MINUTES **Final**
COCOA CRA
SPECIAL MEETING
September 14, 2021

The Special Meeting of the Cocoa Community Redevelopment Agency was held on September 14, 2021 at City Hall, 65 Stone Street, Cocoa, FL, as publicly noticed.

I. CALL TO ORDER:

Chairman Blake called the meeting to order at 5:03 pm.

ROLL CALL:

Michael C. Blake	Chairperson
Alex Goins	Vice Chairperson
Lavander Hearn	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
Rip Dyal	Agency Member
Lorraine Koss	Agency Member
Janne Etz	Agency Member
Lavander Hearn	Agency Member
Candace Rogers	Agency Member
Anthony Garganese	Agency Attorney ***(arrived 5:04)***
Lori Chabot	Recording Secretary

ABSENT:

Alex Goins	Vice Chairperson ***(arrived 5:08)***

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

Agency Member ETZ led the assembly in the Invocation and **Agency Member ROGERS** led the assembly in the Pledge of Allegiance to the flag of the United States of America.

II. APPROVAL OF AGENDA AND MINUTES:

AGENDA: Special Meeting September 14, 2021 as written or with amendments.
MINUTES: Special Meeting of August 2, 2021 as written or with amendments.

*** MOTION by Agency Member HEARN; SECONDED by Agency Member DYAL to approve the Agenda for the Special Meeting of September 14, 2021, as written.**

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

MOTION PASSED UNANIMOUSLY (6-0)

*** MOTION by Agency Member HEARN; SECONDED by Agency Member DYAL to approve the Minutes for the August 2, 2021, meeting as written.**

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

MOTION PASSED UNANIMOUSLY (6-0)

III. DELEGATIONS:

Aleck Greenwood. Spoke about Christmas lights/decorations in the Cocoa Village. The Commercial Property Group suggested he ask if CRA/City could come up with a Christmas decorations contest that would include incentives or awards. Agency Member Dyal asked if this was for the downtown area only or the entire City and suggested it be for the entire City. Mr. Greenwood replied, good idea.

IV. PRESENTATIONS: - NONE

V. ACTION ITEMS:

1. Agency approval on the Proposed Fiscal Year 2022 Budget for the Cocoa CRA.

Mrs. Neuterman presented the item, adding the City is in the process of finalizing the budget and at the June, 2021 Cocoa CRA meeting, agency members made recommendations for budget priorities and projects. She reviewed with Agency Members the projects completed, those remaining and the 2022 FY Budget as proposed. Mrs. Neuterman continued, staff is awaiting final approval from the FIND grant and listed the additional 2022 projects. Mrs. Neuterman added that by paying off loans, the CRA will have more funds to spend on projects.

5:08 Vice Chairperson Goins arrived

* **MOTION by Agency Member DYAL; SECONDED by Agency Member ETZ** for Agency approval of the Proposed Fiscal Year 2022 Budget for the Cocoa CRA.

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

MOTION PASSED UNANIMOUSLY (7-0)

2. Agency approval of a Commercial Façade Grant application for an amount up to $10,000 for property located at 405 Forrest Avenue and to authorize the City Manager to execute a Façade Grant Agreement.

Mrs. Neuterman introduced the item adding that Staff reviewed the application for eligibility and the applicant is present and available for questions. Mrs. Neuterman continued describing the façade requests and the requested funds were not to exceed $10,000.

* **MOTION by Agency Member KOSS; SECONDED by Vice Chairperson GOINS** for agency approval of a Commercial Façade Grant application for an amount up to $10,000 for property located at 405 Forrest Avenue and to authorize the City Manager to execute a Façade Grant Agreement.

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

MOTION PASSED UNANIMOUSLY (7-0)

VI. ATTORNEY'S REPORT – NONE

VII. UPDATES AND STAFF REPORTS -

Mrs. Neuterman provided an update regarding the Whitley Bay Condominium and the Development Agreement from 2001, a Ruling from November 2005 and the current status. Staff is proceeding with a meeting request and will keep the agency up to date.

Staff Summary – Whitley Bay Condominiums

- The City of Cocoa and the Whitley Bay Development, Inc entered into a Development Agreement on September 17, 2001. As part of this Development Agreement various project requirements were established. Some of the key requirements related to this agreement are as follows:
    - Developer shall provide the City with a nonexclusive public access easement across the property located north of Delannoy Ave to the Indian River.
    - Developer shall provide the City a nonexclusive public access easement over the boardwalk and promenade deck as part of Phase 1 of the project.
    - Developer shall provide the City a nonexclusive public access easement across the additional boardwalk area as part of Phase 2 of the project.
- As part of this Developer Agreement, all maintenance and repair responsibilities were placed on the City for the three public access easement areas.
- On November 8, 2005 the City received a favorable ruling by the State of Florida in a petition against both the State and City by the Association. This resulted in the following:
    - Whitley Bay will release the City from all obligations related to the operation, maintenance, repair, and replacement of the public boardwalk and promenade at the Marina. This ruling also guaranteed the City would hold proprietary rights to use the boardwalk and promenade.
    - The Association was also to provide assistance to the City to establish a public mooring field with a maximum contribution of $50,000, unless abandoned by the City. The Association would also be responsible for operating a water taxi service from the mooring area to the Park. All boat slips within the marina will be operated through an active rental program and provide short term (not to exceed one year) and transient (not to exceed thirty days) slips. All current holders Long Term Use Rights will be required to place slips within this rental program.
    - The Association is to remove no less than 20 slips from the rental program and reserve them for local residents as open to the public on a first come, first served basis.
    - This settlement agreement also required the Association to remit payment of $607,837 for the construction of the boardwalk and promenade to the City. To date, there is still a balance of $XXX,XXX to be paid.
- On December 21, 2006 portions of this ruling were ratified in the Official Records.

Currently to date, the promenade has been cut off from any and all public access. While this area is to be open to the public, it can be closed during non-operational hours that mirror City parks. No public slips have been established within the Marina as well. Staff is proceeding with a meeting request and formal notification of the unmet requirements to the association.

Agency Member Rogers asked if staff is going to have a meeting or already has. Mrs. Neuterman replied that staff is going to schedule a meeting. Agency Member Rogers added if we are going to try to have them honor the agreement adding it would be prudent to move as quickly as possible with this.

Mrs. Neuterman also reminded Agency Member about the RDA Conference in October 27-29.

VIII. NEXT MEETING DATE

The next regularly scheduled meeting of the Cocoa Redevelopment Agency will be on Monday, October 4, 2021 at 6:00 PM in the Council Chambers located in Cocoa City Hall, 65 Stone Street, Cocoa, Florida.

IX. ADJOURNMENT

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

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

MOTION PASSED UNANIMOUSLY (7-0)

MEETING WAS ADJOURNED AT 5:20 PM.

Michael C. Blake, Chairperson

Respectfully Submitted by:

Lori Chabot, Recording Secretary