

MINUTES
City of Cocoa
Regular Meeting of The City Council

January 26, 2021

A Regular City Council Meeting was held on Tuesday, January 26, 2021, 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.

Ms. Tammy Findlay-Bell Jenkins provided the invocation and Mr. Derrick Jenkins led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	James Goins	Deputy Mayor
	Rip Dyal	Councilmember
	Lavander Hearn	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Matthew Fuhrer, Assistant City Manager; Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; John Hankins, Interim Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Nancy Bunt, Community Services Director; Jason McCuen, Helpdesk Support Tech; Rob Beach, Chief Technology Officer; and Samantha Senger, Assistant to the City Manager/PR Specialist.

II. Approval of Agenda and Minutes:

1. **Agenda:** Regular Meeting of January 26, 2021 (21-75)
2. **Minutes:** N/A

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve the Agenda as presented for the regular meeting of January 26, 2021.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Historic Cocoa Village Main Street Annual Update. (21-47). (HCVMA)

Ms. Emma Kirkpatrick with Historic Cocoa Village Mainstreet provided a presentation¹ and provided an annual update on the organization. She reviewed various events and mentioned that even with the Covid shutdown they had a lot of success with their projects.

She thanked Public Works staff for their help on a few of their projects and spoke about the fall and holiday seasons.

Mr. Allen Chapman provided their mission statement as well as financials. He pointed out that they are 95% self-funded.

Over 1,200 volunteer hours were donated this year and he provided examples as to how HCVMA gives back to the community.

In closing, Mr. Chapman advised that HCVMA was recently recognized for having been a Main Street community for over twenty-five years and they accept that recognition proudly.

Mayor Blake recognized all of the HCVMA members in the audience.

2. Informational Annual Investment Report for FY2020. (21-93). (Finance Director)

Ms. Bowman noted that the City has an investment policy where excess funds are invested and Mr. John Grady was in attendance to provide an update as to where the plan was at as of September 30, 2021.

¹ EXHIBIT A: HCVMA Annual Update

Mr. Grady provided a presentation² regarding the City's investments. He showed several charts regarding investments and noted that hopefully in the next year we would see more economic growth.

He discussed each of the City's portfolios in detail and advised that he works very closely with Ms. Bowman throughout the year.

The portfolios discussed were the Operating Portfolio, Reserves Portfolio, and the Restricted Portfolio.

In closing, he provided a breakdown of the Aggregate Asset Allocation as of December 31, 2020.

Mayor Blake thanked him and advised that he liked being accountable and transparent with our funds. He voiced his support for the diverse investments and the AAA rating, but wanted to stay ahead of the curve too.

City Manager Whitten thanked Ms. Bowman and Mr. Grady for the detailed presentation. Mr. Grady added that his firm only handles public funds and they recognize the importance of that.

IV. Delegations:

Jennifer Riggs, 1629 N. Indian River Drive, Cocoa, spoke about the Mayor's Fitness Challenge and that the path they were walking would be opened up. She mentioned that by having parks and other green assets attracts residents. Two gates need to be opened still. She further mentioned that this could increase safety and having more people in that area is a good thing. In closing, she believes this makes Council look better by having public space opened up.

Jo Shim, 4010 Dakota Avenue, advised that she was a member of the Sustainability Advisory Board. She pointed out that they were going to start having a member of the board at every meeting. Equity and empowerment is a big part of their plan and if they are promoting those then they need to promote themselves. One of the initiatives of the Sustainability Plan is participation in the Mayor's Fitness Challenge. This also encompasses health and safety. She explained what the Mayor's Fitness Challenge was and that the next challenge will be February 6, 2021. She asked if the City could help with publicity and advised that they had cards that could be handed out. She thanked Council for their support.

² EXHIBIT B: Economic Update and Investment Strategy Review

Rev. J.B. Dennis, 3710 Catalina Drive, Cocoa, advised that he has an oral petition for a loud music ordinance and requests that this be placed on an agenda for further discussion. He read from Florida Statute 318 regarding car music.

Marisol Lanza, 436 Satsuma St., Cocoa, asked for help with her neighbors, nothing is being done and it has become a hazard. She provided more information along with photos of the problems.

Mayor Blake apologized for what she is enduring and he asked the City Manager if there was anyway to have a meeting with those living in the cul-de-sac. Mayor Blake promised that they would help her.

V. Consent Agenda:

1. Approval to apply for the Victims of Crime Act (VOCA) Grant in the amount of \$117,841 and to commit \$29,460 toward the match requirement in the application in order to provide victim advocate services to crime victims. The total amount equals \$147,301. (21-64). (Interim Chief of Police)
 2. Approve the First Amendment to Purchase Agreement to RFQ-17-16-COC, Continuing Service Agreements with Bussen-Mayer Engineering Group, Inc., Mead & Hunt, Inc., and Hazen & Sawyer, P.C. for Engineering Services for Design, Permitting and Services During Construction of Utility Conveyance System Upgrades & Expansion. (21-72). (Utilities Agreement)
 3. Award Bid B-21-05(A)-COC, Contract Laboratory Services, to Pace Analytical Services LLC, Ormond Beach, Florida; To Authorize the City Manager to Execute the Contract and approve future renewals. (21-74). (Utilities Director)
 4. Approve a Resolution Amending the FY21 Budget, BAF #21-045-A, through the use of General Fund Balance Reserves, for the Contribution to School Board of Brevard County, for Improvements to Cocoa High Schools Track. (21-84). (Finance Director)
- * **MOTION by Deputy Mayor Goins; Seconded by Councilmember Dyal, to approve the Consent Agenda.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

None.

VII. Council Business:

1. Approve the appointments of Tammy Findley-Bell, Michael Klug, and Kathy Hamilton-Brown to the Police Community Relations Advisory Board. (21-76). (Administrative Services Director)

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

Councilmember Koss asked if Mr. Klug was a retired police officer as it was her understanding he was a security officer and not a police officer. In response, Councilmember Dyal stated that he was in charge of security for several casinos in Las Vegas.

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Resolution adopting Resilient Cocoa, the City's Resiliency Action Plan to address resiliency issues and develop strategies to strengthen the City's capacity to withstand and recover quickly from natural hazards. (21-82). (Community Services Director)

Mayor Blake asked if when the City originally committed to the Sustainability Advisory Board and its members, how often they met. In response, Ms. Bunt advised that the Board meets monthly and an agenda is posted and a recording secretary is provided to take minutes. Mayor Blake asked if they meet privately. In response, Ms. Bunt answered no, however, they have Working Group meetings which are advertised and minutes are taken.

Ms. Bunt further noted that as part of the Sustainability Advisory Board resolution, they were to begin a Resiliency Action Plan. She provided a further background and what the plan entailed. She advised it was ready for adoption by Council.

Councilmember Koss pointed out a few things about Resilient Cocoa and the plan. She further noted that the organization they worked with was going around the State to help others with these plans as well. The whole idea is to look at your vulnerabilities and not to succumb to them but alleviate them.

She provided slides³ of maps to show the following:

³ EXHIBIT C: Maps regarding the Resiliency Action Plan

- NOAA “High” Sea Level Rise Projection
- Hurricane Storm Surge Zone
- FEMA 100-Year and 500-Year Flood Zones

Jennifer Riggs, 1629 N. Indian River Drive, Cocoa, Chairperson of the Sustainability Advisory Board, felt that this was a really good plan and a lot of good things are going on. She provided a presentation on the Resiliency Action Plan⁴.

Ms. Riggs provided a brief synopsis of what the “Peril of Flood” was and pointed out that this was passed in 2015 by the Florida Legislature.

She explained why it was so important to proactively improve resiliency and spoke in detail about the financial risks for the City.

Ms. Riggs spoke about property values and what will happen in the future with flooding, cliff erosions, etc.

She advised that this Plan aligns well with Cocoa’s Sustainability Plan Priorities and she mentioned the five main areas of alignment:

- Pursue Funding Mechanisms for Resiliency Projects
- Living Shorelines and Green Infrastructure
- Greenspace and Mitigation
- Update City Codes
- Communication and Education.

Lastly, Ms. Riggs stressed that building resilience is important for Cocoa’s prosperity.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Mayor Blake thanked them and the members of the Sustainability Advisory Board.

3. Consider the Reappointment of Sylvia Thomas as Seat #1 on the Diamond Square CRA through January 30, 2022. (21-92). (Administrative Services Director)

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

⁴ EXHIBIT D: Resilient Cocoa: Resiliency Action Plan

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

None.

Multi-Year Contracts:

1. Award Bid #B-21-06-COC, City of Cocoa for Pond Maintenance Services, to Future Horizons, LLC, in the amount of \$17,910.85; Approve a Resolution Authorizing the City Manager to execute change orders and other contract related purchases in an Amount Not To Exceed the budgeted amount. Authorize the City Manager to Execute the Original One Year Contract and Subsequent Four One-Year Renewals. (21-78). (Public Works Director)

Mr. Smith noted this was a citywide pond maintenance program and this helps with keeping the stormwater system clean.

Councilmember Koss asked if was a mechanical removal. In response, Mr. Smith advised that it was chemical but they have the option for mechanical as well as fish stocking. This includes any City owned ponds.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a multi-year contract with SageView Advisory Group for financial consulting services for the City's 457(b) and 401(a) retirement plans from February 1, 2021 to January 31, 2024 with two two-year renewal options and authorize the City Manager to negotiate and sign city attorney approved agreement and any renewal terms. (21-80). (Administrative Services Director)

Ms. Gemmati noted this was a new service that the City was adding to make sure our plans are managed responsibility. There are several different record keepers and the next project will be to consolidate all of those keepers. This consultant will help the City throughout that process.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approval of a multi-year professional services agreement with Pauley Management Inc. for federal lobbying services on behalf of the City of Cocoa effective February 1, 2021 through January 31, 2022 and authorize City Manager to sign City attorney approved agreement and any executed renewal terms. (21-95). (Administrative Services Director)

Ms. Gemmati advised that this was brought at the request of the City Manager for a new federal lobbying consultant.

City Manager Whitten added that Mr. Pauley was a generalist and his area of success is fund rating. He had an excellent record of bringing dollars to the cities he represents. He lives in Cocoa Beach and answers anytime you call.

Councilmember Koss mentioned that over the last few years she has felt well informed by the report they receive each week and with that report she identified about four to five grants. She wanted to ensure that someone would be watching the federal register. City Manager Whitten stated that they could write that into the scope of services.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)**IX. Informational Agenda:**

1. FY 2021 Budget Adjustment Report. (21-68). (Finance Director)
2. Approved change orders to construction contracts that the City Council has authorized the City Manager, by resolution, to approve in excess of the City Manager's spending authority. (21-69). (Finance Director)
3. Data showing the relation between the estimated and actual income and expenses to date. (21-70). (Finance Director)
4. Cumulative purchase approvals over \$35,000 and under \$50,000 for period 10/01/2020 to 12/31/2020. (21-71). (Finance Director)

X. Reports:

Mr. Walsh reminded all that there would be a Utilities Advisory Board meeting on Wednesday, January 27, 2021 at 6 p.m. in City Hall, Council Chambers.

Chief Lamm provided an update on Covid-19. There are currently 1,667,763 cases in Florida, with 28,147 in Brevard County. In Cocoa there are 2,556 and in the city limits there are 111 active cases. There have been 620 deaths in Brevard County. We are still trending with the State average. He mentioned that about 35,000 residents in Brevard County have received the vaccination.

He advised that as soon as shots are received a notification is sent out that they are available. Shots are not being held back, there is a supply/demand problem. Chief Lamm assured Council that he remains vigilant in keeping up with vaccination distribution, etc. Ms. Senger also continuously puts out information for the community on the website.

Mayor Blake asked how many Councilmembers had been vaccinated, of which none have. The Mayor is willing to be vaccinated and was in support of whatever they can do as a legislative body to get the vaccines.

Chief Lamm advised that the City Manager has been very instrumental and supportive of that and as soon as he has more information he will share that with Council.

Attorney Garganese reminded Council that at the last meeting they approved the Project Sunshine Development Agreement and after that meeting they received some additional revisions which were all technical. However, he wanted to advise Council of one change.

The change was in regards to if they hypothetically did not go forward with the project, they added the landscaping plan to the agreement. In the event there was land clearing and in the event that after the land clearing the project did not proceed, they would have to compensate the City for the landscaping that they would have put in during the project. They had no objection, he just wanted to make Council aware.

In response to a question posed by Councilperson Koss, Attorney Garganese explained that there is a landscaping code and he explained how they would have to compensate the City.

Councilmember Dyal advised of his attendance at the Manufacturer's Tour yesterday and really enjoyed it. They toured Brightline, Brevard Robotics, Walmart Distribution Center and Erdman Toyota.

IT WAS A CONSENSUS OF COUNCIL TO MOVE FORWARD WITH THOSE CHANGES RECOMMENDED BY THE CITY ATTORNEY.

City Manager Whitten pointed out that they have been going through a series of workshops which are about three hours each. There are a number of items coming before them and they will keep moving forward with these. They may need additional time which would result in expanding the workshop hours and possibly place a few of the items on council agendas. There may be more frequent items for direction on upcoming agendas.

He further reminded Council that in Article III, Section 15 of the Charter it speaks about adjustments to council's single member districts each year after the Census. They will have to adopt a five member board and would have to be done at least one year before the next general election. This timeline would place that in November 2021. They would need to have a board set up and ready to go at least four months prior to that date. He asked for their nominations to be submitted in the next month or so.

City Manager Whitten commended Interim Chief Hankins for a policy change in their department. He took the initiative to change the policy to further recruitment efforts. He did not want that to go unnoticed and was proud of him for doing that.

Councilmember Koss asked if one of the workshops would be on the evolving night life in the Village. In response, City Manager Whitten stated that was on his list.

Councilmember Koss mentioned the Virtual Breakfast for the Boys and Girls Club at 7:45 a.m. Thursday morning. You can go to their website and join.

She spoke in regards to the Mayor's Fitness Challenge and thanked Ms. Riggs and Ms. Shim for coming forward to speak about that.

Councilmember Koss announced that Cocoa Rotary adopted Provost Park and they would be doing a clean up on Saturday, February 6, 2021 from 9 a.m. until 12 p.m.

In closing, she thanked the Sustainability Advisory Board for all of their work.

Deputy Mayor Goins asked for approval by Council to join the Florida Black Caucus and to attend the Spring Conference in Orlando, March 18-19, 2021. He explained what the organization was and noted it was in conjunction with the Florida League of Cities.

CONSENSUS AMONG COUNCIL FOR DEPUTY MAYOR GOINS TO BECOME A MEMBER AND TO ATTEND THE FLORIDA BLACK CAUCUS SPRING CONFERENCE, MARCH 18-19, 2021 IN ORLANDO, FLORIDA.

Deputy Mayor Goins thanked the police and fire departments for the hand sanitizers at the Community Game Night Event at the Joe Lee Smith Center. A lot of kids showed up and it went well. The next event is at the end of February. The goal is to be there for the kids and to give them something to do, as many of their parents work and the kids are home by themselves.

He reminded all of the District 1 Town Hall Meeting on Tuesday, February 16, 2021 at Emma Jewel Charter Academy, starting at 6 p.m.

Lastly, he asked Mr. Smith if he could look into the safety at some of the ponds in the community. He had to get a child from the pond at Barbara Jenkins last week. Mr. Smith agreed to evaluate some of the ponds.

Councilmember Hearn thanked staff for setting up the tour of the manufacturer's yesterday and felt it was important to highlight and appreciate businesses in Cocoa.

Secondly, he asked for a consensus from Council on enhancing security for council meetings. He feels it is important that both Council and citizens are well protected at meetings.

CONSENSUS AMONG COUNCIL TO ENHANCE SECURITY MEASURES DURING COUNCIL MEETINGS.

Councilmember Hearn concurred with the Deputy Mayor regarding safety at the ponds and offered a quick suggestion which would be to designate a float with a rope in case of an emergency.

Mayor Blake asked if anyone was in the audience from the Citizens Academy and if they were to stand. He suggested that anyone wanting to learn more about local government to sign up and attend the academy.

Mayor Blake advised that February 27, 2021 was a Day of Prayer in the City of Cocoa and invited all churches located in the City to attend. He played a message regarding the event for the assembly from Ms. Tammy Findlay-Bell.

The event will be at City Hall, 65 Stone Street, Cocoa, beginning at 10 a.m. and they asked that anyone interested to please RSVP no later than January 30, 2021. The number for RSVP's is 321-433-8685.

Mayor Blake asked all Council to attend.

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

XI. Adjournment:

- * MOTION by Mayor Blake; Seconded by Deputy Mayor Goins, to adjourn the Regular meeting of January 26, 2021.**

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 7:59 p.m

Michael C. Blake, Mayor

ATTEST:

Carie Shealy, MMC, City Clerk