MINUTES **DRAFT**
COCOA CRA
December 5, 2022

The Regular Meeting of the Cocoa Community Redevelopment Agency was held on December 5, 2022 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noticed.

I. CALL TO ORDER:

Chairman Blake called the meeting to order at 6:03 pm.

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
Alex Goins	Agency Member *(via phone)*
Janne Etz	Agency Member
Candace Rogers	Agency Member
Rip Dyal	Agency Member
Lorraine Koss	Agency Member
Anthony Garganese	Agency Attorney
Lori Chabot	Recording Secretary

ABSENT:

None

STAFF PRESENT:
City Manager, Stockton Whitten and Charlene Neuterman, Community Services Director.

Chairman BLAKE led the assembly in the Invocation and the Cocoa Rotarians led the assembly in the Pledge of Allegiance to the flag of the United States of America.

II. APPROVAL OF AGENDA:

AGENDA: Regular Meeting, December 5, 2022 as written or with amendments.

* **MOTION by Vice Chair HEARN; SECONDED by Agency Member KOSS to approve the Agenda for the Regular Meeting of December 5, 2022, as written.**

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

MOTION PASSED UNANIMOUSLY (7-0)

APPROVAL OF MINUTES:

MINUTES: Regular Meeting October 3, 2022 as written or with amendments.

* **MOTION by Agency Member DYAL; SECONDED by Chairman BLAKE to approve the Minutes of the Regular Meeting of October 3, 2022 and the Special Meeting of October 25, 2022, as written.**

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

MOTION PASSED UNANIMOUSLY (7-0)

III. DELEGATIONS:

Aleck Greenwood, Brevard Avenue, Cocoa – Parking Stripes.

Mitchell Goldman, Attorney, 96 Willard St, Cocoa,- Hotel

Jack Brown, LDI – 15 Riverside Drive, Cocoa – Hotel

Pam Shai – 308 Brevard Ave, Cocoa – Parking

PRESENTATIONS: Samantha Senger – Myrt Tharpe Square Clock – Ms. Senger discussed her work with regard to replacing the clock at Myrt Tharpe Square. She continued that she has been in communication with the Cocoa Rotary who has offered to donate the clock and request that the CRA allow them to place a plaque near the clock for the Rotary. Ms. Senger is asking agency to accept the donation or replace the clock at agency expense. Paul Chinaris who is the immediate past President spoke about their desire to donate the clock and for the CRA to maintain it. Ms. Senger share photos of what it would look like and her presentation is attached to the Agenda. He continued the Rotary is getting ready to celebrate their 100 year anniversary and this would be a great way to celebrate that milestone. He discussed some of the other ways they have previously partnered with the City on other projects. Their request to also include a bronze plaque on the wall beside where the clock will go and on the side panels of the base of the clock there would be something engraved. He also stated in the base of the clock, they would like it to say Cocoa Rotary. With that, they would like to donate the clock and is asking the city to cover the cost of installation and would need a bucket truck and help with electrical. Chairperson **BLAKE** asked Agency Members to provide their wishes.

Agency Member **ROGERS** – in favor of donation. What would be the maintenance on this clock? Mr. Chinaris replied it would be much less, adding the clock is enclosed for weather proofing, and it automatically updates for daylight savings. She asked about paint, he said not needed.

Agency Member **ETZ** - also in favor and appreciates their offer. Stated she is also in favor of plaque.

Agency Member **GOINS** – In favor of donation, also in favor of their name on header.

Vice Chair **HEARN** – Honored to accept the offer. Appreciates their work with Boys and Girls Club.

Agency Member **DYAL** – also thanked and accepts the offer. Good with plaque.

Chairman **BLAKE** – also accepts the donation and is appreciative.

Agency Member **KOSS**– also in support.

* **MOTION by Vice Chair HEARN; SECONDED by Chairman BLAKE to approve acceptance of the donation from the Cocoa Rotary for the Clock at Myrt Tharpe Square Clock and to allow for the plaque and to allow for staff to proceed with the BAF for donation.**

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

MOTION PASSED UNANIMOUSLY (7-0)

ACTION ITEMS:

1. Request Agency Approval of the 2023 Meeting Schedule.

The Cocoa CRA meets on the 1st Monday of the month at 6:00 pm. During the month of January and September, the 1st Monday falls on a Holiday, and therefore, the scheduled meeting for those months will be the at 5:00 pm, prior to the first Council meeting.

COCOA COMMUNITY REDEVELOPMENT AGENCY

2023 MEETING SCHEDULE

JANUARY	10	5:00 PM	TUESDAY *
FEBRUARY	6	6:00 PM	MONDAY
MARCH	6	6:00 PM	MONDAY
APRIL	3	6:00 PM	MONDAY
MAY	1	6:00 PM	MONDAY
JUNE	5	6:00 PM	MONDAY

JULY	3	6:00 PM	MONDAY
AUGUST	7	6:00 PM	MONDAY
SEPTEMBER	12	5:00 PM	TUESDAY *
OCTOBER	2	6:00 PM	MONDAY
NOVEMBER	6	6:00 PM	MONDAY
DECEMBER	4	6:00 PM	MONDAY

*The January and September Regular Meeting will be on a Tuesday and begin at 5:00 PM, due to the Holiday.

Director Neuterman introduced the item stating this was a request for approval for the 2023 Cocoa CRA Meeting Schedule.

*** *MOTION by Agency Member DYAL; SECONDED by Agency Member ROGERS approving the Cocoa CRA Meeting Schedule as requested for 2023.**

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

MOTION PASSED UNANIMOUSLY (7-0)

2. Status update on 603 Brevard Ave-Hotel Project and discussion on RFP moving forward.

The following items were provided to CRA Members at beginning of meeting.

1) Timeline of Events, Staff Powerpoint for meeting
2) Letter received today, December 5, 2022 from Attorney Mitchell Goldman to Attorney Garganese
3) Letter dated November 21, 2022 from Attorney Mitchell S. Goldman
4) Letter from Attorney Garganese to Attorney Mitchell S. Goldman dated November 23, 2022
5) Notice of Default letter to Mr. Jack Brown from City Manager Stockton Whitten dated October 26, 2022, and
6) pages 4 and 5 of the minutes from the October 26, 2022 Cocoa CRA Special Meeting.

Director Neuterman began reminding Agency Members of the prior meeting held and the Motion that passed with regard to the Hotel and gave some additional information as to sequence of events over a 4-5 year period. The date of foreclosure was Nov 28, 2022, and if not cured, the contract would terminate immediately. At this point, the date has passed and staff did not receive the necessary deliverables and the agreement has terminated and at this meeting, Staff is looking to discuss an RFP and moving forward.

Also said City Manager Whitten has a presentation to discuss the RFP process, but will let hotel and attorney speak first.

Attorney Goldman spoke, giving his history and time in the Village. He stated he and his client, LDI were in the red zone and would like a little more time adding, they can provide the deliverables by the Dec. 16, 2022 and start construction after that.

Chairman **BLAKE** asked Agency Garganese if they extend the time to Dec 16, would the CRA encounter any legal ramifications? Attorney Garganese reminded members as to the Notice of Default, and requirements of cure period. He continued, at this juncture, LDI did not meet deliverables and therefore the contract is terminated. Attorney Goldman offered an Amendment to the Contract. Chair **BLAKE** asked how many years has Mr. Brown spearheaded this project? Attorney Goldman replied 4. Chair **BLAKE** replied reminding him of the many assurances given to date by LDI and asked why would it happen now.

Agency Member **ROGERS** stated she was very disappointed, she wanted a Hotel. She continued speaking about the lien, and money owed and asked if it had been cleared up. Attorney Goldman replied it should be cleared up. Attorney Garganese replied the lien was recorded improperly against the CRA and the adjacent property. The lien may be invalid against the CRA but likely valid on Mr. Brown. Discussion continued about the property adjacent and the legalities. Agency Member **ROGERS** stated her point was that he has not paid for adjacent property and therefore, he does not own the property. Attorney Goldman stated the mortgage gets paid off when construction is paid.

Agency Member **DYAL** spoke with regard to the inaccurate dollar amounts in the documents and shared his concerns over what he hears about people not getting paid.

Jack Brown spoke also asking for more time. He added that he accepts responsibility for his role and mistakes but also said the City made mistakes. He believes it would be a big mistake to end this.

City Manager Whitten continued regarding issuing the RFP and his presentation stating the discussion is what the new RFP could look like, but is asking for guidance from the Agency Members. Presentation is attached.

Chairman **BLAKE** took a pole of the Agency Members as to their preference for the site for the RFP.

Agency Member **ROGERS** – would like to see a hotel, feels the merchants need the additional people.
Agency Member **KOSS** – would like to see hotel as well although, would like the RFP to allow for other possibilities for the site.
Agency Member **ETZ** - She has 30 years with her business in Cocoa Village and has wanted a hotel for all that time. Wants a hotel.
Agency Member **DYAL** – He would like a Hotel but stressed his wishes to get through the process more quickly giving examples of the apartments and those successes.
Chair **BLAKE** – stated he does not want to rush the process, wants everything done right as he does not want to experience problem with the building.

City Manager Whitten replied in some respects the process may be similar. There are some items such as density and height that are already taken care of but, there is still a need to go through the proper processes. He continued, confirming that the CRA wants to continue with the RFP for a Hotel. He also asked about including land as an incentive. Discussion continued about area parking and potential incentives. City Manager Whiten added, in terms of lessons learned the agency will need some financial stability on the front end, shortening the timeline so there are not as many options for reconsideration or extensions or defaults and he will work with attorney on those things. He added he would like to bring the RFP back the first week of January.

Agency Member **GOINS** asked a question about dealing with the property adjacent to hotel site. City Manager Whitten replied that will be part of the design. That parcel was needed for LDI's hotel and it will be up to those responding to the RFP, and it may or may not be an issue.

Agency Member **KOSS** stated she would not support putting an RFP out for only a hotel. Would like to be more open, possibly parking and there may be other opportunities with other properties. She would prefer to put an RFP out that would include a hotel. Discussion continued as to possible opportunities for the different sites. He added Staff is working on designs for the Oleander parking site.

Chair **BLAKE** asked Attorney Garganese to shed some light with regard to the RFP. Attorney Garganese replied the discussion is to how it is drawn up and tonight is to give direction to staff how they want it written. City Manager Whitten stated staff could write it to leave open if using the sell and incentivize and Attorney Garganese said the notion must be noted. Discussion ensued with regard to the options.

*** *MOTION by Agency Member DYAL; SECONDED by Agency Member ETZ approving the issuance of an RFP for the site at 603 Brevard Avenue.**

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

MOTION PASSED (5-2)

Vice Chair **HEARN** stated he agreed with the unique presentation discussed between the City Manager and Attorney Garganese. Agency Member **KOSS** added she sees the area becoming an entertainment location and would like to have entertainment facilities.

Agency Member **ETZ** expressed her concerns over selling the property outright and giving up the control as to what would be built. She also added the south end of the Village needs more activity. She is not opposed to thinking outside the box, but would have a problem with selling that property outright.

Agency Member **ROGERS** shares the concerns of losing control. She also stated she is not opposed to putting a hotel across from the Civic Center and doesn't mind looking at other options, but she would like to focus on a hotel.

Agency Member **DYAL** stated with regard to the Bank America Property, Framework is looking to build apartments, they don't build hotels.

Vice Chair **HEARN** mentioned the Civic Center and would like to see something happen there.

IV. **ATTORNEY'S REPORT:** None

V. **UPDATES AND STAFF REPORTS**:

Director Neuterman provided an update on the Mooring Field stating FPL will not be burying the lines going across to MI. This puts a wrinkle in a mooring field plan and staff has asked for some design information from FPL for clarification. At this point, CRA cannot move forward with that.

Director Neuterman also provided an update on the Parking Spaces stating the City Manager is working on designs with Oleander Parking. She continued, earlier this year agency asked about the parallel spaces and the rational for how they are designed. She explained that by not having lines, this allows for a vehicle that is larger to park there as well as allowing for more smaller cars. She added DOT, etc. are all going towards this style to maximize parking possibilities.

Aleck Greenwood spoke about the parking spaces and markings stating vehicle sizes are not getting smaller, they are getting bigger. Too many people do not know how to park and he requests the spaces to be marked. He stated he doesn't agree with the idea.

Pam Shaia stated she watches people try to parallel park and agrees with Mr. Greenwood about the need for the lines back in the spaces. She is also asking for reconsideration for the lines.

Agency Member **ETZ** stated she understands the engineers design but it is not working. People can't parallel park. They need guidance. She also stated parking is lost because it is not followed correctly. She also suggested that Oleander parking area be restriped, as you cannot see the lines very well.

Agency Members **ROGERS** stated she agree with adding the striping.

Vice Chair **HEARN** asked about the new Oleander parking and was it going to be paved. City Manager replied not sure if it will be paved or something less than that, and mentioned FPL is looking at locations for charging stations.

VI. **NEXT MEETING DATE:**

Tuesday, January 10, 2023, at 5:00 in the Council Chambers located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VII. **ADJOURNMENT:**

* **MOTION by Agency Member DYAL; SECONDED by Agency Member ETZ to adjourn the meeting.**

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

MOTION PASSED UNANIMOUSLY (7-0)

MEETING WAS ADJOURNED AT 7:40 PM.

Michael C. Blake

Michael C. Blake, Chairperson

Respectfully Submitted by:

Lori Chabot

Lori Chabot, Recording Secretary