Meeting Agenda
Thursday, April 18, 2024

7:00 PM

REGULAR

Cocoa Beach Country Club - 5000 Tom Warriner Boulevard, Cocoa Beach, 32931

WELCOME

Meeting re-broadcasts on: Spectrum - Channel 499 and www.cityofcocoabeach.com.
Meeting Video Archives: www.cityofcocoabeach.com

Packets: Packets are on the City's website (www.cityofcocoabeach.com) and at Commission meetings

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

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 rear 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 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 Deacon Joe Pecko, Our Saviour Catholic Church.

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. Swear-in Ceremony of Officers Noah Barnes, Jessica Clanton, and Natalie Romero
Staff Representative: Wes Mullins, Interim Police Chief

2. Presentation of the Final Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023.
CRI Representative: Yvonne Clayborne
Staff Representative: Patrisha Draycott, CGFO, Chief Financial Officer/ Assistant 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

1. Consider recognizing Cameron Turk's Boat Racing Championship by adding his name to the City entrance sign.
   Representative: Mayor Keith Capizzi

H. CONSENT AGENDA

1. Approve the following Meeting Minutes: March 21, 2024 and April 4, 2024
   Representative: City Clerk
   Recommendation: Approve

2. Approve the termination of the agreement of the Joinder to the Second Amended and Restated Interlocal Agreement relating to the Creation of the Florida Resiliency and Energy District. (FRED)
   Representative: Wayne Carragino, City Manager
   Recommendation: Approve

3. Confirm the following meetings:
   June 18, 2024 - 6:00 PM FY 25 Budget Workshop
   July 18, 2024 - 7:00 PM Set the Tentative Millage Rate - Regular Meeting
   Representative: Patrisha Draycott, CFO/ Assistant City Manager
   Recommendation: Confirm

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. NEW BUSINESS

1. Consider a request for a Density Variance for property at 505 North Orlando Ave. Pursuant to Section 4-41 (A)(3) of the Land Development Code, the applicant is requesting a variance to allow a density of thirty (30) transient lodging units per acre on the subject property. **The requested variance requires a concurring vote of four (4) members of the City Commission.**
   Applicant: Francesca DiPasquale
   Representative: Randy Stevenson, Development Services Director
   Recommendation: Approve

2. Review and Consider the STINA project conceptual site plan pursuant to Section 4-02 (C) of the Land Development Code. The site plan requires review and final action by the City Commission since the plan contains structures of thirty thousand (30,000) square feet or greater.
   Representative: Randy Stevenson, Development Services Director
   Recommendation: Approve

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

L. ADJOURNMENT

CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION
COCOA BEACH COUNTRY CLUB - 5000 TOM WARRINER BOULEVARD, COCOA BEACH, 32931
MINUTES
April 18, 2024

A. MEETING CALLED TO ORDER

Mayor Capizzi called the meeting to order at 7:00 pm.

1. Pledge of Allegiance
2. Invocation by Deacon Joe Pecko, Our Saviour Catholic Church.
3. Roll Call

Commission Members Present:
Commissioner Joshua Jackson
Commissioner Skip Williams
Commissioner Karalyn Woulas
Vice-Mayor Jeremy Hutcherson
Mayor Keith Capizzi

Administrative Members Present:
City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Development Services Director Randy Stevenson
Chief Financial Officer/ Assistant City Manager Patrisha Draycott
Leisure Services Director, Laird McLean
Asst. Direct Leisure Services, Andrea Segarra
Interim Police Chief, Wes Mullins
Deputy CFO, Joann Clark
Planner, Cory Hall
Planner, Loren Wilke
Major Kris Kuehn
Major Joe Vergaggi
PD Administrative Assistant, Rachel Tate
Officer Bill Stanley
Officer Roy "Alex" Bond
Officer Robert Hill
Officer Nick Ingersoll
Officer Jacob Werda
Communication Officer Amy Palm
Officer Noah Barnes
Officer Jessica Clanton,

Officer Natalie Ramero

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MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. SPECIAL PRESENTATIONS

1. Swear-in Ceremony of Officers Noah Barnes, Jessica Clanton, and Natalie Romero
Staff Representative: Wes Mullins, Interim Police Chief

Interim Police Chief (IPC), Wes Mullins, started his presentation by acknowledging the Telecommunication Officers for Telecommunication Week. He spoke about their dedication to their work and honored their duties as telecommunications officers.
IPC Mullins introduced the academy's new officers: Natalie Ramero, Noah Barnes, and Jessica Clanton.
It was noted that the new officers received various honors from the academy; Natalie Ramero was elected by her peers as the class leader and came to Cocoa Beach mid-session from another agency. Noah Barnes, defensive tactics, winner of the police academy. Jessica Clanton won the academic award and first aid award from the academy.

Chief Mullins read the code of ethics and swore in the new officers. After the oath, families came up and pinned the officers.

2. Presentation of the Final Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023.
CRI Representative: Yvonne Clayborne
Staff Representative: Patrisha Draycott, CGFO, Chief Financial Officer/ Assistant City Manager

Yvonne Clayborne, Partner for Carr Rigg & Ingram. Presented the Annual Audit for the Year ended September 30, 2023. She explained the audit and the reporting process.

Commissioner Williams mentioned having a set of eyes from the outside. Noted the auditor advised staff of issues, then staff would make the corrections. He explained how the city would never know about the deficiency and make the city better for that.
Mayor Capizzi noted the debt when he first ran for office and mentioned where the debt is at presently.

D. PUBLIC COMMENTS

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Mr. John Miller, Xandu Condo Association President, discussed the water bill for the City of Cocoa Beach, which is from the City of Cocoa. Mentioned that in January, it noted that the condo was sent a bill for a deposit for revised sewer. The City of Cocoa Beach assisted with it but noted no representation in the City of Cocoa. Noted it is an amount not returned to the condo association. Requested for a utility bond with the City of Cocoa but noted it was not allowed. Reached out to the City of Cocoa for a waiver that mentioned multi-unit, not residential. Request the city to work with the City of Cocoa regarding the deposit situation.

Mayor Capizzi inquired about the deposit. Mr. Miller noted the condo has a deposit already on file and the City of Cocoa added $2,000. The mentioned $800 deposit is already on file. Commissioner Williams inquired about the delta, and Mr. Miller noted it was an additional $2,000.

Mr. Mike Johnson, a Cocoa Beach Resident, requested from the city of an update on the current case regarding an individual who stole from an elderly male. Request the City to investigate Orange County.

Ms. Janice Scott, a Cocoa Beach Resident, gave condolences to Governor Graham. She discussed his term and his accomplishments.

Mr. John Dillon, a Cocoa Beach resident, brought his concern for life safety. Notes presented before the last budget season he requested a speed bump in the neighborhood. He mentioned that high-speed traffic was taking place down his street.

Mayor Capizzi inquired from Chief Mullins statistical data for that street and have a motorcycle cop for data. IPC Mullins confirmed for both being able to provided requested information as well as provide an officer for the area. IPC Mullins explained what was done in previously.
Mayor Capizzi requested if the speed odometer keeps records. It was confirmed.

Mr. Dillion, noted there was a radar during the week. Offered motorcycle officer usage of the driveway won't see it.

Mayor Capizzi explained collecting the data for the request.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Wayne Carragino, City Manager mentioned he went to a Chief of Police dinner. Cocoa Beach Officer Robert Hill was nominated for Police Officer of the Year. Noted Rachel Kabboard and thanked her for all she does.
Spoke about Mr. Tim Bobanic, Supervisor of Elections. Also noted he will be at the

commission meeting with staff to assist with voting items. Will be attending the May 16th Commission meeting.
Mr. Carragino honored an employee who does an outstanding job and noted it is a difficult job. Honored Ms. Andrea Segarra, who works in the recreation department.

The Mayor thanked Ms. Segarra for all the work she had done.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No reports from the City Attorney.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Vice-Mayor Hutcherson noted he attended and met Mr. Tim Bobanic. As well as attended a seminar regarding the new Form 6 that is required for commissioners.

Commissioner Williams noted the concrete pour at 1 am and had 46 trucks. Suggested residents sign up for CBNN to be notified of what is happening in town. Explained how to sign up for it.

No reports from Commissioner Woulas and Commissioner Jackson.

1. Consider recognizing Cameron Turk's Boat Racing Championship by adding his name to the City entrance sign.
   Representative: Mayor Keith Capizzi

Mayor Capizzi read the accomplishments of Cameron Turk. Explained how he is now representing the City and even checked if this was the case. The Mayor thanked Cameron for representing the City.

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE CAMERON TURK TO REPRESENT THE CITY WITH HIS NAME AT THE ENTRANCE SIGNS
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Mr. Cameron Turk thanked the commission.

Commissioner Williams requested that the commission is made aware when it will be placed so the family can attend as well as the commission.

H. CONSENT AGENDA

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE THE CONSENT AGENDA WITHOUT THE APPROVAL OF THE JUNE 18TH MEETING WORKSHOP
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Ms. Patrisha Draycott, CFO/Assistant City Manager noted the available dates and what are not available.
Ms. Draycott provided the commission with opportunities to meet before and after the

workshop.

1. Approve the following Meeting Minutes: March 21, 2024 and April 4, 2024
   Representative: City Clerk
   Recommendation: Approve

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I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. NEW BUSINESS

1. Consider a request for a Density Variance for property at 505 North Orlando Ave. Pursuant to Section 4-41 (A)(3) of the Land Development Code, the applicant is requesting a variance to allow a density of thirty (30) transient lodging units per acre on the subject property. **The requested variance requires a concurring vote of four (4) members of the City Commission.**
   Applicant: Francesca DiPasquale
   Representative: Randy Stevenson, Development Services Director
   Recommendation: Approve

The City Attorney read item J1.
MOTION BY WILLIAMS/WOULAS
I MOVE TO APPROVE THE DENSITY VARIANCE FOR 505 NORTH ORLANDO AVE. Pursuant to Section 4-41 (A)(3) of the Land Development Code

Randy Stevenson, Development Director, addresses this variance and the ability to have it in the Land Development Code and the Comp plan. The project is requesting 30 transient lodgings per section 4-41 of the Land Development Code and Policy 2.2.2 A3 of the Comprehensive Plan. Noted this was built into the code and comp plan and required a variance. If the variance is approved, he would request the commission to approve the conceptual site plan for the project. It was noted that the project will return to the commission at a future point for final approval. The planning board saw the project on April 1st, 2024.

Mr. Stevenson explained all the steps needed to be done before returning to the Commission.

Mr. Stevenson responded to email comments sent in before the meeting. The main inquiry was why the variance did not go before the Board of Adjustment. Due to a recent change in the code, density variances are only to be approved by the City Commission. Commissioner Williams confirmed cutting down the burden on the requestor. Mr. Stevenson confirmed and clarified.

Noted that transient lodging and the code for west of Atlantic Avenue in the Future Land Use Element of the Comp plan does not apply to the Redevelopment Districts. Noted the project is located in the downtown Redevelopment District. Mr. Stevenson also informed the Commission that the applicant has been in contact with the owners of the Secrest Building for joint use for 32 parking spaces. Noted that the mix use project is permitted in the town center. Read the definition of mix use from the Land Development Code.

Commissioner Wililams requested from the Commission to proceed with the vote of the variance without the video.
Mayor Capizzi inquired the from the commission on Commissioner WIlilams request.
Discussion between the commission on the video and the expectations. Commissioner Williams walked through the process.
Mayor Capizzi requested the applicant how she would like for the commission to proceed.
The applicant noted the video was created for the variance and gave more explanation for the request.
The Mayor inquired from the applicant if the video should be played and the applicant requested the video to be played.

The video was played for the residents.

Mr. Stevenson explained to the Commission what the next steps are along with the Land Development Code as well as the Comp Plan. Continues to explain the Land Development Code sections and the need for development within the city.
He continued to discuss a study that was previously done within the City. Noted this is how to implement the studies.

Vice-Mayor Hutcherson inquired for clarity regarding the denial of this variance it being just transient lodging. Mr. Stevenson agreed.
Mayor Capizzi agreed with Commissioner Hutcherson. Express wanting the residents to understand feel comfortable.
Commissioner Jackson inquired about the setbacks and the variance along with everything coming back to the commission. Mr. Stevenson confirmed.
Mr. Stevenson noted the applicant needs to know what project they have. There are tasks that need to be accomplished then bought back to the Commission.

Ms. Francesca DiPasquale noted if not approved for the mix use it won't be at this volume. Request for the park like area. Noted this is dream of what it could be, and the residents would want the same thing.

Mr. Bill Geiger, a Cocoa Beach residents noted his family and generation. Noted the email sent. The issue is parking and understand it is at a later point. Noted, Seacrest Building and noted the parking for this building. Explain how not understand to park.. Explained the parking for 4th street and parking lot, not sure if there is an agreement. noted the businesses used from other businesses. Explained a hardship, noted this is not a hardship. That was mistake from the presentation not in his opinion. None of the parking has the parking lot north side, and west side, pervious, if get away allocated, won't be pervious, don't see how its a alible.

Ms. Rebecca Sparks, a Cocoa Beach resident, noted that has a local business as well that celebrate 35th anniversary. Noted Cocoa Beach is a gem. Supports the Stina project. Explained the reasoning for agreement of this project.

Ms. Janice Scott, noted the Glass Bank and would like to see something there. Mentioned confusion of the variance and it that goes with the land. Don't see how this meets the criteria for the variance expect they want it. Would like clarification condo or hotel. Critical issue is the parking and not adding the density to it. Noted the ABC store. Noted the height, and mentioned the grandfather of the 85 ft. hardly

City Attorney noted the motion.
Commissioner Williams amended the motion.
MOTION WILLIAMS/JACKSON
I MOVE TO APPROVE THE DENSITY VARIANCE FOR 505 NORTH ORLANDO AVE. PURSUANT TO SECTION 4-41(A)(3) OF THE LAND DEVELOPMENT CODE FOR MAKING FINDINGS OF FACT THAT PETITIONER HAS MET THE LEGAL STANDARDS FOR VARIANCE AS SET FORTH IN SECTION 4-41.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commission Hutcherson inquired about the parking.
Mayor Capizzi noted this is for the variance only. Noted to the applicant they go the raw end of the deal, and does not play a role in the decision. Due to being in the code, it is allowed. Noted he is representing the city and liked the look bring back old school. Would like it to benefit the residents.

Commissioner Woulas noted the following project for the last couple years. Commends the applicant and using the property to the full potential. Connecting the city with the new developments coming into the city.

ROLL CALL VOTE:
COMMISSIONER JACKSON - AYE
COMMISSIONER WILLIAMS - AYE
COMMISSIONER WOULAS - AYE

VICE - MAYOR HUTCHERSON - AYE
MAYOR CAPIZZI - AYE

2. Review and Consider the STINA project conceptual site plan pursuant to Section 4-02 (C) of the Land Development Code. The site plan requires review and final action by the City Commission since the plan contains structures of thirty thousand (30,000) square feet or greater.
   Representative: Randy Stevenson, Development Services Director
   Recommendation: Approve

The City Attorney read item J2.
MOTION WILLIAMS/JACKSON
MOVE TO REVIEW & CONSIDER THE STINA CONCEPTIONAL PLAN WITH THE FINAL CONSIDERATION AND BOARDS.

Mr. Cory Hall, Planner, noted this is a conceptual site plan that the applicant is asking for. Various steps mentioned need to be taken.

Vice-Mayor Hutcherson noted that this conceptual plan does not need to be approved. Discussion among the commission regarding the conceptual plan and the need for approval.

Mr. Stevenson mentioned this is a concept and has a lot to do before starting. Would like the comments, and approval of a concept plan.

Vice-Mayor Hutcherson noted he would disapprove of a conceptual plan that's not compliant.
Mayor Capizzi noted the applicant would like direction on how commission feel regarding the project.
Vice-Mayor Hutcherson noted conversations regarding noncompliance issues.
Commissioner Jackson pointed out that the owner is at risk at a number of these things and the commission is out of sorts of then it is fair and agree with Commissioner Williams. It must meetthe code. Telling them they are accepting some level of risk but giving them a direction.
Conceptionly I like this plan, but it needs to meet code, looking at it for a business side is understandable.
Commissioner Woulas agrees with Commissioner Jackson, if agree with conceptual site plan and it will come back to the commission and will deal with these issues.

Mr. Stevenson noted the building is shown where the building is going to be located. As well noted the money being spent, and asking the commission is workable, understanding forcoming issues that they will go after passing this phase. Staff will be spending a lot of time and will meet code.

Mayor Capizzi noted this is not needed to be a 5-0, but trying to understand Vice-Mayor

Hutcherson.
Commisioner Williams noted the applicant is looking fro the commission's confidence level.
Mayor Capizzi requested for unity and not vote based on principle.
City Attorney Becky Vosed noted its not unusual to have a vote to approve a concept plan. Gave example of a project that would not be ideal. It is not required but assured not unusual.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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

L. ADJOURNMENT

The meeting was adjourned at 8:59 pm.

Karin Grooms

Karin Grooms, MPA, CMC
City Clerk

Keith Capizzi
Mayor-Commissioner