

**CITY OF COCOA BEACH – BOARD OF ADJUSTMENT  
MEETING MINUTES**

Wednesday, February 20, 2024 @ 5:15 P.M.

**Members Present:** Don Hayes, Chair; Ronald Boger, Vice Chair; John Kabboord; Rick Anderson; Summerpal Kahlon, Alt #1 - (phone in)

**Members Absent:** Michael Goldberg excused; James Cole, Alt #2, excused.

**Staff Present:** Randy Stevenson, Director of Development Services; Loren Wiltse, Principal Planner; Devon Taly, Senior Planner; Cory Hall, Planner 1; Garrett Olsen, City Attorney

**Commission Members Present:** 0

**Visitors Present:** 0

**A. CALL TO ORDER:** Mr. Olsen called the meeting to order at 5:15 PM

**Election of Chair/Vice Chair:** Mr. Olsen opened the floor for nominations. Mr. Hayes was elected Chair and Mr. Boger was elected Vice Chair.

**Approval of August 16, 2023, Meeting Minutes:** Mr. Hayes motioned to approve the meeting minutes as presented; Mr. Kabboord seconded; the motion was approved; 4-0 vote.

**Swear In of Witnesses:** None

**B. OLD BUSINESS:** None

**C. NEW BUSINESS:**

1. *Orientation for New Board of Adjustment Members (City Attorney, Mr. Olsen)*

i. *John Kabboord*

ii. *Rick Anderson*

2. *Sunshine Law & Parliamentary Procedures Presentations by Mr. Olsen*

Question and Answer session.

Q: I'm close to one of the Alternates and we go together to review projects. Is that a problem?

A: I would recommend that you do all your prep work alone.

Q: Do you represent the board or the city?

A: Our firm represents the city as City Attorney.

Q: If I ask you a question alone, is there client/attorney privilege?

A: There is no client/attorney privilege. However, your question will stay between us.

Q: Do we have any obligations to retain emails received by us?

A: If you are in possession of a public record, you are the custodian of that record

Q: because we can't email each other, board members, anyway.

A: Right, Not about board business.

Q: I don't see Uncle, Aunt, or Cousin as being defined as a relative?

A: They are not relatives under the Conflict Law.

Mr. Olsen elaborated, if you have a conflict with one of the items on the agenda. When we start the meeting, I will call for "Disclosure of Conflict" at that point it would be the appropriate time to say you have a conflict. You cannot take part in the **discussion** or the **vote**.

Q: Does an abstain from vote automatically become a no vote?

A: It does not.

Q: What are the rules/laws if an applicant contacts us directly?

A: This would be called an Ex parte communication and that would be a public record.

3. *Development Services – Staff Introduction by Randy Stevenson*

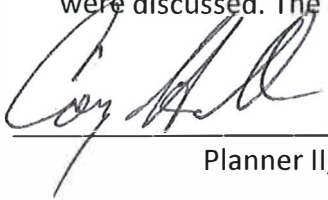
D. **GENERAL PUBLIC COMMENTS:** None

E. **STAFF REPORTS:**

1. 2023 Year End Report
  - i. Mr. Hayes made Motion to Approve, Mr. Boger seconded, Vote passed 4-0
2. 2023 Financial Disclosure
  - i. It was explained that the RS1 application of 189 are new applicants. BTR – Vacation Rental of 600 are renewals.

F. **MEMBER REPORTS:** None

G. **ADJOURNMENT:** The next tentative meeting is scheduled for 04.17.24, at 5:15 P.M. No other items were discussed. The meeting was adjourned at 6:51 P.M.

 Date 9/18/24  
Planner II, Cory Hall

 Date 9/18/24  
Chairman, Don Hayes