City of Cocoa Beach City
Commission/CRA Minutes
Thursday, April 3, 2025

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance

2. Mark Reynolds, Pastor, First United Methodist Church

3. Roll Call

Commission Members Present:
City Commissioner - Mayor Keith Capizzi
City Commissioner - Joshua Jackson
City Commissioner - Vice-Mayor Skip Williams
City Commissioner - Jeremy Hutcherson
City Commissioner - Tim Tumulty

Administrative Members Present:
City Attorney - Becky Vose
City Clerk - Karin Grooms
Deputy Development Services Director - Brian Palmer
Development Services - Dave Dickey
Deputy Finance Director - Devan Taly
Project Manager - Scott Maxim
Public Works Director - Brad Kalsow
Planner II - Cory Hall
Police Chief - Wes Mullins
Leisure Services Director - Andrea Segarra
IT Director - Kevin Perez

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/HUTCHERSON
I MOVE TO PULL ITEM H. 3 FROM THE CONSENT AGENDA
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.

Mr. Jay Hood presented a potential project at Venetian Way North.
Matthew Beasly mentioned his ties with Jesse introduced himself and his team asked for the city to work with Jesse Wright.
Mr. Jesse Wright presented his project to the commission. He Was unsure if the city owns the 15 acres but is looking to find out. And wants to work with the city to help develop the area.
Mr. Keith Capizzi, Mayor, mentioned past access to the land.
Mr. Skip Williams, Vice Mayor, stated that the city needs to get permission from residents for a project at the location and added that there were multiple hurdles from the county, and could potentially put the area on sale. Vice Mayor Williams described the bidding process that the city goes through and that they are a long way away from putting the property up for sale and doesn't think it will move forward.
Ms. Becky Vose, City Attorney stated that it was acquired from the school board. And stated that there are restrictions on the property
Mayor Capizzi stated his interest seeing what could possibly be done.
Ms. Vose was authorized to do a title search.
Vice Mayor Williams stated that in the deed it is stated that it would have to be recreational.
Ms. Penny Cossich requested additional parking for her property, stated that it has become an issue with her residents.
Mayor Capizzi inquired about the passes and asked for additional information.
Ms. Cossich stated that her building had been around before the paid parking began. Ms. Tammy Liggett supported Ms. Cossich.
Mr. Ronny haddock inquired about the 3-foot diving board. Mr. Mark Grainger discussed what happened with the previous meeting with Mr. Oshri Gal.
Mr. Burton Catledge mentioned the property previously spoken about in an earlier presentation. Stated he doesn't want to see it develop and added that it is a community area and that it hasn't been an issue. Asked if it is owned by the city
Mayor Capizzi asked Ms. Vose about the sign, who stated that she doesn't know why the sign is there, but the city can prohibit people from entering an area.
Vice Mayor Williams asked if people's backyards attached to the property, there was a gate in the past. Stated the gate wasn't locked sometimes and would cause issues stated that there could be liabilities with the equipment in the area. Stated that it needs to get looked into further. Mayor Capizzi reiterated that it is the city's property.
Ms. Janice Scott made comments about the Brightwaters property.

D. STAFF REPORTS AND ANNOUNCEMENTS

Ms. Karin Grooms, City Clerk/Assistant City Manager, mentioned updates from FDOT regarding the speed limit signs and the removal of both speed bumps.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS
Commissioner Tumulty stated the room is going to be used for prom for tomorrow evening.
Mentioned the public comments and how they should work.

G. COMMUNITY REDEVELOPMENT AGENCY (CRA)
Commission convened as the Cocoa Beach Downtown Community Redevelopment Agency for the following item:

Request to approve Commercial Visual Improvement Program Grant for Dirty Birds Tiki Bar Grill, LLC; located at 142 Minutemen Causeway, Cocoa Beach, Florida 32931; in the amount of $50,000.
This is a budgeted item.
Staff Representative: Devan Taly, Deputy Finance Director
Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE COMMERCIAL VISUAL IMPROVEMENT GRANT FOR DIRTY BIRDS TIKI BARR & GRILL LLC.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Mr. Orson stated he did some research on the property and mentioned various closings on the property and stated his concerns about a long closure and is in support of the project.

Mr. Oshri Gal read an email he sent to the commission earlier in the week regarding the Dirty Birds property and his displeasure with the handling of the property. He stated that he is pursuing legal action.
Vice Mayor Williams stated that the lawsuit is against the city for the handling of the grant. What's before the council is if they approve the grant to the property.

Commission reconvened for the remaining items.

H. CONSENT AGENDA

a. Approve the following minutes: February 20th, March 6th, and March 20th Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve

b. Approve the purchase of a replacement pump for sewer lift station #5 in the amount of $61,167. This is a budgeted capital item.
Staff Representative: Brad Kalsow, Water Rec/Public Works Director
Recommendation: Approve

c. Approve Brevard County Ocean Rescue MOU's - Cocoa Beach Pier, Shepard Park, Fischer Park for FY 26.
Staff Representative: Wayne Carragino, City Manager
Recommendation: Approve

I. ITEMS REMOVED FROM THE CONSENT AGENDA

Approve Brevard County Ocean Rescue MOU's - Cocoa Beach Pier, Shepard Park, Fischer Park for FY 26.
Staff Representative: Wayne Carragino, City Manager
Recommendation: Approve

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO APPROVE THE BREVARD COUNTY RESCUE MOUs
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Ms. Grooms stated that the agreement was not budgeted, and the lifeguard captain stated they can pay in FY 26' and the city would be back paying for last year, this year and next at roughly at $86,000 equating to around $260,000 Mayor Capizzi stated he is okay with the $86,000 in the non-budgeted item
Commissioner Jackson inquired if the finance director will separate payments for each year. Ms. Scott shared her concerns about a lobbyist that was hired.

J. UNFINISHED BUSINESS

1. Adopt Ordinance No. 1697 on first reading. ORDINANCE NO. 1697 AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING chapter 26.5, "Vacation rentals", of the Code of Ordinances of the City of Cocoa Beach; providing for miscellaneous changes to findings of fact and definitions; providing for updating grandfathering provisions; providing for additional and/or revised methods of enforcement, registration and penalties for violations of vacation rental regulations; providing for violations of chapter; providing for temporary suspension of certificate of registration; providing for exemption for pre-existing rental agreements; and providing for CONFLICTS, codification, SEVERABILITY, AND AN EFFECTIVE DATE.
Staff Representative: City Commission
Recommendation: Adopt on first reading

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO ADOPT ORDINANCE 1697 ON THE FIRST READING WITH THE TWO AMENDED CHANGES

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Ms. Vose stated that there were two changes in the ordinance at an earlier meeting. Mentioned potential contact information for Vacation rentals in front of the building easily visible and added that the sticker would be an easy way to contact the owners
Commissioner Tumulty inquired about the registration date.
Mayor Capizzi asked Ms. Vose about violations in the ordinance who stated that she made changes for bad actors not the good ones.
Mayor Capizzi reiterated that the fines are for bad actors.

Ms. Ashley Funderburke-Swingle mentioned the changes in the ordinance. Stated that the facts don't support issues for commercials areas. Stated she made multiple attempts to contact the city about this issue. Inquired about why it makes sense to extend the ordinance into the commercial zone.

Ms. Vose stated that there are only 11 or 12 vacation rentals in the gateway area.
Commissioner Jackson inquired about making another amendment
Commissioner Tumulty stated that we do have mixed use and there are health risks.
Ms. Vose stated they still have to have BTRs
Mayor Capizzi inquired about the fines in the ordinance.
Commissioner Hutcherson inquired about the ordinance if the two zones would be added. Ms. Vose stated that it should come back as a 2nd first reading.
Vice Mayor Williams mentioned the STRs in those 2 zones and that there are issues not being addressed and added that the removal would cause a free for all. Ms. Vose stated that there are noise ordinances. Mayor Capizzi retracted his 2nd to the motion.
Commissioner Hutcherson brought up an alternative that a fee schedule could lessen the issue. Ms. Vose stated they are close to coming up with a fee schedule and stated there's a difference in cost with multi and single family strs.
Ms. Funderburke-Swingle spoke on changes to the ordinance and on the RS1 and RM1 and stated that findings don't support commercial buildings.

Ms. Tammy Muhs. Mentioned her purchase of a condo at a beach resort. Mentioned her costs and her compliance with the BTRs. Stated RS1 has fixed a lot of maintenance issues and urged the commission to consider that making it citywide will hurt some vacation rentals.

Mentioned the condos on the beach that he rents. Followed up with Ms. Liggett's sentiment. Shared his concerns with the cost required to run an STR.

Ms. Susie Ballister spoke on the idea of placing a visible sign in front of the STRs and shared her concerns that it isn't very wise or safe, stating that a property could be robbed. Mentioned her experience owning an STR and the cost of it and how they gave information to the city and to the FD for annual inspection.

2. Adopt Resolution 2025-04: A RESOLUTION OF THE CITY COMMISSION OFTHE CITY OF COCOA BEACH, FLORIDA; providing legislative findings; AMENDING RESOLUTION NO. 2025-01 that set vacation rental fees and fines and false advertising fines, by providing for an additional reduced fee time period for the payment of vacation registration fees and late fees; providing that all provisions of resolution No. 2025-01 shall remain effective except as temporarily revised by this resolution; and providing for severability and an effective date and ending date.
Staff Representative: City Commission
Recommendation: Adopt

MOTION BY WILLIAMS/HUTCHERSON
I MOVE TO ADOPT RESOLUTION 2024-04
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Mayor Capizzi inquired about the potential fee amendments. Ms. Vose stated they'll have an update at the next meeting.
Mr. Alain Chuntraruk stated that the size of units does matter and mentioned his concerns about the fees for different sizes.
Commissioner Tumulty asked if commissioners can have a discussion with Ms. Vose individually. Ms. Vose stated that they can.

K. NEW BUSINESS

1. Thunder on Cocoa Beach is requesting sponsorship from the City of Cocoa Beach for an amount not to exceed $5,000 per the Code of Ordinance.
Representative: Jenny Pruett
Recommendation: Approve in kind donation

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE IN-KIND DONATION

FOR THE THUNDER ON COCOA BEACH
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Ms. Scott objected to the city sponsorship and the date of the boat race due to turtle season. Suggested having the boat race at a different time.
Ms. Jenny Pruett stated that the grant is going to the Freedom Fighter nonprofit organization.
Mayor Capizzi inquired about the in-kind donation.
Ms. Grooms described what an in-kind donation is. Stated the city isn't for the party, just helping to keep it safe.
Mr. Rick Anderson stated his agreement with Ms. Scott.
Mr. Mark Grainger stated that he provides helicopters for the races and is impressed with the staff during the races.
Commissioner Tumulty mentioned his experience with the event and supports it, stating that the in-kind donation is cash. Stated that it's a shell game with money. Mentioned various events that it is done with. And discussed how the events should be self-sufficient.
Mayor Capizzi stated that it is not budgeted, but we are budgeted for overtime.
Commissioner Hutcherson inquired about the cash and in-kind services.
Commissioner Tumulty stated main street does more than just Friday fest.

2. Adopt Resolution 2025-05: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, BREVARD COUNTY, FLORIDA, providing
for the cooperation of the city and city staff with the Office of Policy and Budget in the Executive Office of the Governor and its Ensuring Government Efficiency Team ("EOG DOGE Team"); providing direction to the city manager; AND PROVIDING AN EFFECTIVE DATE
Staff representative: Jeremy Hutcherson, Commissioner
Recommendation: Adopt

MOTION BY HUTCHERSON/WILLIAMS
I MOVE TO ADOPT RESOLUTION 2025-05
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Commissioner Hutcherson highlighted that he welcomes tourists, and the services received. Stated he thinks it's a good platform to task the city staff and it is for public safety.
Commissioner Hutcherson stated that the revised version focused on safety. Mayor Capizzi stated he wants to get the wording fixed to help get the funding. Mr. KP Finke shared his concerns with inviting DOGE into the city. Ms. Scott stated that she is for DOGE and welcomes them. Ms. Scott stated that Ms. Pruett runs the 501c3 and that the city

shouldn't give them money earned with taxes.
Vice Mayor Wiliams mentioned the previous meeting and the great audit the city had. Doesn't think DOGE will come in and say that we're overspending
Mayor Capizzi inquired if Commissioner Hutcherson wants the city to work with them.
Commissioner Hutcherson stated his interview with news and stated that he wants to use another platform to see potential issues.
Commissioner Jackson stated that he agrees with Commissioner Hutcherson and that the city is already responding to the governor.
Ms. Vose stated that the city did respond and that we did not do what was listed and thought it was going to be used as a lobbying tool. Stated that state law gets in the way for public safety payments.
Commissioner Tumulty stated that DOGE is endorsed by the governor and president but doesn't think it is used for the proper path. Stated it has nothing to do with developer tax.
Stated that the TDC laws are a problem, and that its verbiage needs to Stated using it would be inefficient. Mentioned different ways to address it instead of creating more bureaucracy.
Commissioner Williams stated that they were passing a resolution not an ordinance and that an ordinance is not law. Shared his concerns about the TDC and the wording of the laws.
Mayor Capizzi shared some points about it.
Commissioner Jackson inquired who this resolution would go to and if it will get attention. Stated that our lobbyist has not been directed to use this tool. Mayor Capizzi asked for a head nod to require the lobbyist to bring it to the governor.

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

2. ADJOURNMENT

Meeting adjourned at 8:55

X
Karin Grooms
City Clerk/Assistant City Manager

X
Keith Capizzi
Mayor