

MINUTES
City of Cocoa
Regular Meeting of The City Council

September 13, 2022

A Regular City Council Meeting was held on Tuesday, September 13, 2022, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

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

Mayor Blake acknowledged the date of September 11th and a moment of silence was held in honor of Queen Elizabeth II.

Councilmember Goins provided the invocation and Councilmember Koss led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

Mayor Blake recognized an Eagle Scout who was in attendance. Jack Byrd introduced himself and advised that he had an Eagle Scout Project proposal for the City of Cocoa. He explained that it would entail placing plaques in public green spaces in Cocoa and that these plaques would explain why nature is good for your mental health. Each plaque would also include a QR code that could be scanned and would provide mental health resources. His mother is the founder of non-profit Counselors for Change and she was in attendance as well.

Deputy Mayor Hearn assured him that Mr. Smith from Public Works would be reaching out to him.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Rip Dyal	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney

Stockton Whitten
Carie Shealy

City Manager
City Clerk

OTHER STAFF MEMBERS PRESENT:

Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Charlene Neuterman, Community Services Director; Samantha Senger, Asst. to the CM/PIO; Evander Collier, Chief of Police; Rebecca Bowman, Finance Director; Jonathan Lamm, Fire Chief; Robert Beach, Chief Technology Officer; Bryant Smith, Public Works Director; Lora Howell, Deputy Finance Director; and Erik Montgomery, Helpdesk Support Tech.

II. Approval of Agenda and Minutes:

- 1. Agenda:** Regular Meeting of September 13, 2022. (22-533)

*** MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve the Agenda as amended to add Council Business, Item VII.4 (File ID 22-554), for the Regular meeting of September 13, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Hearn

THE MOTION CARRIED UNANIMOUSLY (5-0)

- 2. Minutes:** (a) Regular Meeting of July 12, 2022 (22-534)
(b) Regular Meeting of July 26, 2022 (22-535)

*** MOTION by Councilmember Goins; Seconded by Councilmember Dyal, to approve the Minutes for the Regular Meeting of July 12, 2022 and the Minutes for the Regular Meeting of July 26, 2022, as written.**

AYES: Blake, Hearn, Dyal, Goins, Hearn

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

None.

IV. Delegations:

Johnnie Dennis, Cocoa, commended the Mayor, City Manager and staff for the hiring of a new Police Chief. He provided his reasonings why and feels that there has been a 180 degree turn around in police conduct. He reiterated his thanks to everyone.

V. Consent Agenda:**(A) General Consent Items:**

1. Approve Task Order 2023-27 with Jacobs Engineering Group (Jacobs) for Program Management Services, Project No. WS1221, and Task Order 2023-26 for Plan Review Services to include Engineering Land Development Review, Project No. WS1221; Pending Approval of the FY2023 Budget. (22-411). (Utilities Director)
2. Approve Task Order 2022-25 with Jacobs Engineering Group, Inc. (Jacobs) for the Bidding Phase Assistance and Services During Construction (SDC) for the Viera Booster Station Chloramination Improvements Project (WS21VP). (22-457). (Utilities Director)
3. Approve Task Order No. 2023-28 to Jacobs Engineering Group, Inc. to Provide Program Management/ Administration, Design Management and Construction Project Support Services for Operating Revenue funded Cocoa Utilities Capital Improvement Plan Program Projects related to Water Supply and Water Treatment (Pending Approval of the FY 2023 Budget). (22-462). (Utilities Director)
4. Approve a Municipal Services Agreement with Alliance for Neighborhood Restoration of Brevard for Fiscal Year 2023, pending the final Adoption of the City of Cocoa Fiscal Year 2023 budget. (22-463). (Chief of Police)
5. Authorize the City Manager to Approve Change Order No.1 to PO #79344 with Ring Power in the Amount of \$20,000.00 to Cover any Necessary Generator Maintenance or Repairs for the Remainder of FY 2022. (22-470). (Utilities Director)
6. Approve a Resolution Amending the FY2022 Budget, BAF 22-123-T to Reallocate Funds to Purchase Petroleum Products from Glover Oil Company Located in Melbourne, Florida. (22-471). (Utilities Director)
7. Approve a Resolution Amending the FY2022 Budget, BAF 22-131-T to reallocate funds from Utilities/Operating Expenses Account (421-4020-536.52-00) into the IT-Related Operating Expenses Account (421-4020-536.56-15). (22-473). (Utilities Director)
8. Approve a Vehicle Purchase Utilizing the Sourcewell Contract 060920-NAF; To Approve A Resolution Amending the FY22 Budget, BAF#22-126-T to Transfer

Available Funds in the Amount \$39,311 from the 46-00 (Repairs and Maintenance) Account into the 64-00 (Machinery & Equipment) Account. (22-490). (Utilities Director)

9. Approve Task Order 2023-30 with Jacobs Engineering, Inc. (Jacobs) to Provide Assistance with Project Management, Contractor Monitoring, Data Management, Quality Control and the Cross Connection Control Program, Project No. WS13BC (Pending Approval of the FY 2023 Budget). (22-512). (Utilities Director)
10. Approve a Budget Resolution, Amending the FY2022 Budget, BAF#22-132-T in the amount of \$360,247; Approve Change Order #1 for E & D Contracting/PO 79480; Approve Project Resolution authorizing the City Manager to issue change orders with a total project contingency not to exceed \$511,048 for the Sellers BNR Project (WS1222). (22-513). (Utilities Director)
11. Authorize the City Manager to approve Purchase Orders for electrical utilities as they relate to electrical consumption only and for Verizon cellular and data services consumption for FY2023, pending the approval of the FY23 Budget. (22-519). (Finance Director)
12. Approve a one-year policy renewal for the General Insurance Program with Florida League of Cities, Inc., for the period October 1, 2022 through September 30, 2023 with an estimated premium of \$1,338,979 pending approval of the FY2023 budget. (22-520). (Administrative Services Director)
13. Approve Task Order 2023-29 with Carollo Engineers, Inc. to assist Sewer Field Operations (SFO) in Project Management Coordination, Technical Support and Review, SCADA Maintenance, Long-Term Strategic Planning, and Manhole/Gravity Sewer Program Maintenance (Pending Approval of the FY 2023 Budget). (22-528). (Utilities Director)

(B) Multi-Year Contracts:

14. Approve the participation in a multi-year Cooperative Purchase Agreement, Sourcewell Contract #010720-AXN, with Axon Enterprises Inc., in the amount of \$534,930.06 for body cameras and Tasers, holsters, training, training cartridges, live cartridges, licenses and unlimited storage for five (5) years ending on September 30, 2027. Pending the Adoption of each Fiscal Years Budgets. (22-455). (Chief of Police)

15. Approve Bid No. CS22-11-COC Pest Control Services to Florida Pest Control and Chemical Company, Orlando, FL for Monthly Pest Control Services to City Buildings; To Approve as a Multi-Year Contract from FY2023 through FY2025 with the option for two 12-month extensions, for a total of five (5) years pending approval of the FY2023 Budget and additional fiscal years; To Authorize the City Manager to Execute the Contract and any subsequent Amendments or Extensions. (22-467). (Public Works Director)
 16. Approve Task Order 2023-27 with Carollo Engineers, Inc. for Engineering Design Services for the Internal Recycle Pump (IRP) Replacement Project, and Bidding and Procurement Assistance for the IRP Replacement Project, the Influent Pump Station Rehabilitation Project, and the Transfer Pump Station Rehabilitation Project at the Jerry Sellers Water Reclamation Facility (Pending FY23 Budget Approval); To Approve as a Multi-Year Contract from FY2023 through FY2024. (22-517). (Utilities Director)
- * **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve the Consent agenda.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. (a) Conduct a Public Hearing on the tentative millage rate and tentative budget and: Adopt Resolution No. 2022-087 adopting a tentative millage rate of 6.4532 mills, for the City of Cocoa, commencing on October 1, 2022 and ending on September 30, 2023.

Ms. Bowman provided a presentation¹ and advised that this was a part of the budget adoption process. This was the first public hearing and the adoption of a tentative millage rate and the adoption of a tentative budget for FY 2023 was required tonight.

She pointed out that the tentative millage rate cannot exceed the millage rate of 6.4532 which was approved by Council on July 26, 2022, by a unanimous vote of (5-0).

A comparison of all cities in Brevard County of millage rates for FY 2023 was shown.

¹ EXHIBIT A: FY 2023 Budget Presentation/1st Public Hearing

Lastly, the following Public Announcement was made:

- The City of Cocoa is the taxing authority
- The rolled-back rate is 5.9866
- The millage rate of 6.4532 is a tax increase of 7.79% as a percent change of the rolled- back rate
- The millage rate to be levied is 6.4532 which is the same as the current year tax rate

The Requested Action is: Approve Resolution No. 2022-087, adopting the tentative millage rate of 6.4532 mills. for the City of Cocoa, commencing on October 1, 2022 and ending on September 30, 2023.

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

- * **MOTION by Councilmember Dyal; Seconded by Deputy Mayor Hearn, to approve Resolution No. 2022-087 adopting a tentative millage rate of 6.4532 mills, for the City of Cocoa, commencing on October 1, 2022 and ending on September 30, 2023.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

- (b) Adopt Resolution No. 2022-088 adopting the FY2023 tentative budget and CIP for the City of Cocoa Fiscal Year, commencing on October 1, 2022 and ending on September 30, 2023. (22-521). (Finance Director)

Ms. Bowman provided a presentation and reviewed the FY 2023 Tentative Budget in detail by providing a FY 2023 General Fund Overview; FY 2023 Water/Sewer Budget Overview; and a FY 2023 Stormwater Budget Overview.

She reminded Council the purpose of the Fund Balance Reserve Policy was to ensure that there will be adequate liquid resources to serve as a financial cushion for the General Fund.

Lastly, the following Public Announcement was made:

- Public comment on 1st public hearing for FY2023 Tentative Budget & CIP

The Requested Action is: Approve Resolution No. 2022-088 adopting the Fiscal Year 2023 Tentative Budget & CIP for the City of Cocoa, for the Fiscal Year commencing October 1, 2022 and ending on September 30, 2023.

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

- * **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Goins, to approve Resolution No. 2022-088 adopting the FY2023 tentative budget and CIP for the City of Cocoa Fiscal Year, commencing on October 1, 2022 and ending on September 30, 2023.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Ms. Bowman advised that at the next City Council Meeting on September 27, 2022, they would have the 2nd Public Hearing and will be adopting the Final Millage Rate and the Final FY 2023 Budget.

VII. Council Business:

1. Consider the appointment of Marlene Weiss to the Police Community Relations Advisory Board. (22-469). (Administrative Services Director)

- * **MOTION by Councilmember Dyal; Seconded by Councilmember Koss, to appoint Marlene Weiss to the Police Community Relations Advisory Board.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the requested date changes for three previously approved road closures. (22-483). (Asst. to the CM/PIO)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Consider the reappointment of Vincent Knowles to the Retiree Trustee position on the General Employees' Pension Board for a three-year term through October 1, 2025. (22-540). (Administrative Services Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Goins, to approve the reappointment of Vincent Knowles to the Retiree Trustee position on the General Employees' Pension Board for a three-year term through October 1, 2025.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Consider the Donation Application for Cocoa Presbyterian Church Carnegie Hall Performance in New York City Project. (22-554). (Administrative Services Director)

* **MOTION by Mayor Blake; Seconded by Councilmember Koss, to approve the Donation application in the amount of \$1,000.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Approval of City of Cocoa and LIUNA Memorandum of Understanding prorating wage increases for new hires for Fiscal Year 2023 and 2024. (22-530). (Administrative Services Director)

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve the contract revisions effective Fiscal Year 2023 for the three-year contract between the City of Cocoa and the Teamsters Local Union 769 Cocoa Fire District Chiefs for the contract term of October 1, 2020 through September 30, 2023, providing wage increases for the new Fiscal Year. (22-532). (Administrative Services Director)

Ms. Gemmati noted this is a three-year agreement but wages were only written for the one year; therefore, they were re-negotiated this year. This was ratified by the union.

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

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

None.

IX. Informational Agenda:

1. City Council Bi-Weekly Report. (22-547). (City Manager)

X. Reports:

Councilmember Goins spoke about an area on Paw Paw Street that was taken care of by the Utilities Department. He thanked them.

He spoke about his attendance at an event this past Sunday hosted by Pastor Shaun Ferguson which was a "First Responders Appreciation Day". There were a few members of both the Police and Fire Departments in attendance. He appreciated them showing up for the event.

Councilmember Dyal attended the SCLC dinner on September 12th where they had an official from Brightline as the guest speaker. He, along with Mayor Blake and Councilmember Koss had the honor of saying they had been on the train. It was a very nice and well attended dinner.

There is a Chief's Walk in District 3 coming up and he thanked Councilmember Goins for the event that he hosted at Gilmore Park. He thought it was great.

Councilmember Koss felt that the Cocoa Presbyterian Choir might be available for the upcoming Space Coast League of Cities Holiday Dinner that we host in December. Mayor Blake asked her to communicate her request to the City Clerk's office as well as the City Manager, as we are in the planning stages at this time.

Councilmember Koss pointed out that at the SCLC dinner it was mentioned that it would be mid-year when trains start coming through the area. She further noted that the Space Coast Transportation Planning Organization was planning a coalition (even to include Volusia County), to begin priming the pump for Brightline coming to this area. She further pointed out that Mr. Gregg Stoll has a train model that will be presented and will be available for our own museum during the holiday season as an attraction.

She gave a shoutout to Dr. Doakes for Elevate Cocoa, as it is a very impressive program. There was a conference call today with a lot of people on it, including other Council members. It is a great program that is data driven with achievable goals and actions. It is a big part of economic development.

Councilmember Koss mentioned the explosion in her neighborhood that happened recently and thanked the Police and Fire Departments for their quick responses.

Mayor Blake reminded all to buy local, spend local, and keep it local. He announced that CivMil held an educational program dinner and many recipients of scholarships were in attendance.

He attended the Tuxes and Tales Gala on August 27th hosted by the Brevard Humane Society. Sheriff Ivey was a speaker and they did a phenomenal job raising money to help the organization. He thanked them for making a difference in the community.

Mayor Blake acknowledged Trey Blake, a Cocoa High School graduate and one of only eight referees in the nation in the "Shield" as he is an NFL Referee. He also recognized Neely Dunn who is another NFL Referee and Cocoa High graduate. He wanted to recognize and thank both of them.

Mayor Blake gave a "Happy Birthday" shout out to Bertha Cooper, Ellis Thomas, and Ed Jones.

He stated that Katie Mitzner with Brightline was the keynote speaker at the SCLC dinner on September 12th, which Councilmember Dyal mentioned earlier.

Deputy Mayor Hearn advised that the clearing of property had begun for the Riverwalk Development which is in District 2. He believed this was a great project and positive for Cocoa as a whole.

He announced that Matthews Hope on Forrest Avenue are in need of volunteers and invited all to a Chief's Walk tomorrow, September 14th in District 2. It begins at 5:30 p.m.

Lastly, he stated he would be having a trash pick-up on Saturday, September 24th from 8-9 a.m. They would start at Endeavor Elementary and end at Pineda Street. He welcomed all.

XI. Adjournment:

- * MOTION by Councilmember Dyal; Seconded by Councilmember Goins, to adjourn the Regular meeting of September 13, 2022.**

AYES: Blake, Hearn, Dyal, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 6:45 p.m.

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk