

CITY OF COCOA BEACH, FLORIDA
CITY COMMISSION
MINUTES
November 7, 2024

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance
2. Invocation by Mark Wodka, Reverend, Space Coast Seafarers Ministry
3. Roll Call

Commission members present:

Keith Capizzi – Mayor seat 1

Jeremy Hutcherson – Vice Mayor seat 5

Joshua Jackson – Commissioner seat 2

Karalyn Woulas – Commissioner seat 3

Skip Williams – Commissioner seat 4

Administrative members present:

Wayne Carragino - City Manager

Becky Vose - City Attorney

Karin Grooms - City Clerk

Devan Taly - Project/Grant Coordinator CRA Administrator

Scott Maxim - Project Manager

Morgan Zuhlke - Stormwater Utilities Manager

Brad Kalsow - Water Reclamation Director

Jonathon Mickler - Fleet Director

Justin Grimes - Fire Chief

Brian Thomas - Building Maintenance Supervisor

Laird McLean – Director of Leisure Services

Cody Dingee – Controller

Loren Wiltse – Principal Planner

Cindy Depina – Human Resources Director

Jessica Hope – Deputy Human Resources Director

Andrea Segara – Assistant Director

Justin Grimes – Fire Chief

Wes Mullins – Police Chief

Jay Castillo – Chief Building Official

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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
IMOVE TO APPROVE THE AGENDA AS READ
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. 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.

Commissioner elect Tim Tumulty spoke on the national surfing event this weekend and the silent auction. He spoke about his concern with bikes and asked that it be put it on a future agenda. Rick Anderson thanked Commissioner Karalyn Woulas and mentioned the committee task force who ran the ADA beach accessibility. Asked to bring it up as discussion.

C. STAFF REPORTS AND ANNOUNCEMENTS

No Reports

D. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No Reports.

E. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Woulas thanked the staff and commission and congratulated recent election winners. Hutcherson noted the peaceful and quick election. Williams thanked Ms. Woulas and stated his enjoyment working with her. Ms. Becky Vose, City Attorney stated her pleasure working with Commissioner Woulas. Mayor Keith Capizzi also stated his pleasure working with Commissioner Woulas and the rest of the commission. He congratulated everyone who won and appreciated everyone's involvement

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F. CONSENT AGENDA

MOTION BY WILLIAMS/WOULAS

I MOVE TO APPROVE THE CONSENT AGENDA AS READ
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the October 24th City Commission Meeting Minutes
Staff Representative: Karin Grooms, City Clerk
2. Adopt Resolution No. 2024-24 _A Resolution of the City Commission of the City of Cocoa Beach, Florida, amending the 2025 budget for projects not completed the prior fiscal year.
Staff Representative: Cody Dingee, Controller
3. Adopt Resolution No. 2024-26 A RESOLUTION OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2023-2024 WHICH BEGINS OCTOBER 1, 2023, AND ENDS SEPTEMBER 30, 2024, INCLUDING ADJUSTMENTS FOR REVENUES AND EXPENDITURES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS BY THE CITY MANAGER; AND PROVIDING FOR SCRIVENER'S ERRORS, CONFLICTS, SERVERABILITY, AND EFFECTIVE DATE.
Staff Representative: Cody Dingee, Controller
4. Request to cancel the following City Commission meetings:
 - November 21, 2024
 - December 19, 2024
 - January 2, 2025**Staff Representative:** Wayne Carragino, City Manager
5. Request permission to enter contract negotiations with Jacobs Engineering Group for the Cedar, Woodland, Brevard Stormwater Design/Engineering Services CB24-014
Staff Representative: Devan Taly, Director of Grants & Special Projects, Morgan Zuhlke, Stormwater Manager
6. Requesting permission from the commission to contract Playworx Playsets LLC to replace the CB Aquatic Shade. This is a budgeted item.
Staff Representative: Laird McLean, Leisure Services Director.

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B. ITEMS REMOVED FROM THE CONSENT AGENDA

C. UNFINISHED BUSINESS

1. ADOPT ORDINANCE NO. 1688 ON SECOND READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TITLE TO BE "CITY OF COCOA BEACH COMPREHENSIVE PLAN 2045"; AMENDING DEFINITIONS TO BE CONSISTENT WITH THE LDC; AMENDING SECTION I "FUTURE LAND USE ELEMENT" INTRODUCTION DATA TO REFLECT CURRENT POPULATION ANALYSIS AND FORECASTING FUTURE GROWTH, AND AMENDING POLICY I.1.1 AND I.1.2, AND AMENDING FLUE MAPS TO CHANGE DATES TO 2045; AMEND SECTION II, "COASTAL MANAGEMENT ELEMENT" INTRODUCTION DATA AND ANALYSIS AND POLICY I.1.1 ADDING NORTH THOUSAND ISLANDS MANAGEMENT PLAN DATA; AMENDING SECTION III "CONSERVATION ELEMENT" UPDATING THE INTRODUCTION DATA AND ANALYSIS TO INCLUDE LISTED PLANT AND ANIMAL SPECIES; AMENDING SECTION IV, "RECREATION AND OPEN SPACE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY I.1.3 TO REFLECT A 2045 PLANNING HORIZON; AMENDING SECTION V, "HOUSING ELEMENT" INTRODUCTION TEXT TO REFLECT CURRENT POPULATION AND GROWTH TRENDS THOUGH 2045; AMENDING SECTION VII "INFRASTRUCTURE ELEMENT" INTRODUCTION DATA AND ANALYSIS TEXT AND POLICY'S I.1.1, I.1.3, I.1.6, AND POLICY'S I.2.2 – I.2.4 TO REFLECT THE CITY'S CURRENT POTABLE WATER SERVICE PROVIDER, AND PROVIDE CONSISTENCY WITH THE CITY'S POTABLE WATER CONTRACTUAL AGREEMENT; AMEND SECTION VIII "MOBILITY ELEMENT" POLICY'S I.1.3, I.1.20 AND I.13.1 TO REFLECT CURRENT TRANSPORTATION PRIORITIES, AND UPDATE MOBILITY MAPS TO REFLECT 2024 CONDITIONS AND ANTICIPATED 2045 CONDITIONS; AMENDING SECTION IX "CAPITAL IMPROVEMENT ELEMENT" TO REFLECT RECENT CIP TABLES; AND PROVIDING FOR FINDINGS, CODIFICATION, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ordinance 1688 is an update to the Comprehensive Plan.

Staff Representative: Randy Stevenson, Development Services Director
Recommendation: Adopt Ordinance 1688 and authorize transmittal of adoption to the Florida Commerce Department within 10 working days of adoption

MOTION BY WILLIAMS/WOULAS
I MOVE TO ADOPT ORDINANCE 1688 ON THE SECOND READING.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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2. ADOPT ORDINANCE 1689 ON SECOND READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING SECTIONS OF APPENDIX B OF THE COCOA BEACH CODE OF ORDINANCES, LAND DEVELOPMENT CODE; PROVIDING FOR MINIMUM REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP); AMENDING ARTICLE IV "DEFINITIONS;" WITHIN CHAPTER I, "PURPOSE AND GENERAL PROVISIONS"; AMENDING ARTICLE III "FLOOD DAMAGE PREVENTION" WITHIN CHAPTER VII "STORMWATER MANAGEMENT AND FLOOD CONTROL"; ALL WITHIN THE LDC; INCORPORATING RECITALS; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY; AND EFFECTIVE DATE.

Ordinance 1689 is a request to implement changes to the Land Development Code (LDC) Chapter I and Chapter VII. These changes were determined to be necessary to maintain or improve the City's Community Rating System (CRS) Class 8 rating under the National Flood Insurance Program (NFIP). Ordinance 1689 reflects FDEP recommended changes needed to satisfy the prerequisite requirements of the NFIP, and those necessary for the City of Cocoa Beach to maintain or improve its current CRS 8 rating. Without these changes, the city was informed it could be retrograded to a CRS Class 9 rating.

Staff Representative: Randy Stevenson, Development Services Director
Recommendation: Adopt Ordinance 1689 (Flood Prevention Provisions) and authorize transmittal of adoption to the Florida Division of Emergency Management (FDEM) and Federal Emergency Management Agency (FEMA).

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO ADOPT ORDINANCE 1689 ON THE SECOND
READING VOICE VOTE ON THE MOTION CARRIED
UNANIMOUSLY.

mentioned effective cost balance initiative Williams inquired
about language

Mr. Stevenson stated that there is no additional cost. And mentioned the increase would
happen if we don't do this

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D. NEW BUSINESS

1. Request 2025 budget to add (1) Code Enforcement Officer, dedicated to managing Short Term Rental (STR) registration and enforcement.

Staff Representative: Jeremy Hutcherson, Vice-Mayor

Recommendation: Discuss

MOTION BY WILLIAMS/HUTCHERSON

I MOVE TO CONTINUE DISCUSSION ON THE DECEMBER 5TH COMMISSION MEETING. VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Williams mentioned registration regulations for STRs stated that the process has been in place for 6 years. Inquired how many are registered. Stated that we don't have manpower to get the STRs registered. Would like to avoid hiring another code enforcement officer or for it to go to a vote

Vice Mayor Hutcherson stated that it is a big issue for residents. Stated he doesn't think it's a full-time job and a contract position instead. Have a dedicated person on registering STRs. Capizzi stated that STRs and E-bikes are some major issues Stated Jill is willing to help. Stated he spoke to someone with a lot of knowledge on the issue. If we don't have staff, there are people willing do it for free. Suggested a part timer who can work with volunteers. Hutcherson stated that we can share resources with Canaveral. Hutcherson mentioned confusion on the website. Jackson stated his approval of Hutcherson bringing this forward. Is for a task force of volunteers amplified by city employees. Mentioned establishing a standing board.

Ms. Vose stated her concern is giving them a name and giving them "Power" stated sunshine law could get in the way of the volunteers. It could happen just not make it formal. Woulas stated that with a dedicated employee catching violations would pay for that employee.

Williams stated someone who had homestead exemption. If they rent it, they lose that homestead exemption. Capizzi reiterated part position.

Wayne wanted to look into a full-time employee. And is for contract or part time employee. Agreed with Hutcherson. Williams suggested draft an announcement for a position and bring something in writing for the December 5th meeting

Williams//Hutcherson

Rick Anderson Stated that he is involved with volunteers and stated that relying on volunteers is an issue. Stated his agreement with a dedicated employee.

Elect Tumulty thanked Hutcherson and stated his discussions with residents air.dma.co and discussed money used for resources to find violations on STRs stated that meetings on this need to happen more often. Suggested the fine is substantially higher. Mentioned the amount of Air B&B is in the 1000,s stated we could have 3-5 more code officers

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Jackson mentioned contracting out enforcers and pay them for resources. Williams reiterated his motion for a part timer. Jackson reiterated Tumulty notion that 1 person cannot do this by themselves. Williams stated the # of registered rentals is in the 1000s Capizzi mentioned volunteers helping the one person Jackson suggested giving Caragino a wide berth and added pushing significantly to getting this.

2. Request to approve a contract with Mead & Hunt for the Inflow & Infiltration Abatement Program CB24-012

Staff Representative: Brad Kalsow, Water Reclamation/Public Works Director, Devan Taly, Director of Grants & Special Projects

Recommendation: Approve

MOTION BY HUTCHERSON/JACKSON

I MOVE TO APPROVE THE CONTRACT WITH MEAD & HUNT FOR THE INFLOW & INFILTRATION ABATEMENT PROGRAM.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Mr. Brad Kalsow, Water Reclamation/ Public works Director, stated that it's part of the SRF 15 and that it is shown in the expenses and revenue. He added that it is a multiyear project and is broken down in the budget

3. ADOPT ORDINANCE 1694 ON FIRST READING: AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, ADOPTING A NEW CHAPTER 13.1, "MISLEADING ADVERTISING", TO THE CODE OF ORDINANCES OF THE CITY OF COCOA BEACH, PROHIBITING MISLEADING ADVERTISING WITH A RATIONAL NEXUS TO THE CITY OF COCOA BEACH; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Ordinance 1694 is intended to protect the City of Cocoa Beach and its residents, business owners, and visitors to ensure that potential visitors are not lured to the City of Cocoa Beach through misleading, false, fraudulent or deceptive advertisements, and are thereby made subject to unexpected and unpleasant enforcement actions that would not occur, but for misleading, false, fraudulent or deceptive advertisements.

Staff Representative: Loren Wiltse - Principal Planner, Randy Stevenson - Development Services Director

Recommendation: Adopt

Ms. Vose stated that this has been effective idea

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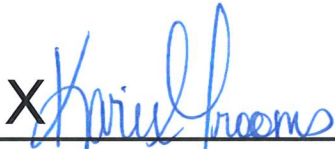
MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE ORDINANCE 1694 ON THE FIRST
READING VOICE VOTE ON THE MOTION CARRIED
UNANIMOUSLY.

Hutcherson inquired if it was a tool to help with vacations rentals Ms. Vose reiterated that it is. Commissioner Jackson inquired about the tool.
Ms. Vose described how the tool worked and could be an outlier in helping with STR registrations. Commissioner Williams asked to bring it back for a 2nd reading at the December 5th Commission Meeting. Mayor Capizzi stated that it was a great meeting concerning STRs.

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

F. ADJOURNMENT

Meeting Adjourned at 7:57 P.M

X 
Karin Grooms
City Clerk/Assistant City Manager

X 
Keith Capizzi
Mayor