

**MINUTES
COCOA CRA
REGULAR MEETING
January 3, 2022**

FINAL

The Regular Meeting of the Cocoa Community Redevelopment Agency was held on January 3, 2022 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noticed.

I. CALL TO ORDER:

Chairman Blake called the meeting to order at 6:01pm.

ROLL CALL:

Michael C. Blake	Chairperson
Lavander Hearn	Vice Chairperson
Alex Goins	Agency Member
Rip Dyal	Agency Member
Lorraine Koss	Agency Member
Janne Etz	Agency Member
Candace Rogers	Agency Member
Anthony Garganese	Agency Attorney
Lori Chabot	Recording Secretary

PRESENT:

Michael C. Blake	Chairperson
Lavander Hearn	Vice Chairperson
Rip Dyal	Agency Member
Alex Goins	Agency Member
Lorraine Koss	Agency Member
Anthony Garganese	Agency Attorney
Candace Rogers	Agency Member
Lori Chabot	Recording Secretary

ABSENT:

Janne Etz	Agency Member
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STAFF PRESENT:

Stockton Whitten, City Manager, **Charlene Neuterman**, Community Services Interim Director.

Chief Collier led the assembly in the Invocation and **Sergeant Bradshaw** led the assembly in the Pledge of Allegiance to the flag of the United States of America.

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA: Regular Meeting January 3, 2022 as written or with amendments.

*** MOTION by Vice Chairperson HEARN; SECONDED by Agency Member DYAL to approve the Agenda for the Regular Meeting of January 3, 2022, as written.**

AYES: BLAKE, HEARN, GOINS, DYAL, KOSS, ROGERS

MOTION PASSED UNANIMOUSLY (6-0)

Agency Member KOSS Asked about bringing up a new item. Chairperson Blake responded that she could under Reports and/or bring an Agenda Item to the next meeting.

MINUTES: Regular Meeting of December 6, 2021 as written or with amendments.

*** MOTION by Agency Member ROGERS; SECONDED by Agency Member GOINS to approve the Minutes of the Regular Meeting on December 6, 2021, as written with the following adjustment.**

Agency Member Rogers asked to clarify her statement under staff reports from the prior meeting where she was asking about the Commercial Façade Grant previously approved for a Commercial Property and later sold to a non-profit. She would like to change the word **sold** to **bequeath**.

AYES: BLAKE, HEARN, GOINS, DYAL, KOSS, ROGERS

MOTION PASSED UNANIMOUSLY (6-0)

III. DELEGATIONS: Michael Trobagis, 509 Georgia Avenue, Cocoa, Fl. Spoke under Action Item V2.

IV. PRESENTATIONS: None

V. ACTION ITEMS:

1. Agency approval of a Budget Adjustment Form (BAF) and a Budget Resolution amending the FY2022 budget in the amount of \$603,280 from CRA Contingency Infrastructure for the purposes of funding the Florida Inland Navigation District (FIND) Grants received for the Dredging and Boat Ramp Construction.

Chairperson Blake read the item. Mrs. Neuterman presented the item stating this was Phase II reconstruction project, gave some history and costs of the project. She added, if approved, Staff will bring back an agreement to be executed.

* **MOTION by Chairperson BLAKE; SECONDED by Agency Member DYAL** for Agency approval of a Budget Adjustment Form (BAF) and a Budget Resolution amending the FY2022 budget in the amount of \$603,247 from CRA Contingency Infrastructure for the purposes of funding the Florida Inland Navigation District (FIND) Grants received for the Dredging and Boat Ramp Construction.

AYES: BLAKE, GOINS, HEARN, DYAL, KOSS, ROGERS

MOTION PASSED UNANIMOUSLY (6-0)

Agency Member KOSS asked if the dredging had been approved by the Army Corps of Engineers, what size vessels would be able to enter the area what will the changes be in regard to boat traffic? Mrs. Neuterman replied it had been approved but unsure of the vessel size and would find out and respond.

2. Request for Agency Direction by Agency Member GOINS to explore the possibilities of the CRA funding additional law enforcement in Cocoa CRA (Cocoa Village).

Chairperson BLAKE read the agenda item and pointed out the attached FS 163370 3(a)(c) which states, the CRA is prohibited from paying general government operating expenses unrelated to the planning and carrying out a community redevelopment plan. He added, under the Redevelopment Plan goals and objectives, it does not identify any specific support financially for adding law enforcement in the CRA.

Mrs. Neuterman stated at the request of Agency Member GOINS, staff was asked to add this item to explore possibilities of adding law enforcement in CRA. Under the attachment FS 163370 is the CRA act there are a variety of powers that are provided to a CRA to conduct community redevelopment in a CRA. That act has been provided to you in the agenda. One of those powers does has the development and implementation of Community Policing initiatives as part of carrying out and effectuating the purposes and provisions of community policing. Under the Plan Update of 2018, there are community policing initiative that are related to the Community Policing through Environmental Design (CPTED) which allows for the theory to use the built environment to reduce crime, reduce fear of crime and improve the quality of life. Some of those strategies is the use of cameras, natural surveillance, lighting, etc. As previously noted under FS, 163370 (3) the Community Redevelopment Act, CRAs are prohibited from paying general government operating expenses unrelated to the carrying out the community redevelopment plan. Since our CRA Plan does not identify any specific goals or objectives to finance additional law enforcement in the CRA it would not be beneficial for the CRA to move forward without doing a modification to the plan for the future. She continued, in regards to the budget, there are not any funds to allocate in the FY 2022 and it would have to start in FY2023.

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Chairperson BLAKE asked if there have been any other municipalities that have done this using CRA funding? Mrs. Neuterman replied affirmatively, and mentioned Satellite Beach CRA who used their CRA funds to fund law enforcement and fire and had to repay the money back because it was against the Community Redevelopment Act and violated FS.

Chairperson BLAKE stated he thinks the idea is good and asked for questions.

Agency Member GOINS asked if doing a modification to the plan was the only way this could be done. Mrs. Neuterman replied affirmatively, pending State approval of the plan. Agency Member GOINS continued, saying the Village is growing between the Hotel and new Condos, Cocoa was getting ready to have higher traffic and asked what the CRA could do to help with public safety? There have been problems for law enforcement and there are deficiencies in lighting in some areas. He stated the Village needed more lighting, cameras and asked agency members to look forward. He would like to modify the plan and move forward. Things are different now and the Agency needs to address it now and not later. This is the purpose for bringing it to the CRA, said Agency Member GOINS.

Chairperson BLAKE stated he agreed, lighting was definitely an issue and could be part of 2023 budget and to include cameras. However, two Police Officers would cost \$200,00 and does not want to set a negative precedent but look at the cameras and lighting.

Agency Member DYAL made mention of Austin TX and that downtown Cocoa was starting to look like 6th Street in Austin, TX. He continued, on any given night there are 20,000 people there. Cocoa CRA needs more law enforcement for the city and to have officers downtown more than they are now. City Council should look at getting more positions in increments of 6, one for each shift. The City is growing and needs to plan for it now.

Chief Collier stated the city is growing at a fast rate and recommended the City and CRA be prepared, it was best to get ahead of it. He continued, in 1996 Cocoa Police Department staffing was 66 and now is 72. Over twenty years, it has only grown 9%. Other agencies have grown at 30 – 40 %. Now is the opportunity to grown and catch up.

Agency Member KOSS asked how long it would take to do a Plan Amendment? Mrs. Neuterman replied the timeframe varies.

Agency Attorney Garganese replied it depends on the extent of the amendment and explained the process would be for the CRA to draft it, conduct public meetings for input including the County, make recommendation(s) to City Council who would make the final decision and would need to be sent to taxing authorities and notices sent. The prior update took, procedurally, about 90 days.

Agency Member KOSS added she recalls discussing more police presence in the form of a building, possibly in Lee Wenner Park. Mrs. Neuterman stated the plan calls for a Harbor Master building but not a police sub-station. Agency Member KOSS asked about the need for a substation in the area and if that would create a presence? Chief Collier stated it does have an effect, but it is not like having police officers. He stated his vision is having two officers per shift in the downtown

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area using Segway or bikes to address the problems because every shift has their own unique problems. Agency Member KOSS asked what the problems were in the day, he replied it was mainly transient populations. Agency Member Koss stated there is an issue there. Agency Member KOSS asked about CPTED. She continued, if that would include cameras and lighting but not changing the plan? She continued, asking about what CPTED included and Chief replied it would be primarily lighting and cameras.

Agency Member ROGERS also recalls some previous conversations with regard to Lee Wenner Park and adding law enforcement. She recalls it being discussed related to fish and wild life, a new Police boat, the Coast Guard and a house or building then. At that time, it was for the Civic Center or at the harbor and would like to see that activated. She emphasized the importance of monitoring that area and taking care of the boaters. She also mentioned if possibly Homeland Security could help patrol the boaters as there have been discussion regarding drug running. Agency Member ROGERS also mentioned if Fish and Wildlife could help with the derelict boats and check for compliance as there are a lot of safety issues. She suggested funding through Build Back Better assistance and do a comprehensive plan to include lighting/cameras/security using future funding. She feels this could wait to the next year and allows time for grant finding and development of a full plan.

Vice Chairperson HEARN stated he is in agreeance and like the ideas of more officers and agrees with developing a plan.

Agency Member GOINS introduced the owner of a business in the village. Mike from Rec 225 spoke about how businesses are and will be affected without any police presence and they are already seeing those effects and recommended the CRA get ahead of it. He stated the night life has evolved over the last five years. In regards to diversity and culture and it is coming at a fast rate and we are not prepared. The numbers of the people in the village at night are large. If we do not address this now and give the businesses what they need, we are going to hurt ourselves in the long run. He added he does not want to put his staff at risk and urged the CRA to address the large influx of people. He looks to the CRA to find ways to make this happen.

Chairperson BLAKE asked staff how far along the CRA is in the budget period and Mrs. Neuterman replied about 80% encumbered. Which is why, Chairperson BLAKE continued asking members to let staff work on a plan for the budget. He also asked what was the average cost for one officer and Chief Collier replied it would be about \$100,000 per officer. There are several ways to approach this, Chief Collier said. The Police Department now does more with less for years and so far, downtown area has not had a tragedy and we know there is an influx of people coming in downtown, the new companies and we need to stay ahead.

Chief Collier introduced Sgt. Bradshaw who is the Sgt for the midnight shift on Friday and Saturdays. Sgt. Bradshaw discussed what he and his staff see at night when bars are closing and how they currently handle things. He stressed their (police) presence is necessary. Chief Collier stated if the CRA's goal is to make the downtown a safer area, they should do so and, he continued people don't feel safe until they see an officer.

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Sgt. Bradshaw stated he worked with Mike of Rec 225 and his staff especially during late night hours. He continued, explaining he would put his staff downtown in parking areas around 1:30 and he would have a presence. They worked to build relationships and trust with patrons. He added as long as there was police presence, there were far fewer problems. Chief Collier added that if the CRA's goal is to make the downtown area a destination for the people, then we have to make sure people feel safe and most people don't unless they see a Police officer. Lighting helps, but not like seeing an officer. If CRA comes up with a plan to fund two officers where people can feel safe and spread the word. He recommends not putting it off and get ahead.

Agency Member GOINS stated, we as an agency know what we can't do today which is pay for officers and we may have to ask City Council. Chief Collier added he heard it could be done with a plan amendment. Mrs. Neuterman responded it is a fine line, but that Chapter 163 is pretty clear about not using CRA funds for General Funds expenditures. Chairperson BLAKE asked Agency Attorney Garganese about it. He responded, it is a grey area and a bit of a slippery slope, The CRA can, in its Plan, have provisions for Community Policing Innovation. The only guidance is Statutory definition for Community Policing Innovation which means; policing techniques or strategies designed to reduce crime by reducing opportunity for and increasing perceived risks of engaging in criminal activity through visible presence of police in the community, including but not limited to, community mobilization, neighborhood block watch, citizen patrol, foot patrol neighbor storefront police stations, field interrogation, or intensified motorized patrol. The CRA can expend funds for Community Policing Innovation but the CRA would have to really target the expenditures carefully so it doesn't run into an accusation that the CRA is subsidizing the Police Department.

Chairperson BLAKE suggested the first step is to start a policy modification and asked who would write that. Attorney Garganese replied the safest thing to do would be to modify with more specificity than its in now. Chairperson Blake asked if that was something he would write. Agency Attorney replied that would likely be the Police Department, they would know best their strategies.

Chairperson BLAKE asked if there were other municipalities that have established a precedent utilizing CRA funds. Chief Collier replied he was not 100% sure. However, if they were able to get positions based on specific community policing strategies, and how it should be governed, that is that is how those positions would be directed, clearly spelled out exactly how it should function.

Chairperson Blake asked staff if they could find out about any other CRA's using funds for policing. Mrs. Neuterman replied that City of Clearwater and Miami and Sarasota are three that she is aware of. He asked if they would have a template and could be used as a reference.

Vice Chairperson HEARN asked a question about the Chief's statement regarding specific strategies. Chief Collier replied using his Community Engagement Unit as an example describing what their functions were and how they were similar to what was being discussed. He stated he would assign two officers, six in an ideal situation, specifically to that unit and that area. Vice Chairperson HEARN added he like seeing officers in the downtown area of Orlando on Segway.

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Agency Member GOINS stated he would like to make a Motion to modify the current CRA plan to include Community Policing Innovation. Seconded by DYAL. Mrs. Neuterman asked for restatement for accuracy.

Agency Member Garganese stated, with regard to a modification to the CRA Plan, he asked that that motion be a bit broader. He added the Plan currently states Community Policing Innovation. Attorney Garganese also stated if possible to do a policy document or interlocal agreement between the CEA and City and would like to examine that and might streamline the process. While the CRA may spend the funds but they do not operate the operations of the PD and the CRA board will want some sort of objective measurable requirement so they know the funds are being spent accordingly. City Manager Whitten stated most cities that have done enhanced police service have done so through their plan with a Interlocal Agreement between the City and the CRA as a vehicle to define dedicated services. So, if the agency wants to move to do this this may be the avenue that they need to explore. HE added he is not suggesting the agency does not need an amendment to the plan but event with that this is the vehicle that get CRA to a defined listing of dedicated services between the City PD and CRA is through an agreement.

Agency Member GOINS withdrew his Motion and all the members gave consent for his withdrawal. He continued with a new Motion to modify the current Cocoa CRA plan to include Community Policing Innovation and create an Interlocal Agreement between the City of Cocoa and the CRA.

Agency Attorney said the Motion was restated. City Manager Whitten added the motion needs to include implementation of strategies, providing programs or services for the reduction of or prevention of crime that may include community policing and the development of an interlocal agreement between of the City and the CRA. One of the activities that is permissible in a CRA is the reduction and prevention of crime.

Chairperson BLAKE asked Agency Attorney if the Agency could instead ask Staff to return with a recommendation and what would the time frame be like. Agency Attorney replied there was nothing wrong with that. City Manager Whitten responded 30 days were enough. Chairperson BLAKE asked members for a consensus and all were in favor. Staff will return to the next meeting with a plan. Chairperson Blake called on Agency Members if there was a consensus and all agreed.

Agency Member ROGERS if this is ultimately approved, will the CRA always have the expense. Agency Member(s) replied affirmative.

VI. ATTORNEY'S REPORT – NONE

VII. UPDATES AND STAFF REPORTS -

Agency Member KOSS brought up Holiday Tours of Historical Homes adding the Porcher House should be a part of that and would like the CRA to look at a long-term plan to add it as added attraction, balancing with the night life. Agency Member DYAL asked where would Leisure Services move to? She replied to another building.

City Manager Whitten asked to add something to Staff Reports. With regard to the Hotel Project, City Manager Whitten reminded the Agency that the City Manager had the prerogative to extend the application period for the hotel site plan and did that for 60 days. The site plan has since been received within that 60-day extension. The second Phase is for the approval to be with-in 60 days. Because of the extension, there is more work to be done on the site plan and would not make the 60-day approval period prior to next CRA meeting and will need the agency to extend the Site Plan approval for an additional period of time, to the March meeting. City Attorney Whitten continued, the request would be for the agency to extend the approval deadline of the site plan for the hotel until the March CRA meeting. Attorney Garganese asked which meeting would occur first, the CRA or the Planning and Zoning? Mrs. Neuterman stated the Planning and Zoning will be March 2 and the CRA will be March 7. Chairperson BLAKE asked what was needed from them. Meeting dates were confirmed and therefore, the request was changed for the agency to extend the approval of the site plan for the hotel until the March 2 Planning and Zoning Meeting.

Agency Member KOSS asked how many extensions there had been and City Manager Whitten replied one site plan and this would be for the approval. She continued and expressed her dismay over the amount of time the hotel has taken and that she has heard the City and Council have been blamed for the delays.

*** MOTION by Chairperson Blake; SECONDED by Agency Member GOINS to approve an extension for the hotel site plan approval to March 2, 2022 for the Planning and Zoning Meeting and to bring to the CRA's March 7, 2022 Meeting for approval.**

AYES: BLAKE, GOINS, HEARN, KOSS, ROGERS

NAYS: DYAL

MOTION PASSED UNANIMOUSLY (5-1)

VIII. NEXT MEETING DATE

The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be on Monday, February 3, 2022 at 6:00 PM in the Council Chambers located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

IX. ADJOURNMENT

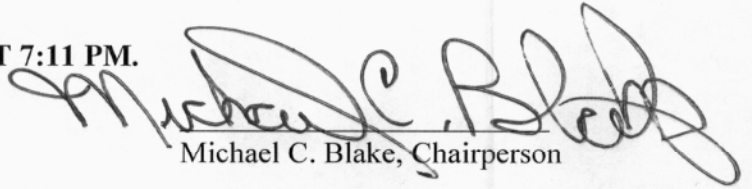
*** MOTION by Agency Member DYAL; SECONDED by Vice Chairperson HEARN to adjourn the meeting.**

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AYES: BLAKE, GOINS, HEARN, DYAL, KOSS, ROGERS

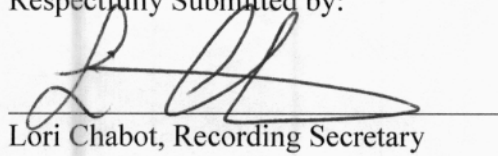
MOTION PASSED UNANIMOUSLY (5-0)

MEETING WAS ADJOURNED AT 7:11 PM.



Michael C. Blake, Chairperson

Respectfully Submitted by:



Lori Chabot, Recording Secretary