

**City of Palm Bay, Florida**  
**BAYFRONT COMMUNITY REDEVELOPMENT AGENCY**  
**Regular Meeting 2022-07**

Held on Thursday, the 8<sup>th</sup> day of September 2022 at City Hall Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Bayfront Community Redevelopment Agency Office, City Hall Annex, Palm Bay, Florida.

The meeting was called to order by Chairman Medina at approximately 6:30 p.m.

**ROLL CALL:**

<b>CHAIRMAN:</b>	Rob Medina	Present
<b>VICE-CHAIRMAN:</b>	Kenneth Johnson	Present
<b>COMMISSIONER:</b>	Donny Felix	Present
<b>COMMISSIONER:</b>	Randy Foster	Present
<b>COMMISSIONER:</b>	Peter Filiberto	Present
<b>COMMISSIONER:</b>	Phillip Weinberg	Present
<b>COMMISSIONER:</b>	Vicki Northrup	Present
<b>BAYFRONT CRA ATTORNEY:</b>	Patricia Smith	Present

Vice-Chairman Johnson attended the meeting via teleconference.

**STAFF MEMBERS:**

Nancy Bunt, Community & Economic Development Director; Samuel Weekley, Economic Development Manager; and Danielle Crotts, Agency Secretary

**ADOPTION OF MINUTES:**

**1. Bayfront CRA Regular Meeting 2022-05; June 6, 2022<sup>1</sup>**

Motion by Commissioner Weinberg, seconded by Commissioner Felix, to approve the minutes as presented. Motion carried unanimously.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

1. John Bertaux, resident, spoke about the importance of conserving wildlife in the Indian River Lagoon and the impact a development project taking place at a property located at 4400 Dixie Highway NE might have on preserving wildlife. He displayed

pictures depicting the development project and the wildlife he was referencing. He suggested a 20-foot easement be placed around the development to support the preservation of the wildlife.

2. Susan Connolly, resident, spoke about Bayfront Mixed Use (BMU) zoning and encouraging developers to build compatible with the beauty and natural resources of the Bayfront area. She spoke about utilizing the voluntary low impact development guidelines (LID) that were recently developed by the Public Works Department. She believes the vision of the Bayfront is more than multi-family homes and is a focal point for the residents, plants, wildlife, and natural resources that share the environment.

Mrs. Bunt introduced the City's new Economic Development Manager, Samuel Weekley.

#### **NEW BUSINESS:**

##### **1. Consideration of the Bayfront Community Redevelopment Agency Annual Financial Audit Report for Fiscal Year 2020-2021**

Mrs. Bunt gave a brief overview of the report.

Commissioner Filiberto asked how long the Ad Valorem Tax Abatement Rebate for Northshore Development would be allocated. Mrs. Bunt stated up until the CRA sunsetted in May 2024. Chairman Medina mentioned there were deliverables in place, such as the completion of the commercial component, that must be completed in order for Northshore Development to receive the rebate.

Motion by Vice-Chairman Johnson, seconded by Commissioner Weinberg, to approve the Financial Audit Report for the Fiscal Year 2020-2021. Motion carried unanimously.

##### **2. Resolution for Fiscal Year 2023 Proposed Budget of the Bayfront CRA. (AGENDA REVISION)**

The City Attorney read Resolution 2022-02 in caption only.

Mrs. Bunt gave a brief overview of the proposed budget.

Motion by Vice-Chairman Johnson, seconded by Commissioner Felix, to approve Resolution 2022-02, approving Fiscal Year 2023 Proposed Budget of the Bayfront CRA. Motion carried unanimously.

**OLD BUSINESS:**

**1. Consideration of purchase offer(s) for CRA-owned surplus real estate located at 1608 Orange Blossom Trail NE (Parcel ID: 28-37-24-25-6-16 and Tax ID 2832603).**

There was Board discussion on the desired vision of the Bayfront area, including a walkable, pedestrian-friendly, downtown area with commercial and retail development.

Mel Howard, the City's commercial broker, spoke about some of the offers that had been previously made on the property.

Mike Timmons, prospective buyer, spoke about his other development projects within the Bayfront District. He shared his frustrations with the circumstances regarding a counteroffer he made on this property. He felt the City did not handle the situation in good faith and asked that they reconsider looking at his counteroffer.

Mrs. Bunt stated that Mr. Howard was acting as a dual-transaction broker between both parties and there was miscommunication between all parties. After conferring with the City Attorney's Office, Mrs. Bunt said the City was unable to accept the counteroffer as it was past the submission deadline. Discussion ensued.

Karl Bruno, prospective buyer, spoke about his purchase offer, he wished to purchase both 1608 and unassigned Orange Blossom Trail NE to build retail and office space.

Mrs. Bunt spoke about another purchase offer from Roberto Brown, who wished to purchase both 1608 and unassigned Orange Blossom Trail NE to build a two-story commercial building constructed with shipping containers. She expressed concern as to whether the shipping containers would meet Florida Building Code requirements.

Mrs. Bunt explained that Mr. Timmons' offer and other offers were not included in the agenda packet due to not being submitted by the purchase offer deadline. Ms. Smith said it was the Board's discretion if they wished to consider Mr. Timmons' offer for \$142,000 for both 1608 and unassigned Orange Blossom Trail NE (jointly) via an agenda revision, as this offer was previously submitted. Discussion ensued.

Motion by Commissioner Weinberg, seconded by Commissioner Filiberto, to approve the purchase offer from Mike Timmons in the amount of \$142,000 for both 1608 and unassigned Orange Blossom Trail NE (jointly). Commissioner Felix asked that the motion be amended to ensure that Mr. Timmons development was consistent with the Board's vision of a downtown district. Commissioner Filiberto withdrew his second to the motion.

Motion by Commissioner Weinberg, seconded by Commissioner Filiberto, to approve the purchase offer from Mike Timmons in the amount of \$142,000 for both 1608 and unassigned Orange Blossom Trail NE (jointly) and that the development must be consistent with the Board's vision of a downtown district. Motion carried with members voting as follows: Chairman Medina, Yea; Vice-Chairman Johnson, Yea; Commissioner Felix, Nay; Commissioner Foster, Yea; Commissioner Filiberto, Yea; Commissioner Weinberg, Yea; Commissioner Northrup, Yea.

**2. Consideration of purchase offer(s) for CRA-owned surplus real estate located on Orange Blossom Trail NE (Address unassigned, Parcel ID: 28-37-24-25-6-13 and Tax ID 2866312).**

This item was considered under Item 1, Old Business.

**COMMISSIONER REPORTS:**

Vice-Chairman Johnson commended Mrs. Bunt on all her efforts in carrying out the Board's vision of a downtown Palm Bay.

Commissioner Weinberg thanked Mr. Timmons for his continued investment in the Bayfront and his shared vision with the Board.

Commissioner Filiberto asked if the City would be pursuing grant funding through the U.S. Department of Transportation's Federal Highway Administration (FHWA) National Scenic Byways Program (NSBP). Mr. Weekley stated staff was in discussions with the Florida Department of Transportation (FDOT) on use and eligibility requirements.

Commissioner Felix apologized to Mr. Bruno in regard to Items 1 and 2, under Old Business, as he felt the situation was not handled fairly to all parties. Commissioner Foster asked that Mr. Bruno not lose interest in developing in Palm Bay. He shared his appreciation with Mr. Timmons for his continued investment in the Bayfront District.

**ADJOURNMENT:**

The meeting was adjourned at approximately 8:01 PM.

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Rob Medina, CHAIRPERSON

ATTEST:

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Danielle Crotts, AGENCY SECRETARY