the City Council no later than January 31 of each year.

(b) If the annual report is not received, or if the annual report indicates that Walmart no

longer meets the criteria of section 196.012, Florida Statutes, the City Council shall revoke by ordinance this economic development ad valorem tax exemption, reimpose the ad valorem taxes exempted, and Walmart shall be required to make payment of the taxes exempted in addition to interest accrued at the maximum rate allowed by law.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 5. Not Incorporated Into Code. This ordinance shall not be incorporated into the Cocoa City Code.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective upon adoption by the City Council of the City of Cocoa, Florida and upon the complete execution of an Economic Incentive Agreement between the City of Cocoa and Walmart.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 24th day of May, 2016.

_____

Henry U. Parrish, **III, Mayor**

ATTEST:

_____

Carie Shealy, City Clerk

J. M. MULLIS, INC.
Professional Project Location Specialists

High Priority

CONFIDENTIAL **Email**

Date: Wednesday, April 20, 2016

Memo To: Greg Weiner - Senior Director, Business Development
Julie Roslin - Manager, Business Development
Economic Development Commission of Florida's SpaceCoast

Joan Junkala - Economic Development Manager
City of Cocoa, Office of Economic Development

From: J. Michael Mullis

Subject: Project "Citizen Kane" (Ref. – Completed Incentive Applications)

Please find attached the completed City and County Incentive Applications for Project "Citizen Kane".

Please feel free to contact Denise or myself if you have any questions.

Thank you.

Mike

:al

cc: Denise Mott

File No.: ActDocs\3112\ltr-040.doc

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

INCENTIVE APPLICATION

GENERAL INFORMATION

Business/Project Name: Project "Citizen Kane"

Property Owner Name: Wal-Mart Stores East, LP

Address: Port Canaveral Logistics Park, Cocoa, Brevard County, FL (western portion - approx 132 AC) Tax IDs 2407968 & 2407075

Authorized Agent: J.M. Mullis, Inc. Title: _____

Telephone: Mike Mullis (901)734-6994) or Denise Mott (407-920-4626) E-mail: mmullis@jmmullis.com; denisem@jmmullis.com

Address: 3753 Tyndale Drive; Suite 101, Memphis, TN 38125

BUSINESS INFORMATION

Primary business activity: Refrigerated warehousing and distribution

NAICS Code: 49312 Federal Tax I.D. Number: 71-0862119

Is the business located in one or more of the following: □ Enterprise Zone □ Brownfield

Business Structure: (check one)
□ Proprietorship □ Limited Liability Corporation
X Partnership □ Corporation
□ Other: _____

If a corporation, please indicate the city and state of incorporation: Delaware

Date of incorporation: November 2001

If a subsidiary, name of parent company: Wal-Mart Stores, Inc.

Publicly Traded: WMT (NYSE)

Total number of existing jobs in Cocoa: Full-time: N/A Part-time: N/A

Average Annual Wage of existing employees (excluding benefits): N/A

Are you filing as: **X NEW BUSINESS** **□ BUSINESS EXPANSION**

Total number of new jobs to be created: Full-time: 239 Part-time: _____
(List all detail in Jobs Sheet form) *Jobs created Years 2018, 2019, 2020

Average Annual Wage of new jobs to be created (excluding benefits): $42,421

Amount of investment in new building construction in the first year: $84,200,000

Please explain: Year 1: $20,000,000; Year 2: $64,200,000 – Refrigerated warehouse new construction

Amount of investment in new machinery or equipment in the first year: Year 2: $12,000,000

Please explain: logistics equipment will be installed after construction is complete in year 2

* TOTAL CAP $96,200,000 * over 3 Yr Pd: 2016, 2017, 2018

Anticipated date operations will commence: Q1/Q2 2018

Please indicate which incentive program you are applying for:

X EDI Fund X Ad Valorem Tax Abatement □ Small Business Assistance Program

Please provide a project overview and a detailed explanation of how economic development incentives will increase the business's capability to provide new products/services or increase the overall efficiency of your business.

The current location being considered in Cocoa, Brevard County, has three significant financial issues:

1. Inbound logistics costs for product movements.
2. Very expensive site development costs due to wetlands and subsurface soil conditions.
3. Significant costs from all required offsite road improvements.

SUBMITTAL REQUIREMENTS

1. Proof of ownership, or lease (to include property owners contact information)
2. Site Plan
3. Boundary Survey
4. Copy of Business Tax Receipt issued by the City of Cocoa or written statement certifying that business owner shall make application for, and obtained, a business tax receipt prior to any grant award being paid by the City.
5. Color photographs illustrating current conditions for which improvements are proposed
6. Estimates, quotes, or bids from a certified general contractor for proposed improvements
7. Complete written description of work to be performed, including illustrations or sketches.

Please contact the Office of Economic Development for questions related to this application.

CITY USE ONLY

Economic Development Manager's Analysis:

The company qualifies for 9 yr NT abatement starting @ 80% and phasing out over the nine years. The company also qualifies for →

$100,000 (Job creation & utilities) EDI Fund. The proposed incentive is anticipated to ~~have~~ total $2.95 million. The city is seeking to offer an AVT-cash hybrid, to include a 40% AVT abatement over 5 yrs and an upfront cash incentive of $2M in $500,000 increments. (See Proj. evaluation attached.) Totaling $2.92M.

Community Services Director's Recommendation:

☑ Approve ☐ Deny

Comments: Approve per E.D. Manager analysis

Amount Awarded to applicant if applicable: _____

DATE: 4-25-16 SIGNED: Stan P. Bebb
(Community Services Director)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the City of Cocoa for the current fiscal year from ad valorem tax sources:

_____

II. Revenue lost to the City of Cocoa for the current fiscal year by virtue of exemptions previously granted under this section:

_____

III. Estimate of the revenue which will be lost to the City of Cocoa during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:

_____

IV. Estimate of the taxable value lost to the City of Cocoa if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied: _____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

Walmart Ad Valorem Tax Abatement Executive Summary

Walmart helps people around the world save money and live better – anytime and anywhere -- in retail stores, online, and through their mobile devices. Each week, more than 250 million customers and members visit our 11,500 stores in 28 countries and e-commerce sites in 11 countries. Walmart employs more than 2.2 million associates worldwide with 1.4 million in the U.S. Walmart continues to be a leader in sustainability, corporate philanthropy and employment opportunity. Additional information about Walmart can be found by visiting http://corporate.walmart.com.

The Port Canaveral Logistics Park located in the City of Cocoa, Brevard County, was selected out of a pool of other potential sites throughout Florida and South Georgia due to its skilled labor pool, central location, and access to a growing market.

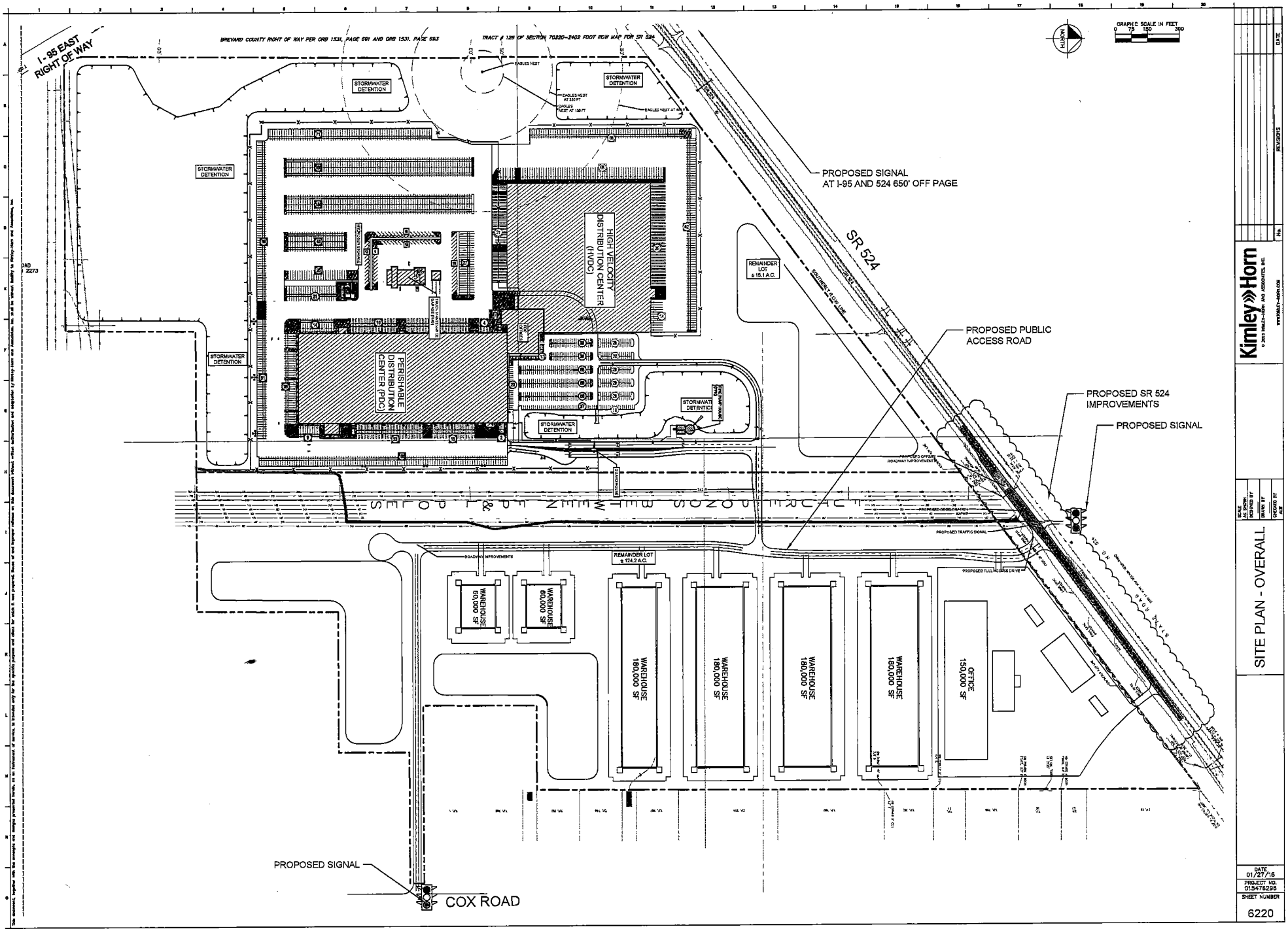
Walmart is reviewing the feasibility of the construction of approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could potentially employ 100 employees within 12 months, increasing to 239 within 3 years. The Company could invest $84.2 in building construction costs and invest at least $12M+ in new equipment.

The Company has existing distribution facilities in 6 locations throughout Florida. The Ad Valorem Tax Abatement program would be of great benefit due to three significant financial issues-

1. Inbound logistics costs for product movements.

2. Very expensive site development costs (estimated $28M) due to wetlands and subsurface soil conditions.

3. Significant costs from all required offsite road improvements.



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REVISIONS

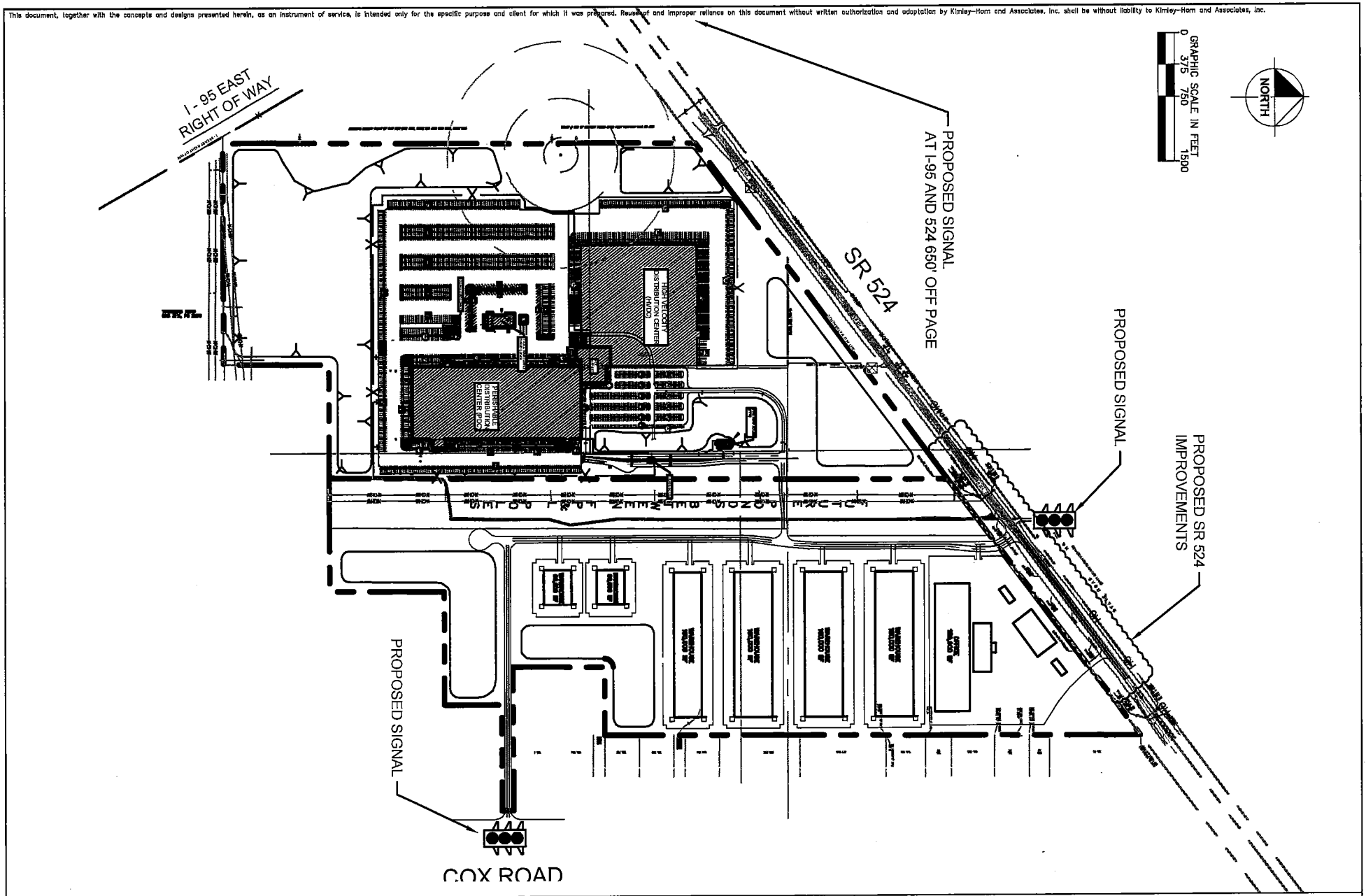
No.	DATE

SCALE: AS SHOWN
DESIGNED BY:
DRAWN BY:
CHECKED BY: AJF

SITE PLAN - OVERALL

DATE: 01/27/16
PROJECT NO. 015478296
SHEET NUMBER: 6220

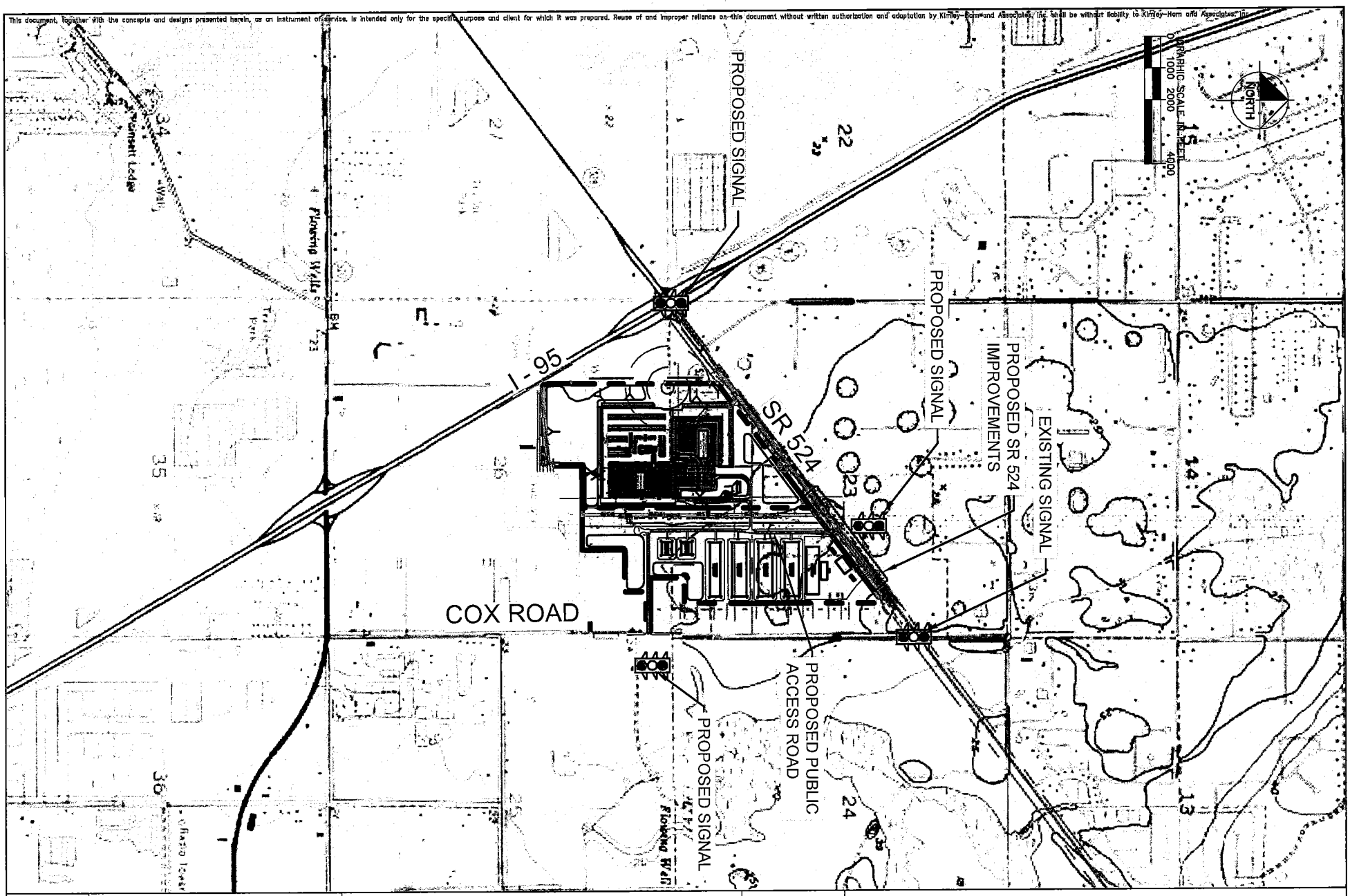
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SHEET	SITE PLAN	CITIZEN KANE DISTRIBUTION CENTER	DATE	Kimley»Horn
A-0	OVERALL	BREVARD COUNTY, FL	04/21/16	
			PROJECT NO. 015476294	

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500 N. PINE ISLAND RD, SUITE 450, PLANTATION, FL 33324
PHONE: 954-535-5134 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000595

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SHEET				
A-1	SITE PLAN USGS MAP	CITIZEN KANE DISTRIBUTION CENTER BREVARD COUNTY, FL	DATE 04/21/16 PROJECT NO. 015476294	Kimley»Horn

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800 N. PINE ISLAND RD, SUITE 450, PLANTATION, FL 33324
PHONE: 954-535-5134 FAX: 561-883-8175
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ECONOMIC DEVELOPMENT COMMISSION
FLORIDA'S SPACE COAST

ECONOMIC IMPACT ANALYSIS

Wal-Mart Stores East, LP

City of Cocoa

04/20/16

Overview:

New Job Commitment:	239	Capital Investment:	$96,200,000
Average Annual Wage:	$42,421		

Economic impact from job creation:

Jobs	Net New Wage	Contribution to GDP
239 (Direct)	$10,138,619 (Direct)	$10,284,977 (Direct)
57 (Indirect)	$2,285,175 (Indirect)	$3,755,294 (Indirect)
66 (Induced)	$2,413,520 (Induced)	$4,501,176 (Induced)
362 TOTAL	$14,837,315 TOTAL	$18,541,447 TOTAL

- For every employment position created by Wal-Mart Stores East, LP approximately 0.51 additional jobs will be developed to support the operation of the facility.

- For every payroll dollar paid to Wal-Mart Stores East, LP approximately $0.46 will be generated for consumer spending.

City Tax Impact

Years 1-10		Annual Taxes on Construction
Projected Tax Assessed	$	402,745.44
Potential Abatement (at 100%)	$	402,745.44
		Annual Taxes on Personal Property
Projected Tax Assessed	$	57,398.40
Potential Abatement (at 100%)	$	57,398.40

Years 11+: Company will be assessed for 100% of tax liability

Tax Millage Code – 13D0 NAICS – 541614 IMPLAN Sector – 454

Analysis based on information supplied by Wal-Mart Stores East, LP - April 2016

Economic impact calculations furnished by EDC Research Office, using IMPLAN Professional 3.0 (www.IMPLAN.com).

Abatement & millage numbers are estimates; all final numbers determined solely by the Brevard County Property Appraiser's Office and the City of Cocoa.

**Subject to City of Cocoa's Ad Valorem Tax Abatement Program Guidelines.*

SUPPLEMENTAL APPLICATION

BREVARD COUNTY ECONOMIC DEVELOPMENT
AD VALOREM TAX EXEMPTION PROGRAM

APPLICANT NAME: Wal-Mart Stores East, LP

NOTICE: This supplement is to be used by the applicant to provide additional information required by Economic Development Ad Valorem Tax Abatement Ordinance, Chapter 102, Division 3, Sections 181-191, Brevard County Code; and to provide other information requested by the Board of County Commissioners and the entities who will review the application.

Any business seeking an exemption shall file an application with the County before the business has made the decision to locate a new business in the County or before the business has made the decision to expand an existing in the County. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to final County Economic Development Tax Abatement approval (and not made contingent upon County approval) may constitute grounds for disapproval. Projects, which clearly do not require inducement, will not be approved.

1. Length of exemption requested is total of 10 years (length of exemption approved is sole discretion of County Commission and commences on the adoption date of the ordinance granting the exemption).

2. Property Owner Name: Wal-Mart Stores East, LP

   Address: 702 S.W. 8th Street, Bentonville, AR 72716

   Telephone No. (479) 273-4000 FAX No. ( )

3. Authorized Agent: J. M. Mullis, Inc.

   Address: 3753 Tyndale Dr., Ste 101 , Memphis, TN 38125

   Telephone Number: (901-734-6994 (Mullis) Fax No. (407-920-4626 (Denise Mott)

4. Type of industry or business: Refrigerated warehouse and distribution

5. Brief description of product and expansion plans (The applicant is to provide an executive summary of its business plan): EXECUTIVE SUMMARY ATTACHED

6. Anticipated number of new employees (The applicant is to provide a breakdown of jobs to be created by category and planned salary to be paid by position): 239 (BREAKDOWN ATTACHED)

7. Percent Increase in overall employment: N/A

8. Expected number of new employees who will reside in Brevard County: 100%

9. Percentage of existing employees who have resided in the County for more than two years: N/A

10. Anticipated average wage of employees: $42,421/YR

11. Anticipated average annual payroll: $10M

12. Anticipated new capital investment as a result of expansion or relocation of business:

    New construction value: $84,200,000
    New personal property value: $12,000,000

13. Environmental impact of business. (Identify the number and type of environmental permits required as a result of this project: e.g. air, soil and water pollution, water and sewer, dredge and fill, stormwater, industrial wastewater; provide a brief narrative statement of the company's environmental impacts):

    A portion of the subject property is proposed to be developed into a perishable distribution center. The Company will develop in accordance with applicable regulations. As such, the Company will be applying for permits through City, County, State, and US government agencies. Applications will be submitted for water and sewer permits through FDEP, a state Environmental Resource Permit through SJRWMD, a dewatering permit though SJRWMD, and a 404 permit through the US Army Corps of Engineers.

14. Anticipated volume of business or production: N/A

15. The relocation or expansion would not occur without the exemption: Yes [X] No [ ]

16. Source of supplies (local or otherwise):

    % source of supplies County: TBD
    % source of supplies Florida: TBD
    % source of supplies out-of-state: TBD

17. Business is/will be located in a community redevelopment area: Yes [ ] No [X]

    Name of area:

SIGNATURES:

I hereby confirm the information provided by Wal-Mart Stores East, LP to the Economic Development Commission of Florida's Space Coast and the Board of County Commissioners for the purpose of calculating the economic impact and benefit of the proposed tax abatement is true, accurate and complete. I further confirm that Wal-Mart Stores East, LP is not in violation of any federal, state or local law, or regulation governing environmental matters. I hereby acknowledge and agree upon approval of the Economic Development Ad Valorem Tax Abatement Ordinance by the Brevard County Board of County Commissioners that Wal-Mart Stores East, LP will provide the Brevard Workforce its job openings to be posted on www.employflorida.com and agrees to consider for employment candidates referred by Brevard Workforce.

DATE: 4/18/2016

SIGNED: _____
(Applicant)

TITLE: Vice President – Real Estate

SIGNED: _____
(Preparer)

_____
(Preparer's Address)

_____
(Preparer's Telephone Number)

ECONOMIC DEVELOPMENT COMMISSION (EDC) USE ONLY

EDC Economic Impact Analysis:

_____
_____
_____
_____
_____
_____
_____
_____

EDC's Recommendation:

The Economic Development Commission of Florida's Space Coast hereby certifies that it has proof, to the satisfaction of the EDC, that the applicant meets the criteria of a new business or for an expansion of an existing business as defined in Section 184, Chapter 102, Brevard County Code. Furthermore, the EDC has conducted an economic impact analysis, applying acceptable multipliers as defined by the State Department of Commerce, which concludes that the applicant does hereby meet the economic benefit test; and, therefore, the EDC recommends to the Brevard County Commission that the applicant receive an ad valorem tax exemption for _____ percent of its eligible taxes and for a period of _____ years.

DATE: _____ SIGNED: _____
(EDC President)

COUNTY USE ONLY

County Manager's Recommendation:

_____
_____
_____
_____

DATE: _____ SIGNED: _____
(County Manager)

BREVARD COUNTY
ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION
Chapter 196, Florida Statutes

To be filed with the Board of County Commissioners, the governing board of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1. Business name: Wal-Mart Stores East, LP

   Mailing address: 702 S.W. 8th Street, Bentonville, AR 72716

2. Name of person in charge of business: _____

   Telephone No.: (____) _____ FAX No.: (____) _____

3. Location of business (**legal description and street address**) of property for which this report is filed: _____

4. Date business opened at this facility: _____

5. a. Description of the improvements to real property for which this exemption is requested: _____

   b. Date of commencement of construction of improvements: _____

6. a. Description of the tangible personal property for which this exemption is requested and date when property was purchased:

APPRAISER'S ONLY Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Condition			Taxpayer's Estimate of Fair Market Value		USE

   b. Average value of inventory on hand: _____

   c. Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.

7. Do you desire exemption as a "New Business" [ ] or as an "Expansion of an Existing Business" [ ]

8. Describe the type or nature of your business: _____

9. Trade level (check as many as apply):

   Wholesale [ ] Manufacturing [ ] Professional [ ] Service [ ] Office [ ] Other [ ]

10. a. Number of full time employees employed in Florida:_____

(DR 418)
b. If an expansion of an existing business:

(1) Net increase in employment_____ or _____%
(2) Increase in productive output resulting from this expansion _____ %

11. Sales factor for the facility requesting exemption:

Total sales in Florida from this facility - one (1) location only _____divided by
Total sales everywhere from this facility - one (1) location only _____ = _____

12. For office space owned and used by a corporation newly domiciled in Florida: Not yet incorporated

a. Date of incorporation in Florida _____
b. Number of full-time employees at this location_____

13. If requesting an exemption due to location in a slum or blighted area, please furnish such additional information as required by the County Commission, City Commission, or Property Appraiser.

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

DATE:_____ Signed: _____
(Preparer)

SIGNED:_____ _____
(Taxpayer) (Preparer's Address)

TITLE:_____ _____
(Preparer's Telephone Number)

PROPERTY APPRAISER'S USE ONLY

I. Total revenue available to the County or municipality for the current fiscal year from ad valorem tax sources:
_____

II. Revenue lost to the County or municipality for the current fiscal year by virtue of exemptions previously granted under this section:
_____

III. Estimate of the revenue which will be lost to the County during the current fiscal year if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation:
_____

IV. Estimate of the taxable value lost to the County or municipality if the exemption applied for were granted:
Improvements to real property _____ Personal Property _____

V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business [ ], an Expansion of an Existing Business [ ], or Neither [ ].

VI. Last year for which exemption may be applied:_____

DATE: _____ SIGNED: _____
(Property Appraiser)

RETURN TO BE FILED NOT LATER THAN MARCH 1

APPLICATION*
Public Companies

1. SIGNATURE

The undersigned person hereby affirms that he or she has been duly authorized and empowered to verify, execute and deliver this Application, that he or she will read this Application (including all attachments hereto) and he or she has knowledge of all of the facts stated herein, and that this Application, and all information submitted in connection herewith, shall be complete and accurate and shall contain no misstatements, misrepresentations, or omissions of material facts, to the best of his or her knowledge and belief.



Signature

4/18/2016
Date

LB Johnson
Name

Vice President - Real Estate
Title

Wal-Mart Stores, Inc.
Company

2. BUSINESS INFORMATION

A. Legal name of the Applicant: Wal-Mart Stores East, LP

B. Please provide contact information for the primary contact at the Applicant.

Anita Hargett	Sr. Manager - Tax
Name	*Title*
479-721-1877	anita.hargett@walmart.com
Telephone No.	*Email Address*

2608 SE J Street
Street Address

Bentonville	AR	72716	USA
City	*State*	*Zip Code*	*Country*

C. Name of Ultimate Parent Company (if applicable): Wal-Mart Stores, Inc.

* For an explanation of certain capitalized terms used in this Application, please see Appendix 1.

D. Applicant's or Ultimate Parent Company's (if applicable) ticker symbol: WMT

E. Applicant's Federal Employer Identification Number: 71-0862119

F. Applicant's Reemployment Assistance Number (Formerly Unemployment #): 1597688

G. Applicant's Florida Sales Tax Registration Number (if applicable): 80-8012734733-8

H. Last day of Applicant's fiscal year (e.g., December 31, September 30, etc.): January 31

A. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) in Florida: ***Note: Employment for all Walmart entities as of 12/31/2015 reported under Wal-Mart Associates, Inc. on the FL Employer's Quarterly Report. Includes full-time, part-time and seasonal employment.*** 105,411

A. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) worldwide: ***Note: Employment for all Walmart entities worldwide per the 2015 Annual Report. Includes full-time, part-time and seasonal employment.*** 2.2 Million

B. What type of legal entity is the applicant?

C-Corporation	☐	S-Corporation	☐
Limited Liability Company	☐	Partnership	☒

C. Is it presently anticipated that the Applicant will have corporate income tax liability in Florida?[1]

Yes ☒ No ☐

3. PROJECT OVERVIEW

A. Which of the following best describes the Applicant:

☐ New business to Florida
☒ Existing Florida business creating and/or retaining jobs[2]

B. How many employees of the Applicant, the Ultimate Parent Company and its Subsidiaries (other than the Applicant) will be transferred from other Florida locations in connection with the Project (on a Full-Time Equivalent Job Basis), please indicate the number of employees being transferred and from which Florida county?

[1] In most cases, limited liability companies, S corporations, and partnerships will not have corporate income tax liability.
[2] A QTI Tax Refund award cannot be granted for existing Florida jobs.

We do not plan to transfer employees but may have employees in other locations that may want to transfer given the closer proximity to their home or for the promotion potential and/or higher wages.

C. Please describe the Project, including the specific business activity(ies) and functions of the Project:
Walmart is reviewing the feasibility of the construction of an approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could employ 100 employees within 12 months, increasing to 239 within 3 years. The Company could be spending $84.2M in building construction costs and investing at least $12M+ in new equipment.

D. What is the anticipated commencement date of the Project? Operational Q1/Q2 2018

E. Break down of the Project's primary business activity(ies)/job functions and the corresponding wages:

Applicant's Activities	6 Digit NAICS Code(s)	Project Function (total = 100%)	Average Annualized Wage ($)
Logistics Management	541614	10%	$74,864
Maintenance Associates	541614	30%	$43,672
Operations/Support Associates	541614	60%	$32,344

F. Please provide the address of the proposed permanent location of the Project:
Southeast corner of Interstate 95 and SR524 within the Port Canaveral Logistics Park
Street Address

City *State* *Zip Code*

G. Will the Project be located in a current or proposed Brownfield Area?
Yes ☐ No ☒
If Yes, does the proposed site have a Brownfield Site Rehabilitation Agreement in place or are you pursuing one?
If yes, identify the site
Yes ☐ No ☒ number?
Will the Project be located in a designated Rural Area of Opportunity?
Yes ☐ No ☒ If yes, which area?

Will the Project be located in an Urban area[3]?
Yes ☐ No ☒ If yes, describe?

H. Which of the following best describes the location of the Project:

☐ Regional headquarters — If it is a regional headquarters, what region?

☐ National headquarters

☐ International headquarters

[3] An Urban area may include a Community Redevelopment Area (CRA), Urban Job Tax Credit eligible area, Federal Empowerment Zone, and an Urban Revitalization Area.

☒ Not applicable

I. Please provide an estimate of the percentage of goods or services from the Project that will be sold or delivered to customers outside of Florida:
20-50%% Explain, if necessary: Years 1-3

4. JOB AND WAGE OVERVIEW

A. How many new-to-Florida Full-Time Equivalent Jobs are projected to be created as part of the Project? 239

B. If the Applicant operates in Florida, how many of the Applicant's Full-Time Equivalent Jobs in Florida that would have otherwise moved to another state are projected to be **retained** as part of the Project? N/A

C. What is the projected annualized average wage (excluding benefits) of the **retained** Full-Time Equivalent Jobs in Florida listed in Section 4(B) above (if any)?[4] N/A

D. What is the projected annualized average wage (excluding benefits) of the new Full-Time Equivalent Jobs Florida jobs created as part of the Project?[5] $42,421

E. What is the projected annualized average cost to the Applicant of benefits for each Full-Time Equivalent Florida Job created and retained as part of the Project? $4,615 (hourly) $9,143 (salary)

F. Please list the benefits that are included in the above calculation (*e.g.*, health insurance, matching 401(k) contributions, etc.)?
Medical health insurance is offered to all full-time associates with the following options:
- Health Reimbursement Account (HRA) Plans
- Health Savings Account (HSA) Plans
- HMO Plans (where available)

In addition, employees are also eligible for dental plans, vision, company-paid life insurance, business travel accident insurance, long-term disability, and the company's 401(k) plan.

G. Does the applicant contract with a third-party company to provide payroll services?
Note: All associates will be paid by a separate entity, Wal-Mart Associates, Inc. Yes ☐ No ☒

5. CAPITAL INVESTMENT OVERVIEW

A. Describe the capital investment in connection with the Project in real and personal property (Examples: construction of new facility; remodeling of facility; upgrading, replacing, or buying new equipment.): Walmart is contemplating construction of an approximately 460,000+/- sq. ft. refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and SR 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The Company could spend $84.2M+ in building construction costs and invest at least $12M+ in new equipment, if the project locates.

B. Identify whether the Project will be located in a/an:

[4] All cash payments to the employees (other than reimbursements of business expenses) should be included.
[5] All cash payments to the employees (other than reimbursements of business expenses) should be included.

☐ Leased space with renovations or build out
☒ Newly constructed building(s) on newly acquired land
☐ Newly constructed building(s) on previously acquired land
☐ Newly acquired existing building(s) with renovations
☐ Addition to previously acquired existing building(s)
☐ Other (please describe in 5A above)

C. List the projected capital investment to be made **in** Florida in connection with the Project (by type and year):

Calendar Year :	2016	2017	2018			Total
Land or Building Purchase	$4,000,000	$	$	$	$	$4,000,000
Construction / Renovations	$20,000,000	$54,200,000	$10,000,000	$	$	$84,200,000
Manufacturing Equipment	$	$	$	$	$	$
R&D Equipment	$	$	$	$	$	$
Other Equipment (computer equipment, office furniture, etc.) Logistics Equipment	$	$6,000,000	$6,000,000	$	$	$12,000,000
Total Capital Investment	$24,000,000	$60,200,000	$16,000,000	$	$	$100,200,000

D. List the projected capital investment to be made **outside** of Florida, for equipment that will be located at the Project location in connection with the Project (by type and year):

Calendar Year :						Total
Manufacturing Equipment	$	$	$	$	$	$
R&D Equipment	$	$	$	$	$	$
Other Equipment (computer equipment, office furniture, etc.)	$	$	$	$	$	$
Total Capital Investment	$	$	$	$	$	$

E. What is the estimated square footage of the new or expanded facility? ~460,000 Sq. Ft.

6. COMPETITIVE LANDSCAPE

A. What role will the incentive(s) play in the Applicant's decision to locate the Project in Florida?
The Company has existing distribution facilities in 6 locations throughout Florida. Incentives would be of great benefit due to three significant financial issues-

1. Inbound logistics costs for product movements.
2. Very expensive site development costs (estimated at $28M+) due to wetlands and subsurface soil conditions.
3. Significant costs from all required offsite road improvements.

Costs will play an important factor in the location decision, and any incentives that can help to offset the costs will improve the feasibility of the project locating in Florida versus in neighboring Georgia.

B. What other states or countries (**including the cities**) is the Applicant considering for the Project?
FL – Edgewater, Crescent City; GA – Valdosta

C. What advantages or incentives offered by these locations does the Applicant consider important in its decision?
No cost site; 20-yr property tax reduction package averaging a 50% savings; State Site Prep Grant; State Training package.

D. What advantages or disadvantages offered by the proposed Florida location does the Applicant consider important in its decision?
Advantages - City cash grant and property tax savings package; County property tax savings package; accelerated permitting. Disadvantages – Higher priced real estate and higher operating costs.

E. Indicate any additional internal or external competitive issues impacting the Applicant's decision regarding the Project's location?
Georgia's lower operating costs and better incentive package.

7. DISCLOSURE

A. Is (1) the Applicant, the Ultimate Parent Company or any of its Subsidiaries, or (2) any Principal Executive Officer of the Applicant or the Ultimate Parent Company or (3) any entity that any Principal Executive Officer of the Applicant or the Ultimate Parent Company Controls (a) the subject of a pending criminal prosecution or governmental enforcement action in any jurisdiction; (b) to the best of the Applicant's knowledge after due inquiry, the subject of any criminal, civil, or regulatory investigation by any law enforcement authority in the State of Florida, or any regulatory body in the State of Florida; or (c) subject to any unsatisfied tax liens in Florida or judgment liens in any jurisdiction in the U.S.?

Yes ☐ No ☒ If yes, explain?

8. CONFIDENTIALITY

In accordance with Section 288.075 of the Florida Statutes, the Applicant may request that Enterprise Florida, Inc. and the Department of Economic Opportunity maintain the confidentiality of all information regarding the Project (including information contained in this application) for the lesser of a 12 month period after the date of this application (which may be extended for an additional 12 months upon request), 6 months after the issuance of the final project order approving the project or until the information is otherwise disclosed.
Please indicate whether the Applicant is requesting confidential treatment of the Project in accordance with Section 288.075 of the Florida Statutes. (Does not apply to SDST sales tax exemption applicants.)
☒ Yes ☐ No

***** PLEASE BE SURE TO ATTACH THE PROPER INCENTIVE ATTACHMENT SHEET(S).*****

APPENDIX 1

EXPLANATION OF TERMS

The following terms used in this Application have the meanings set forth below:

AFFILIATE – An entity that is controlled, directly or indirectly, by the ultimate parent entity of such person.

APPLICANT – The entity(ies) that will satisfy all job creation and capital investment requirements under the incentive agreement with the Department and which are applying on or amending this Application.

BROWNFIELD Site with a Brownfield Site Rehabilitation Agreement – Has the meaning ascribed to such term in Section 288.107 of the Florida Statutes.

CONTROL – The power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person or entity that (i) is a director, general partner or officer exercising executive responsibility (or having similar status or functions); (ii) directly or indirectly has the right to vote 50% or more of a class of a voting security or has the power to sell or direct the sale of 50% or more of a class of voting securities; or (iii) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 50% or more of the capital, is presumed to control that company.

DEPARTMENT – The Department of Economic Opportunity.

FELONY – For jurisdictions that do not differentiate between a felony and a misdemeanor, a felony is an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least $1,000. The term also includes a general court martial.

FOUND – Includes adverse final actions, including consent decrees in which the respondent has neither admitted nor denied the findings, but does not include agreements, deficiency letters, examination reports, memoranda of understanding, letters of caution, admonishments, and similar informal resolutions of matters.

FULL-TIME EQUIVALENT JOB – One employee or two or more employees (without duplication) who perform at least 40 hours of paid work per week.

JOBS – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

MISDEMEANOR – For jurisdictions that do not differentiate between a felony and a misdemeanor, a misdemeanor is an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than $1,000. The term also includes a special court martial.

NAICS – Those classifications contained in the North American Industry Classification System, as published in 2012 by the Office of Management and Budget, Executive Office of the President, and updated from time to time.

ORDER – A written directive issued pursuant to statutory authority and procedures, including orders of denial, suspension, or revocation; does not include special stipulations, undertakings or agreements relating to payments, limitations on activity or other restrictions unless they are included in an order.

PRINCIPAL EXECUTIVE OFFICER – With respect to any entity, such entity's chief executive officer, chief financial officer, chief operations officer or any person who performs similar functions regardless of title.

PROJECT – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

RURAL AREA OF OPPORTUNITY – Has the meaning ascribed to such term in Section 288.0656 of the Florida Statutes.

SUBSIDIARY – An entity that is directly or indirectly controlled by the Applicant or the Ultimate Parent.

ULTIMATE PARENT – An entity that directly or indirectly controls the Applicant, which is not directly or indirectly controlled by any other entity.

Joan Junkala

From: Denise Mott <denisem@jmmullis.com>
Sent: Wednesday, April 20, 2016 2:47 PM
To: 'Julie Roslin'; 'Gregory Weiner'; Joan Junkala
Cc: Mike Mullis
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

Of note for clarification—the job creation schedule I just provided is for the total full time headcount of 239. The schedule we will provide for QTI is based upon only those jobs which meet the 115% average wage ($50,261) threshold as follows:

Number of net new jobs	Date Jobs will be created
40 (40)	12/31/2018
40 (80)	12/31/2019
40 (120)	12/31/2020
Total 120	

Denise E. Mott
(407) 920-4626

From: Denise Mott
Sent: Wednesday, April 20, 2016 2:27 PM
To: 'Julie Roslin' <JRoslin@spacecoastedc.org>; Mike Mullis <mmullis@jmmullis.com>; Gregory Weiner <GWeiner@spacecoastedc.org>; 'jjunkala@cocoafl.org' <jjunkala@cocoafl.org>
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

# of New Jobs	Aggregate Jobs	Date Jobs will be created
100	100	12/31/2018
50	150	12/31/2019
89	239	12/31/2020

Denise E. Mott
(407) 920-4626

From: Julie Roslin [mailto:JRoslin@spacecoastedc.org]
Sent: Wednesday, April 20, 2016 1:55 PM
To: Mike Mullis <mmullis@jmmullis.com>; Gregory Weiner <GWeiner@spacecoastedc.org>; 'jjunkala@cocoafl.org' <jjunkala@cocoafl.org>
Cc: Denise Mott <denisem@jmmullis.com>
Subject: RE: Project "Citizen Kane" (Ref. – Completed City And County Incentive Applications)

Thank you! Would you mind filling in the following job creation chart for the project so we can show the commission what the job creation timeline is:

# of New Jobs	Date jobs will be created
	12/31/2016
	12/31/2017
	12/31/2018
	12/31/2019

Project Citizen Kane (project eligibility under traditional incentive programs)

Jobs	239			
Wages	$42,421			
Cap Inv	$96,200,000	$76,960,000.00	$460,143.84	$360,280.54
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	80%	368,115
2	80%	368,115
3	80%	368,115
4	80%	368,115
5	80%	368,115
6	70%	322,101
7	60%	276,086
8	50%	230,072
9	40%	184,058
10	0%	0
TOTAL		**2,852,892**
EDI Fund		
Jobs	Qual:$500/job	$50,000 (max)
Utilities	Qual:$500/job	$50,000 (max)
TOTAL		**$100,000**
TOTAL		**$2,952,891.81**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	70%	252,196
2	70%	252,196
3	70%	252,196
4	70%	252,196
5	70%	252,196
6	70%	252,196
7	70%	252,196
8	0%	0
9	0%	0
10	0%	0
TOTAL		**1,765,375**
TOTAL		**$1,765,375**

* EDC AVT Council will likely vote for 100% for 10 Yrs

Total SF	460,000	
Land	4,000,000	*Doesn't count towards Cap Inv
Building	84,200,000	
Equipment	12,000,000	
TOTL CAP	**100,200,000**	
Avg Wage	**42,421**	
New Jobs	**239**	

Project Citizen Kane (project eligibility under AVT-Cash Hybrid)

Jobs	239			
Wages	$42,421			
Cap Inv	$96,200,000	$76,960,000.00	$460,143.84	$360,280.54
		80% City		County

City of Cocoa (Millage Rate 5.9790)		
Year	**Percent**	**Abatement**
1	40%	184,058
2	40%	184,058
3	40%	184,058
4	40%	184,058
5	40%	184,058
6	0%	0
7	0%	0
8	0%	0
9	0%	0
10	0%	0
TOTAL		**920,288**

Brevard County (Millage Rate 4.6814)		
Year	**Percent**	**Abatement**
1	70%	252,196
2	70%	252,196
3	70%	252,196
4	70%	252,196
5	70%	252,196
6	70%	252,196
7	70%	252,196
8	0%	0
9	0%	0
10	0%	0
TOTAL		**1,765,375**

* EDC AVT Council will likely vote for 100% for 10 Yrs

Upfront Cash Incentive

Build permit issued	500,000
Site improvements complet	500,000
C.O. issued	500,000
Business Operations begin	500,000
TOTAL	**$2,000,000**
TOTAL INCENTIVE PKG:	**$2,920,288**

Total SF	460,000	
Land	4,000,000	*Doesn't count towards Cap Inv
Building	84,200,000	
Equipment	12,000,000	
TOTL CAP	**100,200,000**	
Avg Wage	**42,421**	
New Jobs	**239**	

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

City of Cocoa Ad Valorem Tax Exemption
Scoring Sheet

Business Name: Project Citizen Kane

Number of New Employees	Points	Existing Business Expansion Option
10-20	3	25% Increase in Employees
21-60	6	50% Increase in Employees
61-99	9	75% Increase in Employees
100 and up	10 ✓	100% Increase in Employees

Average Annual Wage	Points
Below Average	0
Average ($33,411)*	4
25% Above Average ($41,764)	7 ✓
50% Above Average ($50,117)	9
100% Above Average ($66,822)	10

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,000 - $ 4,000,000	2
$ 4,000,000 - $ 7,000,000	3
$ 7,000,000 - $10,000,000	4
$10,000,000 and up	5 ✓

Special District	Points
Enterprise Zone, Brownfield, HUBZone	1

Total Points** 22

Certified By: _____ City Staff Member 4/21/16 Date

* The Average Annual Wage is determined by the average wage of the city of Cocoa. This figure shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.

Program Guidelines

Total Points	Percentage of Exemption by Year	Length of Exemption
11 - 13 points**	Years 1 through 3: 60% Year 4: 50% Year 5: 40% Year 6: 30%	6 years
14 - 16	Years 1 through 4: 70% Year 5: 60% Year 6: 50% Year 7: 40%	7 years
17 - 19	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50%	8 years
20 - 22	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40%	9 years
23 - 25	Years 1 through 5: 80% Year 6: 70% Year 7: 60% Year 8: 50% Year 9: 40% Year 10: 30%	10 years

** Minimum of 11 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

The City Council reserves the right to vary the ad valorem incentives for certain target industries and businesses deemed critical for the future economic development of the City. In addition, for such targeted industries and businesses, the City Council may consider other economic incentives, such as an ad valorem reimbursement grant incentive, in accordance with the City's home rule and statutory economic development powers. Ad Valorem Abatement or reimbursement grants for such target industries and businesses will be derived on a negotiated schedule and may include such factors as occupied existing business space, development of new business space, capital improvements made, number of jobs created, annual wages, number of relocated jobs, and number of local residents hired.

THE CITY OF COCOA
OPEN FOR BUSINESS

OFFICE OF ECONOMIC DEVELOPMENT
Community Services Department
65 Stone Street, Cocoa, FL 32922
Phone: (321) 433-8525 | Fax: (321) 433-8526

Economic Development Incentive Fund
Scoring Sheet

Business Name: Project Citizen Care

Number of New Employees	Points	Existing Business Expansion Option
10 - 20	4	25% Increase in Employees
21 - 50	5	50% Increase in Employees
51 - 100	6	75% Increase in Employees
101 and up	7 ✓	100% Increase in Employees

Average Annual Wage	Points
Below Living Wage	0
Living Wage ($28,766)*	5
City Average Wage ($33,411)**	6
State Average Wage ($41,375)***	8 ✓

Capital Investment	Points
$ 250,000 - $ 1,000,000	1
$ 1,000,001 - $ 4,000,000	2
$ 4,000,001 and up	3 ✓

Special District	Points
Enterprise Zone, Brownfield	1

Total Points+ [18] Certified By: _____ City Staff Member 4/21/16 Date

* The Living Wage shall be updated every other year as provided by CareerSource Brevard.
** The average annual wage of the City of Cocoa shall be updated at the beginning of each calendar year using a reliable source, or as provided by the U.S. Census.
*** The State of Florida annual average wage shall be updated at the beginning of each calendar year as provided by Enterprise Florida, Inc.

Scoring

Total Points	Incentive
10 - 13	$100 per job
14 - 16	$300 per job
17 - 19	$500 per job ✓

+ Minimum of 10 points required to qualify for exemption.

The City of Cocoa City Council may consider individual or company documentation indicating that the business will be critical to attracting other key businesses in the industry cluster and/or providing benefits exceeding the norm. In those incidences program guidelines may be adjusted on a case-by-case basis.

Legislation Details (With Text)

File #:	16-185	**Version:**	1	**Name:**	
Type:	Agenda			**Status:**	City Business
File created:	4/27/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	Authorize the City to apply for an Economic Development Transportation Fund of $1.5 million through Enterprise Florida, Inc. for road improvements on behalf of Project Citizen Kane and allow the Mayor to sign the application. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	DRAFT EDTF Application Package (Project Citizen Kane).pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 27, 2016
Agenda Date: May 10, 2016
Prepared By: Joan A. Junkala, Economic Development Manager
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
Authorize the City to apply for an Economic Development Transportation Fund of $1.5 million through Enterprise Florida, Inc. for road improvements on behalf of Project Citizen Kane and allow the Mayor to sign the application.

BACKGROUND:

Project Citizen Kane, also known as Wal-Mart Stores East, LP, is considering developing a 460,000 SF refrigerated warehouse and distribution facility in Cocoa. Wal-Mart is considering the purchase of approximately 132 acres of the 270 acres owned by Canaveral Port Authority generally located southeast of Interstate 95 and State Road 524. The company plans to create 239 new jobs by 2020 with an average wage of $42,421, and invest $96,200,000 in new building construction and equipment.

Due to the traffic implications of major warehouse and distribution facility, the company commissioned Kimley-Horn to conduct a Traffic Impact Analysis (TIA). The purpose of the TIA was to uncover the traffic impacts of Project Citizen Kane and identify whether the impacts would warrant traffic signals and road improvements as well as merit possible road fund incentives. The TIA takes into consideration the Wal-Mart distribution center as well as potential future activity proposed by Canaveral Port Authority. The TIA estimates that traffic generated by Project Citizen Kane would result in a total of 9,100 cars and 1,396 (WU1) trucks per day. Additionally, Project Citizen Kane would generate 857 cars and seven (7) trucks during the PM Peak Hour, and 711 cars and six (6)

trucks during the AM Peak Hour.

The proposed distribution center would require improved access to the neighboring roads to facilitate safe access into and out of the development. Approximately 1,400 (WB-67) trucks (WB-67's) per day will utilize the ramps at I-95/SR 524 and enter/exit the site onto SR 524. Under future projected conditions, without modifying the currently existing unsignalized ramps, traffic turning from I-95 onto SR 524 will experience significant delay and adverse levels of service. Employees are expected to access the site via Cox Road. Because of the anticipated increase in general vehicular traffic and truck traffic, signalization of these locations would provide for safe access to and from SR 524. The TIA suggests the following road improvements be made:

1: Mast-arm traffic signals at the I-95 and SR 524 ramps - This improvement will allow distribution center traffic, particularly truck traffic, to make safe turning maneuvers to and from the I-95 off-ramps onto SR 524.

2: A traffic signal at the main access to the site on SR 524 as well as right and left turn lanes - This improvement will facilitate left turns into and out of the proposed development and allow stacking, which will reduce interference with existing through lanes on SR 524.

3: An internal public access road connecting the main access to Cox Road - This will provide access to the site and a connection between SR 524 and Cox Road. The road will also serve the future development of Canaveral Port Authority property.

4: A traffic signal at the new public road connection to Cox Road - This signal will facilitate easier access into and out of the site by the various employees during shift changes.

Kimley-Horn has estimated the cost per for such improvements will be $4,250,000, to include $3,975,000 in construction and $275,000 in design and engineering. Given the projected traffic impacts identified in the TIA and the cost of improvements required to make the Project feasible, the City, at the request of Project Citizen Kane, is seeking to apply for a $1,500,000 Economic Development Transportation Fund (EDTF) through Enterprise Florida, Inc. Only a government entity may apply for an EDTF.

Per the application, the funding is expected to come from the company with a 50/50 match coming from the Canaveral Port Authority with an anticipated total of $2,500,000. If the funding is approved, the City will be required to enter into an agreement with the Florida Department of Transportation (FDOT) and will be required to adhere to all FDOT guidelines. The City will then be permitted to enter into an agreement with the company, who will be required to adhere to all FDOT and City guidelines.

STRATEGIC PLAN CONNECTION:

Project Citizen Kane has a direct connection to the Economic Development strategic issue in that it will increase the City's economic position within the Space Coast and allow the City a competitive edge in attracting other like projects that will facilitate additional private capital investment, business, and jobs in Cocoa.

BUDGETARY IMPACT:

There is no budgetary impact.

PREVIOUS ACTION:

There has been no previous action.

RECOMMENDED MOTION:

Authorize the City to apply for an Economic Development Transportation Fund of $1.5 million through Enterprise Florida, Inc. for road improvements on behalf of Project Citizen Kane and allow the Mayor to sign the application.

Economic Development Transportation Fund
General Project Overview
PROJECT "CITIZEN KANE"

Project Citizen Kane, also known as Wal-Mart Stores East, LP, is seeking location of a new refrigerated warehouse and distribution center.

Walmart helps people around the world save money and live better – anytime and anywhere – in retail stores, online, and through their mobile devices. Each week, more than 250 million customers and members visit our 11,500 stores in 28 countries and e-commerce sites in 11 countries. Walmart continues to be a leader in sustainability, corporate philanthropy and employment opportunity. Additional information about Walmart can be found by visiting http://corporate.walmart.com.

Project Citizen Kane as deemed Port Canaveral Logistics Park, located in the City of Cocoa, Brevard County, as a desirable location for a distribution center out of a pool of other potential sites being considered throughout Florida and South Georgia due to its skilled labor pool, central location, and access to a growing market. The company has existing distribution facilities in six (6) locations throughout Florida.

Walmart is reviewing the feasibility of the construction of approximately 460,000 +/- SF refrigerated warehouse and distribution facility at the southeast corner of Interstate 95 and State Road 524 on an approximate 132-acre site located within the Port Canaveral Logistics Park. The company could invest a total of $96.2 million in new capital, to include $84.2 million in new building construction costs and invest at least $12 million in new equipment.

Capital	2016	2017	2018	TOTAL
Land* or Building Purchase	$4,000,000*			$4,000,000*
Construction/Renovations	$20,000,000	$54,200,000	$10,000,000	$84,200,000
Manufacturing Equipment				
R&D Equipment				
Other Equipment (computer equipment, office furniture, etc.) Logistics Equipment		$6,000,000	$6,000,000	$12,000,000
Total Capital Investment	$24,000,000	$60,200,000	$16,000,000	$100,200,000

*Land is generally not considered as capital

The company could potentially employ 100 employees within 12 months, increasing to 239 within three (3) years.

Project's Activities	6-Digit NAICS Code(s)	Project Function (total = 100%)	Average Annualized Wage ($)
Logistics Management	541614	10%	$74,864
Maintenance Associates	541614	30%	$43,672
Operations/Support Associates	541614	60%	$32,344

The anticipated date for commencement of operations for Project Citizen Kane is expected to be Q1/Q2 2018.

The company is seeking incentives in their final decision to locate the Project. Incentives would be of great benefit to the Project due to the following significant financial issues:

- Inbound logistics costs for product movement
- Very expensive site development costs (estimated at $28 million) due to wetlands and subsurface coil conditions
- Significant costs from all required offsite road improvements

ECONOMIC DEVELOPMENT TRANSPORTATION FUND APPLICATION INSTRUCTIONS

Project Citizen Kane
Name of Business

FOR EFI USE ONLY		
Date Received	Date Revised	Date Completed

1. *KEY EDTF PROGRAM INFORMATION AND APPLICATION INSTRUCTIONS*

Please carefully review all application instructions. Contact Enterprise Florida, Inc., (EFI) to discuss the project and application before submitting a formal proposal.

Application Instructions: Each Economic Development Transportation Fund (EDTF) application must be accompanied by:

1. The **General Project Overview** (separate document) completed by a representative from the company on whose behalf the application is being submitted.
2. The **Economic Development Transportation Fund Attachment** (this document) completed by the governmental entity applying for the grant.
3. Department of Transportation project cost estimate (last page of this document) form to be completed by a FDOT representative from the local FDOT district.
4. A letter from the company (on company letterhead and signed by an authorized company officer) indicating:
   a. The transportation impediment that exists and required improvements needed to eliminate the impediment; and
   b. A statement indicating the project will not occur in Florida without the proposed transportation improvements and only one Florida site is under consideration.
5. A 1:24,000 (1 inch = 2,000 feet) **U.S.G.S. quadrangle sheet** which shows the transportation project and the company's proposed site.
6. Recent digital photographs of the project site showing the location of the facility relative to required transportation improvements and confirming that construction has not yet begun on the facility or transportation project.
7. A small **sketch or diagram** (no more than 8 ½" by 14") showing:
   a. All existing transportation facilities in proximity to the project site (clearly labeled);
   b. The business project property boundaries;
   c. General outline of the facility within the property (existing and / or proposed);
   d. All existing transportation entry and exit points; and
   e. The proposed transportation project (clearly designated as the proposed project).

   Note: The diagram need not be professional, and the scale may be rough, but it should be in sufficient detail to present the observer with a clear understanding of the current situation and the proposed project.

Applicants are encouraged to submit electronic copies of the application and all supporting materials, in addition to one original, signed copy of the General Project Overview, EDTF attachment, USGS map, and additional maps. If materials cannot be submitted electronically, multiple copies may be required.

Program Overview:

- The EDTF grant must be approved by the Department of Transportation (FDOT) prior to the company making its decision to locate or expand in Florida.
- EDTF may be used to alleviate a transportation impediment as an inducement for a business to remain, expand, or locate in Florida. The grant may not exceed total eligible project costs, up to $7,000 per job retained or created. Exceptions to the per job limit may be allowed. Contact Enterprise Florida, Inc. for details.
- EDTF applications are accepted throughout the year (there is no application deadline); however, the state's fiscal year runs from July 1 to June 30 and the annual appropriation is made on July 1.
- Pursuant to section 339.2821, Florida Statutes, EDTF funds cannot be used to induce a company to locate from one Florida community to another unless, without the relocation, the company will move outside the state. Contact Enterprise Florida, Inc. if the project involves the relocation of a business.
- EDTF is a reimbursement of eligible costs. The applicant must follow all standard contract bid and purchasing procedures.
- Economic Development Transportation Fund: *Section 339.2821, Florida Statutes.*

Economic Development Transportation Fund
Attachment to the General Project Overview

Project Citizen Kane
Name of Business

IMPORTANT NOTE: This application must be filed and the incentive approved ***prior*** to a company's decision to expand or locate in Florida.

1. *APPLICANT*

A. Government Applicant: City of Cocoa

B. Government Federal Employee Identification Number: 59-6000292

C. Name of Primary Contact: Joan Junkala
Title: Economic Development Manager
Mailing Address: 65 Stone Street
Street Address

Cocoa | FL | 32922
City | *State* | *Zip Code*

Telephone: 321-433-8525 **Fax:**
Email Address: JJUNKALA@COCOAFL.ORG **Website:** www.cocoafl.org

D. DOT District Number: 5

2. *TRANSPORTATION OVERVIEW*

Be sure to attach a rough site plan showing the facility in relation to the requested transportation improvements to be funded from the EDTF.

A. Briefly describe the transportation problem and why it is an impediment to the company's location decision.
The proposed Distribution Center project requires improved access to the neighboring roads to facilitate safe access into and out of the development. Approximately 1500 trucks (WB-67's) per day will utilize the ramps at I-95/SR 524 and enter/exit the site onto SR 524. Under future projected conditions, without modifying the currently existing unsignalized ramps, traffic turning from I-95 onto SR 524 will experience significant delay and adverse levels of service. Employee traffic will access the site via Cox Road. Because of the anticipated increase in general traffic and truck traffic, signalization of these locations would provide for safe access to and from SR 524.

B. Briefly describe the proposed transportation project that will alleviate the transportation impediment.
The developer proposes to install:

1: Traffic signals at the I-95/SR 524 ramps – This improvement will allow for development traffic, particularly truck traffic, to make safe turning maneuvers to/from the I-95 off-ramps onto SR 524.

2: A signal at the main access connection to SR 524 in conjunction with right/left turn lanes – This improvement will facilitate left turns into and out of the proposed development and allow stacking will reduce interference to the existing through lanes on SR 524.

Economic Development Transportation Fund
Attachment to the General Project Overview

3: A signal at the new public connection to Cox Road – This signal will facilitate easier access into and out of the site by the various employees during shift changes.

4: An internal public road – This will provide access to the site and a connection between SR 524 and Cox Road. The road will also serve the future development of Canaveral Port Authority property.

3. *ESTIMATED COSTS AND SOURCES OF FUNDING*

Include all transportation project costs and sources, even costs not eligible for reimbursement under EDTF, but part of the total transportation project.

A. Transportation Project Costs:

Construction	$3,975,000
Right of Way[1]	$N/A
Design & Engineering	$275,000
Total Project Costs	**$4,250,000**

B. Transportation Project Funding Sources:

City	$0.00
County	$0.00
Company	$1,375,000
Other (govt. grants, developer, etc)	$1,375,000
Total Non-EDTF Funding	**$2,750,000**
EDTF Requested Amount[2]	**$1,500,000**

Please Specify: Project Citizen Kane Canaveral Port Authority

Note: Requested amount must equal the difference between the transportation project costs in 3A. and the transportation project funding sources in 3B.

4. *PROJECT INFORMATION*

A. Number of full-time permanent jobs created and retained:

Net new jobs: 239 Retained jobs N/A Total Jobs 239

B. New capital investment generated: $96,200,000

C. Average wage for new and retained jobs: $42,421

D. Number of days required to complete construction of the transportation project: 300

E. What is the location of the project (provide road number, if applicable)?

1 Right-of-Way cost may be included in the cost estimate if acquisition is required from a third party in order to construct the transportation project; however, EDTF will not provide funds to acquire the right-of-way. These right-of-way costs must be funded by a source other than EDTF in Section 4B.

2 Maximum requested amount is $3 million. Award amount will be up to $7,000 per job created or retained, unless extraordinary circumstances exist, which warrant an increased per job award. Contact Enterprise Florida for more information.

Economic Development Transportation Fund
Attachment to the General Project Overview

US: USA State: FL County: Brevard City: Cocoa

F. Who is responsible for maintenance and upkeep? (indicate if more than one are applicable)

US: ☐ State: ☐ County: ☐ City: ☒

G. What is the length of the transportation project (if applicable): 4,600 Linear Feet plus turn lanes and signal interconnections

5. OTHER CONSIDERATIONS

A. Is there an alternative that would provide a more cost-effective solution to the transportation problem?

Yes ☐ No ☒ If yes, explain: _____

B. Are there additional traffic impacts?

Yes ☐ No ☒

If yes, does the project provide for/address these additional impacts?

Yes ☐ No ☐ If no, explain: _____

C. Is the adopted local government comprehensive plan for the jurisdiction in compliance with Chapter 163, Part II, Florida Statutes[3]?

Yes ☒ No ☐ If not, what is the expected time frame for compliance? _____

D. What is the future land use map designation for the proposed project site?

Regional Activity Center (RAC)

E. Are the transportation project and business facility consistent with the adopted local government comprehensive plan?

Yes ☒ No ☐ If not, describe the inconsistency and give the time frame for amending the plan:

F. Does the adopted plan include an economic development element?

Yes ☐ No ☒

G. Is the applicant's transportation project linked to other publicly funded economic development programs?

Yes ☐ No ☒ If so, list the programs and discuss the role they will play in this project:

H. Is the proposed site part of a current or previous DRI?

Yes ☒ No ☐ If yes, explain (including concurrency issues):

On October 26, 2010, the Cocoa City Council approved the rescission of Brevard Crossings DRI Development Order, pursuant to a request by the property owner at the time, Cocoa Master Development. There are no concurrency issues.

I. Will low to moderate income workers be eligible for employment within this facility?

Yes ☒ No ☐ If yes, please describe:

With a population of 18,313 (BEBR), the city of Cocoa's population is 18,313 with an average household income of $30,804 (ACS 2010-2014). Cocoa's poverty rate is 28.8%

[3] Chapter 163, Part II: Growth Policy; County and Municipal Planning; Land Development Regulation

____ with an unemployment rate of over 16%.

J. Is the proposed transportation project already included in future capital improvement plans?

Yes ☐ No ☒ If yes, explain:

For those roads under City of Cocoa jurisdiction and maintenance, there are no proposed transportation projects for the aforementioned roads in future capital improvement plans.

6. *TRAFFIC IMPACTS*

Only REQUIRED for projects involving state highways. Information is optional for all other projects.

A. Traffic generation estimates: (in number of vehicles daily)

Number of cars	9100	Number of trucks	1396	
B. AM Peak Hour:	7 a.m. to	9 a.m.		
Number of inbound cars	531	Number of inbound trucks	3	
Number of outbound cars	180	Number of outbound trucks	3	
C. PM Peak Hour:	4 p.m. to	6 p.m.		
Number of inbound cars	296	Number of inbound trucks	5	
Number of outbound cars	561	Number of outbound trucks	2	

7. *SIGNATURE*

To the best of my knowledge, the information included in this application is accurate.

_____

Signature of chief elected official

Name: Henry U. Parrish, III

Title: Mayor, City of Cocoa

- Signature must be that of the chief elected city or county official.
- If this application is for a city or county road, the city or county, respectively, must agree to maintain the road (via passage of a resolution following state approval of the EDTF grant). This will be stipulated in all contracts involving expenditure of the Economic Development Transportation Fund.

*** * * PLEASE BE SURE TO ATTACH THE GENERAL PROJECT OVERVIEW * * ***

ECONOMIC DEVELOPMENT TRANSPORTATION FUND PROJECT COST ESTIMATE

FOR SUBMISSION TO THE EDTF COORDINATOR IN THE FDOT DISTRICT IN WHICH THE PROJECT IS LOCATED

FDOT TRANSPORTATION PROJECT CONSTRUCTION COST ESTIMATE:

Based on information provided with this application:

Estimated cost of construction	$ _____
Estimated cost of right of way	$ _____
Estimated cost of design and engineering	$ _____
Total estimated cost:	**$** _____

Was cost overrun considered in total cost?

Yes ☐ No ☐

If yes, how much? $ _____ or _____ %

Has design and engineering been completed?

Yes ☐ No ☐

If yes, is design in accordance with DOT specifications?

Yes ☐ No ☐

How many days are estimated for completion of the transportation project? _____

FDOT Comments: _____

_____

Signature of FDOT District EDTF Coordinator

FDOT district number: _____

- The signature of the FDOT District representative attests only to the cost estimates for the EDTF transportation project and does not commit FDOT to the approval of the EDTF award request or any FDOT permits associated with this project.
- Applications submitted without this completed and signed page are incomplete and will not be processed until received by Enterprise Florida, Inc.

Walmart

Logistics Real Estate

2001 SE 10th Street
Bentonville, AR 72716-5535
Phone 479-204-3786
Fax 479 273-8119
joni.calaway@walmart.com

May 2, 2016

City of Cocoa
Attn: John Titkanich, City Manager
65 Stone Street
Cocoa, FL 32922

Re: Economic Development Transportation Fund Application

Mr. Titkanich:

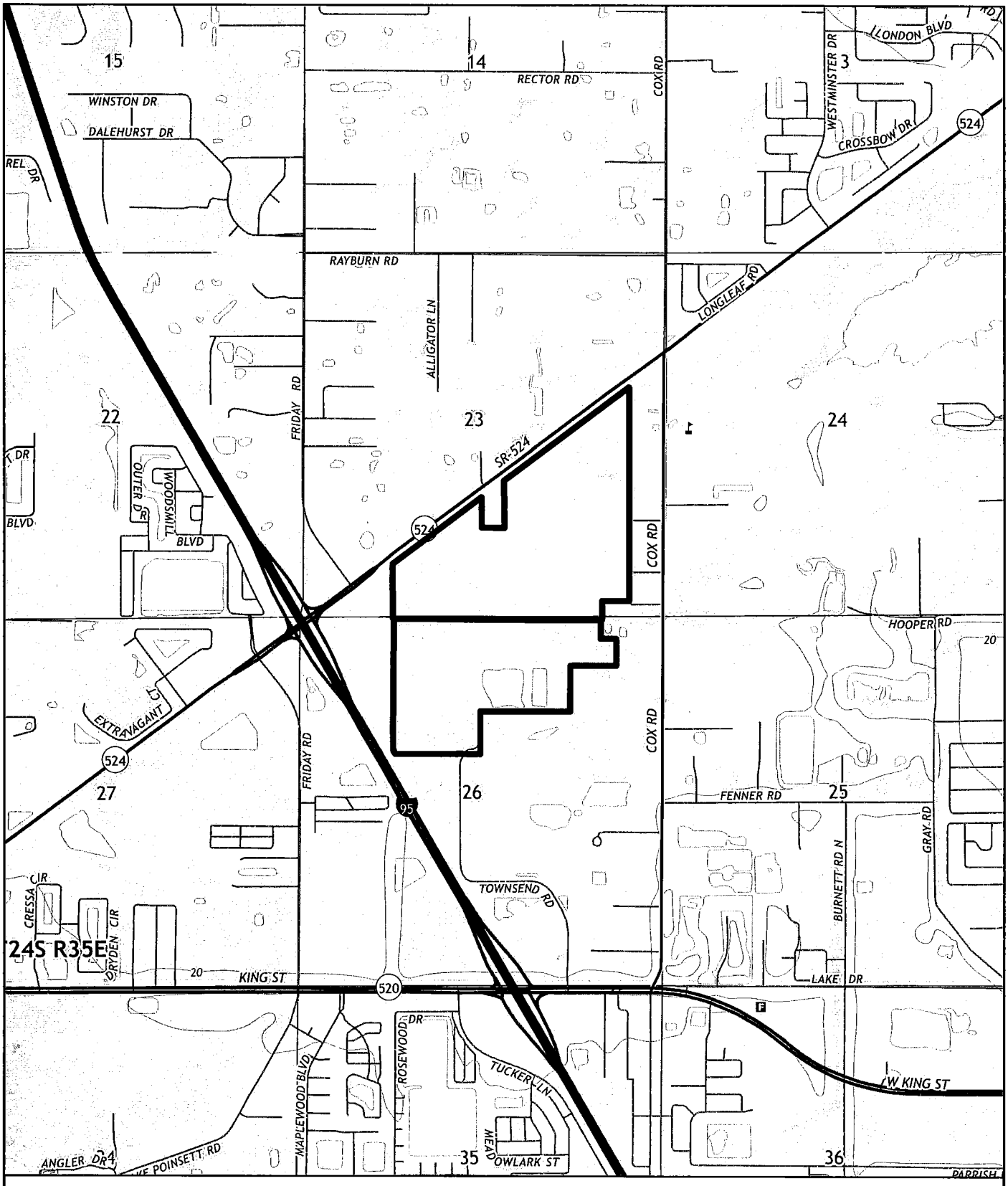
As you are aware, Walmart is highly interested in the approximately one hundred thirty-two (132) acre site located in the Canaveral Logistics Park in the City of Cocoa. Walmart intends to develop a large scale, state of the art distribution center on the property. Unfortunately, the current access and lack of signalization is a significant impediment to the development of the property. The proposed project requires improved access to the neighboring roads in order to facilitate safe ingress and egress. Signals are necessary at the I-95/SR-524 exit ramps to alleviate congestion and ensure safe turning maneuvers for truck traffic.

Additionally, a new internal road, providing access to the project from SR-524 and connecting through the development to Cox Road, will be required. A signal at the main access to the development from SR-524 will aid in left turns into the development, thereby reducing interference with through-traffic on SR-524. Employee traffic will access the project via Cox Road. A signal at the intersection of the internal road and Cox road would provide smoother traffic flow to and from the development. This internal road will also serve the future Canaveral Port Authority development.

This property in the City of Cocoa is the only property in Florida currently under consideration for the development of this distribution project. However, the transportation improvements outlined in this letter and the EDTF application are required for development of the project. Approval of our Economic Development Transportation Fund Application would be a substantial benefit to the development. We truly appreciate your consideration.

Sincerely,

Matt Powers, Director Walmart Realty



Project Parcels

Project Citizen Kane

USGS Quad Sheet

1:24,000

2,000 1,000 0 2,000

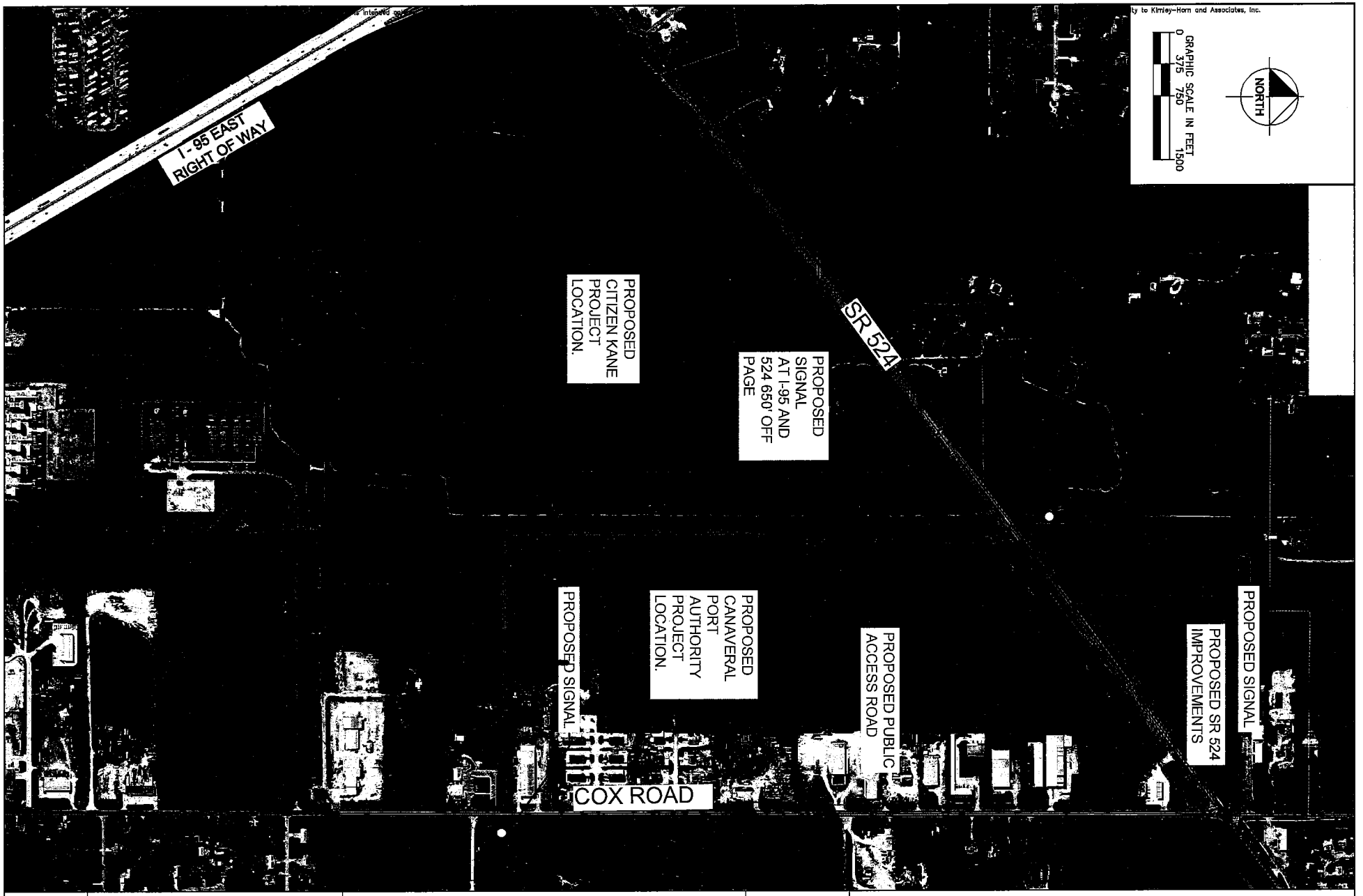
Feet

N W E S

Map Disclaimer: City GIS data is for reference only and not intended for engineering or surveying purposes. The City claims no responsibility for the accuracy of the data.

Sources: City of Cocoa, 2016 Parcels
USGS, 7.5 minute US Topo (Lake Poinsett & Sharpes Quadrangles)

City of Cocoa
65 Stone Street
Cocoa, FL 32922

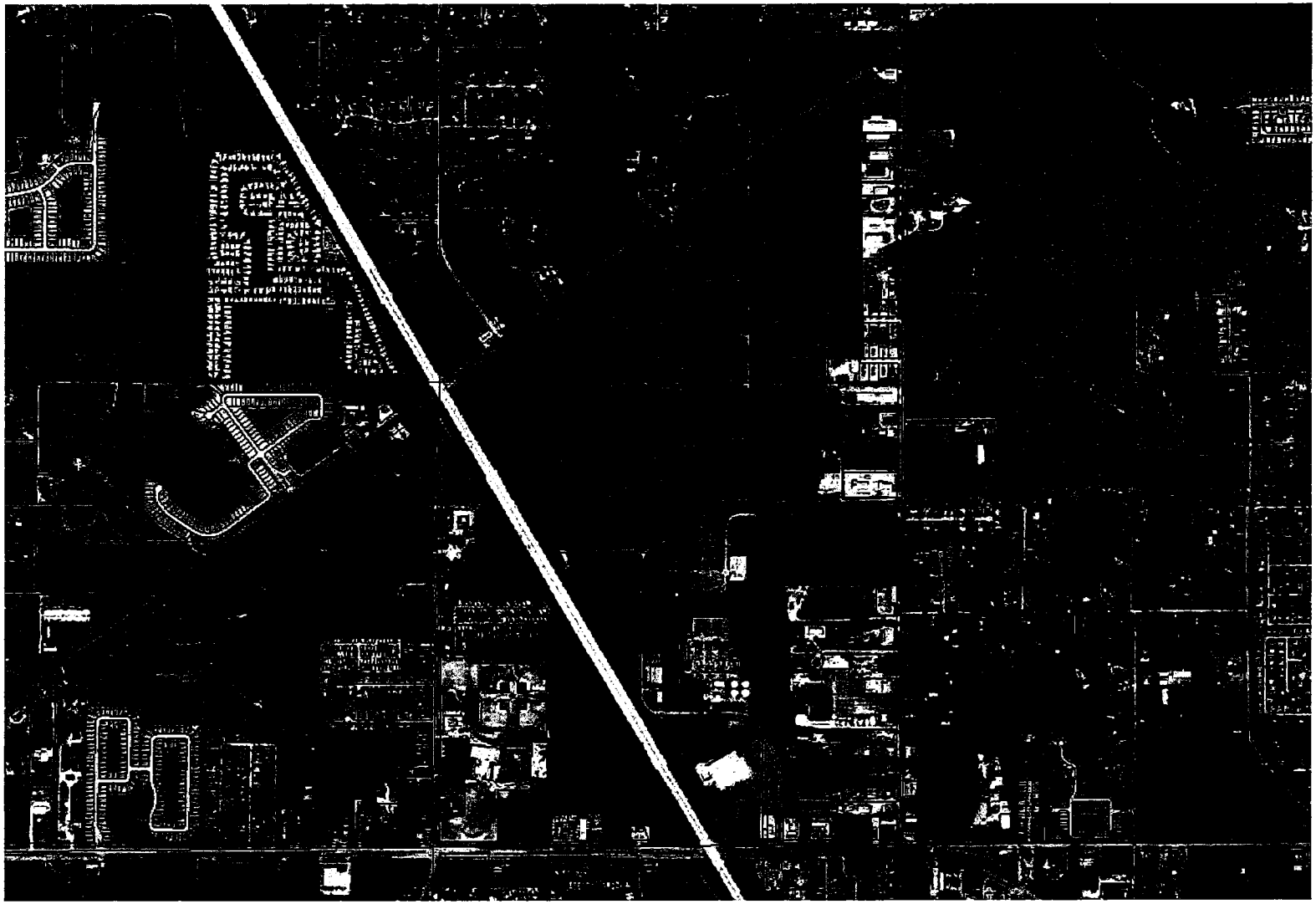


SHEET	SITE PLAN	CITIZEN KANE DISTRIBUTION CENTER	DATE	Kimley»Horn
A-2	OVERALL IMAGERY	BREVARD COUNTY, FL	04/28/16	
			PROJECT NO. 015476294	

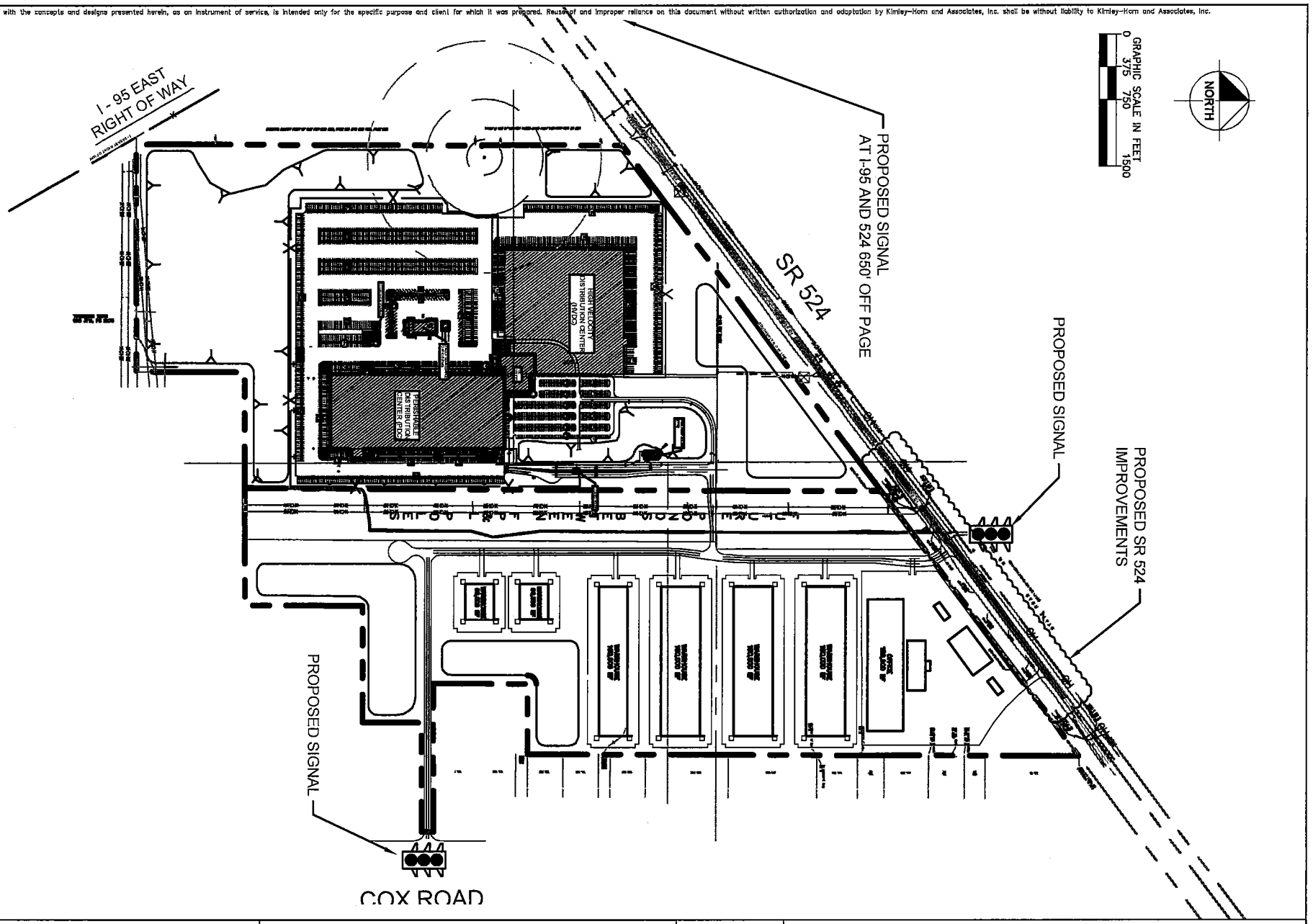
© 2016 KIMLEY-HORN AND ASSOCIATES, INC.
800 N. PINE ISLAND RD, SUITE 450, PLANTATION, FL 33324
PHONE: 954-535-5134 FAX: 561-883-8175
WWW.KIMLEY-HORN.COM CA 00000695

PROJECT SITE

PROJECT "CITIZEN KANE"



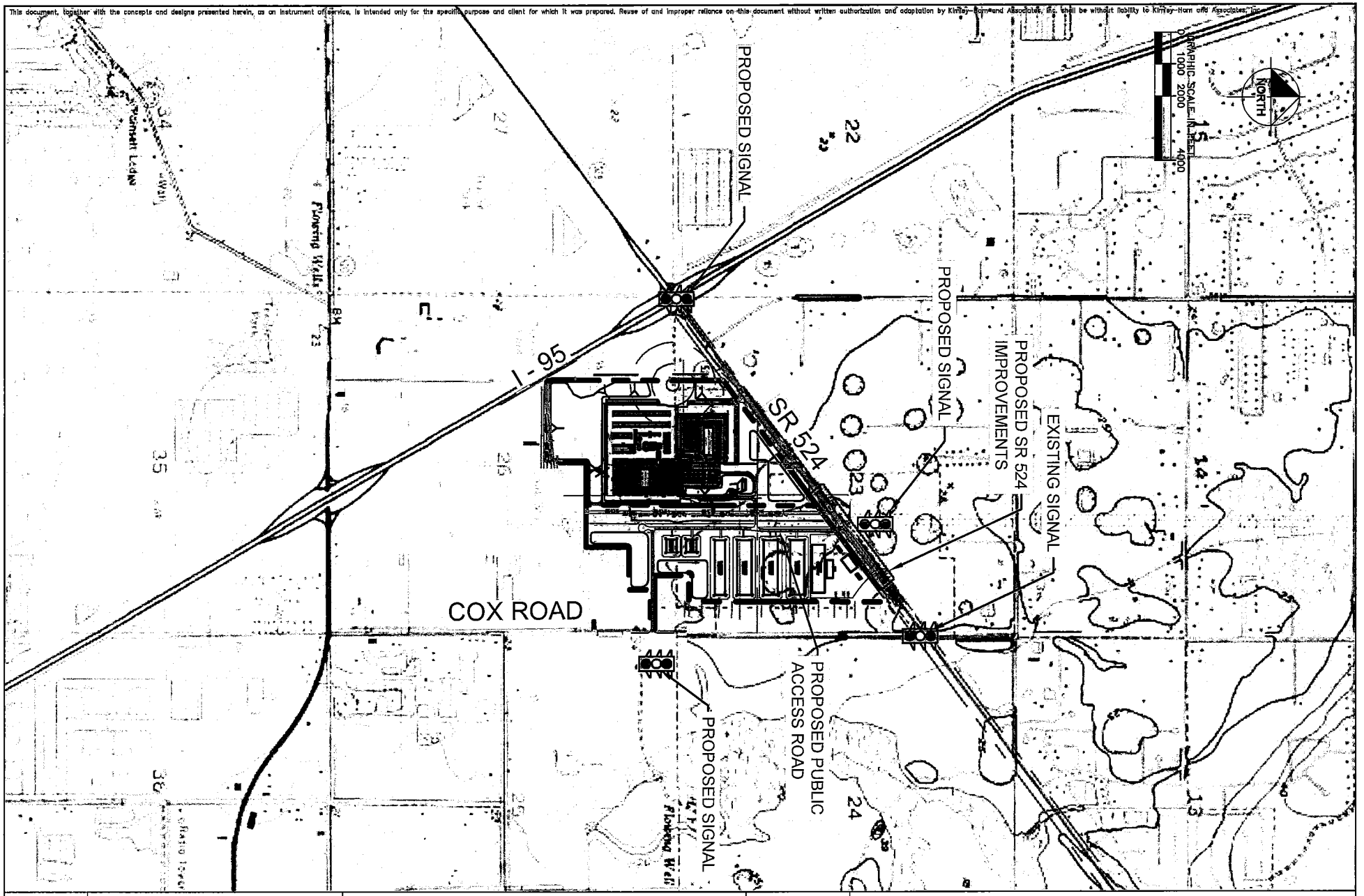
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SHEET	SITE PLAN	CITIZEN KANE DISTRIBUTION CENTER	DATE	Kimley»Horn
A-0	OVERALL	BREVARD COUNTY, FL	04/21/16	
			PROJECT NO. 015476294	

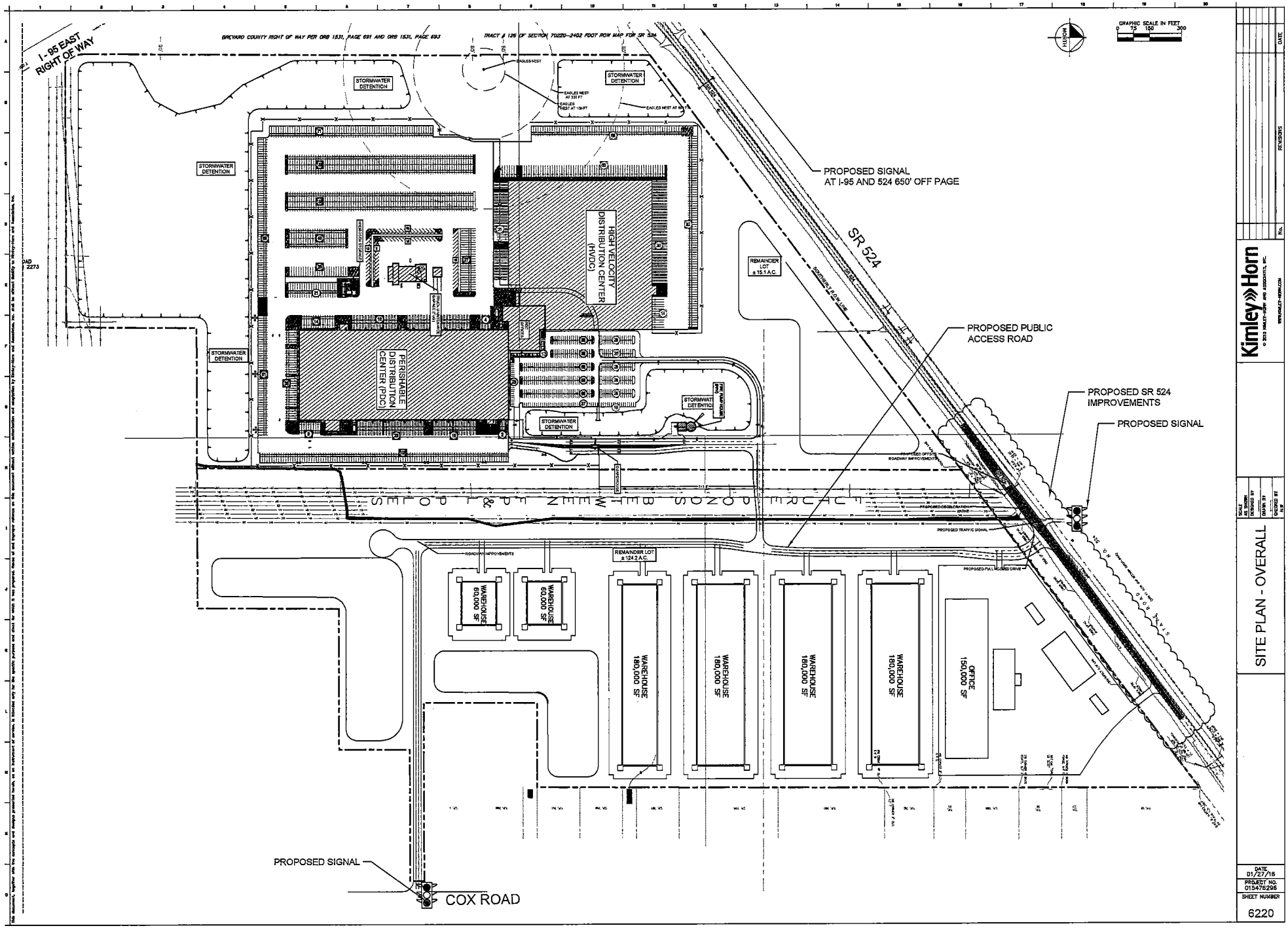
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WWW.KIMLEY-HORN.COM CA 00000696

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SHEET				
A-1	SITE PLAN USGS MAP	CITIZEN KANE DISTRIBUTION CENTER BREVARD COUNTY, FL	DATE 04/21/16 PROJECT NO. 015476294	Kimley»Horn

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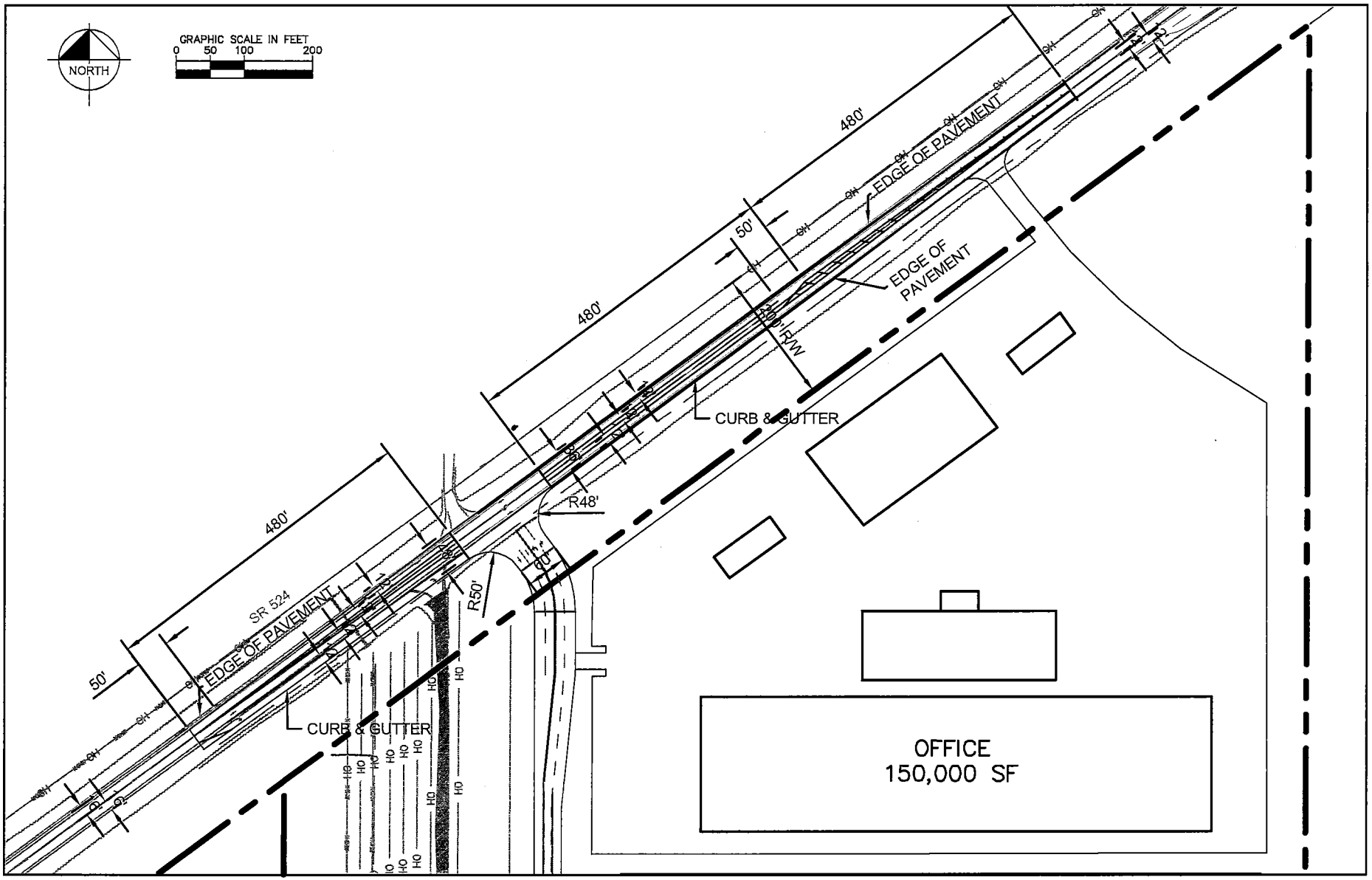
Kimley»Horn
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REVISIONS | No. | DATE

SITE PLAN - OVERALL

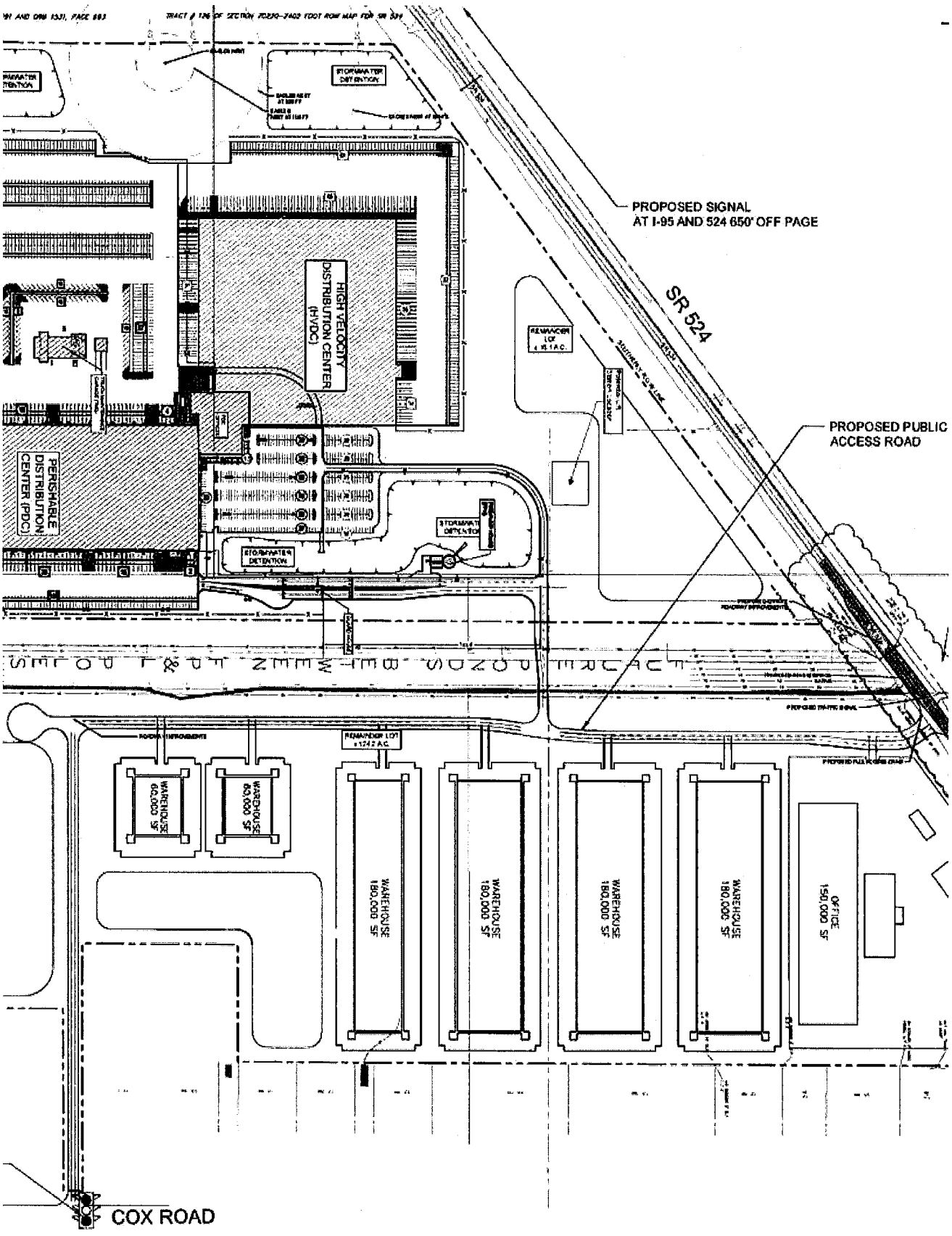
DATE 01/27/16
PROJECT NO. 015476296
SHEET NUMBER 6220

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SHEET			DATE	
A-1	SITE PLAN AREA 1	CITIZEN KANE DISTRIBUTION CENTER BREVARD COUNTY, FL	04/21/16 PROJECT NO. 015476294	Kimley»Horn

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PHONE: 954-535-5134 FAX: 561-883-8175
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PROPOSED SIGNAL
AT I-95 AND 524 650' OFF PAGE
SR 524
PROPOSED PUBLIC
ACCESS ROAD
HIGH VELOCITY
DISTRIBUTION CENTER
(HVDC)
PERISHABLE
DISTRIBUTION
CENTER (PDC)
STORMWATER
DETENTION
REMAINDER
LOT
WAREHOUSE
60,000 SF
WAREHOUSE
180,000 SF
OFFICE
150,000 SF
COX ROAD

Legislation Details (With Text)

File #:	16-177	**Version:**	1	**Name:**	
Type:	Informational Item			**Status:**	Agenda Ready
File created:	4/26/2016			**In control:**	City Council
On agenda:	5/10/2016			**Final action:**	
Title:	New local business tax receipts. (Community Services Director)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	5-10-16 New local business tax receipts.pdf				

Date	Ver.	Action By	Action	Result

CITY COUNCIL AGENDA ITEM

Memo Date: April 26, 2016
Agenda Date: May 10, 2016
Prepared By: T. Scott Davis, MCP, Building Official
Through: Steven P. Belden, AICP, Community Services Director
Requested Action:
New local business tax receipts

BACKGROUND:

Attached City Council will find a report identifying recipients of new local business tax receipts (occupational licenses) for April 14, 2016 - April 26, 2016. Please keep in mind that some may represent businesses that let their business tax receipt (occupational license) expire and subsequently applied for a new local business tax receipt.

STRATEGIC PLAN CONNECTION:

None.

BUDGETARY IMPACT:

None.

PREVIOUS ACTION:

None.

RECOMMENDED MOTION:

None, this is an information agenda item.

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LIC #	BUSINESS NAME BUSINESS ADDRESS	ISSUED	TYPE	CLASSIFICATION	BUS PHONE #
16-00007387	AMERICAN DIESEL INJECTION 2729 CHERBOURG RD COCOA FL 32926	4/25/16	NEW	Nonstore Retailers	321-431-5028
16-00007381	J & J MATTRESS, LLC 1271 W KING ST COCOA FL 32922	4/14/16	NEW	Furniture and Home Furnishings Store	321-431-5933
16-00007382	SPACE COAST EXPERIENCE LLC 4 HARRISON ST 10 UN COCOA FL 32922-4603	4/19/16	NEW	Scenic and Sightseeing Transportatio	321-652-4169
16-00007385	T-MOBILE LEASING LLC 1034 CLEARLAKE RD COCOA FL 32922-4407	4/20/16	NEW	Merchant Wholesalers, Durable Goods	800-927-9800
16-00007383	WILD HAWK LLC 1307 DIXON BLVD COCOA FL 32922	4/20/16	NEW	Administrative and Support Services	321-549-9360