CITY OF COCOA BEACH
CITY COMMISSION/CRA MINUTES
MARCH 20, 2025

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance

2. Invocation by Pastor Keith Capizzi

3. Roll Call

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

Administrative Members Present:
City Attorney, Becky Vose
City Manager, Wayne Carragino
City Clerk, Karin Grooms
Deputy Development Services Director, Brian Palmer
Development Services, Dave Dickey
Deputy Finance Director, Devan Taly
Finance Director, Hana Juman
Human Resources, Cindy DePina
Project Manager, Scott Maxim
Stormwater Manager, Morgan Zuhlke
Public Works Director, Brad Kalsow
Planner II, Cory Hall
Senior Accountant, Ander Hanson

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 TO BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE AGENDA
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

C. SPECIAL PRESENTATIONS

1. City of Cocoa Beach Bike Symbol Discussion (Roosevelt Elementary) Presentation by Stephanie Phillips, Bike Ped Coordinator

Ms. Stephanie Phillips, Bike Ped Coordinator, presented the winner of the bike stencil contest with a presentation and explained how the program works and how it engages the students. Stated they are getting ready to install and sent out an open invite to the commissioners. Shared a slide showing where the stencils of the two winners will be placed. Stated that there is no cost to the school. Keith Capizzi, Mayor, stated his excitement for the program. Tim Tumulty, Commissioner, added that he would be there.

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. Ronnie Haddock presented a proposal for a 3-meter dive platform for the swimming pool. Stated it could be beneficial for aspiring divers and is aware of known safety issues and has covered that with various ideas. Vice Mayor Williams stated that there used to be a 3-meter board, but it was removed for liability and that he appreciated his efforts and support. Commissioner Tumulty inquired about the space between the 3- and 1-meter boards. Mr. Haddock explained the work that would be needed to make this possible. Mayor Capizzi inquired about an AAU certification. Vice Mayor Williams suggested advertising the diving board.
Phil Talbot stated he runs the diving program and that they must be a member of the club in order to have access to the diving board. Mayor Capizzi stated the big "if" would be the insurance.
Mr. Haddock Assured that the insurance cost is covered by the fee.
Cindy DePina, HR Director, stated that it is a wonderful idea, but the pool has its own insurance company from the city and would have to see if the FMIT would allow it to be done first to avoid liability.

Ms. Kim Rezanka handed out a printout of a public records request.
Stated that they wish to halt plans for the Dirty Birds' site as there does not seem to be any plans showing that it is allowed. She added that there were other plans approved before a site plan was approved.

Mr. Gil Franco yielded his time to Ms. Rezanka who continued sharing the public records request presentation. Mr. Mosh Gal yielded his time to Ms. Rezanka who continued her presentation. She stated that the code was violated before site plans were made. Mayor Capizzi inquired about her reasoning. Ms. Rezanka stated she would like work to be stopped.

E. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Waye Carragino, City Manager, stated that FDOT asked to finalize the 3 items, removal of the speed hump at Orlando 1st south street, Increase of speed from 30 to 35, and the removal of the bollard signs in the middle of the crosswalk roads. Commissioner Jackson inquired about the southern speed bump.

Mr. Carragino stated that it is not within city limits. Vice Mayor Williams stated that this is false advertising. Commissioner Tumulty stated the confusion of the speed bump and the different speeds on the road.
Commission gave consensus to remove the speed bump, increase the speed from 30 mph to 35 mph and removal of the bollards from the middle of the street, 4 to 1, NAY Williams.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS
No reports

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

H. COMMUNITY REDEVELOPMENT AGENCY (CRA)

City Commission will temporarily recess, and then convene as the Cocoa Beach Downtown Community Redevelopment Agency for the following item(s):

1. Request to accept the 2024 Annual Community Redevelopment Agency (CRA) Report
Staff Representative: Hana Juman, Finance Director, Devan Taly, Deputy Finance Director
Recommendation: Approve
MOTION TO BY WILLIAMS/TUMULTY
I MOVE TO ACCEPT THE 2024 ANNUAL CRA REPORT.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

2. Request to accept the Community Redevelopment Agency (CRA) Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2024
Staff Representative: Hana Juman, Finance Director, Devan Taly, Deputy Finance Director
Recommendation: Approve
MOTION TO BY WILLIAMS/TUMULTY
I MOVE TO ACCEPT THE 2024 ANNUAL CRA COMPREHENSIVE FINANCIAL REPORT.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

3. 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 TO BY WILLIAMS/HUTCHERSON
I MOVE TO TABLE THE ITEM UNTIL THE NEXT CRA MEETING
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

4. Request to approve Commercial Visual Improvement Program Grant for Cosmik Tiki located at 101 N Atlantic Ave, Cocoa Beach FL, 32931: in the amount of $50,000.
This is a budgeted item.

Staff Representative: Devan Taly, Deputy Finance Director Recommendation: Approve

Commissioner Jackson and Commissioner Hutcherson revoked their motion, therefore the item died due to lack of a motion.
Mayor Capizzi inquired about the raising of grants to $50,000
He stated his concerns about the price. Devan stated that any work done needs retroactive receipts. Valerie Forsythe stated the project had cost $1.5 million over the last year. Stated she understands that you need to apply for grants before you start work. Stated that she submitted sculptures for grants and that there were issues with FDOT and stormwater. Mayor Capizzi stated she may have to submit a new request and that she can't submit a request on work that is already being done. Vice Mayor Williams inquired about the engineering work and if it has been started yet. Commissioner Tumulty stated that it's a façade grant. Not a loan to start a new business. Stated that the initial CRA was a lot more in depth. Ms. Forsythe stated that the cost for the statues is currently pending. Mayor Capizzi stated that the work needs to be seen from the street. Stated that they need renderings of the statues.
Motion was withdrawn.

5. Approve contract agreement with Schindler Elevator Corp. not to exceed the amount of $200,000, for the purpose of replacing the current Thyssen Krupp components in the parking garage elevator with Schindler components. - Added 3/20/25
This is a budgeted item.
Staff Representative: Wayne Carragino, City Manager, Devan Taly, Deputy Finance Director, Scott Maxim, Project Manager
Recommendation: Approve

WILLIAMS/HUTCHERSON MOTION TO DISCUSS
MOTION CARRIED UNANIMOUSLY

Vice Mayor Williams inquired about Thyssen Krupp.
Mr. Carragino stated his issues with the current company.
Scott Maxim, Project Manager stated that the elevator is consistently broken and is fixed with components that go bad quickly. He added that Schindler has components readily available and that they have contracts with elevators around the city. Vice Mayor Williams shared concerns about switching components with different companies and asked if they're covered. Mr. Maxim stated they have come out and believe they should be good.
Commissioner Tumulty inquired about the boards going out.
Mr. Maxim stated that it's a chronic issue and that the only thing staying is the cab.

MOTION WILLIAMS/TUMULTY I MOVE TO THE APPROVE CONTRACT AGREEMENT WITH SCHINDLER ELEATOR CORP BARRING THE NEW COMPANY IS LIABLE FOR REPLACEMENT PARTS
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Commission reconvened for the remaining items.

I. CONSENT AGENDA
MOTION TO BY WILLIAMS/TUMULTY
I MOVE TO APPROVE THE BUDGET WORKSHOP SESSION FOR JUNE 17,2025, AND AUGUST 19, 2025 AT 6:00 P.M. VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

1. Approve scheduling a budget workshop session for June 17, 2025, at 6:00 PM and August 19, 2025, at 6:00 PM.
   Staff Representative: Hana Juman, Finance Director, Devan Taly, Deputy Finance Director
   Recommendation: Approve

J. ITEMS REMOVED FROM THE CONSENT AGENDA

K. UNFINISHED BUSINESS

1. 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

   MOTION TO BY WILLIAMS/TUMULTY
   I MOVE TO ADOPT RESOLUTION 2025-03
   VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

   Mr. Jim Vadic inquired about the updated resolution and the cost of STRs and whether the cost could be reduced based on the number of people. Vice Mayor Williams stated a resolution can be changed at meetings. Mr. Vadic asked if STR fees were fair compared to the rest of the state
   Ms. Lynn McDonald stated she would like to put a cap on STRs in the city
   Ms. Becky Vose, City Attorney stated that the city cannot set a cap on STRs
   Commissioner Tumulty inquired about passing of the resolution if the Ordinance 1695 passes or not. Ms. Vose reiterated the functionality of the effective date.
   There was a discussion about the resolution and the ordinance and its clarification.
   Vice Mayor Williams stated that if they pass the ordinance on second reading, they will pass the resolution and it will go into effect tomorrow.

2. Adopt Ordinance No. 1695, Second Reading, Public Hearing and Adoption, 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

MOTION TO BY WILLIAMS/MAYOR CAPIZZI
I MOVE TO ADOPT ORDINANCE 1695 ON THE SECOND READING
VOICE VOTE ON THE MOTION PASSED 3-2 NAY JACKSON, HUTCHERSON

Mr. Eric Haden shared his history with the city of Cocoa Beach and that he is an advocate for reasonable STR regulation. Shared his concern about the oversight and tax benefits. Stated that the proposed fees are high and urged the commission to find a more measured approach.
Ms. Katie Acosta shared her concerns from the previous meeting. She stated her frustration with steps 2 and 5 for the STR registration process online and said she has ideas for solutions for those steps
Mr. Dave Dickey, Director, Stated he will sit down with Ms. Acosta asap and added that they will now require notarized owner affidavits.
Ms. Janice Scott stated her concerns with the charge rate for business' and residentials.
Ms. Vose stated that the state law is silent on the matter. But str owners typically don't own it as a resident. There was a discussion about various issues as owners, renters, or leases and the differences of prices of restaurants and homes.
Commissioner Jackson inquired about the registration fees across disproportionate areas and that it wouldn't be fair to pay the same as larger locations.
Mayor Capizzi stated that it will not affect transient owners and condos because they are grandfathered in.
Vice Mayor Williams stated his concerns with changing the fees on the fly.
Commissioner Tumulty stated his concerns with the city performing for the STRs.

1. Request to accept the annual audit and the Annual Comprehensive Financial Report for Fiscal Year 2024
Staff Representative: Hana Juman, Finance Director, Devan Taly, Deputy Finance Director
Recommendation: Approve

MOTION TO BY WILLIAMS/HUTCHERSON
I MOVE TO ACCEPT THE ANNUAL AUDIT AND THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR 2024
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Ms. Hana Juman, Finance Director, stated that the auditors have concluded the audit with no findings. Stated that it was brought to commission by the deadline for the first time in the last 5 years.
Mayor Capizzi gave his thanks for the on-time representation
Mr. Garret Marlow gave a brief overview of the audit report. Stated that it came back as a

clean opinion which is the highest regard they can give. Added that there were no findings in the current year. The city is in compliance with the standards and there were no issues with management and received full cooperation from the staff to perform their audit. Stated that to the best of their knowledge the city did not discuss statements with outside consultants. Ms. Juman thanked her staff and their performance

2. Request to approve Ordinance No 1696, on first reading, AN ORDINANCE OF THE CITY OF COCOA BEACH, FLORIDA, AMENDING Section 2-62, "Self-Storage Facility", of Article VII, "Conditional uses and standards for operations in all zoning districts", of chapter 2, "Zoning Districts" of the Land development code of the City of Cocoa Beach; providing additional criteria for the approval of a special exception for a Self-Storage Facility; and providing for CONFLICTS, codification, SEVERABILITY, AND AN EFFECTIVE DATE.
   Staff representative: Cory Hall, Planner II Recommendation: Approve

   MOTION TO BY WILLIAMS/TUMULTY
   I MOVE TO APPROVE ORDINANCE 1696 OF THE FIRST READING
   VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

3. Discuss potential changes to the vacation rental ordinance to provide more penalties and consequences for "bad actor" vacation rentals. (Added 3/19/2025)
   Staff Representative: Becky Vose, City Attorney Recommendation: Discuss
   Ms. Vose stated here discussions with the public and commission and stated lots of bad actors causing issues with the STRS. Looked around other cities in Florida and found some possible solutions that would make
   Mayor Capizzi stated that the revenue between a 1 bedroom and a 5 bedroom shouldn't be the same across the board. Suggested creating a tier system depending on the size of the STR Williams stated his concerns with tying the fee to a bedroom.
   Ms. Vose stated that it is 2 people per bedroom +2 with a max occupancy of 8. There was a discussion about advertising the STRs for the amount of people allowed in the residence. Mayor Capizzi stated his concern with bringing in more help and overdoing it. Commissioner Tumulty shared his ideas on the STR fees and asked if there is a list of ownership on STRs. Mr. Dickey stated that it depends on the property. Commissioner Tumulty shared his concerns about owners not being reachable.
   Mr. Dickey stated that it could be doable, but that 2/3 are owned by property management companies.
   Commissioner Hutcherson stated that data should be analyzed before moving forward
   Commissioner Jackson stated that the burden to the city should be different. Vice Mayor Williams shared a past issue with condo fees and stated that there needs to be a better way to advertise occupancy.
   Commissioner Jackson stated that data should be collected moving forward.
   Mr. Carragino stated that he does not have the funds to hire people.
   Mr. Dickey stated that registration is one thing, but that there are a lot of code requirements that need to be enforced. Commissioner Jackson inquired daves understanding about the difference. Of the various items. (video) Dave stated his

concerns about bringing back the fees and causing a pinch point. 2.3% fee city wide with 800-900 rentals across the board.
There was a discussion between the commission about the amount of strs and the total tax income.

M. GENERAL PUBLIC COMMENT

Ms. Kathryn shared her concerns with Ordinance 1695 and its application. Stated the transient are compatible with current standards. Asked the commission to review the ordinance. Stated that the cost is not reasonable in comparison between business and STRs and asked to revisit the fees. Gave her suggestions on how to increase the efficiency of inspections.
Mayor Capizzi shared his thoughts about the issue. Commissioner Jackson stated that it needs to be more elaborate to make more sense. Vice Mayor Williams stated he would like to keep it in place and there should be a primary point of contact for each rental with an alternative, and if not. There should be a penalty. Mayor Capizzi inquired if Cocoa Beach does the most work with STRs compared to other cities.
Vice Mayor Williams asked Ms. Vose to bring back a new potential ordinance at the next meeting. Mayor Capizzi asked Mr. Carragino to fine tune the fee process and rates Commissioner Tumulty stated the only issue is not the fines, but the registration fees. Right now, the registration fee is $500, in 30 days it will move up to $2,500 Williams suggested to the city spend next week/10 days to discuss their findings with the fees.
Mr. Dickey stated the $175 inspection fee is part of the registration process, not part of the BTR.
Mr. Vadic shared his concerns with the city's subsidizers
Ms. Scott shared her concerns with the inspection fees around the city and her concerns with staying at STRs. Asked to be fair to the residents. Commissioner Tumulty shared his concerns with the commission if they owned STR or LTR and that it would be unethical not to announce their ownership. Mayor Capizzi stated there is no conflict of interest with his ownership.
Mr. Mark Grainger stated his disapproval of tabling the CRA application to the following meeting. Shared his concerns with the opposing business. Stated his issue with his business and not allowing him to move forward with his work. He asked if the city would allow him to continue the work without the grants.
Mayor Capizzi would like to have another CRA at the next meeting in April. Vice Mayor Williams shared his experience with a similar situation.
Mr. Rick Anderson stated his concerns with the current budget process.
Ms. Scott said farewell to Laird McLain. mentioned the social security fairness act.

N. ADJOURNMENT
The meeting was adjourned at 9:16

______________________________ Keith Capizzi, Mayor-Commissioner

______________________________ Karin Grooms, City Clerk