

CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
February 20, 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
City Commissioner Joshua Jackson
Vice Mayor Skip Williams - Late
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
Deputy Human Resources Director Jessica Hope
Development Services Dave Dickey
Deputy Finance Director Devan Taly
Deputy Fire Chief, Steve Lea
Finance Director Hana Juman
Human Resources Cindy DePina
Police Chief Wes Mullins
Project Manager Scott Maxim
Stormwater Manager, Morgan Zuhlke
Water Rec/ Public Works Director Brad Kalsow
IT Tristian
Deputy Development Services Director Brian Palmer
Deputy Police Chief, Kris Kuehn
Planner, Corey Hall
Inspector, Mike Telesca

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.)

Commissioner Hutcherson requested that Item G3 be removed from the Consent Agenda.
MOTION BY HUTCHERSON / TUMULTY

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I MOVE TO APPROVE THE AGENDA WITH G3 PULLED FOR DISCUSSION
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. John Dillion discussed the crossovers and mentioned he was in contact with the contractor. He noted the poles and the construction. He noted the poles and noted that the scraps are to be returned to the City.

Ms. Janice Scott noted the first month since the inauguration of the President of the United States, Donald Trump. She also noted Elon Musk and his work within the government and his SpaceX program.

D. STAFF REPORTS AND ANNOUNCEMENTS

Mr. Wayne Carragino, City Manager, noted the receipt of the new police SUVs and noted they are currently being outfitted and will have the "In God We Trust" placed onto the vehicles. Mr. Carragino also noted the golf irrigation project as well as the driving range project.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

Ms. Becky Vose, City Attorney, noted she provided the Commission with a Legal Opinion regarding Electric Bikes.

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Hutcherson discussed his ideas for the bike paths along Minutemen Causeway. It was noted of the legal opinion, however, requested that the commission provide consensus to move forward with the bike path with the provided drawing.

The City Attorney noted the updated drawing for the stencils would remove the legal hoops that would be needed.

Commissioner Tumulty noted his disapproval of the idea. It was requested to delay the consensus until all the commissioners were available to discuss the topic.

Commissioner Tumulty spoke about Cocoa Beach Jr/Sr. High. He noted it was filmed and potentially could be in a T.V. show. Mentioned Mr. Cole Manis, the schools Facilities Manager.

Mayor Capizzi noted his first TPO meeting. He mentioned his concerns regarding the speed bumps and concerns. Did note it was being brought back to FDOT regarding the Emergency Services. Also noted the beautification of the SR520 corridor by widening the sidewalks.

Vice-Mayor Williams arrived at the meeting at 7:11 pm.

Commissioner Hutcherson brought back the discussion of the stencils on the sidewalk. Wanted to discuss with the other members of the commission.

Mayor Capizzi didn't mind the appearance of the stencils. Spoke about his experience regarding riding bikes.

Vice-Mayor Williams inquired about the placement of the stencils.

Mr. Carragino stated that the placement was going to be placed every 100 to 200 feet, but would discuss with the consultant.

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Vice - Mayor Williams questioned the direction of the stencils, being the sidewalks are both directions.

Mayor Capizzi inquired if this would be safer or would it be just more work.

Commissioner Hutcherson noted this was a \$2,000 campaign.

Commissioner Tumulty noted the time, cost and it's sidewalk. Request that this come back as an agenda item.

Vice-Mayor Williams noted the legal and the rules.

Mayor Capizzi requested the path forward determination.

Commissioner Jackson noted his agreement with Commissioner Tumulty. He would like to request it come back so they could discuss it more.

Mayor Capizzi noted maybe just adding signage. He requested to bring it back and vote on it another time.

G. CONSENT AGENDA

The City Attorney read the consent agenda with the removal of item G3.

MOTION BY WILLIAMS HUTCHERSON

I MOVE TO APPROVE THE CONSENT AGENDA

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the January 16th, and February 6th, Commission Meeting Minutes
Staff Representative: City Clerk Department
Recommendation: Approve
2. Approve the purchase from Kendal Signs for a new double sided LED illuminated monument sign for Sidney Fischer Park in the amount of \$61,410. This is a budgeted item.
Staff Representative: Brad Kalsow, Public Works/Water Rec Director
Recommendation: Approve
3. Approve the recommendation to promote Justin Grimes to Fire Chief for the City of Cocoa Beach.
Per Chapter 2, Article 1. Section 2.6 Fire Department of the City of Cocoa Beach Code of Ordinances.

The City Manager is requesting the approval of the Interim Fire Chief, Justin Grimes, to the permanent Fire Chief for the City of Cocoa Beach. The term shall begin February 15, 2025, upon approval of the commission. His performance has been stellar, and he has more than demonstrated his ability to be the permanent Fire Chief for the City of Cocoa Beach.

Staff Representative: Wayne Carragino, City Manager
Recommendation: Approve

4. Accept the Quit Claim Deed provided by the Brevard County School Board for the Lift Station located on Freedom 7 School property. - ADDED 02/19/2025
Staff Representative: Brad Kalsow, Water Reclamation

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H. ITEMS REMOVED FROM THE CONSENT AGENDA

Item G3 was removed from the Consent Agenda.

MOTION BY WILLIAMS/TUMULTY

I MOVE TO APPROVE JUSTIN GRIMES AS THE NEW FIRE CHIEF.

Vice-Mayor Williams inquired about the effective date. City Manager, Carragino, clarified the date.

Mayor Capizzi requested Mr. Justin Grimes to come to the podium.

Chief Grimes thanked the audience for the standing ovation. He thanked the Commission and the City Manager for believing in him for the position. He also spoke about this family standing behind him. He also noted his Fire Department team.

Vice-Mayor Williams inquired how long he had been with Chief Grimes. Chief Grimes noted he had been with the city for 19 years and noted he was with the Vice-Mayor his entire career. Vice-Mayor Williams noted Chief Grimes' career in Cocoa Beach and wanted to show that Chief Grimes is proof that you can work your way up the chain. Mayor Capizzi expressed his gratitude.

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

I. UNFINISHED BUSINESS

1. Adopt Resolution 2025-01, A Resolution of the City Commission of the City of Cocoa Beach, Florida; providing legislative findings; amending Resolution No. 2023-06, a Master Resolution for Fees, by the removal of vacation rental fees and fines and false advertising fines from that resolution and placing those vacation rental fees and fines and false advertising fines into separate matrices incorporated into this resolution; and providing for severability and an effective date.
Staff Representative: Wayne Carragino, City Manager
Recommendation: Adopt Resolution 2025-01 - Vacation Rental Fees

The City Attorney read item H1, Resolution 2025-01.

MOTION BY HUTCHERSON/WILLIAMS

I MOVE TO ADOPT RESOLUTION 2025-01

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Mayor Capizzi inquired with the audience to ensure clarity on the request.

The City Attorney clarified that the resolution applies exclusively to the RS1 District, regulating only vacation rentals in that area.

Mayor Capizzi also discussed the resolution and the proposed fee increases.

City Manager Wayne Carragino acknowledged the task assigned to him by the Commission. He outlined the key points of the proposed fees, stating that while the fees would eventually apply citywide, they would initially be implemented only in the RS1 District. He discussed the costs associated with regulating short-term rentals and emphasized shifting the financial burden from

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taxpayers to STR operators. He also noted that the city currently has only one Code Enforcement Officer and addressed plans for expanding enforcement.

Mayor Capizzi clarified the matter being voted on, and Mr. Carragino confirmed that a vote was taking place.

Vice-Mayor Williams spoke about the resolution, detailing the costs and financial management of the funds. He explained how the funds could be used and the anticipated plan to hire an additional Code Enforcement Officer. He also spoke on property rights and spoke on both sides.

Mayor Capizzi explained his hesitation with the fees and the rates. He explained the fines, and the penalties he is ok with. He noted the registration rate and just focused on the fines.

Commissioner Tumulty agreed with Mayor Capizzi, stating that the issue lies not with those following the rules but with those who have yet to register. He suggested a dual-fee structure, where early registrants would pay a lower fee, with an increase after a set deadline. He also emphasized the importance of properly registering short-term rentals (STRs), noting that an estimated 200–300 STRs exist in the RS1 District.

Mr. David Dickey, Development Services Director, provided an update on STR registrations, reporting that only 200 out of the estimated 300 STRs in the RS1 District had completed registration.

Vice-Mayor Williams highlighted the need for additional staff to handle STR regulations. He explained that the challenges extend beyond registration, as enforcement and compliance also require attention

The City Attorney provided an overview of the process city staff follows regarding STR (Short-Term Rental) regulations. She explained the behind-the-scenes procedures, including the role of magistrate meetings in enforcement. Additionally, she highlighted financial concerns, noting that taxpayers currently bear the cost of regulating STRs, as STR owners are not contributing to these expenses.

Mr. Dickey reassured the commission that a single code enforcement officer is responsible for handling STR-related matters while also managing all other code enforcement issues within the city. He noted she is overwhelmed by the amount of cases she is currently handling.

Mr. Carragino mentioned the safety issues compared to hotels and vacation rentals.

Mr. Jim Vadic, Indialantic, STR owner in Cocoa Beach, inquired about the renewal prices and registration prices. He understands the penalty fees. He discussed the zones and who would be regulated and who is not. He noted his disagreement with the fees.

Ms. Margie Croteau, resident, noted the funds and the collection of the fees. She noted the approximate overall annual collection. She noted the staffing and the plan. She mentioned this would be a 10-year plan. She noted understanding the need for additional staffing but not understanding the issues are broken down to all staff. She explained what she had done for her personal STR home in Cocoa Beach.

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Ms. Vanessa Lavot, resident, noted her agreement with the other speakers previously spoken. She noted it the 300% increase. Spoke on her experience in Cocoa Beach. She requested compassion and understanding in the neighborhoods. Noted having hard fines, but not the registration of the homes.

Mr. Art Hitch, resident, spoke about his historical past regarding his family motel. He spoke about regulations that was required from Ocean City, Maryland. He noted the fees that were paid and spoke on his historical organization's affiliations. He noted he agreed that the registration fees were high. However, he noted that something needs to be done and noted his dislike of STR in the neighborhood.

Ms. Judi Eberle, resident, noted the numbers and the need for additional code enforcement. She recommended an in-house system. She noted meeting someone that knows the area and knows the properties. She noted seeing the funds and where they were going. Would like to see where the funds are going and where the accountability is to everyone else in the city.

Ms. Tam Liggett, resident, mentioned she owns a 10-unit vacation rental in Cocoa Beach and owns Space Coast Rental Vacation Rental. Ms. Liggett spoke on her guess who enjoy the area, and they would prefer a home versus a hotel. She noted the fees that an STR owner pays. She spoke additional fee's of the owners and wanted the commission to be aware and could shut down people from having the opportunity to own STR.

Mr. Heyward Davis, a resident, spoke on the STR in his neighborhood. He explained situations that he had endured over the past year.

Mr. Michael Jolly inquired about the zoning and the specific zone that the resolution covers. He noted not being aware of the zoning or areas this would cover. It was clarified that the zone RS1 was the residential areas. He noted a conversation over a year ago regarding homeowners and their properties. He noted the spread will be forward to the other areas. He noted property taxes from the owners and tourist taxes. It was explained how the city does not get any taxes for tourist.

Mr. Orson Tarver spoke about being a member of the planning board. He recommended this be an enforcement issue. He commented on adding additional staff and the schedule not working Monday through Friday but more after hours to include weekends. He noted the Police Department and the STR.

Mr. Brian Costleigh, resident, commented on no issues with the STR in his neighborhood. He noted the rules and following and spoke regarding the those who do not follow the rules. He noted his agreement with the fees to the point that it is not too many. Noted businesses in the RS1 district.

Mr. Daniel Young read a story about his home location and the vacation rentals regarding the STR. He also noted the vocal opinions and the attack, and he gave information to the commission regarding the economy. Spoke on a tiered system for fees.

Mr. Marcus Grantham mentioned he owns 3 condos and they are vacation rentals. He noted the 400% increase in the fees due to the city being unable to band STR. He spoke about the safety requirements required for his condo.

Ms. Elise Johnson, Cape Canaveral resident, a rental manager. She noted her rentals and that they are registered. She noted the fees are unreasonable and that the effectiveness is unproven. She gave the perspective of her owners regarding offsetting the rising cost of the homeowners.

Ms. Jill Forbes, resident, noted she had been working with the city regarding the large quantity

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of STR regarding the 8 maximum. She noted identifying the unregistered STR homes. She noted one code enforcement officer. She spoke about the listings and how the system they work.

Ms. Missy Barley, resident, spoke on the STR and the residents. She spoke about the programs used to advertise the homes. She understands there are a number of homes not registered. She noted not wanting the government to say what she could do or not do with her home. She recapped the conversation. She noted not being able to stop STR and would like to make it nicer.

Ms. Denise Sturman, resident, explained her neighborhood. She noted the struggle of having government say what could and not could be done. Noted regarding the business out a friend's home for swim classes. She mentioned trying to understand the purpose of the resolution. She inquired about the resolution and the outcome of the

Mr. John Newton, resident, noted a new STR owner in Cocoa Beach. He noted the issues with the vacation rentals and there are a lot of costs. He recommended the city to prioritize the enforcement. He noted the fines. He spoke on the economic impact of the city from his guest in his STR.

Ms. Ashley O'Brien, resident, mentioned the owners chose to have the STR. She noted renting the property long-term. She explained that the long-term properties would also have an economic impact on the community as well.

Commissioner Jackson thanked all those who commented and noted the emails received. He noted that they were not just copy and paste emails. Commissioner Jackson noting knowing friends who own STR in Cocoa Beach, and how they are unable to be in attendance. He noted the matter comes to a fee schedule and the costs are being carried by the residents. He noted that the residents should not carry the burden of an unregistered context.

Vice-Mayor Williams noted the fines and the lack of Code Enforcement. The Code Enforcement needs to be funded and the cost comes from the taxpayers. He noted his support of the resolution. He spoke on the records and compliance. He noted the accounting of the funds collected.

Commissioner Tumulty requested to speak to Mr. Dickey. He noted the misinformation and the non-information. He clarified that the RS1 is residential and the fees are surrounding. He inquired if there was a plan for the other zones and what was required.

It was confirmed by Mr. Dickey that currently only RS1 is required to register for vacation rentals. He noted that citywide everyone is required for the BTR.

Mayor Capizzi inquired why the BTR is citywide.

Mr. Dickey explained the BTR and the requirement to run a business. Could not speak about the vacation rentals and deferred to Ms. Vose, City Attorney.

Ms. Vose explained the commission's thoughts for only doing RS1 at the current time. She also explained the BTR and how they are different based on Florida Law.

Mr. Dickey noted the BTR is not used as funds for the Code, and is legally unable to be used due to taxes.

Commissioner Tumulty compared operating an STR in a residential zone to running a restaurant, bar, or other business in a single-family neighborhood. He argued that STRs function similarly to hotel rooms and emphasized that STR owners—not taxpayers—should bear the cost of regulation. He also referenced the Tourist Development Council (TDC),

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explaining that the city does not receive bed tax revenue. He suggested amending the STR fee structure, including a potential grandfather clause.

MOTION BY TUMULTY/CAPIZZI

AMEND THE VACATION RENTAL APPLICATION FEES, EXHIBIT A, TO CHANGE REGISTRATION FEE TO \$1,000 FOR 60 DAYS, AND AFTER 60 DAYS PERIOD GOES TO \$2,500.

Commissioner Tumulty spoke about the process.
Ms. Vose spoke about a period of forgiveness to be registered.

Mayor Capizzi noted the STR rentals and registered for 30 days and then had a \$2,500 fee and noted the renewals at \$800.

Vice-Mayor Williams explained the current situation and the fees. He requested to pass as it is and it can be changed.

Commissioner Hutcherson spoke on the user fee schedule. The goal to get the user fees to cover the cost of code enforcement.

Mayor Capizzi noted not supporting the charges for the registration.

Commissioner Jackson spoke about the fees and the building of the fees and the changes could be more costly and carefully change without the facts.

Vice-Mayor Williams called the question

AMENDED MOTION, REGISTRATION \$1,000 FOR 60 DAYS, THEN GOES BACK TO \$2,500.

VOICE VOTE ON THE MOTION CARRIED 2 / 3 - NAY JACKSON, CAPIZZI, WILLIAMS.

VOICE VOTE ON THE MOTION CARRIED 4 / 1 - NAY, CAPIZZI

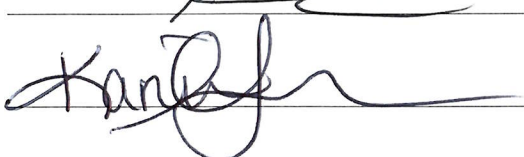
J. GENERAL PUBLIC COMMENT
(Only if not accommodated in the 30-minute Public Comment period earlier)

K. ADJOURNMENT

The meeting was adjourned at 9:06 PM.



Keith Capizzi, Mayor-Commissioner



Karin Grooms, City Clerk

