MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

March 28, 2017

A Regular City Council meeting was held on Tuesday, March 28, 2017 in City Council Chambers, located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida, as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 6:05 p.m.

Chief Prince provided the invocation and Deputy Mayor Boisvert 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	Mayor
	Don Boisvert	Deputy Mayor
	Jeri Blanco	Councilwoman
	Clarence Whipple, Jr.	Councilman
	Anthony Garganese	City Attorney
	John Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk
ABSENT:	Brenda Warner	Councilwoman

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Katie Ennis, Deputy Utilities Director; Steve Belden, Community Services Director; Gene Prince, Fire Chief; Mike Cantaloupe, Chief of Police; Teri Butler, Finance Director; Ed Wegerif, Public Works Director; Nancy Bunt, Deputy Community Services Director: Robert Beach, Chief Technology Officer; Tre Folston, Helpdesk Support Tech; Jonathan Lamm, Deputy Fire Chief; and Anne Quesada, Accounting Manager.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of March 28, 2017 (17-122)
2. Minutes: (a) Regular Meeting of February 28, 2017 (17-123)

Mr. Belden noted there were two items on the agenda that they need to withdraw. The Agenda was amended to remove Public Hearing Items VI.1 & VI.2. These were File No.'s 17-124 & 17-125.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilwoman Blanco, to approve the Agenda as amended for the Regular meeting of March 28, 2017 and the Minutes as written for the Regular meeting of February 28, 2017.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

III. AWARDS AND PRESENTATIONS:

None.

IV. DELEGATIONS:

Robbie Stokes, 1566 University Lane #905, Cocoa, represented the organization "I Talk to Strangers Foundation". He provided a brief presentation about the program and advised that the program was founded in 2012. With continued efforts they hoped to make Brevard beautiful. He pointed out that the program targets underserved youth and teaches life skills. He provided his contact information for Council.

V. CONSENT AGENDA:

1. Approve and Execute Subordination Agreement of City Utility Interest and the Resolution with the Florida Department of Transportation (FDOT). (17-96). (Utilities Director)

2. Approve Task Order No. 2017-29 with Bussen-Mayer for Engineering Group, Inc. to Design and Permit the Michigan Avenue Force Main Extension from U.S.1 to Clearlake Road, Project No. WS17MI. (17-119). (Utilities Director)

3. Accept the City of Cocoa Brownfields Redevelopment Program - FY15 Brownfields Assessment Grant - Community Engagement Plan. (17-121). (Community Services Director)

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilwoman Blanco, to approve the Consent Agenda.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

VI. PUBLIC HEARINGS:

~~1. Ordinance No. 06-2017/1st Reading: Amending the Future Land Use Map designation of one parcel (102.0 acres of the total 130.66-acre parcel) from "Low Density Residential" to "Neighborhood Commercial." (17-124). (Community Services Director)~~

- This item was withdrawn from the Agenda.

~~2. Ordinance No. 07-2017/1st Reading: Amending the Zoning Map designation of one parcel (102.2 acres of the total 130.66-acre parcel) from RR-1 (Rural Residential) TO C-N (Neighborhood Commercial). (17-125). (Community Services Director)~~

- This item was withdrawn from the Agenda.

3. Ordinance No. 05-2017/1st Reading: Amending the Zoning Map designation of 5 parcels totaling 11.54 acres, more or less, from C-N (Neighborhood Commercial) to C-G (General Commercial) and 9 parcels totaling 15.32 acres, more or less, from C-R (Restricted Commercial) to C-G (General Commercial). (17-126). (Community Services Director)

Attorney Garganese read Ordinance No. 05-2017 into the record, by title only as follows. He mentioned that this was the first reading of the ordinance and advised that this was a quasi-judicial item.

ORDINANCE NO. 05-2017

AN ORDINANCE OF THE CITY COUNCIL OF COCOA, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING MAP DESIGNATION OF FIVE (5) PARCELS OF REAL PROPERTY TOTALING 11.54 ACRES, MORE OR LESS,

AND GENERALLY LOCATED EAST OF CLEARLAKE ROAD AND NORTH AND SOUTH OF MICHIGAN AVENUE IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED ON EXHIBIT "A" ATTACHED HERETO, FROM C-N (NEIGHBORHOOD COMMERCIAL) TO C-G (GENERAL COMMERCIAL) AND IDENTIFIED BY THE BREVARD COUNTY APPRAISER AS TAX ACCOUNT NUMBERS 2415964, 2415967, 2416207, 2441054, AND 2458336, AND NINE (9) PARCELS OF REAL ESTATE TOTALING 15.32 ACRES, MORE OR LESS, AND GENERALLY LOCATED EAST OF CLEARLAKE ROAD AND SOUTH OF MICHIGAN AVENUE IN COCOA, FLORIDA, MORE PARTICULARLY DEPICTED ON EXHIBIT "A" ATTACHED HERETO, FROM C-R (RESTRICTED COMMERCIAL) TO C-G (GENERAL COMMERCIAL) AND IDENTIFIED BY THE BREVARD COUNTY PROPERTY APPRAISER AS TAX ACCOUNT NUMBERS 2416205, 2442075, 2416206, 2416170, 2455270, 2416203, 2449993, 2450009, AND 2415958; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, 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.

Councilwoman Blanco pointed out that in the legislative text it stated that the property was located in District 3 and it is actually in District 4. Mayor Parrish confirmed that information. City Manager Titkanich responded in the affirmative, noting the property was in District 4.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Whipple, to approve Ordinance No. 05-2017 on first reading with corrections.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

VII. COUNCIL BUSINESS:

1. Approve a Resolution to Commit Funds in the General Fund Balance to Increase the Stabilization Reserve for Fiscal Year 2017. (17-114). (Finance Director)

Ms. Butler presented the item and pointed out that this was the first time that this has changed since it was adopted five years ago.

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

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

2. Accept the Comprehensive Annual Financial Report (CAFR) and the Audit Report for Fiscal Year 2016. (17-77). (Finance Director)

She introduced Debbie Goode with Carr, Riggs, and Ingram, and advised that she would be presenting the CAFR.

Ms. Goode thanked Ms. Butler along with the Finance Department for their cooperation and expertise during this time.

She highlighted pages within the CAFR, beginning with page 15 which was the Independent Auditors Report. This was a clean report on the City's financial statements.

Ms. Goode provided feedback on pages 67, 117, 118, 199, 201, 203, and 209. The pension plans were discussed in detail.

She advised that the audit went really well and it was not unusual to have comments. Additionally, the comment from the prior year that the City received was cleared. The comments provided this year would be looked at again next year to see if there was improvement. She noted that the City has a great team who were very conscious about what they do. She noted that if there were any questions or concerns to please reach out to her.

Mayor Parrish asked for assurance that they were on the right path with the fire pension. Ms. Goode assured him that they were. She noted that you typically want to stay within the 80-90% range, and you do not want to be 60% or less. That would be hard to recover from.

Councilman Whipple thanked her and thought the presentation was very professional. He thanked her for what she does for the City.

City Manager Titkanich thanked Ms. Goode and her staff for working with the Finance Department. He further thanked Ms. Butler, Ms. Quesada, and their

staff. The audit was a huge undertaking and no sooner that the budget is done they have to prep for the audit. They have all done an amazing job and he appreciated them all.

City Manager Titkanich discussed each pension fund in detail and thanked Council, IAFF, and PBA for the pension reform. Furthermore, he spoke about the future of the pension funds and spoke about upcoming capital projects.

Ms. Butler pointed out that every single financial transaction that the City does shows up in this document and she thanked the Finance team and Ms. Quesada who did a lot this year with the audit.

* **MOTION by Councilwoman Blanco; Seconded by Deputy Mayor Boisvert, to approve the Comprehensive Annual Financial Report (CAFR) and the Audit Report for Fiscal Year 2016.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Consider the Appointment of Mr. James Goins as a Regular member of the Board of Adjustment through May, 2018. (17-129). (Administrative Services Director)

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Whipple, to approve the appointment of Mr. James Goins as a Regular member of the Board of Adjustment through May, 2018.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

Mr. Goins thanked City Council for allowing him to be a part of the Board. He wanted to do what he could to be a part of the City and thanked them for letting this happen.

Council thanked him for his continued interest in the City.

VIII. CITY BUSINESS:

1. Approve a Budget Resolution adjusting the Fiscal Year 2017 budget and approval for a temporary increase in headcount for the City's 2nd Annual "Cocoa Works" Summer Youth Employment Program. (17-120). (Administrative Services Director)

Ms. Gemmati presented the item and stated that the application process would run through April 7, 2017. It can be extended if needed. Applications were available through the City of Cocoa website and in the HR Department. She further explained what the Summer Youth Employment Program offered to teens, and the training included during the process.

She advised that Jana Bauer, with Career Source goes above and beyond in working with the students. She was a great resource for the students.

* **MOTION by Councilwoman Blanco; Seconded by Councilman Whipple, to approve the item.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

MULTI-YEAR CONTRACTS:

2. Approve a multi-year lease agreement with Ricoh USA, Inc. for copiers under the terms and conditions of the USF Master Resale Agreement #USF-1972-40, and authorize the City Manager and City Attorney to finalize the terms of and sign the agreements. (17-118). (Assistant City Manager)

Assistant City Manager Fuhrer presented the item.

* **MOTION by Councilwoman Blanco; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

IX. INFORMATIONAL AGENDA:

1. Purchase approvals over $35,000 and under $50,000 for the period of 10/01/2016 to 02/28/2017. (17-108). (Finance Director)

2. Relation between the estimated and actual income and expenses to date. (17-115). (Finance Director)

3. FY 2017 Budget Adjustment Report. (17-116). (Finance Director)

4. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (17-117). (Finance Director)

5. Review of the Employee Health Center utilization report provided by CareATC for February 2017. (17-128). (Administrative Services Director)

X. REPORTS:

Ed Lanni, 939 North Indian River Drive, Cocoa advised that he received a phone call from the head of security at the port. They mentioned that someone was looking for someone who might have known their father and he though Capt. Ed might have known him. Sure enough, he was Capt. Ed's Chief Engineer and all of his memorabilia will be on display at the Veteran's Administration in Merritt Island on the second floor. He suggested that everyone visit and take a look at the history.

Chief Cantaloupe stated that on Saturday, April 1st from 11-5 pm the Police Department and Central Brevard Sharing Center would be hosting a Backyard BBQ at Burton Smith Park. There would be great food and last year it was a great success. He invited everyone to the event.

Chief Prince advised that on March 18th, the Cocoa Fire Department (C Shift) and the American Red Cross installed over 200 smoke detectors in the Sunrise Village neighborhood. It was a great feeling to know that those families are now protected.

Mr. Belden provided an update on S.R. 524. He mentioned that there was land being cleared on the south side east of I-95 for the new Flying J Truck Center. Additionally, the Walmart Distribution Center's site plan should be going to the April 12th Planning & Zoning Board meeting for approval.

Additionally, the old Home Depot property has been sold and a retail development would be going in there. They are not sure what the retail will be as of yet. Construction to the south was also being done on Wawa and the master

stormwater pond. He anticipated that these would be operational by the end of the year.

Ms. Gemmati reiterated her earlier comments regarding applications for the Summer Youth Program, noting that applications were now available. She further advised that job postings were updated on the Cocoa website.

Assistant City Manager Fuhrer mentioned that he participated in the 2017 Tri Cocoa Village Event this past weekend. He pointed out that the Police Department did a good job and everyone was safe. It was a good event. He came in first in his age group.

City Manager Titkanich spoke of his attendance, along with Mayor Parrish and Councilwoman Blanco's attendance at the Florida League of Cities Legislative Actions Days in Tallahassee. They did a lot in the few days that they were there and they heard a lot of information about proposed legislation. They met with many local Legislators, Senators, and other representatives.

Discussion was held on proposed bills, such as the Wireless Communications Bill, Vacation Rentals, Public Records Bill, HB 17 (local regulation preemption), HB 13 (CRA's) and many more. He stressed that many bills relate to home rule.

He spoke about HB 13 in detail, regarding CRA's and advised that he wrote a guest column in the Florida Today newspaper that published the day that they were in Tallahassee.

City Manager Titkanich assured Council that they were keeping aware and watching a few other bills, and keeping in touch with Mr. Sansom. He and Councilwoman Blanco sat through two hours of committee meetings. He believed wholeheartedly that government closest to the people best represents the people.

He further brought up the bill which would increase the property homestead tax exemption to $75,000. This would take a good portion of the ad valorem tax base away from the City, but they would not know much more about this one until the future.

He thanked Mayor Parrish and Councilwoman Blanco for attending the session with him and showing a local face in person. He reassured Council that they were staying vigilant and following the updates regarding these bills..

Councilman Whipple thanked City Manager Titkanich for the job that he was doing in regards to following up with legislation. He hoped that Councilwoman Blanco enjoyed the experience and knows that she got a lot out of it.

He further thanked City Manager Titkanich for listening to Council's concerns about District 1. They were moving some of the projects up that have been lying dormant. Several properties within the district have been purchased. If it was not Habitat for Humanity it was other investors.

In closing, he advised that he would be attending upcoming ribbon cutting events downtown, on April 7th and April 8th. The one on April 8th is for Glenn's Tire Company's 65th anniversary.

He was very happy with what was going on and was very glad they moving forward in a positive way for their community.

Councilwoman Blanco thanked Council for allowing her to take the trip to Tallahassee. She believed it was a truly unique experience and advised that if anyone ever had the chance to go watch a session it was an eye opener.

Furthermore, what the City Manager said about home rule was the truth and stressed that the CRA's were in trouble. CRA's were needed for the betterment of the City. She urged citizens to contact their representatives and to let them know their feelings about these issues. She stressed that their voices should be heard.

Councilwoman Blanco spoke about her attendance at the Manufacturers Tour last Friday. They toured Amazon Metal Fabricators, Inc. and Mango Bottling, and was impressed with what the two businesses do. She also attended the Community Watch meeting in College Manor on Thursday night and stressed the need for citizen participation at those meetings.

City Manager Titkanich announced that the Constitutional Revisional Commission was holding a public hearing in this area, tomorrow night, Wednesday, March 29th from 5-8 p.m. It will be at the Fairwinds UCF Alumni Center, which is across from the arena. He hoped to attend.

Deputy Mayor Boisvert thanked the City Manager, Mayor Parrish, and Councilwoman Blanco for representing the City. He announced that he would also be attending the upcoming ribbon cuttings with Councilman Whipple. Additionally, he, Councilman Whipple, and Councilwoman Warner would be participating in the

"March for Meals" event on Wednesday, March 29th. They would be helping Meals on Wheels to deliver meals throughout the City.

Mayor Parrish asked the City Manager about meeting with Commissioner Barfield. In response, City Manager Titkanich advised that the meeting was cancelled on the City's behalf but would be rescheduled.

He spoke about his attendance during Legislative Action Days. He noted that he did not know what to expect except that there were new bills this year. He believed that many of the bills were ridiculous. He had the chance to speak with many people and believed that there was hope that positive change could be made. He concurred with Councilwoman Blanco that they need to hear citizens voices.

In closing, he proposed that the City put a team together for next year in order to prepare for the legislative session. That way there would be well informed people to send up to Tallahassee and Cocoa could go in a lethal team.

IX. ADJOURNMENT.

* **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Whipple, to adjourn the Regular meeting of March 28, 2017.**

AYES: Parrish, Boisvert, Blanco, Whipple

THE MOTION CARRIED UNANIMOUSLY (4-0)

The meeting adjourned at 7:25 p.m.

Henry U. Parrish III, Mayor

ATTEST:

Carie Shealy, City Clerk

SEAL