CITY OF COCOA BEACH
CITY COMMISSION
MINUTES
September 18, 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 Greg LeSieur, Christ Lutheran Church

3. Roll Call

<u>Commission Members Present:</u>
Mayor Keith Capizzi
Vice-Mayor Skip Williams
Commissioner Joshua Jackson
Commissioner Tim Tumulty
Commissioner Jeremy Hutcherson

<u>Administrative Members Present:</u>
City Attorney Becky Vose
City Manager A.J. Hutson
City Clerk Karin Grooms
Development Services Dave Dickey
Development Deputy Services Director Brian Palmer
Executive Assistant City Manager Carrie Lombardo
Finance Director Hana Juman
Finance Deputy Director Devan Taly
Fire Chief Justin Grimes
Fire Deputy Chief, Steve Lea
Fleet Director Jonathan Mickler
General Manager, CBCC Ed Thinger
Human Resources Cindy DePina
Information Technology Director Kevin Perez
Information Technology Deputy Director, Ron Munns
Information Technology, Nate Guruwaffe
Leisure Services Andi Segarra
Police Chief Wes Mullins
Police, Deputy Chief Kris Kuehn
Stormwater Manager, Morgan Zuhlke
Water Rec/ Public Works Director Brad Kalsow

B. BUDGET HEARING

1. Adopt Resolution No. 2025-16 - A Resolution of the City Commission of the City of Cocoa Beach of Brevard County, Florida, adopting the final levying of

Ad Valorem Taxes for the appropriations to be paid out of the General Fund during the Fiscal Year 2026 of the City of Cocoa Beach, Florida; providing for an effective date. Resolution 2025-16 adopts a millage rate of 6.0000 mills. Staff has prepared the budget based on a millage rate of 6.0000 mills. The legislatively prescribed tax rate that gives local government the same tax revenue as the year before (i.e. rollback rate) is 5.9610 mills. The final millage rate of 6.0000 mills is 0.65% higher than the rollback rate of 5.9610 mills.
Staff Representative: Hana Juman, Finance Director; A.J. Hutson, City Manager
Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE
ROLL CALL - 4 - AYE, 1- NAY COMMISSIONER HUTCHERSON

Commissioner Jackson inquired about information presented by Commissioner Hutcherson on a slide. Commissioner Hutcherson addressed the operational side of the budget and emphasized the need for a deeper understanding of City operations. Vice-Mayor Williams commented on the bar graph design and spoke about revenues versus expenditures, including related statistics and ARPA funding. The Commission reviewed the financial figures, noting the increase in expenditures and acknowledging that the funds included grants and large projects such as the new City Hall.

Commissioner Tumulty inquired about the Commission’s expectation of reaching zero debt and suggested that the City Hall construction and irrigation system should have been financed through debt service rather than reserves. He further stated that lowering the millage could be considered, but discussion would be needed on how to fund and sustain the City moving forward. The Commission discussed ways to generate additional revenue from tourism and how to make the most significant long-term impact with financial planning.

A hypothetical discussion followed regarding the implications of reducing the millage rate to zero, with the observation that such a change would eliminate property tax contributions from citizens. Commissioner Hutcherson mentioned the general fund, and the Commission continued its discussion regarding millage rates and revenue generation. Commissioner Jackson noted pending legislation that could potentially eliminate property taxes and emphasized the importance of preparing for the potential loss of revenue. He added that he would like to see all millage directed to reserves, and if reserve funds were used, any millage increase should be limited to replacing those expended funds.

Mayor Capizzi did note on record his plans for voting for the rollback rate in the upcoming year. Requesting staff to make a note of that.
Commissioner Hutcherson mentioned operating on rollback. He requested that the commission consider rollback. Commissioner Hutcherson commended Ms. Hana Juman, Finance Director, and he noted his commitment going forward will be the roll

back. Vice-Mayor Williams discussed the rate and rollback difference. The commission discussed the difference of the 6.0000 and the 5.9610 mils.

2. Adopt Resolution No. 2025-17 - A Resolution of the City Commission of the City of Cocoa Beach, Brevard County Florida, adopting the final budget for the Fiscal Year 2026 of the City of Cocoa Beach; Florida; providing for an effective date. Resolution No. 2025-17 adopts the budget for FY 2026.
   Staff Representative: Hana Juman, Finance Director; A.J. Hutson, City Manager
   Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE
ROLL CALL 4-AYE 1-NAY COMMISSIONER HUTCHERSON

3. Adopt Resolution No. 2025-18 - A Resolution of the City Commission of the City of Cocoa Beach, Florida, adopting a Five-Year Capital Improvements Program, to include the Fiscal Year 2026 Capital Improvements Budget and adopting a Proposed Capital Improvements Program for the next four Fiscal Years 2026-2030 which may be revised and extended each year with regard to capital improvements.
   Staff Representative: Hana Juman, Finance Director; A.J. Hutson, City Manager
   Recommendation: Approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE
ROLL CALL 5-AYE 0-NAY

C. 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 APPROVE THE AGENDA
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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. Kevin Key, owner of Comic Tiki, provided an overview of his business and its impact on the community. He explained his business model and requested that the City Commission allow his business to expand onto the beach by obtaining a beach vendor permit. He outlined how this expansion would benefit both the community and his business.

Vice Mayor Williams discussed the history of beach vendors within the city and noted the expansion to 15 vendors along with the waiting list. He stated he was not in favor of adding to the current list of beach vendors.

The Commission discussed the current issues related to beach vendors and the challenges occurring with existing operations.

Mayor Capizzi noted that having more than one vendor at a beach entrance should not be permitted as it causes problems.

Commissioner Tumulty expressed concern that further expansion would lead to full commercialization of the beach, which is not supported by the Commission or the residents.

E. STAFF REPORTS AND ANNOUNCEMENTS

City Manager Hutson reported on the Waste Management contract and the annual rate adjustment, noting that the increase is tied to the CPI. The increase will be 5.39% effective January 1, 2026. He stated he is in discussions with Waste Management to attempt to lower the percentage increase.

Vice Mayor Williams inquired about the contract terms, the CPI used for services, and the total dollar impact of the increase. He requested City Attorney Vose review the contract to confirm the CPI provisions. Ms. Vose agreed to review the agreement.

Commissioner Hutcherson noted that the operating CPI applies and cannot be selectively applied.

Vice Mayor Williams further inquired about the contract's renewal date, and Mr. Hutson confirmed it is up in December.

Mr. Hutson continued his report with the following updates:

- A new streetsweeper is under contract. Most areas will receive service once a month, with some areas receiving service twice a month.

- Appropriation requests are being prepared for submission to the Florida House and Senate through Jason Steele for: Gravity sewer line upgrades; and Fire Station 2 at Mobley Park.

- The Commission inquired about the use of Mobley Park for the fire station. Ms. Vose advised that the statute of limitations for restricting the change of use has expired, and the City may proceed.

- A muck capping pre-bid conference was attended by 7–8 companies. Bids will be received in November. The project has been deferred to FY 2027, pending financial feasibility.

- The retrofit of the garage elevator will begin in November.
- The City expects a response from the National Park Service on the Ocean Beach Blvd. ADA Park by the end of the month.
- Preliminary work on the tennis courts will begin early next month with fence removal.
- The Ramp Road project has been delayed a few weeks due to issues with engineers and contractors.
- City health insurance costs increased 5%, which is below state and national averages.
- Agreements were reached with Surfin' Santas and Surfin' Mingle to allow both events to take place.

F. CITY ATTORNEY REPORTS AND ANNOUNCEMENTS

No comment from the city attorney.

G. CITY COMMISSION REPORTS AND ANNOUNCEMENTS

Commissioner Tumulty recognized the golf course and country club staff, noting their efforts in turning the facility around, and encouraged the Commission and residents to support the club by having lunch there.

Commissioner Jackson highlighted the fish fry event at the country club.

Vice Mayor Williams inquired about a golfer who had suffered cardiac arrest. Chief Grimes reported on the incident, noting that the golfer was with a City employee at the furthest hole when the employee initiated CPR, ultimately saving the golfer's life. It was requested that the employee be formally recognized. Commissioner Jackson thanked Chief Grimes and Ms. Segarra for their work with City employees.

Commissioner Hutcherson commented on a recent violent event and mentioned there is no need for violence.

Mayor Capizzi thanked Mr. Brad Kalsow, Public Works/Water Reclamation Director, for his "see something, say something" approach, noting it helps the City operate more efficiently and recognizing him for stepping up.

H. CONSENT AGENDA

MOTION BY JACKSON/TUMULTY
I MOVE TO APPROVE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

1. Approve the August 29th, 2025 and the September 4th, 2025, Commission Meeting Minutes
   Staff Representative: City Clerk Department
   Recommendation: Approve

2. Adopt Resolution No. 2025-19, A Resolution of the City of Cocoa Beach, Brevard County, Florida amending Resolution 2024-25, affirming updated financial policies and practices; providing for an effective date; and providing for adoption. Resolution No. 2025-19 adopts amended financial policies and practices.
   Staff Representative: Hana Juman, Finance Director, A.J. Hutson, City Manager
   Recommendation: Approve

3. Adopt Resolution No. 2025 – 21, A Resolution of the City Commission of the City of Cocoa Beach, Brevard County, Florida, rescinding Resolution 2019-15, inactivating the Capital Improvement Projects Fund and authorizing the inclusion of the Capital Improvement Projects Fund and revenue budget and all accounting activity into the General Fund providing for an effective date.
   Staff Representative: Hana Juman, Finance Director, A.J. Hutson, City Manager
   Recommendation: Approve

4. Approve the Employee Agreement with A.J. Hutson, as Cocoa Beach City Manager, to be effective August 29, 2025.
   Staff Representative: Becky Vose, City Attorney
   Recommendation: Approve

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. UNFINISHED BUSINESS

1. Adopt Ordinance 1702 on second reading. An Ordinance of the City of Cocoa Beach, Florida, creating a new article iii, “Towing of Vehicles from Private Property”, of Chapter 13, “Licenses and Business Taxes” of the Code of Ordinances of the City of Cocoa Beach, regulating tow truck operations within the city; providing for findings and definitions; establishing requirements for towing operations and signage; requiring permits and insurance and providing for revocation of permits; establishing a towing victim reimbursement account; providing for enforcement and penalties; providing for conflicts, codification, severability, and an effective date.
   Staff representative: David Dickey, Development Services Director

Recommendation: approve

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE
ROLL CALL VOTE - 5- AYE

2. Adopt Resolution No. 2025-28, A resolution of the City Commission of the City of Cocoa Beach, Florida, adopting a fine schedule applicable to violations of Ordinance 1702 relating to the regulation on non-consent towing of vehicles in the city; making findings; adopting fine schedule for non-consent towing of vehicles; requiring posting of fine amounts on city website and implementation of new fines; and providing an effective date.
Staff Representative: David Dickey, Development Services Director
Recommendation: Approve

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

K. NEW BUSINESS

1. Adopt Resolution 2025-26 - A resolution of the City Commission of the City of Cocoa Beach, Florida, Relating to the Florida Department of Environmental Protection (FDEP) Clean Water State Revolving Fund (CWSRF), adoption of the City of Cocoa Beach SRF Stormwater Facility Plan Update, effective this 18 day of September, 2025.
Staff Representative: Morgan Zuhlke
Recommendation: Adopt

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

Commissioner Hutcherson requested a summary of what the item is for understanding. Ms. Morgan Zuhlke spoke on the item, explaining the eligibility for SRF loans and the ability to apply for future grants.

2. Approve Cocoa Beach Main Street Agreement with City of Cocoa Beach. This agreement is from October 1, 2025 and expire on September 30, 2027. The agreement has 12 listed events per year.
Representative: A.J. Hutson, City Manager,
Recommendation: Approve

MOTION BY TUMULTY/JACKSON
I MOVE TO APPROVE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

Commissioner Hutcherson referenced a section of financial reporting in the agreement and requested that Main Street provide reports in the same format as the City, or at least a snapshot of performance.

Commissioner Tumulty clarified the request from Commissioner Hutcherson, and Commissioner Hutcherson reiterated that Main Street should provide reports on the same cadence as the City.

Commissioner Tumulty also noted the in-kind services provided by the City and spoke of the professionalism of said events.

Commissioner Hutcherson stated Main Street is funded by taxpayers, and it is for transparency.
Mayor Cappizzi inquired about grants and mentioned the in-kind services provided to the organization.
Vice-Mayor Williams spoke about the funding and provided the balance sheet. He mentioned reducing funding as the sheet shows.
Mr. Hutson mentioned that for the Fiscal Year 2026 no funding was budgeted for Main Street.
Vice-Mayor Williams noted the 12 Friday Fests events and anything above that would be considered a special event and would be billed. He spoke in the Centennial Square space with the fees and spoke about the agreement.

3. Discuss the Holiday Lane Boat Ramp Repair estimate provided by Pelican Coast Marine Dock and Seawall in the amount of $65,580. This is a budgeted Capital Item for FY26.
   Staff Representative: Brad Kalsow, Public Works/Water Rec Director

MOTION BY WILLIAMS/TUMULTY
I MOVE TO APPROVE PELICAN COAST MARINE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

The Commission discussed the Holiday Lane Boat Ramp project, noting it had previously been addressed as a special agenda item. It was reported that the project came in under the amount originally approved by the Commission. However, the contract exceeded $50,000 and was therefore beyond the City Manager's approval. Mr. Hutson clarified this requirement and brought the item forward for Commission decision.

4. Approve the Cocoa Beach Raquet Club Fence Installation estimate provided by All-Rite Fence Services in the amount of $80,321.84. This is a budgeted item.
   Staff Representative: Brad Kalsow, Public Works/Water Rec Director
   Recommendation: Approve

MOTION BY HUTCHERSON/TUMULTY
I MOVE TO APPROVE
VOICE VOTE ON THE MOTION CARRIED UNANIMOUSLY.

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

M. ADJOURNMENT

The meeting was adjourned at 7:58 pm.
[MIN_SIGNATURES]