# MINUTES <br> City of Cocoa <br> Regular Meeting of The City Council 

## September 14, 2021

A Regular City Council Meeting was held on Tuesday, September 14, 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.
Mayor Blake acknowledged State Representative Tyler Sirois who was in attendance.

Councilmember Hearn provided the invocation and Councilmember Dyal 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:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Evander Collier, Chief of Police; Jonathan Lamm, Fire Chief; Abby Morgan, Stormwater Engineer/Acting Public Works Director; Rebecca Bowman, Finance Director; Samantha Senger, Assistant to the City Manager/PIO; Charlene Neuterman, Interim Community Services Director; Lora Howell, Deputy Finance Director; Gail Bantugan, Leisure Services Manager; and Ben Wenrich, Helpdesk Support Tech.
II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of September 14, 2021. (21-588)
2. Minutes: (a) Regular Meeting of August 10, 2021 (21-589)
(b) District 3 Town Hall Meeting on August 17, 2021
(21-590)
(c) Regular Meeting of August 24, 2021 (21-605)

* MOTION by Councilmember Koss; Seconded by Councilmember Dyal, to approve the Agenda as presented for the Regular meeting of September 14, 2021 and to approve the Minutes of the Regular meeting of August 10, 2021 with the following amendment: page 7, paragraph 7: She noted that the presentation by Cape Canaveral was interesting. Through that they started to create change in their city. The big takeaway was that once the Chief Financial Officer understood the cost analysis and long-term economic savings of the Sustainability/Resiliency Plan, projects proceeded smoothly with full staff support; and the Minutes of the District 3 Town Hall Meeting on August 17, 2021 and the Regular Meeting of August 24, 2021 as written.

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
III. Awards and Presentations:

1. Legislative update at the state level by Representative Tyler Sirois. (21-600). (Representative Sirois)

Representative Sirois thanked Council for having him and wanted to let them all know that he was always there for them to help with the City's priorities. He spoke about the legislative session during Covid and spoke specially about water projects. He advised that there are projects such as muck dredging, septic to sewer conversions, stormwater, and other projects that the House looks for a city to bring forward for a match for their ask of the legislature. There has been success in the past with these grants and the process is now beginning and is timely. He further pointed out that if there are specific projects the City has in relation to water quality, the environment, restoration, or preservation, his office can work on those as well because of the impact they have on this area.

Rep. Sirois advised that Angelique Rinaldi in his office is great at the paperwork for this.

He further asked that the City let him know of at least two priorities that the City would like funded for next year so that he can take that information to Tallahassee.

Lastly, Rep. Sirois mentioned derelict boats and that the issue that troubles him most is the investment that the City Council makes in the environment and what taxpayers pay for the lagoon restoration and to see these vessels sitting there with no care or responsibility as to what happens next with them. Senate Bill 1086 was passed this session which creates an administrative process and gives law enforcement the authority to take action in certain situations in regards to these boats. Additionally, there are now means in the law to address the issues before the vessel sinks. This is a proactive piece of legislation that he is proud of.

In closing, he stated that he was looking forward to seeing everyone in Tallahassee and thanked them for what they can accomplish together.

Mayor Blake thanked him and Councilmember Koss assured him that they would be putting their heads together for these water projects.

## IV. Delegations:

Paul Kamus, 116 Olive Street, Cocoa, thanked the City Council, staff and Cocoa Fire Firefighters Association for the stair climb event this past Saturday. He thought it was great to see all of Council present. He spoke about the Division of Retirement conference coming up in November and pointed out that it was a free conference for fire and police pension board members. Mr. Kamus spoke about being a member of the Police Pension Board and how he felt these conferences were important. He did not feel it was right for someone to be appointed to a board and not understand what they were talking about. Lastly, he stated that during the last presidential election he wrote a letter to the president and the President responded. He shared a copy of that letter with Council.

Phyllis Moscoso, 2209 Catawba Drive, Cocoa, provided an update on the Brevard Museum. The 501c3 was approved in August and the website is up and running. She noted that Smithsonian Magazine has a national museum day coming up and they just found out that the Brevard Museum was approved and would be mentioned in that magazine. An email will also be sent out through Constant Contact letting people know of the museums participation and to urge the support of museums in their communities.

Keno Diefenderfer, 506 Donley Street, Cocoa, reminded Council of his request for a skateboard park in Cocoa. He reiterated how a skate park would benefit Cocoa and requested a meeting with the City Manager.

Nancy Hamilton, 1045 Willow Lane, Cocoa, on behalf of the Cocoa High Tigers, thanked everyone for their support and for all that they are doing. She spoke of the massive amounts of donations of snacks, water, etc. that they have received. She thanked Councilmember Hearn for always helping out.

At the request of Mayor Blake, she advised that they were selling shirts, umbrellas, backpacks, etc., and if anyone is interested in purchasing they can call 321-2083981. She thanked everyone again.

Councilmember Hearn thanked her for advocating for the kids at Cocoa High School and for all of the hard work she puts in as well. Mayor Blake thanked her for being a good and faithful servant.

## V. Consent Agenda:

## (A) General Consent Items:

1. Approve the Fifth Amendment to the License Agreement with T-Mobile South, LLC, Successor in Interest to APT Tampa/Orlando, Inc. (21-422). (Utilities Director)
2. Award Bid Number B-21-22-COC, with Ace Flow Control, Longwood, Florida, to Provide Cross Connection Control (CCC) Technical Field Services; To Approve Cross Connection Control Technical Field Services Provided by Ace Flow Control up to the FY 2022 Budgeted Amount of \$680,000, Pending Approval of the FY 2022 Budget. (21-523). (Utilities Director)
3. Approve Task Order 2022-20 with Jacobs Engineering Group (Jacobs) for Program Management Services, Project No. WS1221, and Task Order 2022-19 for Plan Review Services to include Engineering Land Development Review, Project No. WS1221; Pending Approval of the FY2022 Budget. (21-538). (Utilities Director)
4. Approve the FY2022 Joint Funding Agreement between the City of Cocoa and the United States Department of the Interior - U.S. Geological Survey for Water Quality Sampling and Water Level Measurements; Pending Approval of the FY2022 Budget. (21-554). (Utilities Director)
5. Approve Task Order 2022-18 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 2022 Budget. (21-555). (Utilities Director)
6. Approve a Change Order to Purchase Order Number 77665 in the amount of $\$ 54,182$ to Southern Sewer Equipment and Sales Inc. for the Stormwater Vac-Con cab and chassis replacement and vehicle repairs. (21-567). (Public Works Director)
7. Council acceptance of State of Florida Historic Preservation Small Matching Grant Award \# 22.h.sm.300.024 in the amount of \$50,000 (\$25,000 grant/\$25,000 match) for the purposes of designing educational displays related to the history of the Leon and Jewel Collins Museum of African American History and Culture. Approve a Resolution Amending the Fiscal Year 2021 Budget, BAF\# 21-113-A in the amount of $\$ 25,000$ for the grant award. Authorize the City Manager to sign the Grant Award Agreement. (21-579). (Interim Community Services Director)
8. Approve a one-year policy renewal for the General Insurance Program with Florida League of Cities, Inc., for the period October 1, 2021 through September 30, 2022 with an estimated premium of $\$ 1,107,258$ pending approval of the FY2022 budget. (21-591). (Administrative Services Director)
9. Approve the 1st Amendment CentralSquare Solutions Agreement to execute the Optional Term 2 of the previously approved CentralSquare Solutions Agreement to provide NaviLine Public Administration applications, Pending the Approval of the FY22 Budget. (21-594). (Chief Technology Officer)
10. Approve Addendum \#1 to the Master Agreement For Water Meter and Meter Reading Equipment Purchases with Sunstate Meter \& Supply, Inc., Approve the Exemption to Competitive Bid Form and authorize the City Manager to approve a Blanket Purchase Order for Sunstate Meter and Supply Inc. up to \$1,500,000 and Request Council approval of a Resolution to Waive Competitive Bid with Sunstate Meter and Supply Inc for the purchase of Neptune water meters and other ancillary hardware required to support meter operations for FY22. (21-596). (Finance Director)
11. Approve a Resolution Amending the Fiscal Year 2021 Budget, BAF \# 21-112-A, for CDBG-CV3 allocation of $\$ 133,363$. (21-597). (Interim Community Services Director)
12. Approve and authorize the annual renewal payment of the Support Agreement with Tyler Technologies, Inc for the Aegis Public Safety software suite, pending FY2022 budget approval. (21-602). (Chief Technology Officer)
13. Requesting settlement authority for the tentative settlement agreement between City of Cocoa employee Gary Parker and the City of Cocoa authorizing the payment of the Workers' Compensation settlement. (21-608). (Administrative Services Director)
14. Authorize the City Manager to execute the Telecommunications Tower Colocation Consent and Lease Agreement between New Cingular Wireless PCS, LLC (AT\&T) and the City of Cocoa. The Revenue will be recognized after the adoption of the FY22 Budget. (21-612). (Chief Technology Officer)
(B) Multi-Year Contracts:
15. Approval of Multi-Year Piggyback Agreement with Milestone Professional Services, Inc. for Accounting Services for Annual Financial Report (AFR) Preparation. (21-595). (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 UNANAMOUSLY (5-0)

## VI. Public Hearings:

1. Ordinance No. $10-2021 / 2^{\text {nd }}$ and Final Reading: Approving the proposed solid waste contract/franchise with Waste Management Inc. of Florida to provide residential and commercial solid waste services within the incorporated city limits of the City of Cocoa. Authorize the Mayor, City Manager, and City Attorney to execute all documentation needed to implement the proposed contract. (21-566). (Public Works Director)

Attorney Garganese read Ordinance No. 10-2021 into the record, by title only as follows. He advised this was the second and final reading, proposing the adoption of a new solid waste franchise.

ORDINANCE NO. 10-2021
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA, APPROVING A SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE

CITY OF COCOA AND WASTE MANAGEMENT OF FLORIDA, INC., ATTACHED HERETO; ESTABLISHING SOLID WASTE SERVICE CHARGES AS PROVIDED BY SECTION 9-37 OF THE CITY OF COCOA CODE OF ORDINANCES; PROVIDING FOR ANNUAL INCREASES IN SERVICE CHARGERS EQUAL TO THE CONSUMER PRICE INDEX FOR GARBAGE AND TRASH; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY AND AN EFFECTIVE DATE.

Ms. Morgan noted this was the second reading of the ordinance.
Mayor Blake closed this portion to the Council and opened the hearing to the public.

Aleck Greenwood, 640 Brevard Avenue, Cocoa, spoke in regards to this and noted the transition to the yard waste and the way it needs to be picked up. He mentioned that there are some without a computer and that the way you have to follow up with Waste Management is different. He explained that Ms. Senger is providing two different numbers for the public to call. He thanked a Public Works employee who helped get his concerns taken care of.

There being no further comments from the public, Mayor Blake closed the public hearing and returned it to Council.

* MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to approve Ordinance No. 10-2021 on $2^{\text {nd }}$ and Final Reading: Approving the proposed solid waste contract/franchise with Waste Management Inc. of Florida to provide residential and commercial solid waste services within the incorporated city limits of the City of Cocoa. Authorize the Mayor, City Manager, and City Attorney to execute all documentation needed to implement the proposed contract.

AYES: Blake, Goins, Dyal, Hearn, Koss

## THE MOTION CARRIED UNANAMOUSLY (5-0)

2. Approve Final Fire Assessment Resolution 2021-082 and the Non-Ad Valorem Assessment Roll for Fire Protection Assessment Fiscal Year 2022. (21-571). (Finance Director)

Ms. Bowman explained this was the Final Fire Assessment Resolution which includes the 3\% increase.

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

* MOTION by Mayor Blake; Seconded by Councilmember Dyal, to approve the Final Fire Assessment Resolution 2021-082 and the Non-Ad Valorem Assessment Roll for Fire Protection Assessment Fiscal Year 2022.

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
3. Accept Stantec's FY 2021 Stormwater Rate Study Update and Approve the Final Stormwater Assessment Resolution \# 2021-083, and the Non-Ad Valorem Assessment for Stormwater Utility Services, Fiscal Year 2022. (21-572). (Finance Director)

Ms. Bowman explained that this was the second and final reading of the Stormwater Assessment Resolution. She further pointed out that the annual rate study is performed by Stantec in order to ensure that rates are sufficient.

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

* MOTION by Councilmember Hearn; Seconded by Councilmember Dyal to Approve the Final Stormwater Assessment Resolution \# 2021-083, and the Non-Ad Valorem Assessment for Stormwater Utility Services, Fiscal Year 2022.

Councilmember Koss stated that when the Stormwater Management Plan was set up there was supposed to be a way to get a credit. Ms. Morgan advised that there is a policy in place which was approved by the City Manager and it is available on the Stormwater Assessment site. Ms. Morgan further noted the policy has not been revised from the original one.

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
Ms. Bowman clarified that the vote was for the whole requested action.
THE MOTION WAS RESCINDED.

* MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to Accept Stantec's FY 2021 Stormwater Rate Study Update and Approve the

Final Stormwater Assessment Resolution \# 2021-083, and the Non-Ad Valorem Assessment for Stormwater Utility Services, Fiscal Year 2022.

AYES: Blake, Goins, Dyal, Hearn, Koss

## THE MOTION CARRIED UNANAMOUSLY (5-0)

4. Conduct a Public Hearing on the tentative millage rate and tentative budget and:
(a) Adopt Resolution No. 2021-080 adopting a tentative millage rate of 6.4532 mills, for the City of Cocoa, commencing on October 1, 2021 and ending on September 30, 2022.

Mayor Blake advised there are two portions to this public hearing and the first part would be accepting the millage rate.

Ms. Bowman advised that at this meeting they would be adopting a tentative Millage Rate for FY 2022 as well as Tentative Budget for FY 2022. She further pointed out that this process started in March and she shared a timeline of the budget process, which included several workshops and meetings that were held in order to discuss the budget.

Ms. Bowman provided a presentation ${ }^{1}$ and reiterated that tonight they would adopt a tentative millage and budget and also set a second public hearing for September 29,2021 . The budget must be balanced by October $1^{\text {st }}$.

She explained that at the July 27, 2021 Council meeting, Council set a tentative millage rate of 6.4532 in a unanimous vote of (5-0) and reminded Council that they could go down down but not up at this time. The budget was developed with the additional revenue and a few of the union agreements were being approved tonight. There was some wage pressure and the budget includes that to recruit and retain staff.

Ms. Bowman provided a historical review of the Ad Valorem Tax Base as well as a taxable comparison and millage rates of other cities Brevard County.

She reviewed what this impact would have for a single-family property owner and pointed out that about $89 \%$ of Cocoa property owners are under $\$ 200,000$. An example of a tax bill was shown and explained.

1 EXHIBIT A: FY 2022 Budget Presentation

The FY 2022 TRIM Rate options were shared as well as reductions to Ad Valorem due to the required TIF payments to the CRA's in the general fund.

Councilmember Koss commented and stated that by principal she is not against raising fees and taxes and she advocated and championed for the stormwater plan because we need to be prepared. She is also not against salary increases. We need to elevate and be competitive, and to be able to provide essential services with quality staff. She supports the proposed budget but not with the millage rate increase. They did meet and voted that they needed to raise the millage. At that time she did not feel they had any alternatives. The more she has talked with supporters and constituents the more she has reflected on this. She is really concerned because five months ago now, we met to spend $\$ 8$ million in assigned funds that had accumulated over many years. This is more than we make in Ad Valorem in one year. There were needs which she pointed out and there were also discretionary items in that $\$ 8$ million.

This increase will generate $\$ 800,000$ and there were discretionary items in that money. She would like to see that $\$ 800,000$ covered by reprioritizing those discretionary items and moving those assigned funds into the operations budget.

She felt it was prudent and considering the $\$ 8$ million, it would be more reflective that we do not have the increase and put this on the average Cocoan's back. It is especially important this year as many Cocoan's on average did not do as well as our staff did. We voted for an increase in Waste Management, stormwater, and a utility increase. All of these add up so we are chipping away at the money in our taxpayer's pockets. She wants our employees to have fair wages and to be able to provide quality services, but feels there is a better way to get there without it being on the backs of citizens. She felt this would be a sound, good governmental approach to doing it this way and asked for two others to vote with her against the millage increase, they would ask staff to go back and reprioritize and postpone some of those more luxury items that were identified out of the $\$ 8$ million.

Councilmember Dyal stated that in the last election the citizens of Florida voted to raise the minimum wage. He provided statistics and costs relating to what an employee/employer has to pay and discussed operating costs as well. he felt that if the millage was not raised we would be in serious trouble in the next four years. We do not want this but the way things are going, we have to raise things.

Mayor Blake closed the public hearing to Council and opened to the public.

Steve Murphy, 3733 North Sherwood Circle, Cocoa, heard all of Councilmember Dyal's comments and stated that all of those paying taxes have to work that into their budget as well. He lives on a fixed income. He spoke about how the increases would affect him personally and provided statistics of how much of Cocoa's revenue has increased in the last two years. He pointed out that councilmembers are homeowners too and these increases are disproportionate for what the taxpayers get.

Frank Sullivan, 1705 Indian River Drive, Cocoa, advised that you can run a big business and when you do like Cocoa does you end up with money in reserves and then ask the citizens to pay increases. In March, when the budget process began there was $\$ 8$ million unspent. With that money, they let everyone do what they wanted to do. He felt that some of the things they gave out money for was unnecessary, as well as making improvements at one of the nicest parks in Cocoa. He felt the City needed to be more cautious on how they spend this money and to come back and ask the citizens for more money is somewhat of an embarrassment.

Jennifer Riggs, 1629 Indian River Drive, Cocoa, explained that if a person has a savings account and realized that they could not pay rent or a car payment, they would not spend the money on other projects. The City Manager was to be commended for finding the $\$ 8$ million and while some of the projects make sense some do not. She asked Council to rethink them and to possible rescind some of their votes. She is not a mind reader but believes that the new Chief of Police will have some big asks next year. She also reiterated what Representative Sirois spoke about earlier in regards to grants and matching of funds. She asked that the increase be postponed.

Keno Diefenderfer, 506 Donley Street, pointed out that they spent money on Provost Park due to drug dealers. He felt that was a good idea but not if the millage is continuously raised.

Mayor Blake closed the hearing to the public.

Mayor Blake read into the record, the following public announcement:

- The City of Cocoa is the taxing authority
- The rolled-back rate is 5.8749
- The millage rate of 6.4532 is a tax increase of $9.84 \%$ as a percent change of the rolled-back rate
- The millage rate to be levied is 6.4532

The requested action is to Approve Resolution No. 2021-080, adopting the tentative millage rate of 6.4532 mills. for the City of Cocoa, commencing on October 1, 2021 and ending on September 30, 2022.

MOTION by Mayor Blake; Seconded by Councilmember Dyal, to Approve Resolution No. 2021-080, adopting the tentative millage rate of 6.4532 mills. for the City of Cocoa, commencing on October 1, 2021 and ending on September 30, 2022.

## AYES: Blake, Goins, Dyal, Hearn

NAYS: Koss

## THE MOTION CARRIED (4-1)

(b) Adopt Resolution No. 2021-081 adopting the FY2022 tentative budget and CIP for the City of Cocoa Fiscal Year, commencing on October 1, 2021 and ending on September 30, 2022. (21-573). (Finance Director)

Ms. Bowman explained the Fund Balance Policy in detail as well as the FY 2022 Tentative Budget versus the FY 2021 Adopted Budget.

She discussed the FY 2022 General Fund, Water/Sewer \& Impact Fee Funds, and Stormwater Fund revenue by funding source and spoke in detail about the increases and why they were there.

Ms. Bowman further explained the FY 2022 Expenses, comparing FY 2022 with the FY 2021 budgets. The general fund capital budget was explained, including purchases and deferred capitol purchases.

The FY 2022 Tentative Budget was discussed in furtherance and in closing, she explained that all five unions have new agreements which include pay plan adjustments as well as salary increases. Also, there is a new department/division which is IT.

Mayor Blake closed the public hearing to Council and opened it to the public.
There being no response, he closed the public hearing and returned it back to Council.

* MOTION by Councilmember Hearn; Seconded by Councilmember Dyal, to Approve Resolution No. 2021-081 adopting the FY2022 tentative budget
and CIP for the City of Cocoa, for the Fiscal Year, commencing on October 1, 2021 and ending on September 30, 2022.

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
Ms. Bowman pointed out that the Second Public Hearing would be September 28,2021 at 6 p.m. and they would adopt final millage and budget.
VII. Council Business:

1. Approve the extension of the expiration date of Resolution 2021-013 from September 30, 2021 to December 31, 2021, to continue to allow expanded outdoor dining options due to the Covid 19 pandemic. (21-587). (Interim Community Services Director)

Ms. Neuterman reminded Council that the expiration of the resolution is September 30, 2021. She reminded Council of what restaurants are participating in this and that with the new strains of Covid staff is recommending this be extended through December 31, 2021.

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

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
2. Consider the reappointment of Ms. Sherry Woodhouse as a member of the General Pension Board through September 30, 2024. (21-598). (Administrative Services Director)

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANAMOUSLY (5-0)

## VIII. City Business:

1. Accept Stantec's FY 2021 Water/Sewer Revenue Utility Revenue Sufficiency Analysis - Final Report and Approve a Resolution Amending the Utility Handbook's Policies and Procedures. (21-526). (Finance Director)

Ms. Bowman explained this motion included two items. The first was to accept Stantec's FY 2021 Water/Sewer Revenue Utility Revenue Sufficiency Analysis Final Report. She noted that the findings had been presented to them at a previous workshop.

Additionally, there were changes to the Utilities Handbook and she pointed out those key changes.

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

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
2. Approval of Ordinance 13-2021 on first reading regarding updates to the Special Events Ordinance. (21-607). (Assistant to the CM/PIO)

Attorney Garganese read Ordinance No. 13-2021 into the record, by title only, as follows and noted this was the first reading. This was proposing technical amendments to the special events ordinance.

ORDINANCE NO. 13-2021
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE XI OF THE CITY CODE RELATING SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Ms. Senger explained in detail what the changes entail and that the biggest change was giving the City Manager the approval to approve and waive fees on certain events as opposed to having to bring those items before Council every time.

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


## AYES: Blake, Goins, Dyal, Hearn, Koss

## THE MOTION CARRIED UNANAMOUSLY (5-0)

3. Approve the three-year contract between the City of Cocoa and the Central Florida Police Benevolent Association (CFPBA) for the contract term of October 1, 2021 through September 30, 2024. (21-616). (Administrative Services Director)

Ms. Gemmati noted that they have had three successful contract renewals which included a lot of administrative clean-up as well as salary adjustments.

Mayor Blake congratulated staff and the City Manager on successful negotiations.

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

AYES: Blake, Goins, Dyal, Hearn, Koss
THE MOTION CARRIED UNANAMOUSLY (5-0)
4. Approve the three-year contract between the City of Cocoa and the International Association of Firefighters (IAFF) for the contract term of October 1, 2021 through September 30, 2024, contingent on the IAFF ratification vote results. (21-619). (Administrative Services Director)

Ms. Gemmati advised that the police voted last week and ratified their contract and because of the agenda deadline, the union votes are scheduled differently and theirs will end on Thursday, September $16^{\text {th }}$. She noted if they do not prevail they would come back to Council.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

THE MOTION CARRIED UNANAMOUSLY (5-0)
City Manager Whitten added that as a part of the negotiations they agreed to allow an incentive pay to dispatchers under the American Rescue Funding. They will be getting a one-time lump sum similar to what other first responders received from the state.
5. Approve the three-year contract between the City of Cocoa and the Laborers' International Union of North America (LIUNA) Local 630 Union for the contract term October 1, 2021 to September 30, 2024, contingent on LIUNA having a passing ratification vote. (21-623). (Administrative Services Director)

Brian Green, 5400 Fay Blvd., Port St. John and an employee, felt it was an honor to work and represent others for the City of Cocoa. He was asked to come before them to express their extreme pleasure they had conducting the negotiations. The City was extremely understanding and they are very happy with the offer brought forward and wanted to give their gratitude.

Ms. Gemmati added this was another pending vote and their voting begins tomorrow at 7 a.m. and would be done during three different workshops.

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

AYES: Blake, Goins, Dyal, Hearn, Koss

## THE MOTION CARRIED UNANAMOUSLY (5-0)

## Multi-Year Contracts:

None.

## IX. Informational Agenda:

1. Proposed Backyard Chicken Ordinance to be presented at a later meeting for adoption by Council. (21-617). (Interim Community Services Director)

## X. Reports:

City Manager Whitten added a follow-up to the contract negotiations and thanked Ms. Gemmati, Mr. Walsh, Mr. Smith, Ms. Bowman, Chief Lamm, and Chief Collier for their time in these negotiations. These are not easy and they did a lot of work.

Chief Lamm provided an update on Covid and they are seeing a seven day average with about 370 new cases per day. About $56 \%$ of Brevard County is fully vaccinated. While there is a downward trend in the numbers of positive cases, we are still two times higher than this time last year. In Orlando, $25 \%$ of the cases are in children and in Orlando they just had an infant die of Covid-19. He was stressing the importance of continuing to following the CDC guidelines.

Chief Lamm further spoke in regards to hurricane season. He reminded everyone of Hurricane's Matthew and Irma and stated that we are in the active part of hurricane season. He requested that everyone stay vigilant and be prepared.

Lastly, he reminded everyone that next week is the first week of fall and we will see flu numbers rise.

Councilmember Koss recognized Vaya Space, who they visited on a recent manufactures tour. They have manufacturing facilities in Cocoa in the industrial park but also have an office in downtown Cocoa. They were nominated for the Edward Lowe Foundations "GrowFL Companies to Watch 11th Annual

Competition". They celebrate second-stage entrepreneurs that have promising growth in revenue and employment. They were selected from 300 nominations across the state and were one of five finalists on the Space Coast.

Councilmember Koss stated it was an honor to serve as an elected official and that it is not always fun, but the meeting in Cocoa Hills with the Police Chief and the 9/11 Stair Climb event were fun. She further noted that this is budget season and this has been a learning year. She credited the City Manager and felt that he has done a good job explaining the basis for policies and that things would be different next year. She has learned some important lessons this budget year. Koss noted politics is about compromises. We represent our own constituents, but all of us take a vow to represent the overall best interest of the city. Politics isn't dirty in and of itself, it's how you play the game. She stated that she prefers to play it clean and that she's looking forward to a new year and process. and noted that politics is about compromise and we take an oath to represent all citizens in Cocoa. It is not dirty but it is the way you play the game. She will feel better by representing her people and playing it clean. She is looking forward to next year ${ }^{2}$ -

Councilmember Hearn spoke about the $9 / 11$ Stair Climb event and thanked the Fire Union for this event. There were people from all around and it was great.

He spoke of his attendance at the Space Coast League of Cities Meeting yesterday and met a Commander from the space industry. There is a lot of innovation being rolled out and promised to continue bringing information like this to citizens.

Councilmember Dyal also mentioned his attendance at his first Space Coast League of Cities meeting last night. He asked about the December meeting that the City hosts and that he has no problem with it as long as they follow protocol.

Mayor Blake would like to bring this issue back to the September $28^{\text {th }}$ meeting.
Councilmember Dyal thanked staff and stated they have all been doing a great job.
Councilmember Hearn concurred and thanked staff and the City Manager for working on the negotiations as well as the budget.

Deputy Mayor Goins spoke about the 9/11 Stair Climb event and appreciates all that our first responders do.

[^0]He advised that Dalyn Simms received a $\$ 2,000$ scholarship from Space Coast League of Cities. He is a Rockledge graduate and he congratulated him.

Deputy Mayor Goins announced that the next Diamond Square CRA meeting would be held at the Joe Lee Smith Center on Monday, September 20, 2021 at 6 p.m.

In closing, he appreciates residents phone calls and appreciates what they have to say. He further appreciates the arguments and the disagreements and stressed that decisions were not always easy. It was important to stay together and to stay strong. He was willing to stick up for any of them and hopes they would do the same for him.

Mayor Blake thanked all who were watching and all who were in attendance. He thanked the City Manager and staff as this is a tough job and not one said it would be easy. There are power in numbers and believes in being "Cocoa Strong".

He gave a shout out to the Cocoa Tigers and thanked all of staff and had a great time at the 9/11 Stair Climb event.

## XI. Adjournment:

* MOTION by Councilmember Deal; Seconded by Mayor Blake, to adjourn the Regular meeting of September 14, 2021.

AYES: Blake, Goons, Deal, Yearn, Mos

## THE MOTION CARRIED UNIMOUSLY (5-0)

## The meeting adjourned at 7:55 p.m.



## ATTEST:



SEAL



Set 2nd Public Hearing - September 28, 2021 at
6:00p.m., Cocoa City Hall, 65 Stone Street, Cocoa,
FL 32922
$>$ The City must have a balanced budget by October 1, 2021
StiM Muth In Milage) Process
: Adopt the FY 2022 City of Cocoa Tentative Millage Rate
Note: The tentative millage rate cannot exceed the millage rate of 6.4532 approved
by City Council on July 27, 2021, by unanimous vote (5-0).
The FY 2022 Budget was developed with assumptions of Ad Valorem Revenue at
6.4532 Mills @ 97\% (State requires at least 95\%), to support ongoing operational
needs and wages, in an attempt to attract and retain staff and to maintain core
governmental services.
Step 2


FY2009FY2010 FY2011FY2012 FY2013FY2014FY2015FY2016FY2017 FY2018FY2019FY2020FY2021FY2022
\$1,400,000,000
Historical Review - Ad Valorem Tax Base

FY2009-FY2021 is based on the Final Taxable Value. FY 2022 2.25\% of the increase due to new construction


# City 

\section*{each} | 1 | Satellite Beac |
| :--- | :--- |
| 2 | Titusville |
| 3 | Palm Bay |
| 4 | Indialantic |
| 5 | Melbourne |
| 6 | Cocoa |
| 7 | Rockledge |
| 8 | Cocoa Beach |
| 9 | Melbourne Be |
| 10 | *Cape Canave |

# Current 

8.6312
7.2145
7.8378
7.0923
6.8685
5.9790
6.0500
5.8294
4.2885
3.6396

| olled-back | Proposed |
| :--- | :---: |
| 8.1872 | 8.6312 |
| 6.8586 | 8.2461 |
| 7.4142 | 7.8378 |
| 6.8211 | 7.0923 |
| 6.6501 | 6.8685 |
| 5.8749 | 6.4532 |
| 5.8758 | 5.9900 |
| 5.5431 | 5.9544 |
| 4.5151 | 4.9264 |
| 3.5755 | 3.5755 |

.4742 022 Tentative Rate is Rate Verses FY 202 ge City of Cocoa's FY 2021 Milla

## чэеәя әииnoqıəW <br> *Cape Canaveral





$\$ 6,626,904$


FY 2022 Millage Options Budgeted @ 97\%
 \$7,179,241
$\$ 7,306,453$


##  <br> General Fund <br> The <br> 0nI <br> Payments To The ORAs From


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$$
\begin{aligned}
& \checkmark \text { The City of Cocoa is the taxing authority } \\
& \checkmark \text { The rolled-back rate is } 5.8749 \\
& \checkmark \text { The millage rate of } 6.4532 \text { is a tax increase } \\
& \text { of } 9.84 \% \text { as a percent change of the rolled- back rate } \\
& \checkmark \text { The millage rate to be levied is } 6.4532 \\
& \text { Requested Action: } \\
& \text { Approve Resolution No. 2021-080, adopting the tentative } \\
& \text { millage rate of } 6.4532 \text { mills. for the City of Cocoa, } \\
& \text { commencing on October 1,2021 and ending on Septem } \\
& 30,2022 \text {. }
\end{aligned}
$$




Ensure adequate money for emergencies - stabilization reserve (committed)





$\$ 19,279$

FY 2022
Tentative

\$1,811,269
\$1,811,269




Total General Fund Capital : \$1,412,446
P25 Radio Replacement (Fire and Police)
Fire Inspector Vehicle
Nissan Frontier
Excavator
Maintenance Truck
Ford Ranger
Heavy Truck Column Lift
Heavy Truck Bay Bridge Crane
Elevator Control Boards
Electric Transit Van
Replacement Van
Annual Paving
Porcher House
ADA Kayak Launch
ADA Kayak Launch
Traffic Response Trailer
Fire Inspector Vehicle
Nissan Frontier

> Excavator
Deferred General Fund Capital:
Fire Pumper Truck - Grant Revenue if Awarded or Assigned Fund Balance Fleet Faster Upgrade
Police Vehicles - (6) of the (14) requests moved to FY23


| WATER/SEWER FUND BY DIVISION | FY 2021 <br> Adopted | FY 2022 <br> Tentative | VARIANCE | \% <br> VARIANCE |
| :---: | :---: | :---: | :---: | :---: |
| Inventory | \$115,638 | \$123,090 | \$7,452 | 6.4\% |
| Utility Support Services | \$1,701,530 | \$1,836,826 | \$135,296 | 8.0\% |
| Water Admin. | \$42,047,650 | \$36,501,822 | $(\$ 5,545,828)$ | (13.2\%) |
| Emergency/Disaster | - | - | - | - |
| Dyal Plant Operations | \$13,799,810 | \$15,338,692 | \$1,538,882 | 11.2\% |
| WFO/Water Collections | \$9,232,366 | \$9,288,747 | \$56,381 | (0.6\%) |
| Engineering | \$2,245,318 | \$3,342,483 | \$1,097,165 | (48.9\%) |
| Sellers Plant Operations | \$3,565,931 | \$3,643,579 | \$77,648 | (2.2\%) |
| WFO/Waste Water Collections | \$2,478,744 | \$3,233,274 | \$754,530 | 30.4\% |
| TOTAL | \$75,186,987 | \$73,308,513 | $(\$ 1,878,474)$ | (2.5\%) |




$$
\begin{aligned}
& \text { FY } 2021 \\
& \text { ADOPTED }
\end{aligned}
$$

## $\$ 17,087,660$ $\$ 28,889,540$

\$979,322
\$0
$\$ 28,229,265$
$\$ 75,186,987$

TOTALS

Debt Service
人 $\downarrow 0 \supset \exists I \forall O$
Personal Services
Operating
Capital
Other

Water/Sewer
FY 2022



| DIVISIONS | INFRASTRUCTURE | MACHINERY \& EQUIPMENT | IT HARDWARE | TOTALS |
| :---: | :---: | :---: | :---: | :---: |
| Dyal Plant | \$250,000 | \$200,000 | \$250,000 | \$700,000 |
| Engineering | \$1,715,000 | \$0 | \$0 | \$1,715,000 |
| Sellers Plant | \$1,300,000 | \$0 | \$1,363,371 | \$2,663,371 |
| WFO/Waste <br> Water Collections | \$375,000 | \$0 | \$0 | \$375,000 |
| TOTALS | \$3,640,000 | \$200,000 | \$1,613,371 | \$5,453,371 |



- Raw Water Well Rehab
- $\quad$ SCADA
- $\quad$ Program Management
- $\quad$ Mane Improvements
- Manhole Assessments/Rehab
- Miscellaneous Vehicles
- Miscellaneous Machinery
Grant Funded Capital is not Budgeted until Award


## FY 2022 Tentative Budget vs. FY 2021 Adopted Budget by Stormwater Fund Category

FY 2021
ADOPTED
$\$ 647,688$
$\$ 640,240$
$\$ 542,620$
$\$ 1,830,548$
$\$ 573,350$
$\$ 757,919$
$\$ 480,000$
$\$ 1,811,269$
Operating
$35.0 \%$


$4 \%$
$78 \%$
$16 \%$
633\%
ลั

| $\overparen{\circ}$ |
| :--- |
| $\stackrel{0}{0}$ |
| $\stackrel{0}{0}$ |

ले
4\%
(99\%)
(6\%)



$\square$ Public Comment on $1^{\text {st }}$ Public Hearing for
FY2022 Tentative Budget and CIP
Requested Action:
$\square$ Approve Resolution No. 2021-081 adopting the Fiscal Year
2022 tentative budget and CIP for the City of Cocoa, for the
Fiscal Year commencing on October 1, 2021 and ending on
September 30, 2022 .


[^0]:    ${ }^{2}$ Minutes amended by Councilmember Koss at the Regular City Council meeting on10/12/2021.

