



**Meeting Agenda
Thursday, February 19, 2026**

7:00 PM

REGULAR MEETING

**Cocoa Beach City Hall
2 S Orlando Avenue
Cocoa Beach, FL 32931**

WELCOME

Meeting re-broadcasts on: Spectrum - Channel 499 and
www.youtube.com/@CityofCocoaBeachFL
Meeting Video Archives: www.cityofcocoa beach.com

Packets: Packets are on the City's website (www.cityofcocoa beach.com)

Rules of Order: Robert's Rules of Order and the Florida Sunshine Law govern the conduct of our meetings.

Speaking Courtesy Rules:

- The Commission accepts relevant comments.
- A time limit of three minutes is imposed on each speaker. If speaking for a group, the Commission may grant an additional three minutes.
- Please direct comments and questions through the Mayor
- Complete speaker cards are required for each of the items you wish to address. Submit the card to the City Clerk prior to the introduction of the item. Speaker Cards are available in the entrance of the Commission Room and in the City Clerk's office prior to the meeting. The purpose of the card is to obtain the spelling of your name, contact information if follow-up is needed, and provide for efficient meeting administration.
- Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone.

Approval Of Order Of Business:

Note: Members of the public, Commission and Staff may remove items from the Consent Agendas, if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.

Appealing a Decision:

Any person desiring to appeal any decision made by the City Commission, with respect to any matter considered at such a meeting or hearing, will need a record of the proceedings and for such purposes must ensure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense as the City does not provide one

American with Disabilities Act:

ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least forty-eight (48) hours prior to the meeting, contact the Office of the City Clerk at (321) 868-3286; Florida Relay Service (800) 955-8771 (TDD); or (800) 955-8770 (Voice) or 711.

THANK YOU for participating in your Cocoa Beach City Government.

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance
2. Invocation by Keith Capizzi, Club Zion.
3. Roll Call

B. APPROVAL OF THE AGENDA

(Note: Members of the public, Commission and Staff may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.)

C. SPECIAL PRESENTATIONS

1. Ancient Order of Hiberians Proclamation
2. Swear in Police Chief Kris Kuehn
Staff Representative: Wes Mullins, City Manager

D. PUBLIC COMMENTS

Comments will be heard on items that do not appear on the agenda of this meeting. Citizens will limit their comments to three (3) minutes. Per Commission Procedures, the City Commission will not take any action or discuss items brought up under the "Public Comment" section of the agenda. The City Commission may schedule such items as regular agenda items and act upon them in the future.

E. STAFF REPORTS AND ANNOUNCEMENTS

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

H. CONSENT AGENDA

1. Approve the February 5, 2026, Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve
2. **Board Appointment:**
Fire Pension — Reappoint Michelle Flynn for term to be completed April 2027
Fire Pension — Reappoint AJ Anderson for term to be completed May 2028.
Police Pension - Reappoint Tommy Blair for term to be completed April 2027
Recommendation Approve.

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. NEW BUSINESS

1. Approve Ordinance 1709 on first reading —An ordinance of the City of Cocoa Beach, Florida, relating to municipal impact fees; creating a New Article XIII, "Impact Fees" in Chapter 2 "Administration of the Code of Ordinance of the City of Cocoa Beach, establishing police, fire, and public facility impact fees based on the 2026 municipal impact fees study prepared by Raftelis Financial Consultants, Inc; Providing for findings; directing the provision of notice of impact fee rates; providing for conflicts, codification, severability, liberal construction, and an effective date.
Staff Representative: David Dickey, Development Services
Recommendation: Approve on First Reading
2. Approve the agreements relating to Golf Muck Capping Project:
 - Contract with J.F. Brennan Company Inc, in the amount of \$33,499,900
 - SOIRL Agreement 20-168 Amendment 4
 - Reassign the contract over to Brevard County Natural Resources for the project administration

Staff Representative: Brad Kalsow, Public Works/Water Reclamation Director
Recommendation: Approve
3. Approve a three-year renewal of the Mutual Aid Agreement between the Brevard County Sheriff, Brevard County law enforcement agencies, and the City of Cocoa Beach; authorizing the Chief of Police to sign the agreement. The renewal would expire on December 31st, 2029.
Staff Representative: Kris Kuehn, Police Chief
Recommendation: Approve

K. GENERAL PUBLIC COMMENT

(Only if not accommodated in the 30-minute Public Comment period earlier)

L. ADJOURNMENT

CITY OF COCOA BEACH
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A. MEETING CALLED TO ORDER

Commissioner Tumulty called the meeting to order at 7:00 PM. Commissioner Tumulty explained that the Mayor and the Vice-Mayor is unable to attend in person therefore he will chair the meeting.

1. Pledge of Allegiance
2. Invocation by Keith Capizzi, Club Zion.
3. Roll Call

Commission Members Present:

Mayor Keith Capizzi - **On Phone**
Commissioner Joshua Jackson
Commissioner Tim Tumulty
Commissioner Jeremy Hutcherson

Commission Members Absent:

Vice-Mayor Skip Williams (Called in for Item J1)

Administrative Members Present:

City Attorney Becky Vose
City Manager Wes Mullins
City Clerk Karin Grooms
Development Services Dave Dickey
Executive Assistant City Manager Carrie Lombardo
Finance Director Hana Juman
Finance Deputy Director Devan Taly
Fire Chief Justin Grimes
Human Resources Cindy DePina
Information Technology Deputy Director, Ron Munns
Information Technology Tristian T
Police Chief Kris Kuehn
Police, Major Joseph Versaggi
Police, Major Manny Hernandez
Stormwater Manager, Morgan Zuhlke
Executive Assistant to the Chief of Police, Rate Tate
Police Records, Cole Helms
Logistics Manager, Steve Macko

- Police Officers
 - Brandon Tate
 - Bill Stanley

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- o Josh Woolbright
- o Ali Zariv
- o Tom Cooper
- o Ian Olsen
- o Joe Mailman
- o Kienen Morris
- o Taylor Payne

B. APPROVAL OF THE AGENDA

(Note: Members of the public, Commission and Staff may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the City Commission under the Approval of the Order of Business, at the beginning of the meeting.)

MOTION BY JACKSON/HUTCHERSON

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. SPECIAL PRESENTATIONS

1. Ancient Order of Hibernians Proclamation

Commissioner Tumulty read the proclamation declaring the month of March Irish American Heritage Month. No member from the Ancient Order of Hibernians were in attendance to accept the proclamation.

2. Swear in Police Chief Kris Kuehn
Staff Representative: Wes Mullins, City Manager

City Manager Wes Mullins spoke about the honor of serving as Chief of Police, noting it had been one of the greatest honors of his career and a privilege to work alongside such dedicated men and women. He thanked everyone who had been part of his journey in the Police Department and shared that it was time for the next chapter. He expressed that it was his honor to pass the leadership of the department to Chief Kris Kuehn. Mr. Mullins spoke about Chief Kuehn's life in Cocoa Beach, highlighting his character, leadership, and readiness to serve in the role.

Mr. Mullins invited Chief Kris Kuehn and his wife, Jessica Kuehn, to the podium. Mr. Mullins administered the Oath of Office for Police Chief. Mrs. Kuehn had the honor of pinning Chief Kuehn with his official badge.

Chief Kuehn thanked the City Manager, staff, and leadership for the opportunity to serve as the next Chief of Police for the City of Cocoa Beach. He spoke about his first 30 days in the position, noting they had been productive. He shared his commitment to leading with humility and strength while focusing on what is best for the residents and visitors of the community. Chief Kuehn expressed his gratitude to his wife, Jessica Kuehn, as well as his mother, father, stepmother, and other members of the community

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who have been part of his career. He also acknowledged and addressed the department staff who were in attendance.

D. PUBLIC COMMENTS

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No public comment.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Wes Mullins, City Manager, provided the following updates:

- The next Movie in the Park will be held on February 27 and will feature *Trolls*.
- Leisure Services announced that the pool liner installation has been completed. The Fire Department assisted with filling the pool, and it will take a few days before it is ready for use.
- Staff had added additional street sweeping days to help clear dead foliage from roadways and prevent debris from entering the lagoon.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

The city attorney had nothing to report.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Hutcherson noted that the Cocoa Beach High School Boys Soccer team had a game scheduled for that evening and shared that the team is advancing to the state championship.

Commissioner Jackson echoed Commissioner Hutcherson's remarks regarding the soccer team. He also noted that the City recently hosted a field trip for Freedom 7 Elementary first-grade students. He expressed his excitement about the students learning about city government and shared that the students voted on the April Movie in the Park selection, choosing *Lilo & Stitch*.

Mayor Capizzi congratulated Chief Kuehn on his appointment as Police Chief.

Commissioner Tumulty also congratulated Chief Kuehn and inquired whether the position had been a dream of his, which Chief Kuehn confirmed. Commissioner Tumulty also spoke about the Boys Soccer team, noting that they were scheduled to play the number two ranked team in the country.

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H. CONSENT AGENDA

MOTION BY HUTCHERSON/JACKSON

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the February 5, 2026, Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve
2. **Board Appointment:**
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Recommendation Approve.

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. NEW BUSINESS

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Staff Representative: David Dickey, Development Services
Recommendation: Approve on First Reading

MOTION BY HUTCHERSON/JACKSON

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION; 3 AYES, 2 NAYS Williams/Capizzi

Ms. Becky Vose, City Attorney, noted scrivener errors in the exhibit that she wanted to note to the commission. She noted the year being 2026 versus 2025. Also noted the verbiage of the ordinance instead of the resolution.

Ms. Michelle Gavin, representative from Raftelis Finance Consultant, presented information regarding the proposed impact fees and reviewed how they would affect the community. She outlined the Police Impact Fees and associated capital investments, including related presentation slides. She also reviewed the Fire Station and the Capital Improvement Plan, detailing the costs included in the analysis. She discussed the proposed Fire Impact Fees and General Government Impact Fees, including a breakdown of costs associated with existing facilities. She provided a summary of the overall impact fee calculations and recommended adoption of the calculated fees with implementation within 90 days. She explained that the purpose of

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the impact fees is to ensure that the cost of growth is borne by new development rather than existing residents.

Commissioner Hutcherson inquired whether the fees would be incurred upon a change in property ownership. Ms. Gavin clarified that impact fees would apply only to new development, not to ownership changes of existing properties. He also confirmed that current residents would not be affected unless they undertake new development.

Commissioner Tumulty noted that Cocoa Beach does not experience a large amount of development and thanked staff for their work on the analysis.

Mayor Capizzi asked about the different proposed fee categories. Ms. Gavin stated that the City currently has no impact fees in place, so these would be new fees. She also referenced wastewater-related impact considerations.

The Mayor also expressed concern regarding undeveloped properties and stated that he did not want to hinder investment or overcharge property owners. He referenced an estimated increase of approximately \$3,000 and expressed concern about potential market impacts.

Mr. David Dickey, Development Services Director, noted project data and explained his research. He noted that, in one example, applying impact fees totaling slightly over \$100,000 to a project with an overall construction cost of approximately \$25,000,000 represented a relatively small percentage of total costs. He further explained that new homes would be subject to impact fees, citing recent construction values of approximately \$667,000, \$785,000, and \$850,000 (construction value only, excluding land). Based on an average construction value of approximately \$700,000, he indicated the impact fees would amount to less than 1/2 a percent of the cost of a new single-family home. He clarified that there are currently no impact fees in place.

The Mayor noted that the current impact fee is zero and stated that the City should also determine the applicable connection fees.

Mr. Dickey explained that the proposal represents an opportunity to shift the cost of new infrastructure and services to new construction, rather than existing residents absorbing those expenses.

Commissioner Jackson stated that the cost already exists but is not currently being applied to new development. He expressed appreciation that the proposal does not require businesses to absorb unrelated costs out of pocket.

Mayor Capizzi sought clarification regarding multifamily projects, referencing an estimated increase of approximately \$2,200 per unit and noting that this could total approximately \$500,000 more than originally anticipated for a large project. He expressed concern about deterring investment, particularly for undeveloped parcels,

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and questioned whether the additional costs could impact development decisions. He acknowledged the point regarding fairness to residents but remained apprehensive.

Mr. Dickey further explained the proportional cost impact. Commissioner Jackson reiterated the importance of protecting residents from subsidizing growth-related expenses.

Commissioner Tumulty requested clarification and commented on comparisons with other communities. Ms. Gavin stated that communities with higher impact fees have not experienced slowed development as a result.

Mayor Capizzi inquired whether Cape Canaveral and Satellite Beach have conducted similar studies. Staff indicated that Cape Canaveral has completed a study but were unsure regarding Satellite Beach.

Vice-Mayor Skip Williams joined the meeting by phone. He expressed concern that projects that are currently underway could be negatively affected or potentially fall through if the impact fees are implemented.

Mr. Dickey spoke about what percent of the overall project. He noted the cost is factored into their finances. He noted the concern of the developer pulling out due to 1/2 of a percent.

Commissioner Jackson clarified that growth had not slowed and had a hard argument to make.

Mayor Capizzi discussed the timing of implementing impact fees in light of current market conditions and interest rates, expressing concern about how additional costs could affect development activity.

Commissioner Jackson commented on the difference between immediate costs and compounded long-term costs, noting the importance of evaluating the financial impact over time.

Mr. Dickey stated that once the Commission provides direction, staff would move forward accordingly.

Commissioner Tumulty asked additional questions regarding the impact fees and how they would be applied.

Commissioner Hutcherson shared his perspective, stating that he is weighing the justification for the fees and considering the overall cost structure. He acknowledged the relatively lower cost percentage but expressed concern about the City's financial obligations and the risk of creating long-term debt or limiting future flexibility.

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Discussion followed regarding the distinction between capital and operational expenses. It was noted that impact fees are intended to address capital costs associated with growth, while operational costs are typically funded through taxes and user fees. Commissioners discussed the concept that businesses incur costs to operate and whether growth-related capital expenses should be borne by new development rather than existing residents.

Commissioner Tumulty commented that residents currently pay for capital investments, including vehicles and infrastructure, through taxes and operational revenues. He stated that he understands the rationale behind impact fees, particularly as it relates to property development.

Commissioner Hutcherson emphasized the importance of ensuring that the fees are justified and reasonable. He referenced prior concerns about debt and cautioned against placing the City in a financially restrictive position.

Commissioner Jackson noted that the City must evaluate the legal basis, considerations, and due diligence associated with growth-related costs. He stated that just because funds are available does not necessarily mean they must be spent, but planning should be based on documented needs and financial data.

Vice-Mayor Williams referenced development orders and raised questions regarding potential exemptions, stating that some projects may not have anticipated these additional fees.

Vice-Mayor Williams offered an amended motion to exempt any projects with an existing development order from the proposed impact fees.

**MOTION BY WILLIAMS / NO SECOND
AMENDMENT TO EXEMPT PROJECTS WITH AN EXISTING DEVELOPMENT
ORDER FROM THE IMPACT FEES.** The motion died due to lack of a second.

Vice-Mayor Williams then asked the City Attorney whether such an exemption would be permissible.

Ms. Becky Vose, City Attorney, explained that the most common development order is a building permit. She noted that the ordinance adoption was anticipated in May, following the required 90-day advertisement period. She clarified that impact fees are assessed at the time a building permit is issued. She also provided examples, such as rezoning, and expressed concern about the broad use of the term “development order.”

Vice-Mayor Williams referenced projects that already have development orders in place specifying what can be built.

He restated his amendment.

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MOTION BY WILLIAMS / NO SECOND
AMENDMENT TO EXEMPT PROJECTS WITH AN EXISTING DEVELOPMENT
ORDER FROM THE IMPACT FEES.

The motion died due to lack of a second.

Mr. David Dickey noted that the ordinance language addresses the issue as written.

Ms. Vose asked whether Vice-Mayor Williams was referring to a Development Agreement and discussed how such agreements typically outline specific terms and conditions.

Commissioner Jackson stated his opposition to the amendment, noting that exempting certain projects would continue placing the financial burden on residents.

Commissioner Hutcherson commented that the Westin project would not be affected but suggested other projects might be.

Mr. Dickey referenced the Westgate project and noted that situations would need to be evaluated on a case-by-case basis. Ms. Vose confirmed the case-by-case nature of such determinations and reiterated her concerns of the usage of development orders.

Mayor Capizzi inquired about another project in the city, and staff confirmed that a building permit had not yet been issued.

Vice-Mayor Williams stated that he was attempting to find a way to exempt projects already in process while applying the fees to new projects moving forward.

No second was made on the amendment.

Mr. Rick Anderson referenced several projects previously presented to the Commission and noted the time that can elapse between approval and groundbreaking. He stated that the policy should be applied consistently across the board and referenced the pier project as an example.

Commissioner Tumulty noted the concerns that were brought up regarding projects that have been brought forward but have not progressed.

Mayor Capizzi stated his agreement with how the ordinance is written and emphasized that all projects should be treated equally going forward.

Commissioner Hutcherson referenced the cost impact to the City, while Commissioner Jackson reiterated the cost impact to residents.

Ms. Vose clarified that Appendix X (the listing of costs) would be incorporated into the ordinance, rather than including the entire Raftelis study.

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Vice-Mayor Williams restated his amendment for the record:

AMENDED MOTION BY WILLIAMS / NO SECOND
AMENDMENT TO EXEMPT DEVELOPMENT ORDERS WITH ADDITIONAL
CONDITIONS ATTACHED APPLYING IMPACT FEES ONLY TO NEW
DEVELOPMENT ORDERS MOVING FORWARD.

The amendment died due to lack of a second.

The vote was called, Voice vote 3 Ayes 2 Naves - Williams/Capizzi

2. Approve the agreements relating to Golf Muck Capping Project:

- Contract with J.F. Brennan Company Inc, in the amount of \$33,499,900
- SOIRL Agreement 20-168 Amendment 4
- Reassign the contract over to Brevard County Natural Resources for the project administration

Staff Representative: Brad Kalsow, Public Works/Water Reclamation Director
Recommendation: Approve

MOTION BY HUTCHERSON/JACKSON

I MOVE TO APPROVE J2 AS READ

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Tumulty inquired about confirmation regarding the grant funding for the agreements.

Ms. Morgan Zuhlke, Stormwater Utility Manager, did note that the project was granted funded. She explained the process and how this project would be transferred to the county.

3. Approve a three-year renewal of the Mutual Aid Agreement between the Brevard County Sheriff, Brevard County law enforcement agencies, and the City of Cocoa Beach; authorizing the Chief of Police to sign the agreement. The renewal would expire on December 31st, 2029.

Staff Representative: Kris Kuehn, Police Chief

Recommendation: Approve

MOTION BY HUTCHERSON/JACKSON

I MOVE TO APPROVE J3 AS READ

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

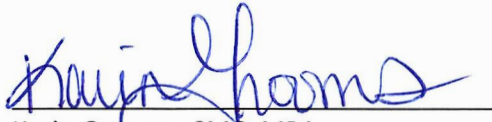
An inquiry from the commission inquiring the City Manager's endorsement and it was confirmed.

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K. GENERAL PUBLIC COMMENT
(Only if not accommodated in the 30-minute Public Comment period earlier)

L. ADJOURNMENT

The meeting was adjourned at 8:00 pm.



Karin Grooms, CMC, MPA
City Clerk



Keith Capizzi,
Mayor-Commissioner



EXTENDED ABSENCE FROM THE CITY OF COCOA BEACH

Commissioner Name: Keith Capizzi

Date & Time of Departure: 2/19/26

Date & Time of Return: 2/23/26

I Will Be Able To Attend Meetings by Phone (Yes/No) yes

I Can Be Reached (Location/Phone Number.): 321-271-4520

Date Submitted: 2/17/26

Please email completed form to City Manager/City Clerk
citymanager@cityofcocoa beach.com/cityclerk@cityofcocoa beach.com