CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
March 6, 2025

A. MEETING CALLED TO ORDER

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

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

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

Administrative Members Present:
City Attorney Becky Vose
City Manager Wayne Carragino
City Clerk Karin Grooms
Fire Chief Justin Grimes
Fire Marshall, Sal Liberto
Deputy Human Resources Director Jessica Hope
Development Services Director Dave Dickey
Deputy Finance Director Devan Taly
Deputy Development Services Director, Brian Palmer
Finance Director Hana Juman
Human Resources Cindy DePina
Information Technology Kevin Perez
Deputy Information Technology Ron Munn
Police Chief Wes Mullins
Deputy Police Chief, Kris Kuehn
Major Joe Versaggi
Major Tom Cooper
Planner, Corey Hall
Water Rec/ Public Works Director Brad Kalsow

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 HUTCHERSON/TUMULTY
I MOVE TO APPROVE THE AGENDA WITH ITEM H1 PULLED
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

C. SPECIAL PRESENTATIONS

1. Proclamation - Ancient order of Hibernians
   Keith Reynolds attending to accept

Vice-Mayor Williams read the Proclamation regarding the Ancient of Hibernians

Mr. Keith Reynolds, Director and Vice President of the Local Hibernations. He thanked the commission and gave a brief update on the history and his organization.

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.

Marcus Grantham, Indian Harbor Beach resident. Noted the speed bump and needing a warning. Spoke on the need to make a correction.

E. STAFF REPORTS AND ANNOUNCEMENTS

City Manager, Wayne Carragino informed the commission that he had been in contact with FDOT and had scheduled a meeting with its representatives. He sought direction on how to proceed regarding a speed bump and the speed limit change. After discussion, the commission reached a consensus, directing him to request the removal of the speed bump.

Mr. Carragino provided an update on the closure of Bicentennial Park. The City Manager noted that the process would take approximately eight months.

The City Clerk addressed the commission regarding the next meeting, explaining that the preliminary agenda appeared larger than usual. She requested an earlier start time to accommodate the extended discussions and also noted that a CRA meeting would be included within the regular session. The commission agreed to begin the meeting at 6:30 PM.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No reports.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

No commission reports.

H. CONSENT AGENDA

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

1. Approve the Interlocal Agreement between the Space Coast Transportation Planning Organization (TPO), FDOT and Brevard County municipalities in reference to the TPO to provide transportation planning services, to include the Central Florida Expressway Authority. Brevard County is a member of the Central Florida Expressway Board. The Central Florida Expressway Authority has a vital and

increasing role in the transportation facilities and services in Brevard County.
Staff Representative: Wayne Carragino, City Manager

2. Approve a 63-month leasing agreement with Dex Printing. The agreement includes print management services, equipment and maintenance. This agreement has a cost savings of $17,873.04 annually and will save a total of $93,833.46 over the entire leasing period from the previous agreement. Annual cost is $76,008 for a total of $399,042 over 63 months. This is a budgeted item.
Staff Representative: Kevin Perez, Informational Technology Director

Hi 1 was pulled, City
MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE CONSENT AGENDA
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

3. SUSTAINABLE LAND ADVISORY COMMITTEE
Appoint Eric Belaski to serve a term ending November 2028 (Seat 3 - Commissioner Tumulty)
Staff Representative: Karin Grooms, City Clerk

4. Authorize the City Manager to sign an agreement between United States Immigration and Customs Enforcement (ICE), a component of the Department of Homeland Security (DHS), and the Cocoa Beach Police Department, pursuant to which ICE delegates to nominated, trained, and certified officers or employees of the Cocoa Beach Police Department, the authority to perform certain immigration enforcement functions.
Staff Representative: Wes Mullins, Police Chief
Recommendation: Approve

I. ITEMS REMOVED FROM THE CONSENT AGENDA

The City Attorney read the pulled item H1.
MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE AS READ.

Mr. Orson Tarver shared his experience serving on the Citizen Advisory Committee for the TPO. He acknowledged the staff working with the TPO and FDOT and urged the commission not to sign the agreement with the TPO due to FDOT's changes regarding crosswalks and signage.

Vice Mayor Williams, reflecting on his 17 years with the TPO, spoke about his familiarity with its staff and key members. He also highlighted the recent speed limit reduction from 35 to 30 mph.

The commission discussed the impact of the speed limit change and additional issues caused by newly added crosswalks.

Mayor Capizzi asked whether the document should be tabled. Mr. Carragino advised that it should proceed to vote.

Commissioner Tumulty commented on the speed reduction and traffic flow observations.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

J. UNFINISHED BUSINESS

1. Discuss pedestrian/bicycle striping on the multi-use path along Minutemen Causeway
   Staff Representative: Jeremy Hutcherson, Commissioner
   Recommendation: Approve installing e-bike pedestrian awareness stencil

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

Resident Jodi Eberle commented on the project, suggesting it be completed in-house. She discussed concerns regarding stop signs and pedestrian safety, citing instances of near-misses and a specific accident.

Mr. Brad Kalsow, Water Reclamation/Public Works Director, informed the commission about an FDOT program that would place bike-themed artwork—designed by students from Roosevelt Elementary—on sidewalks.

Commissioner Hutcherson referenced discussions from the previous meeting, noting that approval was pending due to legal considerations and potential mitigation efforts.

Vice Mayor Williams inquired about the location of the FDOT project, to which Mayor Capizzi clarified that it would come at no cost to the city.

The commission reached a consensus to allow FDOT to proceed with the program.

Vice Mayor Williams highlighted the Net Zero initiative and the importance of community outreach.

Commissioner Tumulty remarked on the benefits of a balanced approach, bringing up the topic of e-bikes, though noting it was not on the agenda. He also addressed bike mitigation efforts. Mayor Capizzi asked about the location of the stencils. The location was discussed. Commissioner Jackson emphasized that this was just the first step and stressed the need for intentional follow-up. He recommended bringing the topic back for formal discussion at a future meeting.

K. NEW BUSINESS

1. ADOPT ORDINANCE 1695
   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 THAT THE REGULATION OF VACATION RENTALS SHALL BE CITY-WIDE RATHER THAN JUST IN THE RS-1 ZONING DISTRICT; MAKING RELATED CHANGES IN THE CODE; AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

   Staff Representative. Wayne Carragino, City Manager
   Recommendation: Adopt on first reading

MOTION BY WILLIAMS / TUMULTY
I MOVE TO APPROVE ORDINANCE 1695 FIRST READING.
Vice Mayor Williams referenced the ordinance and asked the City Attorney whether it applied to areas already permitted by Cocoa Beach. He inquired about short-term rentals by hour or day and the registration process, noting an exclusion for transient properties that had been grandfathered in. He also provided historical context on the issue.
The Commission discussed the transient lodging and the grandfather cause.

Mr. Dave Dickie, Development Services Director, noted the transient lodging category and the category of the STR's. He noted the difference between transient lodging and hotels/motels and the regulation is different.

Mr. Sal Liberto, Fire Marshall, spoke regarding different fire inspections and requirements per Florida Statute. He noted the percentage of condos being transient and the reclassification of the building. He spoke on fire safety for all organizations.

Vice Mayor Williams requested a review of past policies. The City Attorney explained the Business Tax Receipt (BTR) process. The commission debated enforcement, fees, and fairness in STR regulation.

Mayor Capizzi opposed high registration fees but supported a fair system. Commissioner Hutcherson suggested directing funds into an enterprise fund. Finance Director Hana Juman explained why this wasn't feasible.

Commissioner Hutcherson requested cost details, and Mr. Carragino referenced a spreadsheet presented at the last meeting.

Steve Reycerson (Spelling) supported regulation but urged a focus on rental violators rather than compliant owners. He advocated for punitive fees targeting offenders.
Nancy Happel requested the discussion move to the next agenda item.
Orson Tarver supported expanding regulations within RS-1 zoning and noted staff considerations.
Katie Acosta proposed requiring a notarized signature on the deed during STR registration to prevent future issues.

Vice Mayor Williams asked the City Attorney to review this suggestion, and Ms. Vose agreed to bring it back for discussion.

Deborah Ortiz Concepción explained that renting her family property was necessary to maintain ownership. She supported fees for enforcement but expressed concern that high costs might force her to sell.
Mayor Capizzi noted Cottage Row is different in the area, and compared the cost of registration.

Catherine Swingle discussed the financial challenges of long-term rentals and the burden of high fees and taxes on her property. She emphasized the impact on RS-1 zoning.
Alex Strashinsky Jr. shared that he had been renting his unit since 1985, before vacation rentals became common. He argued that his condo should not be subject to the ordinance due to its grandfathered status.
Marcus Grantham from Indian Harbor Beach opposed the high fees, stating he had not been

given the opportunity to register and now faced a $7,500 cost for his three condos.
Judi Eberle highlighted the need for effective enforcement and suggested utilizing existing city resources to regulate vacation rentals.
Jeanne Schrocal discussed the challenges of transient lodging competition and unregistered properties. She shared experiences managing rental properties in Boston.

Commissioner Jackson acknowledged public concerns and emphasized the need to address RS-1 zoning regulations. He opposed expanding the program at this time.

Commissioner Tumulty agreed but stressed that the commission's role is to set policy while the City Manager handles operations. He supported a citywide regulatory approach rather than addressing zoning issues piecemeal.

Vice Mayor Williams suggested two key points: Excluding grandfathered properties from the ordinance and postponing the resolution until after the second reading of the ordinance.

The commission discussed the intent of the resolution and the potential relief of RS-1 fees.

Mayor Capizzi inquired if anyone had already made payments based on the last resolution meeting. It was confirmed only a few had paid.
Vice-Mayor Williams requested the City Manager refund those who have already paid.

The City Attorney provided a way to move forward with the fees.

Commissioner Jackson would like to prove it could be done. He noted that this is new and significant and readdressed this at a later date.
Vice-Mayor Williams noted that the issues will continue for an entire year.

Mr. Dickey noted the metrics and the issues of vacation rentals of what is currently known. For what is currently known, the city has a compliance rate is 88%. The process is sound and affective and identifies all the other ones. Stated expanding could be done and noted they don't know what they don't know. The points the city staff notes the issues are weekend and nights.
Vice Mayor Williams noted that passing the ordinance on first reading is to give an incentive to register.

Commissioner Hutcherson supports the program. Noted the data metrics and should be registered citywide and spoke about the revenue regarding the data and impact.
Mayor Capizzi reiterated the need for fairness but remained opposed to excessive fees.

VOICE VOTE ON THE MOTION CARRIED 3 / 2 - NAY HUTCHERSON, JACKSON

2. Adopt Resolution 2025-03; A RESOLUTION OF THE CITY COMMISSION OF THE 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 a "30-day 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: Approve upon Adoption of Ordinance 1695

MOTION BY WILLIAMS/JACKSON
I MOVE TO TABLE RESOLUTION UNTIL AFTER GET THE SECOND READING ORD 1695

Mayor Capizzi inquired the motion. Vice-Mayor Williams explained the motion of table. Commissioner Tumulty inquired if have the resolution before the ordinance.

VOICE VOTE ON THE MOTION CARRIED 3/2 to TABLE RESOLUTION 2025-03; NAY - CAPIZZI , TUMULTY

Commissioner Tumulty clarified what occurred with the tabling of Resolution 2025-03. The City Attorney recommended what the commission should do to move forward.

MOTION WILLIAMS/JACKSON
I MOVE TO DIRECT THE CITY MANAGER TO DIRECT THE CITY STAFF TO REFUND ANY FUNDS COLLECTED FOR THE STR FEE'S OVER THE $525, AND TEMPORARY PAUSE THE APPLICATION & RENEWAL FEES UNTIL THE PASSING OF THE REGISTRATION FEES RESOLUTION 2025-03.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

The commission discussed and clarified the motion made by Vice-Mayor Williams.

Mr. Orson Tarver, inquired about future issues. It was clarified that it would be only two weeks. Mr. Tarver commented regarding passing the fee's onto the consumer.

Ms. Nancy Happal, STR owner, noted the fees and the lack of funds. It is not easy to pass onto the customers. Spoke on STR in her own neighborhood. Noted the code enforcement for protection. Commission requested she return when the item is brought back for final approval.

Mr. KP Finke, spoke about the entire process. He is noticing more issues and creating holes. He noted the discussion and how it came across. He mentioned the fee to cover the cost. He noted the numbers and what was being done and how it would be done. He noted purchasing rental property and inquired where the assumption was that they would make money.

Commissioner Jackson and Mayor Capizzi noted the discussion during the meeting due to the Sunshine Law.

Vice-Mayor Williams clarified the documents requested due to the lack of the inability to make money.

L. GENERAL PUBLIC COMMENT

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

M. ADJOURNMENT

The meeting was adjourned at 9:11 PM.

______________________ Keith Capizzi, Mayor-Commissioner

______________________ Karin Grooms, City Clerk