CITY OF COCOA
SUSTAINABILITY ADVISORY COMMITTEE
MEETING MINUTES
MAY 3, 2018

A regular meeting of the Sustainability Advisory Committee of the City of Cocoa was held on Thursday, May 3, 2018 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

I. OPENING MATTERS:

The meeting was called to order at 6:00 P.M. Ms. Karen Hamilton led the assembly in the Pledge of Allegiance. The Board Secretary called the roll.

MEMBERS PRESENT:

William (Denis) Childs	Committee Member
Trina Gilliam	Committee Member
Susan Hushla	Committee Member
Lorraine Koss	Committee Member
Robert Musser	Committee Member
Gisele Neiman	Committee Member
Jennifer Riggs	Committee Member
Josephine Shim	Committee Member
Marlene Weiss	Committee Member

MEMBERS ABSENT:

OTHERS PRESENT:

John Titkanich	City Manager
Karen Hamilton	Community Services Director
Dodie Selig	Acting Planning and Zoning Manager
Kristin Eick	Assistant City Attorney
Brenda Warner	Committee Liaison
Monica Arsenault	Recording Secretary

II. WELCOME AND INTRODUCTIONS:

Ms. Hamilton welcomed the Committee members. Introductions were conducted around the room, beginning with the Committee members and ending with staff introductions.

III. OPERATIONAL STANDARDS:

1. Meeting Procedures

Ms. Eick explained that the City Council created this committee in accordance with a resolution to assist with sustainability. She explained the rules and regulations of the committee as well as the proper procedures of holding meetings. She explained that there is a call to order, a roll call, and an approval of agenda and minutes. She also explained that this committee must have a minimum of five members and a maximum of eleven members. A minimum of five members must be present in order to have a quorum to hold meetings. She noted that there are currently nine members. Ms. Eick explained motions. She stated that a motion must be seconded in order to take effect. She also explained that delegations are typically three minutes. She stated that delegations are limited to the topic of sustainability and anyone who wishes to speak under delegations must be encouraged to stay on topic and to speak for no longer than three minutes. She explained the process on how to elect a chairperson and vice chairperson.

Committee member Koss asked if there is a distinction between a "committee" and a "board". Ms. Hamilton explained that in part, a committee, compared to a board, works towards a specific task and once the task is completed, duties may than diminish or go away and isn't necessarily an eternal working group. City Manager Titkanich explained that a board has vested authority whereas this committee reports to City Council.

Committee member Koss inquired what lies within the committee's authority, and if they have the authority to at least make suggestions and ask for considerations to other boards, such as Planning and Zoning. City Manager Titkanich explained the first order of business is to establish a Sustainability Action Plan.

2. Roles and Responsibilities

IV. ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON:

Ms. Eick opened the discussion for nominations.

Motion by Committee member Riggs; seconded by Committee member Shim, to elect Lorraine Koss as Chairperson. Vote on the motion carried unanimously.

Motion by Committee member Riggs; Seconded by Committee member Shim to nominate Trina Gilliam as Deputy Chairperson. Vote on the motion carried unanimously.

V. APPROVAL OF THE AGENDA:

Motion by Committee member Shim, seconded by Deputy Chairwoman Gilliam, to approve the agenda with an amendment to postpone the overview of current and future resiliency and sustainability efforts until a later date. Vote on the motion carried unanimously.

VI. CITIZEN PARTICIPATION:

Mr. Lawrence Koss, 2115 Indian River Dr., Cocoa, expressed his excitement for the establishment of the Committee.

VII. REVIEW RESOLUTION 2017-137– COMMITTEE LEADERSHIP:

1. Committee Expectations

Ms. Hamilton reviewed the committee scope and definitions and referenced Resolution 2017-137. She spoke on what the Sustainability Action Plan should entail and she explained that it is important to implement and enforce the action plan once it is established. This will be one of the main roles of the committee.

Chairwoman Koss inquired about a moratorium that the County adopted regarding conventional septic tanks. She asked if the City is required to adopt it as well. City Manager Titkanich explained that the City is not required to adopt the moratorium. He explained that in the County's Charter there is a conflicting City Ordinance and if he recalls correctly, the City Ordinance prevails.

Additionally, Chairwoman Koss inquired if there was ever an instance where a consensus was made by the Sustainability Committee to bring up a topic to Council, for example, conventional septic tanks, would that be an appropriate stance made by the Committee or should their focus be solely on their plan once it is developed? In response, City Manager Titkanich explained that the intent is for the Committee to first develop a plan and then any recommendations thereafter can be brought to the City Manager or Assistant City Manager, as mentioned in the Resolution, for further implementation through the city departments or City Council.

Ms. Hamilton explained that it is important that the Committee understands that they will be taking into account what the City is already doing and what the City intends to do when forming their action plan.

City Manager Titkanich spoke about a provision in the resolution that states that at the specific written request of the City Manager, the committee may evaluate and provide recommendations on the topic of sustainability and resiliency consistent with Resolution 2017-137.

Councilwoman Warner spoke in regards to the Strategic Action Plan. She pointed out that whenever an agenda item is submitted there is typically an explanation on how the item relates to the plan. City Manager Titkanich also noted that the City intends to amend the Strategic Action Plan to include the goals of the Sustainability Advisory Committee.

Committee Member Riggs asked about the Waterfront Master Plan and the committee's role in assessing the project from a sustainability stand point. In response, City Manager Titkanich explained that the Cocoa CRA is responsible for the Waterfront Master Plan and it is its own separate agency.

Chairwoman Koss inquired about the resiliency plan and the regulations included in the Master Plan. Ms. Hamilton replied in the affirmative and explained that there are resiliency regulations included in the Plan. She explained there are three grants, one was submitted to DEP, in which, if granted, would help with some of the City's water concerns. A second grant application was submitted to DEOT, which focuses more on storm damages. A third grant application was submitted to Economic Development Administration on the Federal level and this focuses more on technical assistance and storm assistance.

Ms. Hamilton explained diversity. She spoke about membership, community engagement and projects.

Chairwoman Koss inquired about social media engagement and if the meetings are recorded. In response, it was verified that the meetings are recorded but are not streamed live. City Manager Titkanich also explained that the City will promote the Sustainability Advisory Committee on social media, such as the City's website, Twitter, Facebook, and in the FYI Newsletter.

Ms. Hamilton reviewed a summary of action steps for the Committee to keep in mind. She explained that this committee will be a working committee. Furthermore, City Manager Titkanich stated that this committee will collaborate with both the community and City staff in order to provide leadership and "sweat equity".

2. Meeting Schedule

Ms. Hamilton asked how frequently the Committee would like to meet.

There was a consensus for the Committee to meet monthly.

City Manager Titkanich explained that meetings can be arranged monthly, however, staff will need to figure out the best day of the month to meet. Committee members established that Thursdays at 6pm are preferable.

~~**3. Overview of Current and Future Resiliency and Sustainability Efforts.**~~ **POSTPONED.**

4. Setting Priorities

VIII. LEGAL TRAINING:

1. Sunshine Law

Ms. Eick reviewed the Sunshine Law with the committee. She specifically noted section 286.011 of the Sunshine Law which states that "all meetings of any board or commission of any . . . municipal corporation . . . at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings." Additionally she explained the three basic requirements of the law which states that meetings must be held in public, reasonable notice of meetings must be given, and minutes of the meeting must be taken and promptly recorded.

Ms. Eick also stated that any communication between two members of the same board on any matter which may come before the board must take place at a time and place of which the public has reasonable notice and at a location where the public has access.

It was clarified that opinions of committee members should not be shared, as it is a possibility that the issue or topic could come before the committee at a later date. Members can, however, participate in a listening capacity.

City Manager Titkanich stated that if any of the members are aware of a meeting that may take place between two or more members than they must notify staff so that a notice may be posted to the public.

Ms. Eick explained that the Sunshine Law does not provide for any "government by delegation" exception. She explained that committee members are allowed to contact staff for factual information without being in violation of the Sunshine Law.

She explained that the committee may not take action on or engage in private discussion of board business via written correspondence, emails, text messages, or social media.

She stated that the Sunshine Law does not prohibit the committee from taking action on an item that is not on the agenda, but other procedural due process concerns or code requirements regarding notice may be implicated. She noted that an item can be added to an agenda prior to the agenda's approval at the beginning of the meeting.

Ms. Eick explained public comment. She stated that the Sunshine Law does not prohibit members from voting on a topic unless there is a conflict of interest.

She reviewed the consequences of violating the Sunshine Law.

2. Public Records

Ms. Eick stated that all municipal records are open for personal inspection. She noted the definition of "public record". She explained that records must be kept in accordance with retention schedules. Records must also be produced in a reasonable time and are not required to be written requests. She encouraged Committee members to reach out to staff if they believe they have received a public records request.

3. Code of Ethics

Ms. Eick stated that Florida Statutes lay out certain rules on what can and cannot be done. Members cannot solicit or accept anything of value such as a gift, loan or favor. They cannot do business with one's own business or agency. Members cannot appoint, employ or promote relatives. Members cannot vote on any measure which would benefit their private gain. They must also disclose personal interests, financial interests, clients represented, contributions and honoraria. Penalties include removal from office, censure, restitution and civil penalty up to $10,000 dollars.

She explained voting conflicts. This provides that no municipal or other local public officer shall vote in an official capacity upon any measure which would ensure his or her own private gain or loss. She explained that if any member feels they have a voting conflict to let staff know ahead of time and to state the nature of the interest. After fifteen days a disclosure form would need to be filed with the City Clerk or Recording Secretary.

Chairwoman Koss asked if it is acceptable to have conference calls. In response, City Manager Titkanich expressed that conference calls are not always favorable due to technical issues that can sometimes occur.

The Committee members briefly discussed the first initial steps that they would like to take. Committee member Riggs expressed that she would like to review some other examples of Sustainability Action Plans. She also inquired to what extent the committee is able to utilize the City's website. City Manager Titkanich stated that the City will post information on its website.

It was established that committee members may email links of information to Ms. Hamilton to share with the rest of the committee.

Committee member Musser expressed that he would like to have outreach meetings to include stakeholders along with the community to allow them to share their input in the action plan.

Committee member Musser shared that there is an event pertaining to the Indian River Lagoon next Wednesday night at 5pm in Melbourne at Open Mic's Coffee Lounge. It was noted that Ms. Hamilton would put together a public meeting notice as three or more members of the committee may be attending this meeting.

Committee member Musser asked for an update on the City's Brownfields program at a later date.

Committee member Weiss inquired about community garden updates.

IX. ADJOURNMENT:

Motion by Committee member Shim; seconded by Deputy Chairwoman Gilliam to adjourn. Vote on the motion carried unanimously.

There being no further business the meeting adjourned at 7:48 P.M.

Approved on this 14th day of June, 2018.

Lorraine Koss, Chairperson

Monica Arsenault, Board Secretary