



**COCOA REDEVELOPMENT AGENCY BOARD
REGULAR MEETING AGENDA**

DATE: Tuesday, August 23, 2016
TIME: 5:00 p.m.

LOCATION: Cocoa City Hall
65 Stone Street

- I. **CALL TO ORDER**
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
- II. **APPROVAL OF AGENDA AND MINUTES**
AGENDA: Regular Meeting of August 23, 2016
MINUTES: Special Meeting of June 14, 2016
- III. **DELEGATIONS**
- IV. **PRESENTATIONS**
- V. **OLD BUSINESS**
 1. Brevard Avenue Brownstones – Termination of Acquisition and Redevelopment Agreement
- VI. **NEW BUSINESS**
 1. Cocoa CRA Proposed FY 17 Budget
 2. Purchase of docking signage
- VII. **ATTORNEY'S REPORT**
- VIII. **AGENCY MEMBERS AND STAFF REPORTS**
 1. Monthly FY 16 Budget Report
- IX. **NEXT MEETING DATE**

The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be on Tuesday, September 6, 2016, at 5:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.
- X. **ADJOURNMENT**

NOTICE TO THE PUBLIC:

This is a public meeting. All interested parties may attend. The facility wherein this meeting will be held is accessible to the physically handicapped. Please be advised that more than one member of the City Council may attend.

Pursuant to Section 286.0105, *Florida Statutes*, the City hereby advises the public that: if a person decides to appeal any decision made by this board with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise allowed by law. This agenda is posted on the Municipal Bulletin Board and at the Central Brevard Library and Reference Center in Cocoa for public review.

**MINUTES
CITY OF COCOA
COCOA REDEVELOPMENT AGENCY
SPECIAL MEETING
June 14, 2016**

The Cocoa Redevelopment Agency held a special meeting at 5:00 p.m. at Cocoa City Hall, 65 Stone Street, Cocoa, FL. as publicly noticed.

I. Chairman Parrish called the meeting to order at 5:00 p.m.

PRESENT:

Henry U. Parrish, III	Chairman
Don Boisvert	Vice Chairman
Jan Stewart	Agency member
Ed Lanni	Agency member
Monica Arsenault	Recording Secretary

ABSENT:

Tyler Furbish	Agency member
Michael Blake	Agency member (arrived at 5:06pm)
Brenda Warner	Agency member (arrived at 5:08pm)
Anthony Garganese	Agency Counsel (arrived at 5:15pm)

STAFF PRESENT: Susan D. McGrady, CRA Program Manager; Steven P. Belden, AICP, Community Services Director, and John A. Titkanich Jr., AICP, City Manager.

Agency member Lanni provided the invocation and led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

II. APPROVAL OF AGENDA /MINUTES:

- * **MOTION by Vice Chairman Boisvert; SECONDED by Agency member Lanni to approve the agenda for the special meeting of June 14, 2016 with the removal of agenda item VI-1.**

AYES: Boisvert, Parrish, Stewart, Lanni

MOTION CARRIED UNANIMOUSLY (4-0)

- * **MOTION by Vice Chairman Boisvert; SECONDED by Agency member Lanni to approve the minutes of the regular meeting of April 5, 2016.**

AYES: Boisvert, Parrish, Stewart, Lanni

MOTION CARRIED UNANIMOUSLY (4-0)

III. DELEGATIONS:

NONE

IV. PRESENTATIONS:

NONE

V. OLD BUSINESS:

1. Brevard Avenue Brownstones – Off-Site Improvements

Ms. Susan McGrady explained that after looking over the off-site improvements that were approved on the preliminary site plan the costs are significantly larger than they were when they were budgeted in 2011. Based on the estimates now, the off-site improvements will cost approximately \$218,312.00. Staff would like the Agency to approve the allocation of up to an additional \$128,312.00 in funding for the off-site improvements in conjunction with the Brevard Avenue Brownstones Project as well as authorization from the Board to prepare the necessary modifications to the Development Agreement and have it executed by the Chairperson.

Mr. John Titkanich clarified that the \$90,000.00 estimate was a “back of the envelope” estimate that came from a streetscape project a few years prior, but there was never any concrete plans. In subsequent meetings, both off-site and on-site improvements were looked at such as the removal of the old elevator shaft located on the old City of Cocoa building site and relocating the underground Florida Power and Light boxes.

Agency member Stewart asked if in addition to a price increase there would be an increase in linear footage.

Mr. Titkanich explained that there will be no increase in linear footage, only that prices have changed since the estimate was given in 2011 and additional issues were uncovered as the project developed such as the relocation of underground utilities.

Mr. Titkanich suggested giving the developers a deadline following the execution of an agreement.

Mayor Parrish shared some of the concerns within the community in regards to breaking ground on the Brevard Avenue Brownstones Project.

Agency member Warner voiced her opinion on the current developers for the Brevard Avenue Brownstones Project. She shared that she felt they were working with the City in good faith and that the City should allow them the chance to overcome the obstacles they face.

- * **MOTION by Vice Chairman Boisvert; SECONDED by Agency member Stewart to approve the allocation of up to an additional \$128,312.00 in funding for the off-site improvements in conjunction with the Brevard Avenue Brownstones Project.**

AYES: Boisvert, Parrish, Stewart, Lanni

MOTION CARRIED UNANIMOUSLY (4-0)

Agency member Stewart inquired as to whether there was any interest in purchasing the restaurant that is proposed for the Brownstone Project.

Mr. Titkanich explained that the developer's first concern is to get the project off the ground. Secondly, the developers would like to focus on filling in the residential units of the Brownstones, and then focus on the retail aspect afterwards. The developers have a list of potential businesses that may fit the profile for the restaurant unit but there are no contracts currently.

VI. NEW BUSINESS:

- ~~1. Riverfront Park Day Slips — Engineering, Design and Permitting — Coastal Tech GEC~~

VII. ATTORNEY'S REPORT:

Agency Counsel Garganese asked for clarification on the motion made to allocate up to an additional \$128,312.00 in funding for the off-site improvements in conjunction with the Brevard Avenue Brownstones Project.

Agency member Warner suggested a motion be made to grant the developers 60 days from the execution of the Agreement to break ground on the project.

- * **MOTION by Agency member Warner; SECONDED by Agency member Blake to advise staff to revise the Agreement to state that the developers must break ground within 60 days from the execution of the Agreement.**

AYES: Boisvert, Parrish, Stewart, Lanni, Warner, Blake

MOTION CARRIED UNANIMOUSLY (6-0)

VIII. AGENCY MEMBERS AND STAFF REPORTS:

1. Monthly Budget Report – provided for Agency members to review.

IX. NEXT MEETING DATE:

June 14, 2016

The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be held on Tuesday, June 28, 2016 at 5:00 PM at the Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

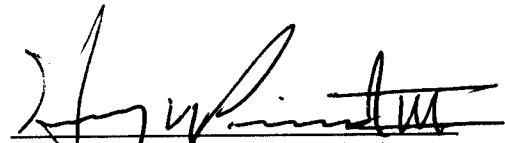
X. ADJOURNMENT:

- * **MOTION** made by Vice Chairman Boisvert; **SECONDED** by Agency member Blake to adjourn the special meeting of June 14, 2016.

AYES: Parrish, Boisvert, Warner, Stewart, Lanni, Blake

MOTION CARRIED UNANIMOUSLY (6-0)

MEETING WAS ADJOURNED AT 5:25 p.m.


Henry W. Parrish III, Chairman

Respectfully Submitted By:


Monica Arsenault, Recording Secretary



AGENDA ITEM V - 1

Brevard Avenue Brownstones

Termination of Acquisition and Redevelopment Agreement

MEMO DATE: August 23, 2016
AGENDA DATE: August 17, 2016
PREPARED BY: John A. Titkanich, Jr., AICP, City Manager

REQUESTED ACTION: Approve the Termination of Acquisition and Redevelopment Agreement between the Cocoa Community Redevelopment Agency and White Challis Redevelopment Co., LLC.

BACKGROUND

The Agency previously approved at a Special Agency Meeting on June 14, 2016, to increase the allocation for reimbursement for off-site improvements for the Brevard Avenue Brownstones Project from \$90,000.00 to no more than \$218,312.00. The increase was based on newer costs estimates as well as value engineered and redesigned improvements. The Agency Board also imposed a 60 day deadline for White Challis to substantially commence construction of the off-site improvements or the Agency will have the right to terminate the Agreement. Agency Counsel Garganese and staff were directed to prepare a modification of the Amended and Restated Acquisition and Redevelopment Agreement ("Agreement") for execution by the City Manager or Chairman. The Agency Board's decision would not be final until the modification was prepared and executed by the parties.

STAFF COMMENTS

After the Agency's action on the 14th of June, Agency Counsel Garganese commenced preparation of a First Modification to the Agreement. At that time, Agency Counsel Garganese discovered that the Agency's decision also impacted other performance

deadlines set forth in the Agreement. In addition, a revised Exhibit "C" was required. The amendments to the other performance deadlines and the revised Exhibit "C" were not technically presented to the Agency Board in the Agenda Item or discussed at the last meeting for consideration. Thus, based on the advice of Agency Counsel, the previous decision by the Agency Board is only considered to be preliminary pending final approval of the First Modification to the Agreement by the Agency Board.

Subsequent to the revised Agreement being prepared by Agency Counsel with the amended timeline; the developers, White Challis Redevelopment Co., LLC, reviewed the agreement and have determined, even if the Agency were to provide additional time extensions on the front-end of the development project, they are unable to commit with the revised development schedule. Thus, after several meetings and teleconferences, White-Challis Redevelopment Co., LLC, and Cocoa CRA staff have agreed that terminating the agreement is in both parties' mutual interests.

Staff will review for the formerly issued Request For Proposals (RFP) related to the property and present a revised RFP at a future meeting for Agency consideration.

BUDGETARY IMPACT

Not with this Agenda Item.

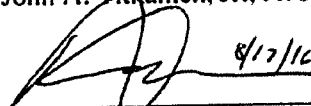
REVIEWED

The City Manager and Agency Counsel have reviewed this agenda item.

City Manager


John A. Titkanich, Jr., AICP

Agency Counsel

 8/17/16
Anthony A. Garganese

REQUESTED ACTION:

Approve the Termination of Acquisition and Redevelopment Agreement between the Cocoa Community Redevelopment Agency and White Challis Redevelopment Co., LLC.

STATE OF FLORIDA

**TERMINATION OF ACQUISITION
AND REDEVELOPMENT AGREEMENT**

COUNTY OF BREVARD

THIS TERMINATION OF ACQUISITION AND REDEVELOPMENT AGREEMENT is entered into as of the ___ day of August, 2016 (the "Termination Date"), by and between the Cocoa Community Redevelopment Agency, a Florida Community Redevelopment Agency formed pursuant to Section 163.330 et. seq., Florida Statutes, located in Brevard County, Florida (the "Agency"), and White Challis Redevelopment Co., LLC, a Florida limited liability company ("White Challis").

WHEREAS, the Agency and White Challis entered into that certain Amended and Restated Acquisition and Redevelopment Agreement dated October 21, 2014 and recorded at Official Records Book 7243, Page 2066, Public Records of Brevard County, Florida (the "Agreement"); and

WHEREAS, the Agency and White Challis agree that it is in both parties' mutual interests to terminate the Agreement at this time;

NOW, THEREFORE, the Agency and White Challis agree as follows:

1. The Agreement is hereby terminated effective on the Termination Date set forth above.
2. The Agency and White Challis fully release one another from any and all further duties or responsibilities imposed by the Agreement and from any and all liability arising or resulting from the parties' performance or failure to perform under the Agreement.
3. White Challis releases and waives any and all rights it may have in and to the Property, as that term is defined in the Agreement, to the development or redevelopment of the Property, and to any and all property rights in, to or related in any way to the Property.
4. This Termination of Acquisition and Redevelopment Agreement contains the entire understanding and agreement of the parties with respect to the termination of the Agreement.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto attached their hands and seals on the dates set forth below.

Signed, sealed and delivered in the
presence of: **THE COCOA
COMMUNITY REDEVELOPMENT
AGENCY, a Florida Community
Redevelopment Agency**

Witness 1

Print Name of Witness 1

Witness 2

Print Name of Witness 2

By: _____
Its Agency Chairman

Attest:

By: _____
Name: _____

Date: _____

**STATE OF FLORIDA
COUNTY OF BREVARD**

The foregoing instrument was acknowledged before me this ____ day of _____,
2016 by _____ and _____, _____ and _____,
respectively, of The Cocoa Community Redevelopment Agency, a Florida Community Redevelopment
Agency, on behalf of the Agency. They are personally known to me and did not take an oath.

Notary Public
Commission No.: _____

Approved as to legal form:

By: _____
Name: _____

Signed, sealed and delivered in the presence of:

**WHITE CHALLIS REDEVELOPMENT CO.,
LLC, a Florida limited liability company**

Witness 1

Print Name of Witness 1

Witness 2

Print Name of Witness 2

By: _____
Manager

Date: _____

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by _____, a Florida resident, as manager of White Challis Redevelopment Co., LLC. He is personally known to me and did not take an oath.

Notary Public
Commission No.: _____



AGENDA ITEM VI - 1

Proposed 2017 Fiscal Year Budget

MEMO DATE: August 16, 2016
AGENDA DATE: August 23, 2016
PREPARED BY: Steven P. Belden, AICP, Community Services Director *SPB*

REQUESTED ACTION: Approve the Proposed 2017 Fiscal Year Budget.

BACKGROUND

The total budget for Fiscal Year 2017 is \$1,471,310. The CRA will receive approximately \$1,148,663 in TIF revenues for Fiscal Year 2017, which is an 8.3% increase over FY 2016. In addition, lease payments of \$39,027 will be received from the US Postal Service and \$187,000 in the FIND grant for construction of the Cocoa Village Pedestrian Connector. The proposed budget provides continued funding for Riverfront Park Maintenance and also provides for anticipated expenses associated with the Riverfront Park Boat Slip Project, the Florida Avenue "Complete Streets" Project, the Gateway Entry Feature at 6 Forrest Ave. and the Brevard Brownstones Utilities/Streetscaping.

This budget represents a continuation of existing CRA programs and commitments, as well as administrative and legal expenses.

Revenue sources for this budget are as follows:

Source	Amount FY 16	Amount FY 17
Estimated carry-forward funds	\$563,665	\$96,620
Projected TIF Revenues (95%)	\$1,053,386	\$1,148,663
Other Revenue	\$37,451 (Post Office lease)	\$226,027 (Post Office lease and FIND Grant)
Total Revenues	\$1,654,502	\$1,471,310

The following table represents a proposed budget summary by account number:

Account	Cocoa CRA - Description	FY2017 Annual Budget
PERSONNEL SERVICES		
110-3230-559.12-00	Regular Salaries & Wages	\$53,686
110-3230-559.12-12	Accrual Payouts	\$1,233
110-3230-559.14-00	Overtime	\$0
110-3230-559.21-00	F.I.C.A.	\$4,399
110-3230-559.22-00	Retirement Contributions	\$4,189
110-3230-559.23-00	Life/Health Contributions	\$7,680
110-3230-559.24-00	Worker's Compensation	\$136
110-3230-559.27-00	Cafeteria Plan	\$2,400
Total Personnel Services		\$73,723
OPERATING EXPENSES		
110-3230-559.31-00	Professional Services	\$0
110-3230-559.31-01	Legal Expenses	\$4,000
110-3230-559.34-00	Contract Services Riverfront Park Maintenance - \$75,000	\$75,000
110-3230-559.39-00	Contingency Contingency - \$10,011 FDOT Loan Principal - \$49,694 Old City Hall Principal - \$25,514	\$85,219
110-3230-559.40-00	Travel & Per Diem	\$1,600
110-3230-559.41.00	Communications	\$300
110-3230-559-42.00	Postage	\$250
110-3230-559.44-00	Post Office Lease - Orange Street Tower	\$68,000
110-3230-559-45-00	Insurance	\$4,011
110-3230-559.46-00	Repair/Maintenance - Equipment	\$500

	Repair Maintenance - \$500	
110-3230-559.47-00	Printing & Binding	\$500
110-3230-559.48-00	Promotional Activities	\$0
110-3230-559.49-00	Other Charges and Obligations Legal Advertising - \$750	\$750
110-3230-559.52-00	Operating Supplies Operating - \$500	\$500
110-3230-559.54-00	Memberships/Publications Books and Publications - \$250 Membership Dues - \$750 - OED, FRA	\$1,000
110-3230-559.55-00	Training Education and Seminar Fees - \$900	\$900
110-3230-559.63-00	Infrastructure Brownstones-Utilities/Streetscaping- \$220,000 Cocoa Riverfront Connector - \$375,000 Florida Ave Streetscape - \$210,000 Day Dock Construction - \$45,000 Gateway Entry Feature - \$160,000	\$1,010,000
110-3230-581-91-30	Transfer to Capital Projects Fund FDOT Loan - Interest - \$41,932	\$70,057
110-3230-581.91-01	Transfer to General Fund City Hall Loan Interest - \$28,125	
110-3230-559.82-00	Aid to Private Organizations Cocoa Main Street - \$25,000	\$25,000
110-3230-559.83-00	Other Grants and Aids Commercial Façade Program - \$50,000	\$50,000
Total Operating Expenses		\$1,397,587
Total Budget		\$1,471,310
	Carryover Funds	\$96,620
	*Other Revenue	\$226,027
	FY2017 TIF Revenues	\$1,148,663
	Total FY2017& Funding	\$1,471,310

*USPS 12 months @

\$3,252.25/month

*FIND Grant \$187,000

This budget has attempted to accommodate all the CRA's planned projects as well as its current financial commitments. Therefore staff is recommending approval of this budget.

REVIEWED BY:

City Manager


John A. Titkanich, AICP

Deputy Finance Director


Lora Howell

REQUESTED MOTION

Approve the Proposed 2017 Fiscal Year Budget.



AGENDA ITEM VI - 2
Purchase of Docking Signage

MEMO DATE: August 17, 2016
AGENDA DATE: August 23, 2016
PREPARED BY: Steven P. Belden, AICP, Community Services Director *SB*

REQUESTED ACTION: Approve request to purchase seven (7) docking signs.

BACKGROUND

The City adopted Ordinance 01-2016 to regulate the docking and mooring activities in the waters in front of Riverfront Park. The ordinance seeks to provide order and safety for the boating community as well as providing for the regulating of docking at Lee Wenner Park near the boat ramps. The newly adopted ordinance provides for three designated docking areas, each with their own docking restrictions. In order to adequately enforce the new ordinance and associated regulations and restrictions, it is imperative to have signage prominently displayed to educate and assist the various boaters on where they can and cannot dock.

Staff is requesting authorization to purchase seven (7) docking signs. The signs will be fabricated by Brevard County for a total cost of \$438.62. Funds will be allocated from Contingency account 110-3230-559.39-00, which has a balance of \$1,632. The proposed signage is attached.

REVIEWED BY:

City Manager

John A. Titkanich
John A. Titkanich, AICP

REQUESTED MOTION

Approve request to purchase seven (7) docking signs.



DAY VESSEL DOCK AREA ONLY

Docking restrictions:

1. This area reserved for Day Vessels only, not to exceed 8 consecutive hours
2. No Dinghy Boats
3. No Houseboats or Live-Aboard Vessels
4. No docking between the hours of 12 midnight and 5:00 am
5. Unauthorized vessels are deemed unlawful and a public nuisance, subject to penalty up to \$500.00 per violation, removal and impoundment at owner's expense, suspension of docking privileges, or other legal action by the city of Cocoa

Sec. 14-11, City of Cocoa Code
STRICTLY ENFORCED



DINGHY DOCK AREA ONLY

Docking restrictions:

1. This area reserved for Dinghy Boats only
2. Unauthorized vessels are deemed unlawful and a public nuisance, subject to penalty up to \$500 per violation, removal and impoundment at owner's expense, suspension of docking privileges, or other legal action by the city of Cocoa.

Sec. 14-11, City of Cocoa Code
STRICTLY ENFORCED



T-DOCK AREA

Docking restrictions:

1. This area reserved for Day Vessels and Intracoastal Waterway Cruising (ICWC) boats only
2. No Dinghy Boats
3. No Houseboats or Live-Aboard Vessels
4. Vessels shall not be docked for more than 8 consecutive hours and shall not be docked between the hours of 12 midnight and 5:00 A.M., except for CRUISING BOATS (EXCEPTIONAL VESSELS WITH BOAT HIRE, SLEEPING QUARTERS, TOILET FACILITIES AND A GALLEY USED FOR TRAVELING FROM PLACE TO PLACE FOR PLEASURE) SHALL BE PERMITTED TO DOCK OVERNIGHT NOT TO EXCEED 2 CONSECUTIVE NIGHTS OR 4 HOURS WITHIN A 30 DAY TIME PERIOD.
5. Unauthorized vessels are deemed unlawful and a public nuisance, subject to penalty up to \$500 per violation, removal and impoundment at owner's expense, suspension of docking privileges, or other legal action by the city of Cocoa.

Sec. 14-11, City of Cocoa Code
STRICTLY ENFORCED



AGENDA ITEM VIII - 1
Agency Budget Report

MEMO DATE: August 17, 2016
AGENDA DATE: August 23, 2016
PREPARED BY: Steven P. Belden, AICP, Community Services Director 

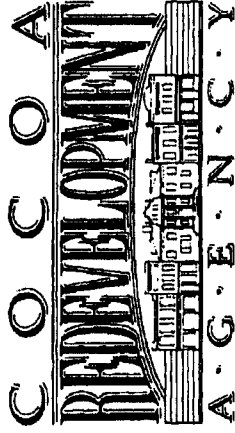
REQUESTED ACTION: Fiscal Year 2016 Monthly Budget Update

BACKGROUND

The current Detail Budget Report for Fiscal Year 2016 indicates 83% of the fiscal year has elapsed. As of the report dated July 27, 2016 all Agency accounts have funds available to meet current and future obligations.

REQUESTED MOTION

None, this is an informational item.



FUND 110 - 83% of Year Lapsed

	Amended Budget	YTD Actual Transactions	% Used/Rec'd
REVENUE			
TIF	1,053,386	1,053,386.00	100%
USPS LEASE & INTEREST INCOME	37,451	31,210.00	83%
CARRYFORWARD	563,665	563,665.00	100%
REVENUE TOTALS	1,654,502	1,648,261.00	100%
EXPENSE			
SALARIES AND BENEFITS	93,621	70,592.42	75%
OPERATING EXPENDITURES	628,495	496,372.00	79%
CAPITAL OUTLAY	857,386	67,353.00	8%
GRANTS, AIDS AND OTHER	50,000	18,988.00	38%
EXPENSE TOTALS	1,629,502	653,305.42	40%
REVENUE TOTALS	1,654,502	1,648,261.00	100%
EXPENSE TOTALS	1,629,502	653,305.42	40%