MINUTES
City of Cocoa
Regular Meeting of The City Council

July 23, 2024

A Regular City Council Meeting was held on Tuesday, July 23, 2024, 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.

Councilmember Barringer provided the invocation and Kathy Hamilton Brown led the assembly in the Pledge of Allegiance.

The City Clerk took the roll.

PRESENT:	Michael C. Blake	Mayor
	Lavander Hearn	Deputy Mayor
	Matthew Barringer	Councilmember
	Alex Goins	Councilmember
	Lorraine Koss	Councilmember
	Anthony Garganese	City Attorney
	Stockton Whitten	City Manager
	Monica Arsenault	City Clerk

ABSENT:

OTHER STAFF MEMBERS PRESENT:

Abby Morgan, Public Works Director; Rebecca Bowman, Finance Director; Lora Howell, Deputy Finance Director; Dara Hennessey, Deputy Fire Chief; Charlene Neuterman, Community Services Director; Evander Collier, Police Chief; Jack Walsh, Utilities Director; Tammy Gemmati, Administrative Services Director; Robert Beach, Chief Technology Officer; Mitch Lawyer, Systems and Support

Manager; Corbin Gilbert, Help Desk Support Tech; Tiffany Bonadio, Fire Admin Coordinator; and Alyssa Backer, HR Coordinator.

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of July 23, 2024. (24-411).

* **MOTION by Mayor Blake; Seconded by Councilmember Goins to approve the agenda for the Regular meeting of July 23, 2024 with an amendment to add Council Business VII.5, naming the Cocoa Conservation Hiking Trail after Gregg Stoll, City Business VIII.4, to negotiate a multi-year contract with Truist Bank, and City Business VIII.5, to apply for two water quality grant programs.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Minutes: (a) Regular City Council Meeting Minutes of May 14, 2024 (24-402).
(b) Regular City Council Meeting Minutes of May 28, 2024. (24-403).

* **MOTION by Councilmember Goins; Seconded by Mayor Blake to approve the minutes for the Regular City Council meetings of May 14, 2024 and May 28, 2024 as written.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Presentation of the City of Cocoa's 2024 "Cocoa Works" Summer Youth Employment Program. (24-394). (Administrative Services Director)

Ms. Gemmati talked about the Cocoa Works Summer Youth Employment Program and Ms. Backer presented each intern with a graduation certificate for completion of the program.

~~2. Cocoa High School's Tiger Pride Awards presented by Cocoa High School's Principal, Denise Stewart. (24-373). (Cocoa High School Principal)~~

3. Brevard Schools Foundation Presentation of the City of Cocoa Jump Start Scholarship recipient. (24-393). (Administrative Services Director)

Nina Moser, Director of Development at Brevard Schools Foundation, presented Joshua Brown with the City of Cocoa Jump Start Scholarship recipient.

4. Sister City Presentation. (24-408). (Mayor Blake)

Diana Watson, of the Sister City program, read a letter from Shmuel Greenberg, Mayor of Beit Shemesh into the record. Mr. Greenberg introduced himself and talked about the importance of the strong partnership with the City of Cocoa. He shared that he would like to meet face to face and discuss ways in which to further strengthen the alliance between the two cities.

IV. Delegations:

JB Dennis, 3710 Catalina Dr., Cocoa, shared he is advocating for the homeless. He believes that the current Cocoa Council does not care about the homeless and he will be out in the community encouraging the public not to vote them back into office.

In response, Councilmember Barringer noted that he shared a plan to address the homelessness issue at the last meeting.

Katie Delaney, County resident, thanked Councilmember Barringer for his service and for stepping up for his community. Additionally, the last time that she came to a meeting she asked that election and campaign information be added to the City's website for transparency. She also asked that citizens have a say in who is selected to serve the remainder of Councilmember Barringer's term.

Kristin Lortie, 5524 Brilliance Cir., Cocoa, reiterated Ms. Delaney's sentiments and asked that election information be added to the City's website. She has looked at other surrounding cities' websites and found that they are more transparent in sharing their election information. She would like to see this information included on the City's website, social media or the FYI newsletter.

Furthermore, she talked about the Clearlake Road project and while she understands it is an FDOT project she would like to know what the city could have done to make this better.

In response, Councilmember Koss shared that Clearlake Road is a dangerous by design road and there have been fatalities there. She understands that people are upset with the project and you have to be very attentive while driving along that road. The construction will continue for about another year but she is confident that

when it is complete, it will save lives. It will ensure that people slow down and stop speeding.

Heather Barringer, 1016 Gray Road, Cocoa, shared that she has watched her husband for many years and knows that he has always made decisions with a big heart and for the betterment of the community.

With that being said, she hopes that Council will consider some of the things that he has said regarding Cocoa's school ratings. A C rated school means that two thirds of the students are unable to read. She implored Council to hold the proper people accountable for the jobs that they were selected to do.

V. Consent Agenda:

(A) General Consent Items:

1. Announcement of Mayor Blake, Deputy Mayor Hearn, Councilmember Goins and Councilmember Koss to Attend the Florida League of Cities Annual Conference from August 14, 2024 - August 18, 2024. (24-383). (Administrative Services Director)

2. Approve a Resolution to Waive Competitive Bidding for the purchase of Six (6) Police vehicles & associated equipment; Approve a Resolution Amending the FY-2024 Budget, BAF#24-110-T1 (AFBP21 $122,000) and T2 (AR24PV $244,000). Approve Budget Transfer, Authorize City Manager to execute Purchase Order for the purchase of vehicles & equipment. (24-397). (Public Works Director)

3. Authorize City Manager to execute a Change Order to PO # 81307 in the amount of $23,000 due to an increase in price of JET-VAC 900-12 Yard Truck Mounted Combination Sewer Jet Vacuum Sewer Cleaner. (24-398). (Public Works Director)

4. Approve a Resolution Amending FY- 2024 Budget, BAF#24-111-T transferring Funds through the reallocation of CSLFRF monies ($39,987) for purchase of a Hamm 40" Double Drum Road Roller Vibrator from Dobbs Equipment of Palm Bay Florida. (24-399). (Public Works Director)

(B) Multi-Year Contracts:

5. To Approve a Multi-Year Task Order 2024-07 with Mead & Hunt, Inc. for Engineering Services for the Design, Permitting and Services to Replace the

Day Dock Facility and RipRap Revetment at Lee Wenner Park. (24-335). (Public Works Director)

6. Approve the multi-year contractual service agreement for three years effective10/1/24 (FY25) to assign Dr. Larissa S. Dudley for the City's Emergency Medical Service system to undertake the duties and responsibilities of the Medical Director, pending the Adoption of the FY25 Budget. (24-400). (Fire Chief)

7. Request approval of a multi-year contract for information technology critical infrastructure from 7/23/24 to 7/23/29 in the amount of $276,000 and approval of BAF # 24-112-T-IT-********** to provide adequate funding in FY24 for the contract costs. (24-386). (Finance Director)

*****This Item is Confidential per FS 119.0725 and Not for Public Release*****

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss to approve the Consent agenda.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VI. Public Hearings:

1. Approve the first reading of Ordinance 10-2024 providing for the Cocoa Ad Valorem Tax Abatement Program Extension to appear on the referendum ballot extending the program for an additional ten (10) years. (24-387). (Director of Comm. & Economic Development)

City Attorney Garganese announced that this is the First Reading and read the title into the record as follows:

Ordinance 10-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; PROVIDING FOR A REFERENDUM ELECTION AND BALLOT LANGUAGE FOR THE NOVEMBER 5, 2024 ELECTION OR AN ELECTION SCHEDULED THEREAFTER PROVIDING FOR AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION PURSUANT TO SECTION 196.1995, FLORIDA STATUTES; PROVIDING FOR COORDINATION WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

Councilmember Koss inquired about the total value of the abatement for Walmart. In response, City Manager Whitten shared that it is generally $300,000 or so per

year which would total somewhere between $1.6 and $1.9 million over the course of five years.

Councilmember Koss explained that this is a tool that can be used at their discretion. In this case, she will support it but she will be resistant in using it unless it presents the City with an advantage that they wouldn't have otherwise.

Ms. Lortie talked about the discussion that was held at the County meeting, particularly the comments made by Commissioner Tobias. She is not supporting or opposing it, but as a citizen she finds the discussion helpful, especially when voters will be voting on it and they should be educated.

* **MOTION by Councilmember Goins; Seconded by Mayor Blake to approve Ordinance 10-2024 on First Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Second Reading of a Land Development Code Text Amendment to Appendix A, Article XI, Section 19 of the Code of Ordinances of the City of Cocoa to add truck parking facilities to the list of permitted uses in the M-2 zoning district and to provide a definition of truck parking facilities. (Planning Consultant)

City Attorney Garganese announced that this is the Second and Final Reading of Ordinance 07- 2024. He read the title into the record as follows:

Ordinance No. 07-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING THE ZONING ORDINANCE OF THE CITY OF COCOA TO ADD TRUCK PARKING FACILITIES TO THE LIST OF PERMITTED USES IN THE M-2 ZONING DISTRICT; PROVIDING A DEFINITION OF TRUCK PARKING FACILITIES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.

Attorney Garganese shared that there have been a few changes made since the First Reading and asked Mr. Patrick Murray from RVi Consulting to elaborate on those changes.

Mr. Murray shared that since the last meeting, the applicant had requested a slight change to the landscaping requirements and it was added that landscape shall be

designed and placed in a manner which will not impair vehicle visibility at the corners of intersections or ingress and egress of drives.

Mayor Blake opened the Hearing to the public.

There being no questions or comments, the public portion of the Hearing was closed.

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Hearn to approve Ordinance 07-2024 on Second and Final Reading.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Request to Postpone Consideration of a Zoning Map Amendment consistent with Appendix A, Zoning, Article XXI, to change the Zoning Map designation of eleven parcels totaling 1.39 acres, with the address 301 S. Cocoa Blvd., from C-P, Commercial Parkway, to C-N, Neighborhood Commercial. (Planning Consultant) (24-410). (Planning Consultant)

Mayor Blake opened the Hearing to the public.

There being no questions or comments, the public portion of the Hearing was closed.

* **MOTION by Councilmember Koss; Seconded by Deputy Mayor Hearn to postpone the item to the October 8, 2024 Regular City Council meeting at 6pm at Cocoa City Hall.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VII. Council Business:

1. Provide direction on the District 4 Brevard County Parks and Recreation Interlocal Agreement. (24-325). (Public Works Director)

City Manager Whitten shared that the city has been going back and forth with the County for many years over this. Our agreement with them expired back in 2011.

On April 24, 2024, Brevard Board of County Commissioners approved direction to staff regarding the proposed Interlocal Agreement with the City of Cocoa for the operation and maintenance of Cocoa parks with the following options: 1) Present the proposed Interlocal Agreement to the City of Cocoa as is for their approval by October 1, 2024. 2) If the City does not approve the Interlocal Agreement by July 31, 2024, the County will notify the City that it will cease to maintain the City of Cocoa Parks on October 1, 2024, at the beginning of the fiscal year.

Staff is requesting approval of the Interlocal Agreement; however, the City of Cocoa is proposing to take over operations of Cocoa Manor, Carl Anderson and Gilmore Parks.

Ms. Lortie shared that she watched the budget meeting on July 10, 2024. She shared some of the comments made by Commissioner Goodson at the County meeting. She was unable to advocate on Cocoa's behalf because she has concerns as well. She feels that there is a lack of citizen input, particularly in the District 4 parks budget.

Councilmember Goins shared that he does not like this agreement at all. He is disturbed that certain Commissioners will make comments about something they don't know much about. They don't visit the parks regularly and they don't have enough respect to reach out to our administration to have a conversation. While he doesn't like the contract, he understands the necessity of it due to financial restraints. He feels that the parks should be a shared responsibility because it isn't just Cocoa residents that use the parks, they are utilized by residents from all over.

City Manager Whitten shared that one of the pros about the agreement is that there is a standard level of service that the County will be responsible for. Staff will have to make periodic checks at the parks to make sure that those levels of service are being maintained. He provided further clarification to comments made by citizens and Council.

Councilmember Barringer shared that he received a lot of feedback about the splashpad at Junny Rios park which is why he suggested nixing the project. He also requested that all of Council consider making a budget cut from their District Parks to make it fair and equitable and use those funds for something else.

Councilmember Barringer spoke in regard to language in Section 4 of the agreement that he feels is outdated. Under the current language, it discriminates against the transgender community and he has concerns on how the city would address that, particularly when it comes to the utilization of restrooms. In response, Attorney Garganese provided a point of clarification and shared that he does not believe the intent of the language written in the agreement is there to discriminate against any individual.

* **MOTION by Mayor Blake; Seconded by Councilmember Barringer to approve the District 4 Brevard County Parks and Recreation Interlocal Agreement.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Koss

NAYES: Goins

THE MOTION CARRIED (4-1)

2. Brightline Update. (24-416). (City Manager)

City Manager Whitten provided a background on the Brightline project. He also shared that he, along with Mayor Blake will be traveling to Washington D.C. for meetings related to this project.

Ryan Seacrist, RVi Consulting, provided a presentation on the Brightline project and the proposal of releasing the conservation easement by the subject property in order to develop mixed-use development.

Mayor Blake thanked Mr. Seacrist for the effort RVi put into this presentation. He feels that if we build it, people will come and is supportive of a project that will provide jobs and a way of life for people who want to establish their lives here.

Deputy Mayor Hearn asked if there is any way to install a protected walkway next to the rails that could connect to Dixon Boulevard. He has seen this done in other projects and would be highly supportive of an idea that could provide connectivity within the community.

Councilmember Barringer suggested an honorary naming of the roundabout to Congressman Bill Posey. He has been instrumental in supporting this project and he thinks it would be appropriate to honor him in this way.

Additionally, he would like Council to consider naming the park after Commissioner Tom Goodson for his service to the community as well.

City Manager Whitten shared that about three weeks ago he and the Mayor had a meeting with members of the Port to have discussions on how they can take part in this project as well.

Ms. Lortie shared that she is disappointed that there is a lack of public participation and a lot of information was not included in the agenda item. This is a high-profile project and would like more transparency and public participation in this conceptual plan.

City Manager Whitten shared that this is Council's first time seeing the conceptual plan and it will not be traveling to Washington to be presented. It will go through the proper process that allows for public input and this is not being approved tonight.

Additionally, this is the first time in four years he has traveled for business and he, along with the Mayor will be meeting with agency heads to discuss the project and wished to clarify that nothing nefarious will be happening.

Gregg Stoll, shared that first and foremost he is a big Brightline fan. His concern is with the conservation area on the proposed park parcel of the project. He would like to inquire as to why that would need to be removed and would like to see it remain. In response, City Manager Whitten clarified the location of the conservation easements.

* **MOTION by Councilmember Goins; Seconded by Mayor Blake to move forward with the conceptual plan.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Councilmember Goins; Seconded by Councilmember Koss to approve the travel of City Manager Whitten and Mayor Blake to go to Washington D.C. on July 30th and 31st to advocate for grant funding.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approve Resolution No. 2024-069 recognizing the resignation of Councilman Matthew Barringer and declaring a vacancy in Seat 3 of the City Council effective July 31, 2024. Take whatever action the City Council deems legally necessary to fill the Seat (District) 3 vacancy on the City Council pursuant to Article III, Section 10 (a) of the City Charter. (24-417). (City Manager)

City Manager Whitten explained that at this time, the City Council is working under a tight time frame per the City Charter. Generally, the City Council has the following two options for appointing a duly qualified person to fill the vacancy and serve as a Seat 3 City Councilmember:

1. The City Council can take a less structured approach and leave it up to each City Councilmember to nominate one or more duly qualified persons for consideration by the City Council. Again, the nominations must occur at either the August 13th or August 27th, 2024 meeting, or

2. The City Council can take a more structured approach and require that a public notice be published in various places advising interested candidates to file an application for serving in the District 3 seat by 12:00 P.M., Tuesday, August 6, 2024. Candidate application packages that are timely submitted to the Office of the City Clerk will be reviewed to determine whether the person is qualified to serve in Seat 3.

Deputy Mayor Hearn thanked Councilmember Barringer for his service and has learned a lot from him and appreciates the perspective he has brought to the Council. Additionally, he is in support of option 2.

Ms. Lortie thanked Councilmember Barringer for his service and appreciates his willingness of dialogue with her. She would have liked to see more transparency about his resignation and noted that this item was not posted to the agenda until yesterday. She is not in favor of Council appointing someone to the seat and would like to wait until the election to allow the voters to elect someone to fill the seat.

If Council should decide to appoint someone to fill the seat, she suggested Patricia Weeks who is a candidate already for District 3.

Councilmember Goins wished to point out that Councilmember Barringer extended his stay on Council until July 31st to publicly announce his resignation at this Council meeting.

Councilmember Goins stated that he agrees with Deputy Mayor Hearn to select option 2. He asked since qualifications ends August 20th, if Council could lock in the August 27th Council meeting to appoint someone to the position so they can see who has qualified for the District 3 seat.

In response, City Attorney Garganese provided clarification as to what is being asked and noted that if that is what Council decided, they would be limiting themselves to one meeting to try and appoint someone.

Councilmember Koss shared her concerns but agreed with Councilmember Goins. She added that there is already a candidate who is enthusiastic to serve and has been campaigning which has put her in contact with citizens.

Councilmember Barringer shared that he will always air to the side of democracy. In his opinion, he thinks waiting until after the qualification period might be smart.

City Attorney Garganese provided further clarification about the requirements of the Charter.

* **MOTION by Councilmember Barringer; Seconded by Councilmember Goins to approve Resolution No. 2024-069 recognizing the resignation of Councilman Matthew Barringer and declaring a vacancy in Seat 3 of the City Council effective July 31, 2024 and to select August 27th as the Council meeting date to appoint a replacement to fulfill Councilmember Barringer's remaining term. August 16th will be the deadline for applications and this will be advertised appropriately.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Authorize the City Manager to publish RFP# P24-XX-COC, in accordance with the Community Redevelopment Act of 1969, to solicit proposals for the purchase and redevelopment of real property currently owned by the City of Cocoa, and located at 915 Florida Avenue within the Cocoa Redevelopment Area. (24-407). (Community Services Director)

Mayor Blake recused[1] himself from this item.

City Manager Whitten explained that this is an almost 5-acre piece of property, formally known as 915 Florida Avenue. This is a request to put out a request for proposals to the marketplace and on the street for mixed-use development.

* **MOTION by Councilmember Barringer; Seconded by Deputy Mayor Hearn to authorize the City Manager to publish RFP# P24-XX-COC, in accordance with the Community Redevelopment Act of 1969, to solicit proposals for the purchase and redevelopment of real property currently owned by the City of Cocoa, and located at 915 Florida Avenue within the Cocoa Redevelopment Area.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss[2]

THE MOTION CARRIED UNANIMOUSLY (5-0)

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[1] Voting Form 8B – Conflict of Interest

[2] A 10 minute recess was taken from 9:12pm to 9:22pm

5. Approve Resolution 2024-070 renaming the Cocoa Conservation Area Hiking Trail to Gregg Stoll Conservation Area Hiking Trail. (24-418). (Administrative Services Director) **Walk-on Item.**

Councilmember Barringer spoke about Mr. Gregg Stoll and his dedication and willingness to volunteer large amounts of his time to the Cocoa community and added that this naming is well deserved. He thanked him for all that he does and will continue to do.

* **MOTION by Councilmember Barringer; Seconded by Mayor Blake to approve Resolution 2024-070 renaming the Cocoa Conservation Area Hiking Trail to the Gregg Stoll Conservation Area Hiking Trail.**

Mr. Stoll thanked the Council. He talked about the gopher tortoises and the conservation area. With all of the good development, he would like Council to hold onto the gems that they already have.

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

VIII. City Business:

1. Council Approval of the First Amendment to Interlocal Agreement between the City of Cocoa and the City of Rockledge for School Crossing Guard Services. (24-249). (Police Chief)

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

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve an Agreement for Water Meter and Meter Reading Equipment Purchases with Ferguson Enterprises LLC., Authorize the City Manager to approve Purchase Orders for Ferguson Enterprises LLC. for up to $1,900,000 and Request Council approval of a Resolution to Waive Competitive Bid with Ferguson Enterprises LLC for the purchase of Neptune water meters and other ancillary hardware required to support meter operations upon the adoption of the FY25 Budget. (24-364). (Finance Director)

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

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approve Resolution No. 2024-063, Establishing the Rolled-Back Rate, approve a Proposed Millage Rate for the Purposes of Notification to the Taxpayers by the Brevard County Property Appraiser and set the date, time, and place for the first Public Hearing to consider the FY2025 Budget. It is also recommended for the City Manager to be instructed to complete the Florida Department of Revenue's Certifications of Taxable Value, Forms DR-420. (24-401). (Finance Director)

Ms. Bowman provided a presentation[3] on the millage rate and discussed the roll back rate and the FY25 TRIM rate options.

Ms. Lortie pointed out that the County's millage rate is so close to the rolled back rate that they don't have to send out TRIM notices. She asked why Cocoa doesn't consider doing the same thing.

City Manager Whitten wished to clarify that regardless of how close the millage rate is to the rolled back rate, all entities are required by State Statute to send out TRIM notices.

* **MOTION by Mayor Blake; Seconded by Deputy Mayor Hearn to approve Resolution No. 2024-063, Establishing the Rolled-Back Rate of 6.3761, approve a Proposed Millage Rate of 6.9532 and for the first Public Hearing to consider the FY2025 Budget to be held on Tuesday, September 3rd at 6:00pm at Cocoa City Hall.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve the City Manager to negotiate a multi-year contract for banking services with Truist Bank piggy-backing off the Brevard County Clerk of Circuit Court contract RFP1-23-01 and authorize the City Manager to sign all the necessary

[3] Exhibit A: Finance Presentation

documents to change the piggyback contract. (24-419). (Finance Director) **Walk-on Item.**

Ms. Bowman provided a brief background on the item.

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

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

Ms. Lortie wished to point out that this was a last-minute item and the public did not have a reasonable amount of time to read the backup documentation.

City Manager Whitten explained that Ms. Bowman met with the bankers last week and felt that this item deserved a walk-on because it allowed the City to start earning additional interest on funds immediately.

5. Council Approval of Grant Application for Fiscal Year 2024-2025 Water Quality Improvements Grant and Indian River Lagoon Water Quality Improvements Grant Programs for the Indian River Drive Septic to Sewer Conversion. (24-421). (City Manager) **Walk-on Item.**

City Manager Whitten explained that staff is still chasing dollars to try and fund the J & K Septic to Sewer project. Staff is looking for direction to apply for two water quality grants.

Mr. Walsh asked for clarification as to the purpose of applying for the grants without direction on how staff will be proceeding with the project either way.

Councilmember Koss shared that she will be recusing[4] herself from voting because she lives in the area that the project is being proposed for and the area that the funds will be used for if they are granted. With that being said, she talked about a meeting she attended regarding the Indian River Lagoon and shared what she learned about the grants and upcoming deadlines.

City Manager Whitten read a memo provided by Brevard County and provided clarification that there is a 24-month period in which funds would need to be obtained or the City would need to reimburse the County. He pointed out that there

[4] Voting Form 8B – Conflict of Interest

is no need for the City to reimburse the County at this time as no funds have been obtained.

Councilmember Koss explained that she would just like to apply for the grants to see if the funding would be allotted and make a decision from there.

Councilmember Barringer shared that he is in favor of moving forward with advanced septic across the BMAP area so that we are including everyone who faces the same issue and not just the J and K area. This is something that is achievable and can be done within the next five years.

* **MOTION by Councilmember Barringer; Seconded by Councilmember Goins to direct staff to move forward with advanced septic across the BMAP area.**

Ms. Lortie reiterated that there is no public input on this item and stands for transparency. She thinks Council should consider trying to apply for the grants as it won't hurt to try but if they are going to make any other decision they should allow citizens the opportunity to provide input on something they will be stakeholders in.

THE VOTE ON THE MOTION WAS:

AYES: Barringer, Goins

NAYES: Blake, Hearn

THE MOTION DIED (2-2)

* **MOTION by Deputy Mayor Hearn; Seconded by Councilmember Goins to go out for grants to try and secure funding for either project.**

THE VOTE ON THE MOTION WAS:

AYES: Hearn, Goins

NAYES: Blake, Barringer

THE MOTION DIED (2-2)

* **MOTION by Mayor Blake; Seconded by Councilmember Barringer to extend the Council meeting for thirty minutes.**

THE VOTE ON THE MOTION WAS:

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

IX. Informational Agenda:

1. 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. (24-358). (Finance Director)
2. Data showing the relation between the estimated and actual income and expenses to date. (24-359). (Finance Director)
3. FY 2024 June Budget Adjustment Report. (24-360). (Finance Director)
4. FY 2024 May Budget Adjustment Report. (24-361). (Finance Director)
5. Bi-weekly Report from July 8 - July 19, 2024. (24-404). (City Manager)
6. Informational Only – The City of Cocoa's Open Board Vacancies. (24-413). (City Clerk)

X. Reports:

Gregg Stoll provided an update on behalf of Space Coast TPO.

Ms. Senger shared a back-to-school drive event coming up the Cocoa Walmart on July 27, 2024 from 9am-2pm. The distribution event will be at Provost Park on August 2, 2024 from 2-5pm and free haircuts will be given as well.

Councilmember Goins thanked Councilmember Barringer for his service to the City and he appreciates everything that he has contributed while he has been a part of the Council.

Additionally, he asked that the speed bump policy be brought back to Council at a future meeting.

Deputy Mayor Hearn shared several photos from recent events he attended.

Mayor Blake applauded Councilmember Barringer for his time served on Council and understands and respects that he has to move on to take care of his family and put them first. He noted that he will be deeply missed.

Additionally, he shared several photos from events he recently attended.

Councilmember Barringer shared some photos of Cocoa residents. He talked about District 3 being the industrial engine of the City and talked about the industrial park. He also spoke briefly about tree mitigation in the industrial park area.

Councilmember Barringer talked about Veterans support and the VA health care income limits. He asked Council to consider sending a letter to Congressman Posey to address these issues.

Lastly, he shared that his resignation is just as a much a shock to him as it was to everyone else. He appreciates everyone for their support and leadership.

He wished to clarify a lie that has been told that he resigned as a sneaky plot to let someone else into the seat. He cautioned everyone to know their neighbor.

He thanked staff and Council and noted it has been a privilege to work with everyone.

XI. Adjournment:

* **MOTION by Councilmember Barringer; Seconded by Mayor Blake, to adjourn the Regular meeting of July 23, 2024.**

AYES: Blake, Hearn, Barringer, Goins, Koss

THE MOTION CARRIED UNANIMOUSLY (5-0)

The meeting adjourned at 11:20 p.m.

Michael C. Blake, Mayor

ATTEST:

Monica Arsenault, City Clerk

COCOA

Truth In Millage (TRIM) Presentation

Regular City Council Meeting July 23, 2024



COCOA, FLORIDA

Objectives

COCOA
FLORIDA

- Approve a resolution establishing the Rolled-Back Rate

- Adopt a Proposed Millage Rate - To comply with FS 200.065, the City must establish a proposed millage rate by August 4th (within 35 days of valuation, per TRIM Compliance Process) for the 2025 Fiscal Year. Minimum Requirement – 3 of 5 Votes

- Set 1st Public Hearing – September 3, 2024, at 6:00P.M., City of Cocoa City Hall, Council Chambers (65 Stone Street, Cocoa, Florida). Advertised in the TRIM Notice, mailed to the taxpayer in August.

Historical Review
Ad Valorem Tax Base

COCOA
FLORIDA

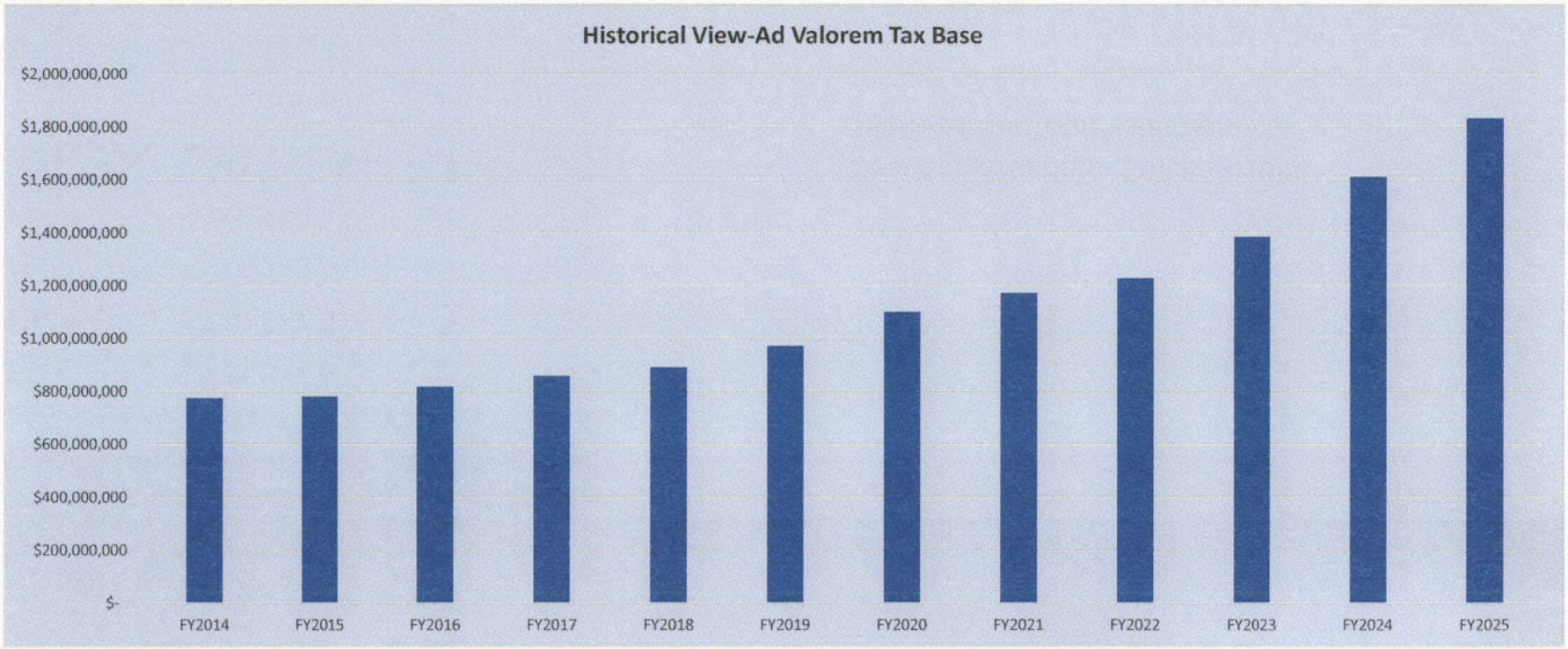
Fiscal Year	Valuation	% of Change
FY2014	$773,867,625	0.4%
FY2015	$780,867,676	0.9%
FY2016	$817,760,975	4.7%
FY2017	$858,558,414	5.0%
FY2018	$890,566,389	3.5%
FY2019	$971,766,039	8.8%
FY2020	$1,099,762,247	13.2%
FY2021	$1,172,021,718	6.6%
FY2022	$1,227,524,954	4.3%
FY2023	$1,383,126,527	12.1%
FY2024	$1,619,004,268	16.5%
FY2025	$1,832,038,544	13.2%

New Construction - $67,659,198
3.69% of the Total Valuation

FY2014-FY2024 is based on the Final Taxable Value.

Historical Review
Ad Valorem Tax Base

COCOA
FLORIDA



FY2014-FY2024 Based on the Final Taxable Value.

Historical Review of Millage and Ad Valorem Revenue

COCOA
FLORIDA

Fiscal Year	Valuation	Millage	Budgeted Ad Valorem Revenue @ 95%	Revenue Variance from Previous Year	% of Change
FY2015	$780,867,676	5.9790	$4,275,054	$39,927	0.9%
FY2016	$817,760,975	5.9790	$4,454,795	$179,741	4.2%
FY2017	$858,558,414	5.9790	$4,768,944	$314,149	7.1%
FY2018	$890,566,389	5.9790	$4,947,188	$178,244	3.7%
FY2019	$971,766,039	5.9790	$5,496,736	$549,548	11.1%
FY2020	$1,099,762,247	5.9790	$6,216,058	$719,321	13.1%
FY2021	$1,172,021,718	5.9790	$6,468,872	$410,846	6.6%
FY2022	$1,227,524,954	6.4532	$7,649,355	$1,180,483	18.2%
FY2023	$1,383,126,527	6.4532	$8,479,312	$789,215	10.3%
FY2024	$1,611,076,706	6.9532	$10,642,032	$2,162,720	25.5%
FY2025	$1,832,038,544	6.9532	$12,101,604	$1,459,572	14%

*FY2015-FY2024 Final Valuations

FY2025 TRIM Rate Options

COCOA
FLORIDA

	Taxable Value	Rate	Gross Tax Revenue	Tax Revenue @ 95%	FY2024-FY2025 Revenue Variance
FY2024 Final Gross Taxable Value	$1,611,076,706	6.9532	$11,202,139	$10,642,032	
FY 2025 Millage Options					
Proposed Tentative Rate	$1,832,038,544	6.9532	$12,738,530	$12,101,604	$1,459,572
Rolled-back Rate	$1,832,038,544	6.3761	$11,681,261	$11,097,198	$455,166
Unanimous Vote or Referendum	$1,832,038,544	10.000	$18,320,385	$17,404,366	$6,762,334

Proposed Rate

City Council may adopt any rate up to 10 mills. Certified Gross Taxable Value $1,832,038,544 / Certified New Construction Taxable Value $67,659,198

Reduction to Ad Valorem Due to Required TIF Payments to the CRAs from the General Fund

COCOA
FLORIDA

CRA	Millage 6.9532 FY2024 Current Adopted Rate	Millage 6.9532 FY2025 Current Proposed Rate @95%	Difference Between FY2024 and FY2025 @ Proposed Millage	Millage 6.3761 FY2025 Valuation at the Rolled-Back Rate @95%	Difference Between FY2025 Proposed Millage and the Rolled-Back Rate
Cocoa	$1,213,806	$1,301,579	**$87,773**	$1,193,551	**($108,028)**
Diamond Square	$328,499	$372,242	**$43,743**	$342,450	**($29,792)**
Total to CRAs	$1,542,305	$1,673,821	**$131,516**	$1,536,000	**($137,821)**

FY2025 Comparative City Rates

COCOA
FLORIDA

Ranking	Municipality	Current	Rolled-Back	Proposed	Ad Valorem Taxes
1	Satellite Beach	8.1312	7.5611	7.999	$12,375,316
2	Palm Bay	7.0171	6.5627	7.0171	$57,843,164
3	**Cocoa**	**6.9532**	**6.3761**	**6.9532**	**$12,031,515**
4	Titusville	6.7945	6.3536	6.5817	$22,211,989
5	Melbourne	TBD	TBD	TBD	TBD
6	Cocoa Beach	6.1644	5.6945	TBD	TBD
7	Indialantic	5.9810	5.5951	5.9999	$3,923,920
8	Rockledge	TBD	TBD	TBD	TBD
9	Indian Harbor Beach	5.5499	5.1745	5.5168	$7,845,532
10	Melbourne Beach	4.5700	4.2798	4.5700	$2,978,376

City of Cocoa's FY 2025 Proposed Tentative Millage Rate is the same as 2024. Note: Ranking is established using the Proposed Rate (As of 7-23-24) and a number of Cities have not yet responded as of 7/23/24.

FY2025 Proposed Tentative Rate & 1St Public Hearing

COCOA
FLORIDA

	*Valuation	Rate	Gross Tax Revenue	Tax Revenue @ 95%
Current FY 2024 Millage Rate	$1,611,076,706	6.9532	$11,202,139	$10,642,032
Proposed Tentative Millage Rate	$1,832,038,544	6.9532	$12,738,530	$12,101,604
FY2025 Revenue Difference			$1,536,381	$1,459,572

1St Public Hearing – September 3, 2024, at 6:00 P.M. at Cocoa City Hall

*At Adoption

Examples of what this means to the Single-Family Property Owner

COCOA
FLORIDA

	Assessed Valuation	FY 2024 Millage 6.9532	*Assessed Valuation With 3% Increase	FY 2025 Proposed 6.9532	Annual Increase Between FY2024-FY2025
Single Family Residence	$100,000		$103,000		
Less Homestead	($50,000)		($50,000)		
= Taxable Value	$50,000	$330	*$53,000	$369	**$39**
Single Family Residence	$150,000		$154,500		
Less Homestead	($50,000)		($50,000)		
= Taxable Value	$100,000	$695	$104,500	$727	**$32**

*A Single-Family Property with the Assessed Value of $100,000 in FY2024, would see an increase in the Assessed Value in FY2025 of $3,000 (3% Save Our Homes Cap). If the Property Owner had both Homestead Exemptions totaling $50,000, the property would be assessed at $53,000 x 6.9532 = $369 Cocoa Taxes.

Examples of what this means to the Single-Family Property Owner

COCOA
FLORIDA

	Assessed Valuation	FY 2024 Millage 6.9532	*Assessed Valuation With 3% Increase	FY 2025 Proposed 6.9532	Annual Increase Between FY2024-FY2025
Single Family Residence	$200,000		$156,000		
Less Homestead	($50,000)		($50,000)		
= Taxable Value	$150,000	$1,043	*$156,000	$1,085	**$42**
Single Family Residence	$300,000		$309,000		
Less Homestead	($50,000)		($50,000)		
= Taxable Value	$250,000	$1,738	$259,000	$1,800	**$62**

*A Single-Family Property with the Assessed Value of $200,000 in FY2024, would see an increase in the Assessed Value in FY2025 of $6,000 (3% Save Our Homes Cap). If the property owner had both Homestead Exemptions totaling $50,000, the property would be assessed at $156,000 x 6.9532 = $1,085 Cocoa Taxes.

FY2025 Tentative Proposed Budget



COCOA
FLORIDA

FY 2025 General Fund Revenue by Funding Source

COCOA
FLORIDA

Funding Source	FY 2025 Recommended Budget	% of FY 2025 Budget
Other Non-Revenue (Inter-fund transfers, Water/Sewer ROI and 6% PILOFF, Debt Proceeds, Revenues from Unassigned FB (Reserves)	$20,685,543	38%
Taxes (Ad Valorem, UST and CST)	$15,912,604	29%
Charges for Service (Water Billing Services, Garbage Collection Services, Allocation for Services and Culture/Recreation Fees)	$7,888,773	15%
Other Permits & Fees (Franchise Fees, Fire Assessment, and Planning & Zoning Fees)	$5,744,539	11%
Intergovernmental (Local, State & Federal Grants, Housing Authority Payments in Lieu of Taxes, and State Shared Revenues)	$2,997,819	6%
Miscellaneous (Interest Earned, Rent and Royalties, Disposition of Fixed Assets, Contributions, Police & Fire State Pension Revenues, Insurance Proceeds, etc.)	$1,133,284	2%
Fines and Forfeitures (County civil court)	$15,000	0%
Total FY 2025 Revenue by Funding Source	**$54,377,562**	**100%**

FY 2025 Proposed Ad Valorem Tax Revenue of $12,101,604, is 22% of the total General Fund Revenue Sources.

FY 2025 General Fund Capital by Funding Source

COCOA
FLORIDA

Funding Source	FY 2024	FY 2025	Change
Fund Balance	$1,038,040	$0	($1,038,040)
Recurring Revenue	$830,877	$1,375,000	$544,123
Debt	0	$2,150,698	$2,150,698
Total FY 2025 Capital by Funding Source	**$1,868,917**	**$3,525,698**	**$1,656,781**

FY 2025 Capital –DEBT Funding Source:
Fire Engine Apparatus- $1,120,000
Police Radios (Mobile) - $405,551
Police Radios (Portable) - $192,652
PW Flat Bed Truck - $126,000
PW Kubota Grapple - $72,000
PW-Replacement Vehicle (#117) - $67,000
Police Vehicle (1) - $65,000
PW Replacement Vehicle (#136) - $48,000
CH Pooled Vehicle - $39,495
PW Mower - $15,000 **Total Capital Funded By Debt :$2,150,698**

FY 2025 Capital – Recurring Revenue Funding Source:
Annual Paving - $380,000
RR Crossing Grant Match- $120,000
Range Road Full Depth- $550,000
Brevard County Contract Requirement - $250,000
IT Equipment - $75,000
Total Capital Funded By Revenue: $1,375,000

FY 2025 Water/Sewer Fund Revenue by Funding Source

COCOA
FLORIDA

Funding Source	FY 2025 Budget	% of FY 2025 Budget
Charges for Service (Water, Sewer and Reuse Sales, Connection Fees, Hydrant Fees, Fireline Fees, Backflow Device Checks, Grease Trap Permits and Connection Fees)	$79,722,196	93%
Other Non-Revenue (Revenues from Unassigned FB (Reserves))	$5,373,121	6%
Miscellaneous (Interest, Rent and Royalties, other minor revenues)	$537,128	1%
TOTAL FY 2025 REVENUE BY FUNDING SOURCE	**$85,632,445**	**100%**

FY 2025 Stormwater Fund Revenue By Funding Source

COCOA
FLORIDA

Funding Source	FY 2025 Budget	% of FY 2025 Budget
Special Assessment	$2,299,404	100%
Miscellaneous Revenue	$0	0%
Total FY 2025 Revenue by Funding Source	**$2,299,404**	**100%**

FY 2025 Proposed Budget VS. FY 2024 Adopted Budget

COCOA
FLORIDA

Fund	FY 2024 Adopted Budget	FY 2025 Recommended Budget	Variance	FY 2025 % Change (Total Budget)
Water/Sewer	$82,826,373	$85,632,445	($344,988)	(0.2%)
General Fund	$44,830,718	$54,377,562	$4,692,102	2.8%
W/S Renewal & Replacement	$15,576,000	$13,011,059	$164,350	0.09%
W/S Restricted Assets	$9,358,915	$8,658,996	($551,288)	(3.3%)
Special Revenue	$4,704,576	$3,054,429	($967,770)	(5.7%)
W/S Impact Fees	$2,230,000	$2,397,605	$495,553	2.9%
Stormwater	$2,192,854	$2,299,404	$106,276	.06%
Debt Service	$1,442,101	$1,452,525	$377,799	2.2%
Worker's Compensation	$1,375,179	$1,270,417	($70,152)	(0.4%)
Building Permits	$672,155	$755,616	$59,081	.04%
TOTAL	**$165,208,871**	**$172,910,058**	**$3,960,963**	**2.3%**

Action Requested

COCOA
FLORIDA

Approve a Resolution Establishing the Rolled-Back Rate of 6.3761; Approve the Proposed Millage Rate of 6.9532 and Set the 1ST Public Hearing Date and Time – September 3, 2024, at 6:00P.M. at Cocoa City Hall, 65 Stone Street, Cocoa City Council Chambers

REMINDER:

Once the proposed millage rate is approved at this meeting, the millage rate may be reduced or increased at the subsequent TRIM Public Hearings. If the millage rate is increased, a second notice would be required to be sent to all property owners, at the expense of the City as a Taxing Authority; meaning that all of the TRIM meetings, would need to be re-held and the new "Notice of Proposed Property Taxes" mailed out to property owners. If the millage rate is reduced, normal TRIM voting requirements apply.

Next Steps

COCOA
FLORIDA

- 1ST Public Hearing – September 3, 2024, at 6:00 P.M.
  - Vote for a Tentative Millage Rate
  - Vote on the Tentative FY2025 Budget

- 2ND Public Hearing – September 17, 2024, at 6:00 P.M.
  - Adopt a Final Millage Rate
  - Adopt the FY2025 Budget

Brevard County Budget Hearing Dates: 9-10-24 and 9-24-24
Brevard County School Board's Budget Hearing Dates: 7-30-24 and 9-5-24



QUESTIONS/CONTACT

Rebecca Bowman, MBA, CGFO, CGFM,
Finance Director

(321) 433-8636
rbowman@cocoafl.gov
www.CocoaFL.gov

Serving our community with P.R.I.D.E!

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME–FIRST NAME–MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE
Blake, Russell, Lewis	City of Cocoa Council
MAILING ADDRESS	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
307 Blake Drive	☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY COUNTY	NAME OF POLITICAL SUBDIVISION:
Cocoa, Brevard	
DATE ON WHICH VOTE OCCURRED	MY POSITION IS:
7/23/2024	☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Michael C. Robb, hereby disclose that on 7/23, 2024

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

✓ inured to the special gain or loss of my relative, Father & Siblings;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I own owned property adjacent to the property that is affected by ordinance.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

7/23/2024
Date Filed

Michael C Robb
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Koss - Lorraine - Loken	City Council
MAILING ADDRESS 65 Stone Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: Cocoa — COUNTY: Brevard	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 7/23/2024	MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lorraine Koss, hereby disclose that on July 23, 20 24:

(a) A measure came or will come before my agency which (check one or more)

✓ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

The matter before the agency was council approval of the grant application for Indian River Lagoon Water Quality Improvements Grant programs. If approved, the application would help fund Project J & K of the Septics to Sewer program. I am recused by ruling of the Ethics Commission from voting on the project due to being one of the 88 residents directly affected who could have a special private gain or loss. The Ethics Commission has ruled that I am NOT recused from procedural votes.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

7/25/2024
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.