MINUTES
CITY OF COCOA
COCOA CRA
REGULAR MEETING
AUGUST 12, 2020

The Regular Meeting of the Cocoa Community Redevelopment Agency was held on August 12, 2020 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noted.

I. Call to Order

Chairperson Williams called the meeting to order at 5:03 pm

ROLL CALL:

Jake Williams, Jr.	Chairperson
Alex Goins	Vice Chairperson
Don Boisvert	Agency Member
Janne Etz	Agency Member
Edward Lanni	Agency Member
Brenda Warner	Agency Member
Lorraine Koss	Agency Member
Anthony Garganese	City Attorney
Lori Chabot	Recording Secretary

PRESENT:

Jake Williams, Jr.	Chairperson
Alex Goins	Vice Chairperson
Don Boisvert	Agency Member
Janne Etz	Agency Member
Ed Lanni	Agency Member
Lorraine Koss	Agency Member
Brenda Warner	Agency Member
Anthony Garganese	City Attorney
Lori Chabot	Recording Secretary

ABESENT:

NONE

STAFF PRESENT:
Charlene Neuterman, Deputy Community Services Director, **Matt Fuhrer**, City Manager, **Bryant Smith**, Public Works Director, **Nancy Bunt**, Community Services Director and Finance Director **Rebecca Bowman**.

Vice Chair Goins provided the invocation and **Agency Member Koss** 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 of August 12, 2020 and approval of additional item #3 to the Agenda which has been provided to each member.

MINUTES: Special Meeting of June 24, 2020 as written.

MINUTES: Regular Meeting of July 8, 2020 as written.

* **MOTION by Agency Member Lanni; SECONDED by Agency Member Boisvert to approve the Agenda for the Regular Meeting of August 12, 2020, Minutes for the June 24, 2020 Special Meeting and the Minutes for the July 8, 2020 Regular Meeting as written.**

AYES: WILLIAMS, GOINS, ETZ, KOSS, WARNER

MOTION PASSED UNANIMOUSLY (7-0)

III. Delegations:

Aleck Greenwood spoke in support of the hotel project.

IV. Action Items:

1. Approval of FY 2020 Budget clean up to account.

Charlene Neuterman presented a BAF# 20-093 and requested approval for line item account adjustments for Operating, which may have become negative at mid-year, due to Unforeseen Expenses.

During the fiscal year budgeting process, future expenses are sometimes calculated using historical information and forecasting, for the CRA's future needs. As such, throughout the year, Finance reviews the previous year's budget, for any changes which may have placed any of the accounts into a negative balance. Once this analysis is complete, a "shore up" of the line item budgets within the CRA occurs and is presented to the Agency.

The Budget Transfer schedule shows the accounts and amounts that were required to be adjusted to cleanup account overages.

The Project Transfer is related to a rollover of funds from FY 2019. This transfer corrects the project balance.

Ms. Neuterman explained in more detail the transfer accounts and amounts as shown in the BAF 20-093-T and BAF 20-71-P and attached to this Agenda Item.

* **MOTION by Agency Member Boisvert; SECONDED by Agency Member Koss**

AYES: WILLIAMS, GOINS, ETZ, LANNI, WARNER

MOTION PASSED UNANIMOUSLY (7-0)

2. Approval of FY 2021 Proposed Budget.

Staff is requesting approval of the Proposed Budget for Fiscal Year 2021.

At the Cocoa CRA meeting of July 8, 2020, Agency Members discussed the upcoming Fiscal's Year's budget and priority projects. Exact amounts are not known for each of these projects and therefore, funds will be transferred to the Contingency account within the CRA and will be used as the projects come online. Once the final Tax Increment Financing numbers are received from the County, the revenue and expenditures will be updated in the final budget to be adopted in September by City Council.

Priorities identified by the council include the following projects:

- Civic Center Renovations
- Parking in Cocoa Village
- South Village Roundabout
- Fishing Pier (Design)

Additionally, if the agency approves this budget, funds were appropriated to replace twenty (20) benches and add four (4) trash receptacles in Cocoa Village. This was based on an analysis Public Works did to identify aging benches.

As noted at the July 8, 2020 meeting, there is approximately $600,000 in Cocoa CRA Fund Balance Reserves that can be allocated to projects in Fiscal Year 2021.

Mrs. Neuterman presented the proposed budget pointing out existing fund balance, proposed revenue and expenses and added the budget is based on updated rates.

Question from Agency Member Koss regarding the Recreation TIF funds and asked whether the $60,000 the County pays to the City was included. Interim City Manager Fuhrer explained the funds are received from the County for Maintenance at Lee Wenner Park. Funds are deposited into the City's General Fund. He also stated that the City was in year 4 of 5 of the agreement with the County. Agency Member Etz asked if the Wayfinding funds had been allocated. Mrs. Neuterman replied that $40,000 was in the 2021 budget for a Pedestrian Wayfinding package for design services.

Staff Requests approval of the Fiscal Year 2021 Cocoa CRA Proposed Budget.

* **MOTION by Agency Member Koss; SECONDED by Agency Member Warner**

AYES: WILLIAMS, GOINS, ETZ, LANNI, BOISVERT

MOTION PASSED UNANIMOUSLY (7-0)

3. Approve an amendment to Task Order 2019-11 and a Change Order to PO 74623 to modify the existing scope of services related to the Civic Center project.

Staff requests approval to Amendment #2 to Task Order 2019–11 to modify the existing scope of services related to the Civic Center project and approve a change Order to Purchase Order 74623 at $0 cost to modify the existing scope of services related to the Civic Center project which includes development of conceptual parking layouts at Lee Wenner Park.

At the June 24, 2020, Special Cocoa CRA meeting, the Agency Members requested staff bring back a modified proposal based on their decision to renovate the existing Cocoa Civic Center rather than build a new civic center at Lee Wenner Park.

The consultant, Infrastructure Solution Services, along with their sub-consultant, RLF Architecture Engineering Interiors, presented a proposal designed to use the remaining funds ($28,750) on purchase Order 74623 to complete an evaluation of the existing Cocoa Civic Center and create conceptual parking layouts for Lee Wenner Park.

The Scope of Services is listed as follows:

Task 1- Evaluation of existing Civic Center.

- Services Provided
  - Design options to improve the existing Civic Center with the intent to have a rough order of magnitude (ROM) price estimate for each option.
  - RLF will provide architectural and interior design concepts to include conceptual floor plans and renderings.
  - Options to be considered include the following:
    - Resiliency (impact glazing) of windows
    - Open building for views to park and river
    - Operable walls, or better use for large events
    - Covered exterior area for outdoor gatherings
    - Possible “green room” for the adjacent amphitheater
    - Exterior improvements/building aesthetic upgrades
    - New roof/possibly solar
  - Items excluded from the project scope:
    - Architectural or engineering designs other than conceptual plans
    - Energy study, modeling, or LEED
    - Building assessment or any hazard material assessments
    - Civil or landscaping design

- Presentation of Evaluation & Design Options

  The concepts will be reviewed with City Staff and presented to the Cocoa CRA to gain public input. Revisions will be reviewed and presented to the CRA along with cost estimates of the improvements.

Task 2 – Development of Conceptual Parking Layouts at Lee Wenner Park

The consultants will be developing this layout with the consideration of both boat and car parking to maintain a good balance. Public meetings will be held to secure input from the stakeholders on this critical issue.

- Services Provided

  Preparation of initial conceptual layouts

  Layouts shall consider

  Boat parking options

  Car parking options

  Potential dual purpose (boat/car) parking

  Vehicular circulation

  Stormwater management

  Permitting requirements

- Presentation of Evaluation & Design Options

  The concepts will be reviewed with City Staff and presented to the Agency to gain public input. The final two concepts will be presented to the Agency for selection that will then be moved forward into design and construction.

Upon approval of this Task Order Amendment and Change Order to Purchase Order 74623, the consultant will begin work on the project. The estimated project schedule shows the work being completed within 70 days of the issuance of a Notice to Proceed, approximately early to mid-November. It is anticipated that the consultant will present concepts at the October Cocoa CRA meeting and the final layout concepts at the November CRA meeting.

Staff respectfully requests approval of Amendment #2 to Task Order 2019-11 and approve a Change Order to Purchase Order 74623 to modify the existing scope of services related to the Civic Center project.

Mrs. Neuterman reiterated that this was a no cost Task Order and Change Order.

Agency Member Etz stated she had a small objection to some wording in the "background" portion that says "council decision to renovate instead of build. Agency Member Etz stated she did not feel the board had changed a decision to renovate, but had decided to look at the option of renovating the existing Civic Center. Agency Member Koss responded that was her recollection as well. Mrs. Neuterman replied her comment would be noted.

Interim City Manager Fuhrer asked about the contract expiration date. Finance Director Bowman stated the PO would be a multi-year contract.

* **MOTION by Agency Member Etz; SECONDED by Agency Member Warner**

AYES: WILLIAMS, GOINS, LANNI, KOSS, BOISVERT

MOTION PASSED UNANIMOUSLY (7-0)

4. **Agency consideration of an additional floor of parking for the 603 Brevard Hotel Project.**

Agency direction is requested on the feasibility of adding one floor of parking to the existing plans for the 603 Brevard Hotel project at the Agency's expense.

Mrs. Neuterman explained the background. At the June 10, 2020 Cocoa CRA meeting, the Amended and Restated Redevelopment Agreement between the Cocoa CRA and Lodging Decisions Inc. (LDI) was approved for execution.

Under the Agreement, the Agency and Developer recognize that the extra floor of public parking may or may not be feasible, given the existing requirements to include sufficient parking spaces to serve the Project, 100 public parking spaces pursuant to the RFP, utility and site constraints, and the maximum possible height of the Project.

However, if the additional floor is deemed feasible, Section 3.B of the Agreement provides the Agency a conditional option to require the Developer to build one additional floor of public parking in the parking garage serving the Project at the Agency's expense. In order to make this determination, the Developer's Project engineer is required to conduct a feasibility analysis to determine whether the additional floor of public parking may be included in the Project. The feasibility analysis must provide supporting appropriate documentation, regarding whether the additional floor of public parking is possible to be included in the Project. The feasibility analysis must be conducted and submitted to the Agency no later than three (3) months following the execution of the Agreement which is by September 1, 2020. The Developer timely submitted the analysis for the Agency's consideration. In addition, the Agreement now requires the Agency Board to consider the feasibility analysis and make a final decision on the additional floor of parking at this meeting so the Project can stay on schedule and move to the next step.

On July 9, 2020, the Developer emailed a Preliminary Offer Letter (attached to Agenda) regarding the cost associated with the additional floor of public parking. The letter detailed the cost on one additional floor of public parking to be estimated at $2,058,000. However, the Developer indicated that adding a floor of parking at the CRA's expense will not be feasible based on their current hotel design, which currently brings the height to the allowable maximum of eight (8) stories. With site constraints prohibiting expansion, the CRA and the City would potentially have to accept a final project much less desirable than originally planned in order to accommodate an additional floor of public parking.

Basically, the Developer would potentially have to eliminate the eighth (8th) floor, outdoor bar and dining amenity to accommodate the additional floor of parking. In Staff's view, the current proposed scale of the Project, the estimated cost of the additional floor of parking and elimination of this desirable Project amenity makes the additional floor of public parking not feasible.

Therefore, pursuant to the terms and conditions of the Agreement, Staff recommends the Agency acknowledge the additional floor of parking is not feasible and allow the Developer continue with its contractual obligation of completing and filing the development permit applications necessary to receive a final determination by the City Council on the proposed height of the building. The Agreement requires the Developer to file said application within four (4) months of execution of the Agreement which is October 1, 2020.

After this meeting, the Planning and Zoning Staff will work with the Developer's team and the City's Development Review Committee to bring the plans into compliance based on the required deliverables in the Agreement. Assuming the Developer satisfies its contractual commitments, the next step in the process will be Staff bringing an agenda item before the Planning and Zoning Board to consider approving the increase in height from five stories to eight stories in the Central Business District. Then, Staff will work with the Developer and the City Attorney to negotiate a Development Agreement that will be brought before Council on or before the November, 2020 meeting to consider final approval of the height and corresponding Development Agreement required by the City Code.

A Motion was made by Agency Member Warner not to pursue an additional floor of parking as it is not feasible pursuant to Section 3b of the Amended & Restated Redevelopment Project Agreement.

Mr. Jack Brown added he and city staff had worked on this a great deal. He stated he adjusted the hotel's placement on the lot and he commended the work of planning dept and Community Services. Agency Member Etz asked if a Motion was needed regarding the extra floor.

* **MOTION by Agency Member Warner; SECONDED by Agency Member Boisvert**

AYES: WILLIAMS, GOINS, LANNI, KOSS, ETZ

MOTION PASSED UNANIMOUSLY (7-0)

Vice Chairperson Goins asked when to expect groundbreaking. Mr. Brown replied hopefully by the end of the year.

Alex Greenwood spoke requesting support of the project and to move on. Mr. Greenwood asked for the board to approve other items relative to the hotel. Agency Attorney Garganese emphasized the need to follow the Amended & Restated Redevelopment Project Agreement.

V. ATTORNEY'S REPORT

NONE

VI. UPDATES AND STAFF REPORTS

a. Mrs. Neuterman presented the project update. She also notified the Agency that plans were just received on the Harrison Street parking project and the Crosswalk. These will be presented at the next meeting.

b. Mrs. Neuterman also stated a Budget Update was attached for the council's review. Agency Member Etz asked about the Gateway Entry Feature that is mentioned on project update report. Mrs. Neuterman replied that it is the boat and some minor additions (mostly added color) were being made per the council's prior approvals.

VII. NEXT MEETING DATE

The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be on Wednesday, September 9, 2020 at 5:00 PM in the Council Chambers located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

VIII. ADJOURNMENT

MEETING WAS ADJOURNED AT 4:41 PM.

* **MOTION by Agency Member Boisvert; SECONDED by Agency Member Koss**

AYES: WILLIAMS, GOINS, ETZ, LANNI, WARNER

MOTION PASSED UNANIMOUSLY (7-0)

Jake Williams, Jr., Chairperson

Respectfully Submitted by:

Lori Chabot, Recording Secretary