

CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
April 17, 2025

A. MEETING CALLED TO ORDER

1. Pledge of Allegiance

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

2. Invocation by Pastor Keith, Club Zion

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

Finance Director – Hana Juman

IT Director – Kevin Perez

IT Manager – Ron Munn

Systems Analyst – Tristan Takacs

Senior IT Support Coordinator – Lauren Domenech

System Technician – Nathan Guruwatte

Stormwater Utility Manager – Morgan Zuhlke

Fire Chief – Justin Grimes

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 AS READ

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

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C. PUBLIC COMMENTS

Mr. Rick Anderson spoke about a brief history of the United States.

Ms. Janice Scott shared her appreciation for the new city hall building and shared a story about the old city hall. Addressed an issue she had with the budget, she inquired about it being a public record. Mentioned the flag on 520 should be removed or lowered at night.

D. STAFF REPORTS AND ANNOUNCEMENTS (Note, Sound missing from video due to technology issues)

Mr. Wayne Carragino, City Manager, mentioned that 3570 Ocean Beach Blvd is owned by the Federal Government. He spoke with the GSA and is going to have a meeting expressing interest in a park with beach access. They felt it was a top of the list item. They felt the county's interest. He added that he spoke with FDOT and is actively working on change orders, and it should start in May and will keep us updated. He mentioned the centennial celebration, and everything was going as planned. He mentioned the acts involved with the airshow. Commissioner Jeremy Hutcherson inquired about when this property was last discussed.

E. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

There was no discussion.

F. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Vice Mayor Williams mentioned 3570 Ocean Beach Blvd and his interest in the property. Asked to put together a depiction of what to do there, he mentioned creating an ADA park as a walkway to the beach. Stated he believes it will be an item that could be in a future budget. Mentioned the ribbon cutting for the new City Hall on May 1st. Commissioner Tumulty mentioned the tennis courts and changing the contract for them. Mayor Capizzi asked Mr. Scott Maxim, Project Manager, about an update on the parking garage elevator, and if there is a timeframe for the repairs. Mr. Maxim stated that as of now, there is no timeframe.

G. CONSENT AGENDA

MOTION BY WILLIAMS/TUMULTY

I MOVE TO APPROVE THE CONSENT AGENDA AS READ WITH ITEM G.3 PULLED
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the 04/03/2025, Commission Meeting Minutes

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Staff Representative: City Clerk Department

2. Approval to award continuing services contracts to the following firms in response to RFQ CB25-003 Continuing Engineering & Architectural Services

1. - Bentley Group
2. - Applied Ecology
3. - BEA Architects
4. - Peacock Architects
5. - WSB, LLC
6. - Innovation Design Consulting
7. - Florida Technical Consultants
8. - Quetica
9. - Mel D Studio Architecture
10. - Construction Engineering Group
11. - Dredging Marine Consultants
12. - Plus LLC.
13. - Tsark Architecture
14. - Architects Design Collaborative
15. - DAG Architects

Staff Representative: Scott Maxim, Project Manager
Recommendation: Approve

3. Adopt Resolution No. 2025-06 to execute amendment #01 to the current Interlocal Agreement between FDOT and the City of Cocoa Beach for Construction, Operation, and Maintenance of Bicentennial Park. This amendment provides specific provisions for construction of the improvements currently in progress and specifies the City's obligation to maintain and operate any additional features constructed on the property. Adoption of this resolution and execution of the amendment are requirements of FDOT.

Staff Representative: Scott Maxim, Project Manager
Recommendation: Approve

This item Was pulled from the Consent agenda.

4. Approve the purchase of a replacement pump for sewer lift station #1 in the amount of \$64,560. This is a budgeted capital item. The purchase also includes a pump stand kit and 8" x 12" elbow fitting.
Staff Representative: Brad Kalsow, Water Rec/Public Works Director
Recommendation: Approve

5. Enter into a Memorandum of Understanding between the City of Rockledge and City of Cocoa Beach for the formation of a joint emergency response

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team. --ADDED 4/17/25

Staff Representative: Wes Mullins, Police Chief

Recommendation: Approve

H. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Adopt Resolution No. 2025-06 to execute amendment #01 to the current Interlocal Agreement between FDOT and the City of Cocoa Beach for Construction, Operation, and Maintenance of Bicentennial Park. This amendment provides specific provisions for construction of the improvements currently in progress and specifies the City's obligation to maintain and operate any additional features constructed on the property. Adoption of this resolution and execution of the amendment are requirements of FDOT.

Staff Representative: Scott Maxim, Project Manager

Recommendation: Approve

Commissioner Hutcherson inquired about Exhibit A. Mr. Maxim explained what it was and stated that it was approved by them.

Ms. Scott inquired about the item and if there were any increased financial obligations. Mayor Capizzi stated that it was just to maintain the park. Mr. Maxim stated that it was for building a restroom with no added costs and that the project was fully grant funded.

MOTION BY WILLIAMS/TUMULTY

I MOVE TO ADOPT RESOLUTION 2025-06

VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

I. UNFINISHED BUSINESS

1. Adopt Ordinance 1696 on Second 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 BY WILLIAMS/TUMULTY

I MOVE TO ADOPT ORDINANCE 1696

ROLL CALL VOTE 5 – AYES 0 - NAYES

2. Adopt Ordinance No. 1697 on second reading. ORDINANCE NO. 1697 AN

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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

Ms. Lisa Bosch mentioned her experience with land use and law. Shared her concerns with transient lodging. Mentioned that there was no impact study done and there is no exemption for the CRA and stated she doesn't see it as legal. She shared her concerns about the legality of this issue and how it could affect the residents. She asked the commission to vote no or pull it.

Ms. Vose stated that the issue with the district was discussed, and it was determined to exempt that specific building. They were allowed to operate similarly to a hotel, which was accepted. She stated that the reason for second readings on ordinances is to discuss and change the wording if need be.

Mayor Capizzi asked for clarification.

Vice Mayor Williams mentioned that there were those who came forward to be rezoned in 2008. Mayor Capizzi inquired about any other transient buildings from 2008.

Ms. Vose stated that if you wanted to change it, it would have to be published again.

Ms. Scott inquired about the transient building and received complaints about the condos. She mentioned the condo documents and stated the city is not capturing transient zoning. She Inquired about the difference between the condo cost and the ordinance.

Ms. Vose stated our ordinance doesn't change condo docs. Commissioner Williams mentioned the ordinance and explained that.

Mr. Leanord Becket stated his history with similar issues with transient rentals in Miami- Dade. He mentioned his friend has strong reservations about whether what the commission is doing is legal. Mentioned the attorneys there would not allow the fees that the commission is proposing.

MOTION BY WILLIAMS/TUMULTY

I MOVE TO ADOPT ORDINANCE 1697

ROLL CALL VOTE 5 – AYES 0 – NAYES

3. ADOPT RESOLUTION NO. 2025-07

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCOA BEACH, FLORIDA; Providing Legislative Findings; AMENDING RESOLUTION NO. 2025-01 By Changing Vacation Rental Fees And Fines From Those Set

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Forth In That Resolution; Setting Forth Estimated Costs To Regulate Vacation Rentals And A Formula To Use To Determine The Registration Fee For Vacation Rentals Based On Maximum Allowed Occupancy And Computation Based On Maximum Number Of Guests Allowed In The Vacation Rental; And Providing For Severability And An Effective Date.

Staff Representative: City Commission

Recommendation: Adopt

Vice Mayor Williams asked Ms. Vose for clarification of occupancy rules, particularly regarding minors. Ms. Vose explained that the standard is two people per bedroom, and this includes minors based on what is advertised. If a property is listed for six occupants and hosts more, the owner may face significant fines. Mayor Capizzi inquired about STRs allowing eight occupants, and Ms. Vose clarified that if more than the allowed number stay, both the renter and the owner would be fined. Enforcement of over occupancy often relies on reports from neighbors, and blatant violations may be considered nuisances under the ordinance.

Mayor Capizzi noted that fees for STRs had decreased. Ms. Vose explained that registration costs for multifamily units are now lower than for single-family homes. For single-family properties, the fee is \$219.45 per guest for both initial and renewal registrations, which includes fire and building inspections. For multifamily properties, the cost is \$136.30 per guest for both initial and renewal registrations.

Commissioner Hutcherson asked how the funds from these fees would be allocated. Ms. Vose explained that she would be paid a flat fee for her work on the issue, and a portion of the collected fees would be allocated to related city services. Commissioner Jackson expressed appreciation for the work the staff had done and acknowledged Ms. Cindy Depina's, HR Director, involvement. Mayor Capizzi also thanked the staff for their efforts.

Ms. Bosch voiced concerns about rising utility costs, the lack of impact fee studies, and the limited income STRs provide in return. Ms. Catherine Funderburke-Swingle spoke about Airbnb's policies, noting that infants are not counted toward occupancy and that age restrictions cannot be enforced. She expressed support for the city's progress on STR issues and suggested hiring additional staff to help enforce the regulations, with a follow-up review in one year.

Mr. Jim Vadic raised questions about how the fee increases were determined and shared concerns about parking. Ms. Vose responded by citing the experience of a staff member from Cape Canaveral, who noted that managing STR issues tends to cost 1.5 times what is collected in fees. Commissioner Tumulty added that the STR registration process would be staggered over time to avoid overwhelming the system. Parking was further discussed with Ms. Vose, clarifying that a parking plan is required during

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registration and that garage spaces do not count toward the parking total.

Ms. Barba Mills asked for a clearer explanation of the fee schedule and expressed concerns about occupancy limits and the costs associated with them. The commission engaged in discussion to clarify the fees and the rationale behind them.

J. NEW BUSINESS

1. Requesting the Commission to provide a path forward for staff regarding hiring for the City Manager position. Potential costs incurred for filling this position is unbudgeted for FY 2025.
Effective August 31, 2025, City Manager, Wayne Carragino, will be retiring from the City of Cocoa Beach after 17 years of service.
Staff Representative: Cindy Depina, Human Resources Director; Karin Grooms, City Clerk/Assistant City Manager
Recommendation: Provide direction to move forward

Vice Mayor Williams asked about a packet from Ms. Depina regarding the hiring process for a new City Manager. He questioned the sample pay figures, whether costs could be adjusted, and highlighted that advertising and travel costs should be included for a full financial picture. He also asked if there were any local candidates.

Commissioner Tumulty inquired about internal versus external candidates and noted that initial phone interviews could help reduce costs. Ms. Depina estimated recruitment costs starting at around 25% of the candidate's base salary, with the lowest being around \$50,000.

Commissioner Hutcherson and Vice Mayor Williams discussed past hiring processes, with Vice Mayor Williams noting prior efforts included both bid and internal searches and that travel costs were typically low. Ms. Depina added that many counties were currently searching for City Managers, indicating a competitive market.

Mayor Capizzi commented that Cocoa Beach offers a stable environment and fair pay, and Ms. Depina agreed, noting the national challenge in finding candidates.

Commissioner Tumulty and Vice Mayor Williams discussed residency, suggesting a preference for candidates from Brevard County due to availability, though Ms. Depina pointed out the challenge of Cocoa Beach's housing costs.

Mayor Capizzi mentioned a free service as an option, though Ms. Depina clarified that advertising costs would still apply. Vice Mayor Williams and Ms. Vose both discussed different approaches other cities have used, including internal searches and the limited need for elaborate recruitment materials due to Cocoa Beach's appeal.

Ms. Vose outlined the interview processes of other cities. Commissioner Tumulty emphasized the importance of the decision, suggesting the commission take its time,

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with the goal of making a decision by May 1st. Vice Mayor Williams asked Ms. Depina to prepare a packet outlining what an internal search would involve, and Ms. Depina agreed to present options

MOTION TO TABLE DISCUSSION WILLIAMS/TUMULTY
I MOVE TO TABLE THE DISCUSSION UNTIL THE MAY 1ST MEETING.
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

2. Request for parking spaces at the Beach Island Resort Lessees Association Inc. Daytime parking permits for guests that stay at the Resort for the 11th street parking area just down from the resort, next to Mar Bleu condominium.
Requester: Penelope E. Cossich
Recommendation: Discuss

MOTION TO DISCUSSION HUTCHERSON/JACKSON
I MOVE TO DISCUSS
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY

Ms. Patricia Cossich addressed the commission, referencing the previous meeting and noting that her parking issues remain unresolved. She explained that she currently has 7 nighttime parking passes and emphasized the urgent need for more. She manages 17 rental units but only has 11 on-site parking spots. To supplement this, she purchased 7 additional rental parking spaces. However, residents must move their cars regularly, and any guests are required to obtain permits, which has caused inconvenience. She stated that she has already lost three guests due to the lack of parking accommodations. Ms. Cossich reiterated her willingness to rent both daytime and evening passes and stressed that ongoing complaints are affecting her revenue. She requested assistance from the commission.

Mayor Capizzi stated that he had spoken with city staff and suggested that Ms. Cossich could potentially be grandfathered into the parking program. He noted that the city earns approximately \$11,000 in annual revenue from the nearby street parking. He proposed allowing Ms. Cossich to retain her 7 additional spaces but convert them to full 24-hour parking passes.

Vice Mayor Williams expressed concern about the high traffic on 11th Street, especially on weekends, and stated that giving up that many spaces on a busy street would not be ideal. He suggested the possibility of using a less-trafficked street instead. A discussion followed about potentially staggering street parking and issuing additional nighttime passes to help ease the situation.

Commissioner Hutcherson inquired about using differentiated placards for specific streets, and Mayor Capizzi suggested splitting Ms. Cossich's passes between different

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streets. Commissioner Tumulty brought up the cost of the passes, and the commission discussed various pricing options. They considered splitting the passes between 11th and 12th Streets, proposing a total of \$7,500: \$2,500 for nighttime passes and \$5,000 for daytime passes.

Ms. Juman shared current contract details and revenue figures, noting that 9th Street generates \$11,000 annually while 10th Street brings in \$9,000. She added that 4 passes are currently issued for 11th Street and 3 for 12th Street.

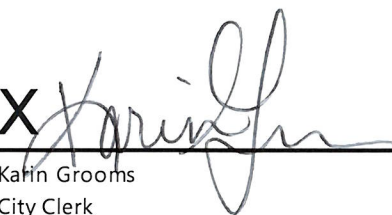
Commissioner Jackson asked about the grandfathering process, and Mayor Capizzi clarified that any such agreement would be non-transferable if the property were sold. He emphasized that the language used in the policy would need to be very specific. He also noted that there are few businesses currently in operation that existed before the implementation of the city's parking program.

K. GENERAL PUBLIC COMMENT

Ms. Melissa Byron said she supports looking for a new City Manager internally, noting that the process can take a lot of time. She stressed that the Commission should set clear criteria for the position and make that information available to the public. She pointed out that hiring someone from outside during budget season could be tricky. Ms. Byron also suggested narrowing the range of candidates and mentioned that compensation should be in line with similar cities like Cape Canaveral and Cocoa Beach, though she acknowledged it's going to be a tough search.

L. ADJOURNMENT

The meeting adjourned at 8:41 P.M.

X 
Karin Grooms
City Clerk

X 
Keith Capizzi
Mayor

