

CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
September 19, 2024

A. MEETING CALLED TO ORDER

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

Commission Members Present:

City Commissioner - Mayor Keith Capizzi
City Commissioner Joshua Jackson
City Commissioner Karalyn Woulas
City Commissioner Skip Williams
City Commissioner Jeremy Hutcherson

Administrative Members Present:

City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Chief Finance Officer/ ACM Patrisha Draycott
Deputy Fire Chief Justin Grimes
Director of Grants and Special Projects Devan Pritts
Fleet Director Jonathan Mickler
Human Resources Cindy DePina
Information Technology Kevin Perez
Leisure Services Laird McLean
Police Chief Wes Mullins
Project Manager Scott Maxim
Stormwater Manager, Morgan Zuhlke
Water Rec/ Public Works Director Brad Kalsow
IT Support Coordinator Lauren Domenech
Lt. Peter Marks
Firefighter, Alec Diamond
Firefighter, Kate Munn
Firefighter, Nick Lesch
Firefighter, Cheyne Wilson
Captain Steve Lea
Firefighter Zach Anthony
Fire Support Administrator, Shelby Teat
Fire Marshall, Sal Liberto
Major Tom Cooper

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Deputy Police Chief, Kris Kuehn
Assistant Leisure Services Director, Andrea Segarra
Lt. Joe Versaggi
Pro Shop - Joe Tucker
Pro Shop Manager, Ed Thinger
IT Tech, Mike Ledesma
IT Manager, Ron Munn

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 WILLIAMS/WOULAS

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. BUDGET HEARING

1. Approve Resolution No. 2024-21, A Resolution Of The City Commission of the City of Cocoa Beach of Brevard County, Florida, adopting the final levying of ad valorem taxes for the appropriations to be paid out of the General Fund during the Fiscal Year 2025 of the City Of Cocoa Beach, Florida; Providing for an effective date.

Resolution No.2024-21 adopts the Millage rate of 6.1644 mills for Fiscal Year 2025. The Tentative Millage rate of 6.1644 mills is **8.25% higher than the rollback rate of 5.6945 mills.**

Pursuant to Florida Statue 200.065 (2), the first substantive issue discussed at the second public hearing to adopt the final millage rate and budget will be the millage.

This final millage rate must be adopted before the budget, by separate votes. The Commission adopted a tentative millage rate of 6.1644 mils. at the first public hearing on September 4, 2024. The final millage rate may not exceed this, but may be lower.

The staff has prepared the budget based on a millage rate of 6.1644 mills, which is the same as the current year millage rate of 6.1644, and is a tax increase. The legislatively prescribed tax rate that gives local government the same tax revenue as the year before (i.e. rolledback rate) is 5.6945 mills. The proposed millage rate of 6.1644 mills is 8.25% higher than the rollback rate of 5.6945 mills, which is a tax increase.

Recommendation: Approve

The city attorney read item C1 Resolution 2024-21.

MOTION BY WILLIAMS/ WOULAS

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I MOVE TO APPROVE THE PROPOSED MILLAGE RATE OF 6.1644 MILLAGE
ROLL CALL VOTE AYE 4 NAY 1 - HUTCHERSON

Vice-Mayor Hutcherson discussed the position the city is currently in and noted the potential issues in future years.

Mayor Capizzi urged the City Manager and staff to keep the budget the same. Noted keeping the millage rate down and explained what could be done to not exceed it.

Vice-Mayor Hutcherson inquired from the Mayor if he was speaking on rollback or keeping the current rate for next year.

Mayor Capizzi and Vice-Mayor Hutcherson discussed the need for the city to keep the millage rate low.

Ms. Janice Scott, Cocoa Beach resident, inquired about the city's current debt.

Requested that the city make a priority list for expenditures and operations.

Mayor Capizzi recapped the current debt, projected debt, and reserves.

Vice-Mayor Hutcherson inquired how the debt is going down if the city added a City Hall.

Mayor Capizzi noted the interest rates, and the federal rates dropping.

Mr. Tim Tumulty, a Cocoa Beach Resident, shared that the homestead property taxes increased 1% over the last 12 years. Noted the 3% increase for assessed property values.

Mayor Capizzi noted the Save Our Homes assessment on the 2024 election ballot.

Vice-Mayor Hutcherson noted the pressure added to the city.

Commissioner Williams spoke on the city's biggest expense, the employees. To maintain adequate employees, and to maintain good employees is the biggest expense.

He added that the only way to reduce employee costs is to reduce the head count. He stated employees are the biggest asset. Commissioner Williams requested from Ms.

Patrisha Draycott, CFO, a current listing of all the millage rates in Brevard County.

Mayor Capizzi noted the employees and the staff. He thanked the staff and the cost of living.

Commissioner Woulas noted the employees and the infrastructure that needs to be completed. There is not much other to cut out. For the millage, she urged the commission to think about the situation and not automatically go to rollback or keep it the same.

Commissioner Williams stated the goal is to keep the millage the same next year with the same services.

The commission discussed what-if scenarios that included loss of amenities or services.

2. Approve Resolution No.2024-22, A Resolution of the City Commission of the City of Cocoa Beach, Brevard County Florida, adopting the final budget for the Fiscal Year 2025 of the City of Cocoa Beach, Florida; providing for an effective date. The total budget is \$123,248,506, which includes the capital improvement expenditures.

The final budget is being presented and must be adopted by a separate vote

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from the millage. Resolution No. 2024-22 establishes an operating budget for FY2025.

The proposed budget was discussed at the July 2, 2024 and July 18, 2024 budget workshops, and tentatively adopted by the Commission at the first hearing on September 4, 2024.

Representatives: Patrisha Draycott, Chief Financial Officer; Wayne Carragino, City Manager

MOTION BY WILLIAMS/WOULAS

I MOVE TO APPROVE THE BUDGET BY RES. 2024-22

ROLL CALL AYE 4 NAY 1 - HUTCHERSON

Commissioner Williams noted that the dollar value on the agenda was \$123,000,000. He discussed the balance sheet for government spending.

Mayor Capizzi clarified the value, which included grants and enterprise funds.

Vice-Mayor Hutcherson noted spending more than taking in.

Mayor Capizzi mentioned the City Hall.

3. Approve Resolution No.2024-23, A Resolution of the City Commission of the City of Cocoa Beach, Florida, adopting a Five-Year Capital Improvements Program, to include the Fiscal Year 2025 Capital Improvements Budget and adopting a Proposed Capital Improvements Program for the next Four Fiscal Years 2025 - 2029 which may be revised and extended each year with regard to capital improvements.

Representatives: Patrisha Draycott, Chief Financial Officer; Wayne Carragino, City Manager

Recommendation: Approve

MOTION BY WOULAS/JACKSON

I MOVE TO APPROVE RESOLUTION 2024-23

VOICE VOTE ON THE MOTION CARRIED 4-1 NAY HUTCHERSON.

Mr. Orson Tarver, a Cocoa Beach Resident, thanked the commission regarding the Holiday Lane boat ramp.

4. Approve Resolution No. 2024-25. A Resolution of the City Commission of the City of Cocoa Beach of Brevard County, Florida, adopting changes to the Financial Policies and Practices in the FY2025 Budget, Exhibit A.

Representatives: Patrisha Draycott, Chief Financial Officer; Wayne Carragino, City Manager

Recommendation: Approve

MOTION BY WILLIAMS/JACKSON

I MOVE TO APPROVE RESOLUTION 2024-25

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

5. Approve Resolution No. 2024-01 A Resolution of the City Commission of the

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City of Cocoa Beach, Brevard County, Florida, adopting the final Community Redevelopment Agency Budget for the Fiscal Year 2025 of the City of Cocoa Beach.

Staff Representative: Devan Taly, Director of Grants & Special Projects

MOTION BY WOULAS/WILLIAMS

I MOVE TO APPROVE

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Williams inquired about the numbers on the resolution. It was clarified.

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.

Mr. Orson Tarver, Cocoa Beach resident, spoke on Airbnb. Mentioned the planning board and provided observations. Requested the Commission to give direction to the city staff. Stated that these are businesses and need to provide it as a business.

Mr. Dan Dvorak, a Cocoa Beach resident, spoke about the usage of his property at 124 S. Orlando Ave. Discussed issues and the change of use of the property. Noted that current usage does not allow to have a storage facility.

Commissioner Williams requested the city attorney to work with Mr. Randy Stevenson, Director of Development Services to look at a modification. He spoke about what could be done. However, without a code change, a storage facility is not an option.

Mayor Capizzi stated he is pro-business and would like for businesses to do what they wish within the close. Noted the unique situation and noted it being vacant.

Ms. Janice Scott spoke on the political form, including the candidates, responded - and spoke on who is going to be speaking, same as any other year. Mentioned if time allows questions from the audience. The forum will be from 10:00 am - 12:30 pm Saturday 9/28/24. Ms. Scott also spoke on a project she had been working on for 15 years and the signatures she obtained to be placed on the house floor.

Mr. Tim Tumulty mentioned the weeks events at the high school. He spoke on an incident at the high school, a bomb threat during the week. He explained what occurred and the entire situation. He read a letter regarding the situation from the Principal Mr. Tim Powers. Mr. Powers thanked all the agencies involved. Noted the water provided and the hours the students had to wait. There was no bomb and that every case was taken seriously.

Commissioner Williams noted training that is done at work with drills in different facilities. He inquired if a lessons learned succession was done. Mr. Tumulty mentioned

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the errors and the need for corrections.

Commissioner Jackson stated he was a parent of a student and thanked the public safety crews/staff.

Mayor Capizzi noted and thanked the public safety teams.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Wayne Carragino, City Manager, brought forward the preliminary costs for lifeguards for the upcoming fiscal year. He discussed that the numbers before the commission were being brought forward to the county commission the following Tuesday at the county meeting. Mr. Carragino requested the commission for approval to move forward with the MOU if options 1,2, or 4 are approved by the county for lifeguards. Commissioner Williams requested consent from the commission to allow the City Manager to work on the MOU for options 1,2 and 4 then bring it back to the City Commission for final approval. The commission approved the request 5-0.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

The city attorney had no reports.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Vice-Mayor Hutcherson thanked Mr. Tumulty for the update on the school incident. The Vice-Mayor requested a conscience vote that the new police vehicles have "In God We Trust" on the side of the cars. The commission agreed.

H. SPECIAL PRESENTATIONS

1. Proclamation - Proclaiming the week of September 15th, 2024 - Surgical Technologist's Week.
Representative Charles Robinson will attend to receive.

Mayor Capizzi read the proclamation for Surgical Technologist's Week.

Mr. Robinson accepted the Proclamation and thanked the City Commission. He expressed the importance of recognizing surgical technologists as they are undervalued and many do not know what they do.

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I. CONSENT AGENDA

MOTION BY WILLIAMS/JACKSON

I MOVE TO APPROVE CONSENT AGENDA AS READ

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve Meeting September 4, 2024 Minutes
Staff Representative: City Clerk's Office
2. Approve contract CB 24 - 008 with Mauldin & Jenkins, LLC, Certified Public Accountants.
Staff Representative: Patrisha Draycott, Chief Financial Officer
3. Request approval to contract with Geosyntec Consultants Firm for the Cocoa Beach Stormwater Vulnerability Assessment. If unable to negotiate with the first firm, authorize City staff to negotiate a contract with the next rated firm that the City Manager can approve. This is a budgeted item.
Staff Representative: Devan Taly, Director of Grants & Special Projects
4. Ratify the following three-year union contract, for the period of October 1, to September 30, 2027, between the City of Cocoa Beach and:
 - a. The Florida State Lodge Fraternal Order of Police Inc. (FOP).
 - b. Local 3570, The International Association of Fire Fighters (IAFF) {updated 9-17-2024}Staff Representative: Cindy DePina, Director of Human Resources and Patrisha Draycott, CFO
5. Approve the Second Amendment of the Legal Services Contract with Vose Law Firm. This is a minor amendment to the City Attorney contract relating to the method of billing with no impact on the amount of fees or costs billed.
Staff Representative: Becky Vose, City Attorney.

J. ITEMS REMOVED FROM THE CONSENT AGENDA

K. UNFINISHED BUSINESS

1. Adopt Ordinance 1693 on second reading:
An Ordinance of the City of Cocoa Beach, Florida, amending City of Cocoa Beach Code of Ordinances, Section 15-17, "restrictions on camping" and section 30-29 "classes of violations and associated civil penalties"; providing for findings and intent; prohibiting overnight public camping and sleeping; providing for exceptions to the prohibition; providing for enforcement of section 15-17; Providing general clean-up changes; and providing for severability, conflicts, codification, and an effective date.

This ordinance is to prevent potential conflicts with the County or the new State law (Section 125.0231, Florida Statutes), it is recommended that the City Commission adopt by Ordinance a prohibition of public camping or sleeping.

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Adopting a zero-tolerance policy for camping or sleeping on municipal property will head off any potential costs associated with potential litigation from citizens or business owners negatively impacted by camping or sleeping on city property. The first reading was September 4th, 2024.

Staff Representative: Becky Vose, City Attorney

MOTION BY WILLIAMS/WOULAS
I MOVE TO APPROVE ORDINANCE 1693 AS READ
ROLL CALL AYES 5 NAY 0

L. NEW BUSINESS

1. Requesting permission to enter into contract negotiations with Nutt Construction, the highest ranked bidder, for the golf course irrigation project. Total project cost - \$2,129,300.00
This is a budgeted project.
Representative: Scott Maxim, Project Manager

MOTION BY WOULAS/WILLIAMS
I MOVE TO APPROVE CONTRACT NEGOTIATIONS
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Mr. Rick Anderson inquired about the funds and an explanation regarding the funds. Mr. Scott Maxim, Project Manager, noted the phases and spoke about the issues with the issues regarding consultant to work with the City. It was previously budgeted and how the funding was expected.

Commissioner Williams confirmed the total of all phases is \$2,129,300.

Vice-Mayor Hutcherson stated that the project is under budget.

Ms. Janice Scott inquired about the consultant fees for the project.

Mr. Maxim introduced Mr. Mike Pignato with The Pignato Group. He noted that his company works with Mead and Hunt. The fee for the design work and all the data collected was \$70,000. He also explained the city will receive the as-built for the golf course.

Vice-Mayor Hutcherson requested to revisit the rates of the golf course. He noted the funds and the improvements. Requested to revisit the golf studies done the previous year.

The commission discussed the statistics and the science behind the rates. Discussed ensuring not to raise rates just to raise the rates.

Mr. Tim Tumulty spoke about the consultants who did the previous survey. Invited the commission to go on the course and speak with the golfers on the course for more of an understanding.

2. **First Reading of Ordinance 1689:** Moved to October 3rd, 2024 - Due to text modification and re-advertisement.

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The City Attorney read the items notifying the public of Ordinance 1689 being moved to the next meeting set for October 3, 2024.

M. GENERAL PUBLIC COMMENT

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

Ms. Janice Scott commented on the lifeguard information provided by Mr. Carragino. She gave her opinion on the TDC and other municipalities' handling of tourist dollars.

N. ADJOURNMENT

The meeting was adjourned at 8:15 pm.

X

Karin Grooms
City Clerk, CMC, MPA

X

Keith Capizzi
Mayor-Commissioner