



Community Redevelopment Agency

210 Sams Avenue • New Smyrna Beach, Florida 32168 • (386) 424-2266 • Fax: (386) 409-4759

July 28, 2010

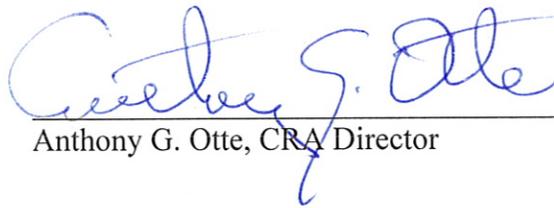
MEMORANDUM

Linda DeBorde, Chair
Steve Dennis, Vice Chair
James Kosmas
Doug Hodson
Charles Belote
Cynthia Lybrand
Thomas Williams

May this serve as your official notification of the **REGULAR MEETING** of the Community Redevelopment Agency to be held on **Wednesday, August 4th, 2010 at 2:00 p.m.** The meeting will be held at the ***UTILITIES COMMISSION, 3RD FLOOR DEBERRY ROOM, 200 CANAL STREET***, New Smyrna Beach, FL 32168 to discuss the attached Agenda pursuant to Florida Statute 163 and Local Ordinance 23-85.

*Please note the meeting room location change for the August 4th CRA meeting only.

Respectfully submitted,



Anthony G. Otte, CRA Director

cc: Mayor and City Commission
City Manager
City Attorney
CRA Funding Partners
Members of the Press
Flagler Merchants Assoc.
Canal Street Historic District
Public Notice

**REGULAR MEETING AGENDA
COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, AUGUST 4, 2010 AT 2:00 P.M.,
**UTILITIES COMMISSION, 3RD FLOOR DEBERRY ROOM
200 CANAL STREET, NEW SMYRNA BEACH, FLORIDA****

Please note the meeting room location change for the August 4th CRA meeting.

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

- A. Approval of Minutes – Regular Meeting July 7, 2010
- B. Purchase Order Change Form – Mark Hall, CRA Attorney

4. PUBLIC PARTICIPATION

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

5. PRESENTATION:

- A. None

6. OLD BUSINESS

- A. Request for Additional Public Art funds – Images, a Festival of the Arts
- B. Contract for Wayfinding Project
- C. Budget Amendment: West Canal Streetscape Change Order #3
- D. Report on Bids received for South Orange St. and Mary Ave. Streetscapes
- E. Rent Incentive Program
- F. Brownfields Inventory and Priority Ranking

7. NEW BUSINESS

- A. Commercial Property Improvement Grant Application: 600 East Third Ave.
- B. Commercial Property Improvement Grant Application: 227 – 231 Canal Street
- C. Commercial Property Improvement Grant Application: 521-523, and 519 Canal Street
- D. Review of FY 10-11 Proposed Budget
- E. S. Orange St. Streetscape and Parking lot improvement project – FDOT Utility Permit
- F. Emergency Business Retention Program
- G. Emergency Business Retention Program - Application for 424 Canal St
- H. Proposed CRA R/W and Safety Improvements Project

8. REPORTS AND COMMUNICATIONS

- A. Director's Report
- B. CRA Attorney's Report
 - a. Review of Procedures for the Selection of Officers and the filling of vacancies
- C. Capital Projects Report
- D. Commissioner Report
- E. Tracking report
- F. Correspondence

9. ADJOURNMENT

Pursuant to Chapter 80-15 of the Florida Sessions Laws, if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need to ensure that a verbatim record of the proceedings is made.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the Board Secretary listed below prior to the meeting:

Claudia Soulie, CRA Administrative Assistant, City of New Smyrna Beach, 210 Sams Avenue, New Smyrna Beach, FL 32168, (386) 424-2265.

CONSENT AGENDA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

**MINUTES OF THE
CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF JULY 7, 2010
UTILITIES COMMISSION, 3RD FLOOR DEBERRY ROOM,
200 CANAL STREET
NEW SMYRNA BEACH, FLORIDA**

Vice Chair Steve Dennis called the CRA meeting to order at 2:00 p.m.

Answering to roll call:

**Steve Dennis
James Kosmas
Cynthia Lybrand
Charles Belote
Doug Hodson**

Also present were CRA Director Tony Otte; CRA Project Manager Michelle Martin; CRA Coordinator Noeleen Foster; and CRA Attorney Mark Hall. CRA Chair Linda DeBorde and Administrative Specialist Claudia Soulie were absent. Commissioner Thomas Williams arrived at 2:05.

Mr. Dennis informed the CRA that Chair DeBorde was not feeling well today, so he would be chairing the meeting.

CONSENT AGENDA

Mr. Belote suggested pulling item *B. Property Improvement Grant Change Order Request for 304 Flagler Ave.* from the consent agenda for discussion. All agreed.

- A. Approval of Minutes: CRA Regular Meeting June 2, 2010
- C. Commercial Revitalization Grant Application – 115 S. Orange Avenue

Mr. Belote made the motion to approve the consent agenda items A. and C., seconded by Mr. Kosmas. Motion carried on roll-call vote 5 –0.

- B. Property Improvement Grant Change Order Request – 304 Flagler Avenue

Mr. Belote was concerned about approving the Change order request for 304 Flagler Ave., since all funds had to be approved by the CRA prior to work commencement.

Ms. Foster elaborated which items were included in the original application, which items were added in the Change Order Request and what items had been completed.

48 **Mr. Belote made the motion to deny the Property Improvement Grant Change**
49 **Order request for 304 Flagler Ave., seconded by Mr. Williams. Motion carried on**
50 **roll-call vote 5 –1 with Ms. Lybrand casting the dissenting vote.**
51

52 Ms. Foster stated that in order for the applicant to be reimbursed their originally approved
53 \$5,000, they had to complete all work items listed in the original application. Ms. Foster
54 continued that the applicant was not able to replace the garage door with French doors as
55 applied for due to lack of funds, which would make the original application non-
56 compliant with the grant guidelines and asked the CRA for direction.
57

58 Mr. Dennis stated that the CRA had denied the present request as submitted today and
59 suggested that staff meet with the applicant to possibly find a different solution and bring
60 the item back at the next CRA meeting in August.
61

62 PUBLIC PARTICIPATION

63

64 In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise
65 granted by the CRA Commissioners.
66

66

67 A. Presentation on the Proposed Business Incubator on Washington Street

68

69 Gloria Hill Evans, part-owner of 533 Washington Street, stated that she and her siblings
70 had been in touch with Mr. Otte about making the Washington Street building available
71 for a proposed Business Incubator Program. Ms. Hill Evans gave a brief history of the
72 structure and continued that during meetings with staff from the City of New Smyrna
73 Beach/CRA and representatives from the Westside Community, it was mutually
74 determined that the best way to establish a Washington Street Business District, would be
75 to make proper use of the largest building on the block, which happened to be 533
76 Washington Street. Ms. Hill Evans stated that the incubator project was currently listed in
77 the CRA Master Plan update with an allocated budget of \$300,000.
78

78

79 Ms. Hill Evans continued that she and her siblings supported the efforts of the Westside
80 Community as well as the CRA. Ms. Hill Evans was hopeful that this would help to
81 empower the Westside Community by coming together to find a common goal to
82 revitalize the Community.
83

83

84 Ms. Hill Evans stated that the Hill Family asked that the CRA and possible participants of
85 the program commit to:
86

86

- 87 1. Involving local minority talents, women and handicapped business owners in the
88 construction as well as maintenance of buildings in the Washington Street
89 business district
- 90 2. Secure possible grants to be environmentally conscious (green construction)
- 91 3. Give preference to Construction Companies that have an Architect on staff
- 92 4. No free rent or leases (to increase pride and commitment by the business owners)
- 93 5. Prospective business owners need to attend all meetings and seminars during their
94 first three (3) years of doing business in the district
- 95 6. Business owners should be open to having their books/financial reports inspected
96 during their first year in business and accept advice

- 97 7. Business owners should agree to hiring 50% percent of their workforce from the
98 Westside Community
99 8. Business owners need to have all necessary permits and licenses prior to opening
100 their business
101 9. Business owners must sign a Code of Ethics for conduct and professionalism
102

103 Ms. Hill continued that she had hardcopies of her powerpoint presentation that she would
104 make available and thanked the CRA and staff for their time and interest.
105

106 Mr. Kosmas was in favor of creating new businesses on the Westside that would draw
107 more traffic to this side of town and recommended having the property owners of 533
108 Washington Street make a continued commitment to strive to make this incubator project
109 a success.
110

111 A brief discussion ensued about possibly holding a workshop to gather more ideas on
112 how to implement this project.
113

114

115 OLD BUSINESS

116

117 A. Parking Plan: Canal Street and Flagler Avenue

118

119 Mr. Otte stated that this parking plan was called out as a separate scope of work and was
120 invoiced separately from the CRA Master Plan update document. Mr. Otte continued that
121 the study consisted of extensive data collection, analysis, and mapping for the existing
122 and future parking demands in the Canal St and Flagler Ave areas and was delivered to
123 the CRA office in June of 2009. Mr. Otte stated that the Plan had not been presented to
124 the CRA and staff recommended adoption of the Parking Plan and authorization to pay
125 the final invoice of \$6,750.00.
126

127

128 Ms. Lybrand commented that the study was done in March and felt that the results would
129 have been very different had it been done in June/July and that New Smyrna Beach
130 probably had a larger parking deficit than indicated in this study.
131

132

133 Ms. Adele Aletti, Gone Bonkers 314 Flagler Ave, commented that Flagler Ave was in
134 desperate need of parking and she was hopeful that the monies created from the potential
135 sale of the Florida Ave CRA properties would be invested into creating parking
136 opportunities next to the Jessamine lot.
137

138

139 Mr. Kosmas asked Ms. Aletti to elaborate why she felt that Flagler Ave. had a parking
140 problem. Ms. Aletti stated that it was most apparent during the evening hours when
141 people frequented the bars and restaurants in that area. Ms. Aletti felt that additional
142 parking provisions should be made due to the potential increase in vehicular traffic that
143 the proposed hotel on Flagler would bring.
144

145

146 A brief discussion ensued about angular versus parallel on-street parking, the pros and
147 cons and how other Cities handled their parking situations.
148

149

145 The CRA agreed by consensus to pay the final invoice for the Parking Plan study if CRA
146 staff was satisfied with the submitted materials.

147

148 **NEW BUSINESS**

149

150 Mr. Dennis asked the CRA if they agreed to have a representative from each group
151 requesting Grants and Aids come forward to answer any questions, instead of having an
152 in-depth presentation on each item. The CRA agreed.

153

154 A. Grants and Aids:

155

156 1. Friends of Canaveral - \$10,000

157

158 Ms. Pat Skrtic identified herself as the representative for the Friends of Canaveral and
159 gave a brief summary of their event.

160

161 Mr. Belote inquired if this was a first-time event and if they anticipated for this to be
162 recurring and Mr. Hodson asked if the requested \$10,000 included any out-of-State
163 advertising, which Ms. Skrtic affirmed.

164

165 Mr. Kosmas was in favor of the CRA financially assisting this type of event.

166

167 **Ms. Lybrand made the motion to approve the Grants and Aids application for**
168 **Friends of Canaveral in the amount of \$10,000, seconded by Mr. Kosmas. The**
169 **motion carried on a roll call vote 6 – 0.**

170

171 2. Canal Street Historic District - \$20,000

172

173 Ms. Flare Elliott, business owner at 421 Canal Street and member of the Canal Street
174 Historic District merchant association (CSHD) stated that she would do her best to
175 represent the CSHD, as she did not anticipate having to do so.

176

177 Mr. Belote clarified that this association was formerly known as “Mainstreet, Inc”.

178

179 Mr. Hodson asked if the requested \$20,000 included any out-of-State advertising, which
180 Ms. Elliott affirmed.

181

182 **Ms. Lybrand made the motion to approve the Grants and Aids application for**
183 **Canal Street Historic District in the amount of \$20,000, seconded by Mr. Kosmas.**
184 **The motion carried on a roll call vote 6 – 0.**

185

186 Mr. Hall asked to speak and stated that Mr. Trey Sizemore with Thadcon had to leave
187 the meeting due to a family medical emergency and asked that item 6F be moved to the
188 August 4th, 2010 CRA meeting. Mr. Hall inquired if there was anybody in the audience
189 wanting to speak on this agenda item. There being nobody, a motion was made to defer
190 the topic.

191

192 **Mr. Hodson made the motion to defer the agenda item 6F - *W Canal Streetscape***
193 ***Project – Archaeological Requirements to the August 4th, 2010 CRA meeting at the***

194 **respondent's request; seconded by Mr. Belote. Motion carried on a roll call vote 6 -**
195 **0.**

196

197

198

3. Gallery Group of Flagler Avenue - \$15,000

199

200 Ms. Jenny Norado, owner of the TaDa Gallery and President/Treasurer of the Gallery
201 Group of Flagler Ave. identified herself as the group's representative.

202

203 Mr. Belote clarified that this group was part of the Merchants of Flagler Ave., Inc. and
204 that applicants three and four were different divisions of the same entity.

205

206 Ms. Norado stated that her group operated completely independent of the Merchant
207 Group other than being under their insurance umbrella for cost-saving reasons.

208

209 Mr. Dennis inquired if the group filed their own tax returns to which Ms. Norado
210 responded that they did not.

211

212 Mr. Belote stated that an organization's tax return should be part of the application
213 process, to give the CRA a better insight in the activities of the organization. Mr. Belote
214 asked for the application to better reflect who the actual applicant is.

215

216 Mr. Kosmas asked Mr. Belote for clarification on his comment about this group being a
217 different division of the same entity. Mr. Belote stated that his original concern was that
218 the application listed a separate corporate entity with separate officers, which was not the
219 case.

220

221 Ms. Lybrand inquired if this group needed to file for a fictitious name and if the approval
222 of the grant application should be made contingent upon proof of filing, which Mr. Belote
223 affirmed.

224

225 Mr. Dennis reiterated that all funds could only be used by the Gallery Group of Flagler
226 Ave and were not to be comingled with those of the Flagler Merchants for the indicated
227 projects.

228

229 **Ms. Lybrand made the motion to approve the Grants and Aids application for**
230 **Gallery Group of Flagler Avenue in the amount of \$15,000 contingent that they**
231 **supply proof of having filed for a fictitious name; seconded by Mr. Williams. The**
232 **motion carried on a roll call vote 6 – 0.**

233

234

235

4. Merchants of Flagler Hospitality Group - \$52,175

236

237 Ms. Elaine Stathakis, Chair of the Merchants of Flagler Hospitality Group stated that
238 their request included seven (7) different events that would give people a reason to come
239 Flagler Ave as a family.

240

241 A brief discussion ensued about the CRA paying 50% of the cost for the Fireworks prior
242 to the event.

243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291

Mr. Williams inquired how the \$52,175 was derived and Ms. Stathakis stated that there were seven events at \$6,525 each plus an additional \$6,500 upfront payment for the New Year Fireworks.

Mr. Williams asked staff if the total amount requested in this application was within the program guidelines. Ms. Foster stated that the CRA never established a maximum amount for this program.

Mr. Williams suggested that this group also file for a fictitious name.

Mr. Williams made the motion to approve the Grants and Aids application for Merchants of Flagler Hospitality Group in the amount of \$52,175 contingent that they supply proof of having filed for a fictitious name; seconded by Mr. Hodson. The motion carried on a roll call vote 6 – 0.

Mr. Kosmas stated that the Flagler Merchants were doing a great job in creating events that stimulated the economy and suggested that some of them be available to assist with the revitalization of the Westside community.

B. CRA Public Art Program – Images 2011 Request For Assistance

Ms. Nancy Lowden Norman, Director of Advancement for the Atlantic Center for the Arts (ACA) stated that she was hoping for the CRA’s continued support of this event in the amount of \$7,500. Ms. Lowden Norman continued that the 2011 Festival marked the 35th anniversary of IMAGES: A Festival of the Arts and stated that they wanted to do an exhibition of several art pieces purchased by the City throughout the years and that she had met with the Asst. City Manager as well as the Parks and Recreation Director.

Mr. Kosmas would like to have representatives from the ACA and the City of New Smyrna get together prior to the CRA’s art purchase to determine where the art piece(s) may go and to provide that information to the public.

Ms. Lybrand suggested taking pictures of the art and posting them on the City’s website. Ms. Lowden Norman duly noted those suggestions.

Mr. Otte stated that an inventory already existed and that he would follow up and report back at the next meeting.

Mr. Williams asked that a representative from the ACA be present when the art was being chosen, as in the past he and CRA staff had the honor to do so. Mr. Kosmas preferred that a layman pick out the art and was promptly volunteered, which he accepted.

Mr. Williams made the motion to approve the Atlantic Center for the Art’s request for Assistance for the Public Art Program in the amount of \$5,000 for the Patron’s Program and \$2,500 for the Sponsorship of the Creative Education program, seconded by Mr. Hodson. The motion carried on a roll call vote 6 – 0.

292 C. New Programs to assist in recruitment for spaces available for lease on Canal
293 and Flagler Avenues

294
295 Mr. Otte stated that there were over a half-dozen vacant commercial spaces now on Canal
296 Street and that CRA staff had found a program used by the Delray Beach CRA that
297 provided a rent subsidy for up to one-third of the business's monthly rent or \$500 per
298 month, whichever was less, for 12 months. Mr. Otte continued that the 12 months could
299 be anytime during the first 18 months of a multi-year lease and that the maximum total
300 subsidy per business was \$6,000.

301
302 Mr. Otte stated that this program was briefly discussed at a meeting of the Canal Street
303 property owners with spaces for lease, and there was interest expressed in any program
304 that would help fill the spaces.

305
306 Mr. Otte continued that a specific amount could be allocated from the Development
307 Assistance & Incentives in the CRA Master Plan Update and that staff was requesting
308 discussion on this program, and if it was the CRA's desire, direction for bringing the
309 program back to the August meeting for final approval.

310
311 Mr. Bob Wiley, 223 Canal Street felt that such a program would be beneficial and that he
312 was interested in having the guidelines refined.

313
314 Ms. Flare Elliot, 421 Canal Street was in favor of such a program, but cautioned that this
315 program should only be viewed as an incentive to attract new businesses to Canal Street
316 instead of a subsidy and that the business should already be financially viable.

317
318 Mr. Williams felt that the rent needed to be "fair market" rent.

319
320 A brief discussion ensued about directing this program towards retail style businesses
321 instead of offices and making sure that this was an incentive program instead of a
322 subsidy.

323
324 Mr. Otte stated that, in the spirit of filling vacant spaces, he had been in touch with
325 Deborah Boyd from the Visitors Center to make a video of Canal and Flagler Streets to
326 be displayed on the City's website and that this project was underway. Also, staff was
327 working on compiling a list of available leasable spaces that would also be displayed on
328 the City's website.

329
330
331 D. CRA Master Plan Projects:

- 332
333 a. Review of Projects and Adjustments due to the Southeast Volusia
334 Hospital District Exemptions
335 b. Review of the current status of projects and funding
336

337 Mr. Otte stated that on June 8, 2010 the City Commission approved the CRA Master Plan
338 Update, including a list of capital projects with funding allocations in the amount of
339 \$13,903,562, which was based on a revenue projection that included contributions from
340 the Southeast Volusia Hospital District.

341 Mr. Otte informed that on June 22, 2010 the Southeast Volusia Hospital District was
342 granted an exemption from making further contributions to the CRA and that the CRA
343 now needed to review the list of project costs included in the Master Plan Update to make
344 a recommendation to the City Commission for their budget discussions in August.

345
346 Mr. Otte explained that the amount of funds available for Capital Projects without the
347 Southeast Volusia Hospital District's contributions was \$11,925,133; therefore,
348 \$1,978,429 had to be removed from the Capital Project list. Mr. Otte continued that all of
349 the projects that were not yet subject to a construction contract could be reduced by about
350 7 % to meet the reduced funding amount.

351
352 Mr. Dennis pointed out that the Chamber Restoration project would not be eligible for
353 reduction, as a matching ECHO grant was associated with this project.

354
355 A brief discussion ensued about the streetscape projects for S. Orange Street and Mary
356 Ave. being out for bid with results expected by July 27, 2010; receipt of possible federal
357 grant funding for the Mary Ave. railroad crossing portion of the streetscape; and
358 Riverside Park Seawall/lighting improvements and which type of replacement lights were
359 being chosen.

360
361 Mr. Dennis inquired about the status of the Esther Street Park improvements and the
362 allocated funds. Mr. Otte stated that City staff was still in the process of working with the
363 neighboring property owners; however, a survey and engineering plans of the seawall had
364 to be obtained. Mr. Otte continued that planning staff suggested already going ahead with
365 commissioning the survey, which would also aid in encumbering CRA funds.

366
367 Mr. Belote questioned reducing the budgeted cost for projects that were already under
368 contract. Mr. Otte stated that W. Canal Streetscape was the only contracted project.

369
370 Mr. Kosmas was disappointed that the SEVHD was allowed to withdraw their
371 contributions, but felt that they were still an important factor in this community. Mr.
372 Kosmas continued that it needed to be understood that the CRA still had incentives
373 available for any entities interested in relocating to this Medical District area.

374
375 Mr. Otte followed up that the CEO for SEVHD had just recently suggested a streetscape
376 for Andrews Street as well as renovations of the former Wachovia building.

377
378 Mr. Dennis clarified that the Hospital District, and not the actual Hospital, was the
379 funding entity

380
381 A brief discussion ensued about implementation of items like sidewalks and wayfinding,
382 listed in the CRA Plan update that would have a positive effect on the Medical District.

383
384 Mr. Belote inquired about the timetable for submitting the CRA's budget to the City
385 Commission. Mr. Otte stated that a proposed budget had been submitted and that the next
386 regular City Commission meeting would be held in August. New Smyrna Beach Vice
387 Mayor Lynne Plaskett informed that a budget workshop was scheduled for the end of
388 July.

389

390 Mr. Otte stated that Volusia County would hold a budget meeting in August that he
 391 needed to attend. Mr. Otte continued that he had had conversations with the City's
 392 auditor in regards to following the correct procedures for the allocation of CRA funds.

393
 394 Ms. Lybrand felt that the Flagler Avenue Boardwalk project should remain fully funded.

395
 396 Mr. Randy McHenry, resident S. Riverside Dr. stated that the Assistant City Manager and
 397 other City staff had been out to the Boardwalk to do an immediate repair assessment and
 398 inquired about the status of this assessment.

399
 400 Mr. Williams stated that the decision had been made to assess the seawall first to
 401 determine if the Boardwalk structure may have to be moved in order to complete the
 402 seawall repairs. Also, it was discussed to gather public input on how to proceed with a
 403 possible redesign of the Boardwalk/park area.

404
 405 Mr. Kosmas clarified that the CRA had specifically delayed repairs to the Boardwalk at
 406 this point, as better determination of the condition of the seawall, substructure and
 407 sidewalks had to be made first.

408
 409 Ms. Adele Aletti was concerned that there were no funds allocated for Flagler Ave.
 410 parking. Ms. Lybrand commented that funds were not anticipated at this time.

411
 412 Mr. Kosmas suggested reducing the contingency to zero, fully fund the projects under
 413 construction and then consider a reduction across the board.

414
 415 A brief discussion ensued about which projects should remain fully funded, which should
 416 be pro-rated (see below) and how the contingency for this particular budget came about.

417
 418 Note: This table, except for the final column, was included in the July 7, 2010 CRA agenda package. The far right
 419 column was created after the meeting as part of the Meeting minutes to reflect the CRA's directives.

Recommendation	Estimated Budget	Reduce 7 % Across the Board	As per Direction of CRA Board at July 7, 2010 Meeting
Development Assistance & Incentives	\$1,695,562	\$1,576,873	\$1,379,533
Policy & Partnerships	\$200,000	\$186,000	\$186,000
Marketing & Promotions	\$500,000	\$465,000	\$465,000
Flagler Avenue Boardwalk Park	\$2,000,000	\$1,860,000	\$2,000,000
Signage and Wayfinding	\$300,000	\$279,000	\$279,000
Cornmeth Parking			
Washington Street Business District	\$300,000	\$279,000	\$279,000
Washington Street Improvements	\$1,000,000	\$930,000	\$930,000
North Atlantic Avenue Improvements			
Esther Street Park	\$935,000	\$869,550	\$869,550
Medical Services District Improvements	\$1,000,000	\$0	\$0
Flagler Avenue parking			

North Causeway Improvements			
Gateway Landscaping & Beautification	\$65,000	\$60,450	\$60,450
SR 44 Crossing Treatments			
Medical District Parking			
Riverside Park Seawall / Lighting	\$1,000,000	\$930,000	\$930,000
Streetscape Canal Neighborhoods			
Canal Street Parking			
Myrtle Avenue Infrastructure Project	\$500,000	\$465,000	\$465,000
West Canal Streetscape	\$1,000,000	\$930,000	\$1,000,000
Mary Avenue Streetscape	\$1,600,000	\$1,488,000	\$1,600,000
South Orange St Streetscape	\$1,200,000	\$1,116,000	\$1,200,000
Julia and Faulkner Parking Lot	\$5,000	\$4,650	\$0
Flagler Dunes Parking Lot	\$58,000	\$53,940	\$68,000
Chamber Restoration Project	\$200,000	\$186,000	\$200,000
CRA Parking	\$51,400	\$47,802	\$0
Public Art	\$13,600	\$12,648	\$13,600
Contingency	\$200,000	\$185,220	\$0
TOTAL	\$13,823,562	\$11,925,133	\$11,925,133
Funds reallocated to operating budget	\$80,000	\$0	\$0
GRAND TOTAL	\$13,903,562	\$11,925,133	\$11,925,133

420

421

Mr. Otte stated that he discovered that the *Julia/Faulkner Parking* lot as well as *CRA Parking* referred to the same property and suggested reducing those amounts to zero as this parking lot was going to be placed on a list of city-owned properties which were subject to being offered as incentives to developers. The CRA agreed.

422

423

424

425

A brief discussion ensued about the North Atlantic Improvements not having any \$ amount associated with it and that the original funds had been budgeted for drainage and were than incorporated in the Esther Street Park improvements.

426

427

428

429

Ms. Aletti stated that she had been in contact with Mr. Otte about asking the CRA for assistance with the purchase of Christmas lights for Flagler Ave from the contingency budget and inquired how she should proceed now that the contingency funds had been reassigned. Mr. Dennis stated that she should send any and all requests to Mr. Otte.

430

431

432

433

434

Mr. Belote made the motion to approve the estimated budget revisions as discussed in today's meeting, seconded by Mr. Kosmas. The motion carried on a roll call vote 6 – 0.

435

436

437

438

E. Discussion of the Badcock Building

439

440

Mr. Otte stated that the new CRA Master Plan Update specifically called out two privately owned buildings for special consideration and that one of these was the Badcock building at the SE corner of US 1 and Canal St.

441

442

443

444

445 Mr. Otte recommended that the CRA direct staff to prepare a contract for funding an
446 amount (to be specified by the CRA) from the “Development Assistance and Incentives”
447 allocation in the CRA Master Plan Update towards the renovation of the Badcock
448 building as a component of a project to purchase, renovate, and lease for commercial
449 purposes. Mr. Otte continued that staff was also seeking direction on specific items such
450 as the possible use of a portion of the space as an information center, artist work and
451 display area, etc.

452
453 Mr. Otte introduced Ernie Johnson, a member of a group interested in purchasing the
454 building to relocate their business and leasing out the remainder of the space. Mr.
455 Johnson gave a brief history on how a retail business would attract other retail businesses
456 and that he considered the Badcock Building to be a great spot for a retail location. Mr.
457 Johnson continued that they had received a very positive response from potential tenants.
458 Mr. Johnson further explained that they had just obtained a contract for the property and
459 were in touch with the current property owners and CRA staff.

460
461 A brief discussion ensued about retail use versus non-retail use: how to potentially lay out
462 the office space to best suite Canal Street; creating an area to display art/artist workshops
463 and that any CRA incentives would be used to bringing the building to a condition of
464 being attractive to new businesses.

465
466 Mr. Kosmas was in favor of having the developer create a program and an actual budget
467 on how the CRA could best assist them in redeveloping the former Badcock building and
468 bring that information back at the August 4th, 2010 CRA meeting. The CRA agreed by
469 consensus.

470
471 Ms. Gloria Hill Evans, Washington Street project, inquired if the incentives proposed for
472 the Badcock project could also include training for new entrepreneurs. Mr. Dennis stated
473 that the CRA had not limited possible incentives to any particular purpose.

474
475 F. W Canal Streetscape Project – Archaeological Requirements

476
477 Agenda item deferred to the August 4th, 2010 meeting per the respondent’s request (see
478 motion under *New Business item A. 2.*)

479
480 **REPORTS AND COMMUNICATIONS**

481
482 A. Director’s Report

483
484 Mr. Otte stated that all pertinent information was contained in his written Director’s
485 report.

486
487 B. CRA Attorney’s Report

488
489 Mr. Hall stated that, unless the CRA had questions, there was nothing new to report at
490 this time.

491
492
493

494 C. Commissioner Report

495

496 Mr. Kosmas asked to be excused from the meeting at 4:32 pm.

497

498 Mr. Williams stated that the CRA attended a regional Mid Florida Redevelopment
499 Association meeting in Holly Hill a few years back which he felt was very productive.

500 Mr. Williams inquired if staff knew of another opportunity where the CRA's could get
501 together. Mr. Williams continued that the annual FRA meeting was coming up in
502 October and asked for staff to distribute further information so that anyone interested in
503 attending could make plans.

504

505 D. Correspondence - None

506

507 **ADJOURNMENT**

508

509 **A motion was made to adjourn; all agreed. Meeting adjourned at 4:37 pm.**

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Purchase Order Change Form – Mark Hall, CRA Attorney		
Agenda Section: Consent <input checked="" type="checkbox"/> Public Hearing _____ Special Items _____		
Summary Explanation and Background <p>Purchase Order 30008-00 was approved by the City Commission on September 23, 2009 in the amount of \$25,000 for CRA Attorney Fees. The CRA has received a regular invoice from CRA Attorney Mark Hall in the amount of \$17,824.25 (period from February 23 – June 11, 2010), which exceeds the current balance of the purchase order by \$10,903.10. Mr. Hall's services included legal work for the proposed Cormeth Parking Agreement, Flagler Dunes Parking lease, Southeast Volusia Hospital District matters and various Hampton Inn Hotel meetings, etc. It is anticipated that there will be a need for increased legal work to the end of the year.</p>		
Recommended Action/Motion: <p>Approve the attached Purchase Order Change Form, which would increase the original purchase order amount from \$25,000 to \$55,000 to cover the outstanding invoice and any future invoices until the end of FY 2009/10.</p>		
Funding Analysis: Budgeted If not budgeted, recommend funding account: x <p>Balance transfer of \$12,000 from the CRA Operating Contingency to Legal account line item will bring the total amount to \$30,000.</p>		
Exhibits Attached: <ol style="list-style-type: none">1. Original Purchase order 300008-00 dated 10/01/20092. Purchase Order Change Form increasing the original balance to \$55,000		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		



City of New Smyrna Beach

210 Sams Avenue
New Smyrna Beach, Florida 32168

Purchase Order

Fiscal Year 2010

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.
Purchase Order # 00030008-00

Vendor

MARK R. HALL, P.A.
124 FAULKNER STREET
NEW SMYRNA BEACH, FL 32168-7018

Ship To

ACCOUNTS PAYABLE
CITY OF NEW SMYRNA BEACH
210 SAMS AVE
NEW SMYRNA BEACH, FL 32168

State Sales Tax Exemption Certification
NO. 85-8012621648C-1

Table with columns: Vendor Phone Number, Vendor Fax Number, Requisition Number, Delivery Reference, Date Ordered, Vendor Number, Date Required, Freight Method/Terms, Department/Location, Item#, Description/Part No., Qty/Unit, Cost Each, Extended Price. Includes line items for attorney fees and a PO total.

1. If these conditions are not acceptable please advise us on receipt of the order and before you make any delivery.
2. Collect shipments will not be accepted. Shipments F.O.B. New Smyrna Beach must be prepaid and included on invoice.
3. Send separate invoice for each shipment.
4. Delivery will be accepted at vendor's risk. Goods are subject to inspection and return if found unsatisfactory.
5. The City assumes no responsibility for acceptance of items not properly acknowledged.
6. Prompt acknowledgment and definite shipping date required.
7. All credit adjustments must be made by check or credit memo directly to Finance Department.
8. The City is exempt from the payment of all Federal excise taxes and sales taxes of the State of Florida, and generally all other State governments. Seller shall furnish proper exemption certificates.
9. Correspondence in regards this order must be addressed to Purchasing.
10. Vendor, by accepting this order assumes complete responsibility for any alleged patent infringements, and will save the City harmless from all suits and payments.
11. The City assumes no responsibility for purchases exceeding \$5,000 which are not covered by a purchase order number or approved by the Purchasing Agent.

Vendor Copy Carol Rogers Finance Director

PURCHASE ORDER CHANGE FORM

Purchase Order #: <u>30008-00</u>	Req. #: <u>079</u>	Original P.O. Date: <u>10/01/09</u>
Vendor: <u>Mark Hall</u>	Vendor #: <u>184</u>	
Department: <u>CRA</u>	Account #: <u>12051501-531012</u>	
Reason for Change: <u>most recent invoice exceeds balance left on PO</u>		

Type of Change: (Please check one)

Change Account Number – for all lines YES ___ NO ___ If no, specify line number _____

- Original Account Number _____

- Revised Account Number _____

Increase Purchase Order

- Quantity 1 Amount \$30,000

Line Numbers _____

Decrease Purchase Order

- Quantity _____ Amount _____

Line Numbers _____

(* For City only, decrease only if Purchase Order has a change to the contract or estimated funds.)

Cancel Purchase Order – for all lines YES ___ NO ___

- Total Amount to be Cancelled \$ _____

Cancel Purchase Order Line(s)

Amount \$ _____ Line Numbers _____

(* Only cancel purchase orders that have had no payment applied against them.)

If this is a change to a contract, please indicate Board _____ and date approved _____

Original Purchase Order Total Amount:	\$ <u>25,000</u>
---------------------------------------	------------------

Previous Purchase Order Total Amount:	\$ <u>0</u>
(If Purchase Order has previously been changed, provide the total amount of the most recent change order including all prior change orders.)	

Current Change Order Amount:	\$ <u>30,000</u>
(This amount should equal the amount reflected above, under Type of Change section.)	

Revised Purchase Order Total Amount:	\$ <u>55,000</u>
--------------------------------------	------------------

Department Head Approval: _____ Date: _____

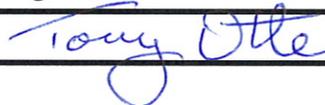
Finance Director Approval _____ Date: _____

City Manager Approval: _____ Date: _____

Purchase Order Change Notices are reviewed to determine conformance to established Purchasing guidelines. All Change Notices must adhere to relevant agreements, bids, contracts and guidelines.

OLD BUSINESS

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Request for additional Public Art funds; notice of a change in the use of funds		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
<p>Summary Explanation and Background</p> <p>The Atlantic Center for the Arts (ACA) presents the Images art show every year in the Canal St area. Last year the ACA received funding from both the CRA and the City Commission, with a General Fund contribution of \$5,000.</p> <p>Representatives of the ACA attended the recent City Commission budget workshop, a day-long event held in the Brannon Center on July 28. At that meeting it was noted that the draft budget for the City's General Fund anticipates a significantly reduced revenue stream, resulting in a number of positions being closed. It is anticipated that the General Fund will not be able to provide the \$5,000 support it provided for the last event for next year's event.</p> <p>In addition, due to the severity of the reductions in the General Fund and the volume of art work that already been purchased, the City Commission wishes to utilize any CRA or City funding that supports the arts for purposes other than the purchase of art work. The ACA representatives have responded that there are several other important needs for the Images event and would welcome donations in those areas (as noted in the attached e-mail) in lieu of the purchase of art work.</p>		
<p>Recommended Action/Motion: Review and Approval</p>		
<p>Funding Analysis: Budgeted_____ If not budgeted, recommend funding account: Support for the Images event normally comes from the "Public Art" line item 567787.</p>		
<p>Exhibits Attached:</p> <p style="margin-left: 40px;">1. E-mail outlining the areas for funding needs</p>		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

From: Ann Brady [abrady@atlanticcenterforthearts.org]
Sent: Monday, July 12, 2010 4:50 PM
To: Otte, Tony
Cc: Nancy Lowden Norman
Subject: CRA Funding

Dear Tony,

Thanks for the phone call. We are extremely appreciative of CRA support for IMAGES: A Festival of the Arts, celebrating its 35th successful year in New Smyrna Beach, and attracting 35,000 visitors and residents to the 2-day event.

ACA's request to CRA was \$2500 to fund the Children's Education Tent, one of the Festival's most popular features, and a model for other art festivals.

ACA's request to CRA was also \$5000 to fund a Purchase Award, which provides \$4900 to individual visual artists (local and regional) through the purchase of their artwork. However, we understand that the City may have reached its max regarding artwork. Here are other opportunities for support:

Entertainment Sponsor

~ The CRA's \$5000 would provide sole sponsorship of the IMAGES Entertainment area.

The weekend's entertainment is a Festival highlight! Featuring local musicians and statewide/national/touring performers, coordinated by New Smyrna Beach's musical guru, Marc Montesson. All acts are on stage in Riverside Park with covered and open seating providing an opportunity to relax for a few moments or enjoy performances all day long. As well, some performers stroll through the streets, weaving their way directly through the delighted crowds.

Festival Sponsor

~ The CRA's \$5000 would provide support for Festival promotion and advertising.

Festival promotion is also a great way to promote New Smyrna Beach, which each Festival ad and promotion does -- from radio spots to TV commercials to print advertising. Many Festival attendees already assume the Festival is a city-sponsored event, as it takes place in downtown New Smyrna Beach, highlighting its beautiful intracoastal waterways, city park, downtown shops, Farmer's Market, and providing a one-of-a-kind promotional outlet for this unique seaside city.

Artist Hospitality Sponsor

~ The CRA's \$5000 would provide support for artists through our unique and wildly popular hospitality center.

IMAGES is known throughout the art festival circuit for treating artists right. Artists can take quick breaks from their work through the utilization of booth sitters, provided free of charge, so that they can get a snack or a cup of coffee in the Artist Hospitality Center located in the Brannon Center. They are provided with the opportunity to enjoy breakfast both days and on Saturday night they are treated to a free meal, again in the Brannon Center, where they can relax and socialize after a long day and be apprised of the Award winners just after they've been selected by the judges.

Let me know if you have any questions, Tony. Thanks so much!

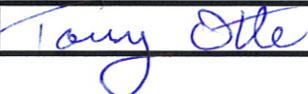
Best,
Ann

Ann Brady
Executive Director

ACA atlantic center for the arts

1414 Art Center Avenue
New Smyrna Beach, FL 32168
t. 386.427.6975
f. 386.427.5669
www.atlanticcenterforthearts.org
www.facebook.com/atlanticcenterforthearts

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Contract for Wayfinding		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
<p>Summary Explanation and Background</p> <p>The development of a Wayfinding system was a key recommendation in the CRA Master Plan Update. Wayfinding is a general term referring to a system of special highway and street signage to direct visitors to attractions and desired destinations. In New Smyrna Beach, this includes many destinations within the CRA, such as Canal Street, Flagler Ave, the beach, and historical and cultural sites.</p> <p>City staff issued a solicitation for this task and other planning work, and the proposal submitted and presented by BellomoHerbert was ranked number one by staff. At the June 22 meeting the City Commission approved staff's recommendation of a list of three firms, and for staff to begin the negotiation of a contract with the firm ranked number one. The attached contract is for the Wayfinding task. Also attached are selected pages from the BellomoHerbert proposal.</p>		
Recommended Action/Motion: Approval		
Funding Analysis: Budgeted_____ If not budgeted, recommend funding account: x		
<p>The list of Capital Improvement Project Costs in the CRA Master Plan Update has been recommended for revisions by the CRA due to the exemption of the S.E. Volusia Hospital District. The recommended revision for the Wayfinding project is \$279,000. The proposed price for this scope of work is \$48,650, with an hourly amount to be negotiated if additional work is needed for construction observation.</p>		
<p>Exhibits Attached:</p> <ol style="list-style-type: none"> 1. Contract and scope of work 2. Selected pages from the proposal submitted by BellomoHerbert 		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

**BELLOMO-HERBERT & COMPANY, INC.
PROFESSIONAL SERVICES AGREEMENT**

This agreement is made and entered into this ____ day of _____, 2010 the effective date, for the terms and conditions listed below and on the following pages of this agreement by and between:

CONSULTANT

Bellomo-Herbert & Company, Inc.
Landscape Architects & Planners

Address:
427 North Riverside Drive
Edgewater, FL 32132

Telephone: 386-426-6222
Fax: 386-426-0176
E-mail: glenn@bellomo-herbert.com

CLIENT

City of New Smyrna Beach
Community Redevelopment Agency

Address:
210 Sams Avenue
New Smyrna Beach, Fl

Telephone: 386-424-2265
Fax: _____
E-mail: totte@cityofnsb.com

PROJECT NAME: SR 44 and US 1 Median and Rights-of-Way Landscaping Enhancement Project

Name of Property Owner (if other than Client):

The property upon which the services described is to be performed:
The City of New Smyrna Beach, Florida

Client intends to develop a comprehensive signage system that facilitates wayfinding throughout the Downtown, while enhancing the sense of direction and evoking imagery. ("The Project")

ATTACHMENTS

The entire agreement consists of this executed Professional Services Agreement, the Scope of Services and Compensation (Exhibit 'A') and the Terms & Conditions (Exhibit 'B').

ACCEPTANCE

By execution of this agreement Client accepts the terms hereof, acknowledges receipt of a copy hereof, including all exhibits, and authorizes Consultant to proceed with the work. In the event Client is not the owner of the property, Client represents that Client has informed the owner of the work and obtained permission from said owner for Consultant to proceed.

IN WITNESS THEREOF, the parties hereby execute this agreement upon the terms and conditions stated hereon and on the date first above written.

Accepted by: _____
Mr. Tony Otte, Executive Director
Community Redevelopment Agency

Date: _____

Accepted by: _____
Glenn Herbert, Vice President Bellomo-Herbert & Co.

Date: _____

I. DESCRIPTION OF THE WORK

Bellomo-Herbert & Company, Inc. (hereinafter referred to as the CONSULTANT), shall provide the following Scope of Work to the City of New Smyrna Beach Community Redevelopment Agency (hereinafter referred to as the CLIENT) for the Design of a Wayfinding Signage System (Task 7) of the **SR 44 and US 1 Median and Rights-of-Way Landscaping Enhancement Projects**. The CONSULTANT will work closely with the CLIENT'S staff, the City's staff and the Community at large to develop details of the design. The City seeks to build upon the entertainment, cultural, historical and other leisure-time venues and activities currently existing in the community redevelopment area (CRA). It is also necessary to help direct visitors to desired destinations in the CRA from New Smyrna's major arteries as well as ease their wayfinding within the CRA. It is the intent of the Wayfinding Signage Program to enhance the success and market potential for businesses, arts, entertainment, historical, and economic growth. The system will anticipate the continued evolution of the CRA, including traffic pattern changes, the addition of new tourist attractions, and increased pedestrian traffic.

The wayfinding/signage program will be installed on major arteries leading to the CRA as well as throughout the CRA area. The plan will consider existing signage locations, the possibility of locating signage on existing poles, and responsiveness to mode of travel, traffic patterns, surrounding land uses, as well as maintaining pedestrian travel and ADA accessibility. Price of fabrication and installation, and the ease and cost of changing and maintaining signage, will also be considered.

II. SCOPE OF SERVICES

The City of New Smyrna Beach seeks to develop a comprehensive signage system that facilitates wayfinding throughout the CRA, while enhancing the sense of direction and evoking imagery. This wayfinding signage system will address the needs of visitors and residents using all modes of transportation. Street level vitality, legibility, safety, maintenance and replacement costs are all major concerns in creating an informational signage and wayfinding system that is both direct and friendly. This project will set the tone for future projects and should be easily altered and expanded upon as the community continues to grow. To that end the CONSULTANT will provide the following scope of services:

A. Analysis and Program Development

1. The CONSULTANT will conduct an on-site kickoff meeting with the CRA and City staff, and prepare an overall area analysis.
2. The CONSULTANT will research how people enter and leave the area and move between destinations, developing circulation patterns.
3. The CONSULTANT will review maintenance, budget, schedule and phasing issues.
4. The CONSULTANT will review existing wayfinding plans and implementation status.
5. The CONSULTANT will meet with current wayfinding participants of the CRA and City staffs, and city sign shops to hear their evaluation of current system, operational difficulties, and needs of a future system.
6. The CONSULTANT will develop a formula and policy to determine which destinations

- and districts should be included on signs, and review this information with the CRA and the City.
7. The CONSULTANT will work in cooperation with the CRA, the City's staff, and other appropriate personnel to establish a desired image to incorporate brand, logo design and district identities.
 8. The CONSULTANT will develop a destination list, including recommended terminology, for primary and secondary destinations.
 9. The CONSULTANT will prepare a list of proposed sign types and wayfinding elements to be reviewed with the CRA and the City.
 10. The CONSULTANT will evaluate zoning code requirements for the proposed signage system.
 11. The CONSULTANT will meet with representatives of FDOT and any regulatory agencies having jurisdiction over the right-of-ways or visual characteristics of the signage.
 12. The CONSULTANT will document location of existing wayfinding signage and evaluate the feasibility of reusing existing locations, poles and hardware on an individual location basis.
 13. The CONSULTANT will analyze existing traffic patterns and means of accessing certain areas within the CRA including downtown and Flagler Ave, and delineate recommended locations for signage to direct users.
 14. The CONSULTANT will develop a hierarchy of information.
 15. The CONSULTANT will review existing identity standards.
 16. The CONSULTANT will develop the Project Schedule.
 17. The CONSULTANT will develop the preliminary wayfinding logic.

Deliverables for Analysis and Program Development: the CONSULTANT will provide a Wayfinding Analysis and Recommendations Document (hard copy and digital copy) with notes from all stakeholder meetings including an evaluation of the existing system, users' needs, districts and destinations, zoning requirements, regulatory and jurisdictional issues, recommendations for identity graphics; and a detailed schedule for project completion, including key meetings and milestones. Also, a detailed site plan (with rationale for boundaries) showing public circulation patterns, primary public destinations, and access points, and a detailed site plan showing existing signage locations that will or will not be reused.

FEE: \$ 10,650.00

B. System Design Development

1. The CONSULTANT will analyze architectural elements, materials, themes, and the new branding design elements in order to develop an appropriate design aesthetic for the system.
2. The CONSULTANT will prepare designs for various sign types, including but not limited to:
 - Highway Signs (if needed, Standard DOT guide signs)

- City Gateways: Signs and structures distinguishing city edges and entry portals
 - Destination Directional: signs serving to assist the motorist to key destinations
 - Parking Signs: Identification and directional
 - Pedestrian Directional/Informational: Signs to provide direction and orientation
 - Path Signs: Directional signs for paths and trails used by bicycles and recreation
 - Destination Identity: Signs identifying the name of a place feature or site
 - District Marker: Signs identifying the edge or reinforcing the core of a district (i.e. Canal Street Historic District, Flagler, Beach Access and etc)
3. The CONSULTANT will present initial design concepts for review (City/CRA to select one initial design concept for additional refinements).
 4. The CONSULTANT will complete a maximum of two rounds of refinements.
 5. The CONSULTANT will apply the approved design to the remaining sign types.
 6. The CONSULTANT will present the full sign type array and color illustrations of signs to the CRA and the City.
 7. The CONSULTANT will revise the individual sign type designs once more (if needed).

Deliverables: Final Design Intent Drawings with written statement regarding rationale for design choices, materials, and how systems can be modified over time; scaled drawings of potential sign types and concepts; and a statement of probable cost for the fabrication, installation and maintenance of the system, including hierarchy of various sign types and typical locations.

FEE: \$ 20,000.00

C. Construction Documentation

1. The CONSULTANT will determine and confirm which specific signs will be included in the first phase of implementation.
2. The CONSULTANT will add detailed specifications to the final Design Intent Drawings (exact dimensions, letter heights, materials, mounting details, color specifications, and material performance standards).
3. The CONSULTANT will prepare the necessary artwork for the proposed signage types.
4. The CONSULTANT will prepare Sign Location Plans and Sign Message Schedules and submit to the CRA and City for review. The CONSULTANT will revise and re-submit for second review if necessary.
5. The CONSULTANT will develop technical specifications (general conditions and "boilerplate" language to be supplied by the CRA or City).
6. The CONSULTANT will update the estimate of probable cost for the fabrication and installation.

Deliverables: Final Construction Documents, updated estimate of probable cost, and an Implementation Phasing Plan that includes priorities in terms of sites and sign locations.

FEE: \$ 12,000.00

D. Bidding

The CONSULTANT shall furnish the CLIENT with electronic files in PDF format for all documents, saved at print size. Bid sets of construction documents will be printed and distributed by the CLIENT. Other services by the CONSULTANT will include:

- Attend and administer the pre-bid conference
- Answer questions which might arise during the bidding process
- Prepare any Addenda that may be necessary for issuance by the CLIENT
- Attend the bid opening
- Assist the CLIENT in the review of the bids received

FEE: \$ 4,000.00

E. Construction Observation

The CONSULTANT shall provide the following services during this phase of the work:

- Attend the Pre-Construction Meeting
- Respond to Requests for Additional Information from the contractor through CLIENT
- Issue change orders when so directed by the CLIENT.
- Review, approve or deny submitted shop drawings, product data and/or samples as required by the Contract Documents.
- Recommend to the CLIENT the rejection of work completed by the Contractor which is not constructed in accordance with the Contract Documents.
- Provide reports outlining the progress of the work to date and any deficiencies encountered.
- Provide site visits during the construction of the work. The CONSULTANT will be available for a maximum of four (4) site visits per Task. Additional site visits, if requested by the CLIENT, shall be performed on an hourly basis at the rates described herein.

III. COMPENSATION AND REIMBURSABLE EXPENSES

The Consultant will undertake the work described in paragraph II. Scope of Services, A-E for the following fees:

A. Analysis and Program Development	\$ 10,650.00
B. System Design Development	\$ 20,000.00
C. Construction Documentation	\$ 12,000.00
D. Bidding	\$ 4,000.00
E. Construction Observation	\$ HOURLY
REIMBURSABLE EXPENSES (ALLOWANCE)	\$ 2,000.00

Reimbursable expenses are in addition to fees stated as outlined in the Professional Services agreement, Terms and Conditions, Exhibit "B".

BELLOMO-HERBERT & COMPANY, INC.
PROFESSIONAL SERVICES AGREEMENT
TERMS & CONDITIONS
EXHIBIT 'B'

Revisions and Additional Services

Any revisions, changes or alterations to previously approved design work, or services performed outside the Scope of Services as outlined will be billed at the hourly rates listed below. Bellomo-Herbert & Company, Inc. (Consultant) will submit cost estimates to the Client prior to initiating any additional services.

Hourly Rates

Principal Landscape Architect	\$ 175.00
Senior Landscape Architect	\$ 150.00
Landscape Architect	\$ 95.00
Construction Administrator	\$ 75.00
Landscape Designer	\$ 75.00
Landscape Technician	\$ 65.00
Administrative	\$ 50.00

Period during which fees and rates are applicable

The fees submitted in this proposal are developed based upon an uninterrupted and orderly design process. Extended delays to the project schedule, caused by parties other than the Consultant, shall result in a renegotiation of the design fee. Consultant reserves the right to increase the hourly rates listed herein after a period of one year from the date of execution of this Agreement.

Method of Payment

Billing for services and reimbursable expenses will be submitted on a monthly basis. All invoices are due and payable upon receipt. Invoices will describe percentages or phases of work completed up to the invoice date. Invoices not paid within thirty (30) days from the date of invoice shall bear an interest rate of one and nine-tenths percent (1.9 percent) per month or the maximum allowed by law. Consultant shall have the right to suspend the performance of its services at any time if such payments are not received within forty five (45) days of the invoice date. Consultant shall be entitled to recover all costs and expenses including attorney's fees, associated with collection of payments whether suit is filed or not.

Design Approval

Mr. Tony Otte, CRA Executive Director has been designated as the Client's Project Manager and is responsible for design direction to Consultant for this project and has the authority for design approval. In the event the design is approved by the above named person and is subsequently rejected by others resulting in the need for re-design, such re-design services shall be billed as Additional Services.

Reimbursable Expenses

Reimbursable expenses as outlined below will be billed at cost, plus Consultant's customary 10% handling charge. Supporting documentation will be provided with our invoices.

1. Drawing & visual exhibits:

Printing, plotting, photocopying, photographs, computer scans and other presentation supplies, etc.

2. Telephone & Courier:

Long distance, express mail delivery, postage, and courier services.

3. Travel:

Airfare, car rental, out-of-town travel expenses, lodging, meals and mileage at the prevailing rates allowed by IRS.

Client's Responsibilities

The Client agrees to provide Consultant with all documents, information, surveys, maps, easements, reports, and professional recommendations requested to provide services. Consultant shall be entitled to rely on the accuracy and completeness of these items.

The Client agrees to advise Consultant of any known or suspected contaminants at the Project site.

The Client will obtain and pay for all necessary permits from authorities having jurisdiction over the project. The Client will pay for all testing services required as part of the design services being provided. The Client shall provide necessary items and render decisions in a timely manner so as not to delay the orderly and sequential progress of Consultant's services.

Consultant will assist the Client with this obligation by completing and submitting appropriate paperwork and forms to governing authorities. Consultant services hereunder shall not include attendance at more than one meeting with such governing authorities or creating additional or special documentation required by such authorities.

Estimated Schedule and Project Budget

Consultant shall render its services as expeditiously as is consistent with professional skill and care. During the course of the Project, anticipated and unanticipated events may impact any Project schedule. The Client shall agree to promptly notify Consultant if the Client's schedule or budget changes. The Client acknowledges that significant changes to the Project schedule, budget, or the Project's scope may require Additional Services of Consultant.

Design Policies

All documents of service prepared by Consultant, including those in electronic form, are the property of the Consultant, and these documents shall not be reused on other projects without the written permission of Consultant. Consultant retains all rights, including the copyright in its documents.

BELLOMO-HERBERT & COMPANY, INC.
PROFESSIONAL SERVICES AGREEMENT
TERMS & CONDITIONS
EXHIBIT 'B'

The Client cannot use Consultant's documents to complete the Project with others unless Consultant agrees in writing. Any design ideas which are not accepted and paid for by the Client become the property of Consultant, and Consultant will be free to use such designs in any way desired excluding Client's name.

Consultant reserves the right to use any work produced for the Client as project samples, which may be used or reproduced in any reasonable way for the marketing needs of Consultant.

Design Ownership

All design, drawings, and documentation of the work performed under this agreement is the property of the Client and shall be utilized only for the application to the project described in the attached proposal outline.

Governing Law

This Agreement is governed by the law of the State of Florida.

No Assignment

Neither party can assign this Agreement without the other party's written permission.

Termination Agreement

Consultant reserves the right to terminate this agreement upon seven (7) calendar days written notice to the Client without cause or limitation. Client reserves the right to terminate this agreement upon seven (7) calendar days written notice to Consultant without cause or limitation. In the event of termination, Consultant shall be paid full fees for services performed up to the termination date including all Basic & Additional services rendered and Reimbursable Expenses incurred up to the date of termination.

Limited Construction Phase Services

Notwithstanding any other term in this Agreement, Consultant shall not control or be responsible for another's means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs, or for another's failure to complete the work in accordance with the plans and specifications.

Construction Phase services, if a part of the attached Scope of Services, will be provided to determine the general progress of the work, but will not include supervision of the contractors, or of their means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs. Consultant maintains the right but not the duty to recommend that the Client reject work that does not appear to conform generally to the plans and specifications. Consultant shall not have any liability for recommendations made in good faith.

If payment certification services are included in this agreement, such certifications for payment shall be a representation to the

Client that, to the best of Consultant's knowledge, information and belief, the work has progressed to approximately the point indicated. Such certification shall be subject to any noted qualifications by Consultant and shall not be a representation that Consultant has supervised the work, reviewed means, methods, techniques, schedules, sequences or procedures, or for construction safety or any other related programs of the contractors, or that Consultant has reviewed how or for what purpose the contractor has used or intends to use the contract funds.

Dispute Resolution

Client and Consultant agree to mediate claims or disputes arising out of or relating to this Agreement as a condition precedent to litigation. The mediation shall be conducted by an appropriate mediation service experienced in handling construction disputes acceptable to both parties. A demand for mediation shall be made within a reasonable time after a claim or dispute arises and the parties agree to participate in mediation in good faith. Mediation fees shall be shared equally. In no event shall any demand for mediation be made after such claim or dispute would be barred by the applicable law.

Entire Agreement and Severability

This Agreement is the entire and integrated agreement between the Client and Consultant and supersedes all prior negotiations, statements, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the Client and Consultant.

In the event that any term or provision of this agreement is found to be void, invalid or unenforceable for any reason, that term or provision shall be deemed to be stricken from this agreement, and the balance of this agreement shall survive and remain enforceable.

Waivers of Consequential Damages and Subrogation

Client and Consultant waive all claims to consequential damages for any claims or disputes arising out of or relating to this Agreement. In addition, Client and Consultant waive all claims against each other to the extent covered by any applicable insurance during design or construction, including but not limited to claims for subrogation.

Attorney's Fee

Should any legal proceeding be commenced between the parties to this Agreement seeking to enforce any of its provisions, including but not limited to, fee provisions, the predominantly prevailing party in such proceeding shall be entitled, in addition to such other relief as may be granted, to a reasonable sum for attorneys' and expert witnesses' fees, which shall be determined by the court or forum in such a proceeding or in a separate action brought for that purpose. For purposes of this provision, "prevailing party" shall include a

**BELLOMO-HERBERT & COMPANY, INC.
PROFESSIONAL SERVICES AGREEMENT
TERMS & CONDITIONS
EXHIBIT 'B'**

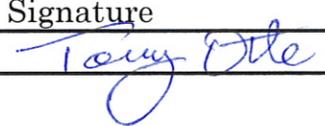
party which dismisses an action for recovery hereunder in exchange for payment of the sum allegedly due, performance

of covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.

No Third Party Beneficiaries

Nothing in this agreement is intended to create a contractual relationship for the benefit of any third party. There are no intended beneficiaries of the agreement except Consultant and the Client.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin		
Meeting Date: <u>8/4/2010</u>		
Action Item Title: W Canal Streetscape and Drainage Improvements Project – Change Order # 3		
Agenda Section: Consent <input type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input checked="" type="checkbox"/>		
<p>Summary Explanation and Background:</p> <p>Change Order # 3 was submitted by the design build team, ThadCon, for added items of work, which were not described in the original scope of work in the City RFP or in their Proposal.</p> <p>Change Order # 3 consists of Items 3A through 3E, which Staff has thoroughly reviewed and has conducted several meetings with the design build team to discuss each item with them, which has resulted in many of the items being re-negotiated.</p>		
<p>Recommended Action/Motion:</p> <p>Recommend additional funding for Change Order # 3, Items 3A, 3C, 3D, and 3E, in the amount of \$18,966.55, and denial of additional funding (\$16,165.33) for Item 3B.</p>		
<p>Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account: Transfer to be made from Contingency</p>		
<p>Exhibits Attached:</p> <p>Attachments: Change Order # 3 Items 3A through 3E and Back-Up Documentation</p>		
Reviewed By:	Name	Signature
Department Director:	Tony Otte	
Commission Action:		



COMMUNITY REDEVELOPMENT AGENCY

CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168



West Canal Streetscape and Drainage Improvements Project FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01 (Drainage)

Summary of Change Order # 3

Item # 3A - Electrical Engineering for the Backlot Easements:

ThadCon discovered that one of their engineering line items had been inadvertently left out of Change Order # 2P, the electrical engineering for the Backlot Easements, in the amount of \$13,700.39. Please see the attached letter from ThadCon dated 7/20/10 for explanation.

Staff recommends approval in the amount of \$13,700.39.

Item # 3B – Additional Funding for Archaeological Requirements for the Canal Work:

ThadCon submitted for additional funding for Archaeology to thoroughly investigate the contents of the spoil from the canal on the north side of W Canal Street. Staff denied their request for the additional funding in a letter dated 5/7/10 because of the statement in the RFP on page 13 of 32, Item N (General Conditions), # 4 (Archaeological Requirements) that reads:

*“The Design Build Team shall provide an archaeological study showing the site does not have any significant archaeological impact. It is the responsibility of the Design Build Team to comply with all of the requirements of the New Smyrna Beach City Code, Section 50-13, Archaeological Preservation (Attachment 9). In addition, the Design Build Team will be **responsible for any fees associated with archaeological construction monitoring and compliance with Section 50-13.** The archaeological base map can be obtained by request and is not included in this package.”*

ThadCon disagreed with Staff's decision to deny their request for the additional funding and met with the Mayor and City Manager on 5/21/10. After some discussion and review of the contract documents the Mayor and City Manager also denied ThadCon's request for additional funding.

ThadCon has again asked for additional funding in a letter dated 7/2/10, which is attached. Also attached is a copy of page 13 of 32, Item N (General Conditions), # 4 (Archaeological Requirements) of the RFP, and a copy of Section 50-13 of the City Code.

Staff (still) recommends denial for ThadCon's request for \$16,165.33.

Item # 3C – Variable Message Boards Used During Bike Week:

Staff coordinated with ThadCon to have 2 Variable Message Boards installed on W Canal St during Bike Week to let the motorist know that businesses were open, at a cost of \$110/day x 8 days.

Staff recommends approval in the amount of \$880.00.



ThadCon LLC
Cost Breakdown for Additional Work West Canal Streetscape Project
Engineering - Additional Electrical Engineering for
Backlot Easement

UC/
CRA

SA#3 A

Description	Quantity	Unit	Unit Price	Labor	Materials	Equipment	Subcontractor
Equipment							
Kobelco 125		HR	\$58.60				\$0.00
Volvo Wheel Loader L70		HR	\$35.62				\$0.00
Cat 208 Rub Exc.		HR	\$17.70				\$0.00
Cat 236 Skid Steer		HR	\$24.42				\$0.00
Plate Tamp		HR	\$4.94				\$0.00
Pickup Truck		HR	\$17.59				\$0.00
F750 Flat Bed		HR	\$23.07				\$0.00
Walk Behind Saw		HR	\$3.87				\$0.00
Materials					\$0.00		\$0.00
					\$0.00		\$0.00
					\$0.00		\$0.00
					\$0.00		\$0.00
					\$0.00		\$0.00
Subcontractors							\$0.00
Ghyabi Electrical Design	1	LS	\$12,289.00				\$12,289.00
							\$0.00
							\$0.00
Sub Totals				\$0.00	\$0.00	\$0.00	\$12,289.00
Burden				57.00%			
Sales Tax				\$0.00	6.5%		
Subtotal				\$0.00	\$0.00	\$0.00	\$12,289.00
Markup				17.50%			
Subtotal				\$0.00	\$0.00	\$0.00	\$1,228.90
SubTotal				\$0.00	\$0.00	\$0.00	\$13,517.90
Bond							\$182.49
Total							\$13,700.39

Martin, Michelle

From: Gibson, Jonathan V. [jgibson@wilbursmith.com]
Sent: Wednesday, July 21, 2010 2:34 PM
To: Martin, Michelle
Subject: RE: Electrical letter

Michelle,

The backup appears to be correct. Actually, the final price is slightly less than what I have in my files as the last submitted.

Jon

From: Martin, Michelle [mailto:mmartin@cityofnsb.com]
Sent: Tuesday, July 20, 2010 3:34 PM
To: Gibson, Jonathan V.
Subject: FW: Electrical letter

Hi Jon,

Does the backup info look correct to you? The letter is better than I expected from them, so that's a relief...it will be easier for me to submit.

Michelle Martin
CRA Project Manager
City of New Smyrna Beach
(386) 424-2135 - office
(386) 547-0325 - cell
158*31*7644 - Nextel DC
(386) 409-4759 - fax

From: thadconjonk [mailto:thadconjonk@aol.com]
Sent: Tuesday, July 20, 2010 3:27 PM
To: Martin, Michelle
Cc: jgibson@wilbursmith.com; paul estes; bscott@ghyabi.com
Subject: Electrical letter

Sorry this is the complete letter with backup.



ThadCon LLC
Cost Breakdown for Additional Work West Canal Streetscape Project
Archeological - Additional North Side Canal
CRA

SA#3 B

Description	Quantity	Unit	Unit Price	Labor	Materials	Equipment	Subcontractor
Supervintendent		HR	\$45.00	\$0.00			
Foreman		HR	\$29.00	\$0.00			
Operator		HR	\$13.50	\$0.00			
Skilled		HR	\$13.75	\$0.00			
Unskilled	0	HR	\$10.50	\$0.00			
Equipment							
Kobelco 125		HR	\$58.60			\$0.00	
Volvo Wheel Loader L70		HR	\$35.82			\$0.00	
Cat 208 Rub Exc		HR	\$17.70			\$0.00	
Cat 226 Skid Steer		HR	\$24.42			\$0.00	
Plate Tamp		HR	\$4.94			\$0.00	
Pickup Truck		HR	\$17.59			\$0.00	
F750 Flat Bed		HR	\$23.07			\$0.00	
Walk Behind Saw		HR	\$3.87			\$0.00	
Materials							
					\$0.00	\$0.00	
					\$0.00	\$0.00	
					\$0.00	\$0.00	
					\$0.00	\$0.00	
					\$0.00	\$0.00	
Subcontractors							
ESI	1	LS	\$14,500.00				\$14,500.00
							\$0.00
							\$0.00
							\$0.00
Sub Totals				\$0.00	\$0.00	\$0.00	\$14,500.00
Burden				57.00%			
Sales Tax				\$0.00	6.5%		\$14,500.00
Subtotal				\$0.00	\$0.00		10.00%
Markup				17.50%			\$1,450.00
Subtotal				\$0.00	\$0.00		\$15,950.00
SubTotal				\$0.00	\$0.00		\$15,950.00
Bond							\$215.33
Total							\$16,165.33

ENVIRONMENTAL SERVICES, INC.
2825 LEWIS SPEEDWAY, SUITE 107
ST. AUGUSTINE, FLORIDA 32084
(904) 824-5494 • FAX (904) 824-8364

www.environmentalservicesinc.com

23 April 2010

Trey Sizemore
Thad Construction Company, Inc.
503 North Street
Daytona Beach, Florida 32114

RE: Archaeological Monitoring and Cultural Resource Assessment of the West Canal Streetscape Sidewalk Replacement Project (FDOT FPN 8888-815-A), New Smyrna Beach, Florida

Dear Mr. Sizemore:

Thank you for considering Environmental Services, Inc. (ESI). Pursuant to our recent communication, we are pleased to enclose the attached (change-order) proposal for Archaeological Monitoring and Assessment of the West Canal Streetscape Sidewalk Replacement Project (29° 1'22.88"N, 80°55'38.04"W). Please note under our Terms section at the end of the proposal that, as the client, you assure ESI that we have permission to work on the property being evaluated and that you will advise us regarding the proper procedures for accessing the property.

We are prepared to proceed upon receipt of the signed contract. Please approve the proposal by signing the enclosed document and returning it to me by mail, fax (904-824-5364), or e-mail (marbuthnot@esinc.cc). We look forward to working with you.

Please contact me should you have any questions. Thank you for selecting ESI to assist with your archaeological consulting needs.

Sincerely yours,

ENVIRONMENTAL SERVICES, INC.

Michael A. Arbuthnot, M.S., RPA
Archaeologist, Division Manager & Assistant V.P.

ENVIRONMENTAL SERVICES, INC.

**CONTRACT FOR SERVICES
ESI PROJECT NO. EV07012.01**

The following Contract for Services is an agreement between Environmental Services, Inc., (ESI) and Thad Construction Company, Inc. (Client) with the terms specified herein. Client agrees that the company/individual signing this agreement has the ability to compensate ESI for the work described even if the proposed project does not materialize. ESI agrees to perform the following tasks for the associated fee.

Project Name: West Canal Streetscape Sidewalk Replacement Project
Project Location: Volusia County, Florida

SCOPE OF SERVICES

FIXED FEE

Task 1. Archaeological Monitoring, Assessment, & Reporting **\$14,500.00**

ESI will conduct archaeological monitoring and assessment during activities associated with the replacement of West Canal Street's northern sidewalk, as per Section 50-13 of the New Smyrna Beach (NSB) City Code Archaeological Preservation. The archaeological assessment will involve: (1) daily archaeological monitoring; (2) artifact collection on site and at the disposal area; and (3) artifact analysis and documentation to be included in the final report. Once complete, the report will be sent to the City of NSB, FDOT District 5, and DHR for review.

If cultural materials are uncovered, the archaeologist will temporarily redirect activities so that the area of interest can be investigated via surface collection and shovel testing. Upon completion of supplemental investigation, it will be recommended that work proceed as planned. All work undertaken will be in compliance with NSB City Code, Section 50-13; Chapter 267 (*Florida Historical Resources Act*) of the Florida statutes; Chapter 1A-46 (*Archaeological and Historical Report Standards and Guidelines*) of the Florida Administrative Code; as well as Section 106 of the National Historic Preservation act of 1966, as amended. Moreover, the investigation will comply with Part 2, Chapter 12 ("Archaeological and Historical Resources") of the Florida Department of Transportation (FDOT) *Project Development and Environment Guidelines* (January 1999 revision) and the FDOT *Cultural Resource Management Handbook* (2003).

Should additional features or deposits of potential archaeological significance be revealed, supplement Phase II investigation may be warranted. Any additional Phase II evaluation would be handled under separate contract.

ESI electronic final reports (e-reports) are now available and will be

West Canal Streetscape Sidewalk Replacement Project
EV07012.01
23 April 2010

provided unless hard copies are requested as per the terms listed. Upon request, a hardcopy in lieu of or in addition to the electronic version will be provided to the client at no extra cost. Any reports requested beyond that will be charged \$50 per report copy. Cost will be raised to \$100 for any report that exceeds 100 pages. Proposal cost includes delivery of reports to the necessary county and/or state agencies at no extra charge.

Task 2. Meeting and Correspondence

**T&M
(if necessary)**

We will work on the basis described above using the outlined costs defined for each task. Our fee/estimated cost excludes any permit application fees; these fees are not included in this budget and are the responsibility of the applicant.

Additional services not specifically addressed herein will be invoiced on a time and materials basis at standard ESI hourly rates. We will provide you with a written proposal for these tasks if, or when, they become necessary. We are prepared to proceed upon receipt of the signed contract.

ESI is committed to providing quality service to our clients. Every project is reviewed by a senior technical manager to ensure that the work has been performed in compliance with our goal of providing superior service and solutions to our clients.

TERMS:

- . ESI will complete the work described above in a timely manner unless delayed by Client's request, lack of information, or intervening factors beyond our control.
- . Client assures ESI that it has permission to work on the subject property and will advise ESI of proper procedures for accessing subject property.
- . **ESI will maintain a minimum \$1,000,000 errors and omissions (professional liability) insurance; \$1,000,000 per occurrence and \$2,000,000 aggregate liability insurance for the duration of the project. If any additional insurance requirements are necessary, please return the specifications with the signed proposal. They will become a part of this contract as agreed by both parties.**
- . Outside services and expenses such as subcontractors and special purchases will be invoiced with a handling fee of 15 percent.

ENVIRONMENTAL SERVICES, INC.

Page 3

West Canal Streetscape Sidewalk Replacement Project
EV07012.01
23 April 2010

- . Client will provide ESI with any special billing formats or considerations with the signed contract.
- . Billing is done monthly. **Payment is due immediately upon receipt of the invoice;** after 30 days the Client agrees to pay 1.5 percent late fee per month or portion thereof on unpaid balances. Unpaid balances after 60 days from the date of the invoice may result in work stoppage until overdue accounts are resolved.
- . Failure to pay within 60 days from the date of invoice will be considered by ESI to be a breach of contract, and ESI may cease work and withhold all work product immediately without penalty from the Client.
- . Any disputes regarding payment for services will be resolved in a court in the county of the ESI office responsible for the work. Client agrees to pay all legal fees and other collection costs incurred by ESI to collect unpaid invoices.
- . ESI rates change on March 1 of each year.
- . **This proposal is valid for a period of 60 days following the date of issuance.**
- . **One hardcopy report in lieu of or in addition to the electronic version will be provided at no extra cost. Any reports requested beyond that will be charged \$50 per report copy. Cost will be raised to \$100 for any report that exceeds 100 pages.**

ENVIRONMENTAL SERVICES, INC.

Page 5

West Canal Streetscape Sidewalk Replacement Project
 EV07012.01
 23 April 2010

SCHEDULE OF LABOR AND EXPENSE RATES

<u>POSITION</u>	<u>RATE</u>	<u>EXPENSE</u>	<u>CHARGE</u>
		Travel	
Technical			
Technician	\$38-58/Hour	Vehicle Mileage Rate	\$0.55/Mile
Project Scientist	\$47-84/Hour	Travel Expenses	Cost + 15%
Senior Scientist	\$56-121/Hour		
Senior Project Manager	\$87-129/Hour	Copies	
Principal	\$100-200/Hour	Photocopy Per Page	\$0.15
		Color Copy Per Page	\$1.50 8 ½ x 11
			\$2.50 8 ½ x 14
Administrative			
Administrative Assistant	\$37-62/Hour		\$3.00 11 x 17
		Full Size Copy Per Page	\$1.60 24 x 36 b/w
			\$3.00 36 x 48 b/w
Geo-graphics			
Geographics	\$62-101/Hour		\$35.00 24 x 36 color
			\$70.00 36 x 48 color
EXPENSE	CHARGE	Blueprints or Xerox Per Page	\$2.50
Additional Services		Aerial Photography	\$50 0 - 15 acres
CADD/GIS Usage	\$30.00/Hour		\$100 16 - 50 acres
Global Positioning System	\$250.00/Day		\$200 51 - 100 acres
Local Courier Service	\$13.00/Delivery		\$300 101 - 999 acres
Outside Graphics	Cost + 15%		\$500 1000 + acres
All Subcontracted Services	Cost + 15%	Fax Per Page	\$0.50

503 North Street
Daytona Beach, FL 32114
State Certified General Contractors



P(386)253-3963
F(386)257-9676
CGC09472
FDOT208366085001

7-2-2010

Attn: **Michelle Martin**
City of New Smyrna Beach
210 Sams Ave.
New Smyrna Beach, FL 32168

Dear Michelle,

Following our meeting on May 25, 2010, I discussed the City's position with Bill Scott and Mike Arbuthnot, with ESI, regarding the work we are now performing.

We are of the opinion that our obligation under the contract was to perform monitoring in accordance with the City's ordinance, but not necessarily a Phase 2 study, the scope of which could not have been determined prior to bid time. The RFP specifically alluded to monitoring and our proposal included an allowance for this task.

Customarily, if the extent or bounds of a portion of a project cannot be determined prior to submitting competitive bids that portion of work is normally bid separately as an alternate with unit pricing. For example, contaminated soil removal would not be bid as part of a lump sum project without the prospective bidders knowing at least the approximate quantity of cubic yardage to be excavated.

For our company to have attempted to include, in a competitive lump sum bid, a dollar allowance for work which simply could not have been reasonably identified before the fact is, we believe, not the intent of the RFP. Also it appears that the other firms which submitted bids also described their archeological effort as a monitoring effort.

We respectfully request that the City and CRA reconsider their decision to reimburse us for our phase 2 archeological effort. Our company has attempted to cooperate in every way with the archeological effort and feel that for our team to absorb the entire cost of the Phase 2 effort is outside the bounds of the intent of the original RFP.

We will be glad to meet with you and any member of the City staff in an effort to reach a compromise that will hopefully serve all parties. Thank you in advance for your consideration and we look forward to hearing from you in the near future.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Thad R. Sizemore, Jr.", written in a cursive style.

Thad R. Sizemore, Jr.
Managing Member



COMMUNITY REDEVELOPMENT AGENCY
CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168



May 7, 2010

Thad R. Sizemore, Jr
Thad Construction, Inc.
503 North Street
Daytona Beach, FL 32114

**RE: Request for Change Order # 3B (Archaeological)
W Canal Streetscape and Drainage Project
FPN 410777-1-58-01 (Streetscape) and 411554-1-58-01 (Drainage)**

Dear Mr. Sizemore:

We have received your request for Change Order # 3B for additional funding for archaeological monitoring and artifact salvaging in the canal area for the above referenced project. We have reviewed your request as well as our City's Archaeological Preservation Ordinance (Sec. 50-13) and have come to the conclusion that your request is not warranted.

The Request for Proposal for the W Canal Streetscape and Drainage Improvements Project which the ThadCon LLC Design Build Team as well as three (3) other design build teams bid on, states the following:

Pg 13 of 32, Item N (General Conditions), # 4 (Archaeological Requirements):

"The Design Build Team shall provide an archaeological study showing the site does not have any significant archaeological impact. It is the responsibility of the Design Build Team to comply with all of the requirements of the New Smyrna Beach City Code, Section 50-13, Archaeological Preservation (Attachment 9). In addition, the Design Build Team will be responsible for any fees associated with archaeological construction monitoring and compliance with Section 50-13. The archaeological base map can be obtained by request and is not included in this package."

The City of New Smyrna Beach Archaeological Preservation Ordinance (Sec. 50-13, Item J) states the following:

"The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues."

In summary, the RFP states that ThadCon LLC will be responsible for all costs associated with the archaeological requirements on this project, and Section 50-13 spells out all of the requirements necessary to meet the City Ordinance, the department of state, division of historical resources, and the Cultural Resource Management Standards and Operations Manual. Therefore, your request for additional funding for archaeological monitoring and artifact salvaging has been denied.

Please know that you are bound contractually to fulfill the obligations set forth in the RFP and the City Archaeological Preservation Ordinance (Sec. 50-13), as well as the guidelines set forth with the department of state, division of historical resources, and the Cultural Resource Management Standards and Operations Manual, and denial of this Change Order does not relieve you of any of those obligations.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Martin". The signature is fluid and cursive, with a large initial "M" and a stylized "A" at the end.

Michelle Martin
CRA Project Manger

cc: Khalid Resheidat, Assistant City Manager
Tony Otte, CRA Director
Chad Lingenfelter
Jon Gibson, Wilbur Smith Associates

The Design-Build Team shall be responsible for the disposal of any material removed as part of the project in accordance with all applicable federal, state, and local rules and regulations.

4. **Archeological Requirements:**

The Design-Build Team shall provide an archeological study showing the site does not have any significant archeological impact. It is the responsibility of the Design Build Team to comply with all of the requirements of the New Smyrna Beach City Code, Section 50-13, Archeological Preservation (Attachment 9). In addition, the Design Build Team will be responsible for any fees associated with archeological construction monitoring and compliance with Section 50-13. The archeological base map can be obtained by request and is not included in this package.

Note →

5. **Warranty:**

A one-year warranty as provided in Division I Specification shall be provided for all working including labor and materials. The Design Build Team shall submit at the end of the project a three ring binder and to include the following:

- a. Design Build Team members with their addresses, phone and fax numbers and email, (if any).
- b. All sub-contractors with their contacts, addresses, phone and fax numbers and email, (if any).
- c. Warranty from the Contractor for one year.
- d. All warranty on materials.
- e. Detailed as-built showing all improvements within the right-of-way including but not limited to elevations, all dimensions, radii, all utilities, pavement, sidewalks, hardscape, signs, landscaping, irrigation, traffic markings, mail boxes, etc.
- f. The landscape sub-contractor shall submit a monthly report on landscaping and irrigation.

6. **Insurance/Bonds:**

A payment and performance bond shall be provided for all construction work. Insurance shall be provided as follows:

	<u>Each Person</u>	<u>Each Occurrence</u>
Public Liability	\$300,000	\$1,000,000
Vehicle Liability	\$300,000	\$ 300,000
Property Damage		\$ 500,000

7. **Staging Area/Office:**

The City shall provide an area within close proximity to the project for use as a staging area. It shall be the Design Build Team's responsibility to secure and improve the site to make it suitable for staging. The site shall be secured and buffered from any adjacent properties. The Design Build Team shall be responsible for providing an on-site office for the owner's representative. The office shall be a minimum of 10' X 20' air conditioned with electric, water, bathroom, phone and fax number and a computer line.

8. **Temporary Construction Parking Lot:**

including broken windows or doors;

(5) Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering; or

(6) Any fault or defect in the building that renders it not properly watertight or structurally unsafe.

(l) *Non-compliance.*

(1) The commission, building official and code enforcement officer are each authorized to institute any and all proceedings in law or equity, as they deem necessary and appropriate to obtain compliance with the requirements of this section, or to prevent a violation thereof.

(2) No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this section for a period of 22 months after the date of the completion of such demolition. As used herein "premises" includes the parcel of land upon which the demolished significant building was located and all abutting parcels of land under common ownership or control on or subsequent to the date this section was approved.

(3) Upon a determination of the commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the building official and/or code enforcement officer.

(4) Anyone who demolishes a building or structure identified in section 50-12(e) without first obtaining, and complying fully with the provisions of, a demolition permit shall be subject to a fine of up to \$5,000.00.

(m) *Appeals to the city commission.* Within 15 days of the commission decision, any affected person may appeal to the city commission any decision of the commission on an application for a demolition. The city commission shall approve, approve with conditions, or disapprove the application within 60 days after receiving the appeal. The city commission shall only approve the demolition of a contributing building if they determine that the request complies with subsections (g)--(j) of this section.

(n) *Withholding of demolition permit.* The demolition permit shall be withheld until the procedural requirements of subsections (f) through (j) inclusive have been satisfied.

(Code 1975, § 14 1/2-12; Ord. No. 86-05, §§ 1--14, 1-24-2006)

*Note--Exhibits A and B, referenced above, are not set out herein, but are on file and available for inspection in the city offices.

Sec. 50-13. Archaeological preservation.

(a) *Findings.* It is the finding of the city commission that the city contains many historical and archaeological areas of international, national, and local importance, from all period of history, including pre-Columbian Indian villages, and British settlements. Further, in the preservation and understanding of historical importance of New Smyrna Beach there is a direct relationship to the economic well-being of the City of New Smyrna Beach and the present and future needs, public health, safety, morals and general welfare of the citizens of the incorporated area of New Smyrna Beach, Florida, as well as visitors to and residents of New Smyrna Beach.

(b) *Definitions.* For the purpose of this chapter, certain words and terms used herein shall be interpreted to have the meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meaning or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural

includes the singular. The word "shall" is mandatory and the word "may" is permissive. The words "used" or "occupied" include the words "intended, designed or arranged to be used or occupied." The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the archaeological base map of the City of New Smyrna Beach, Florida, and the word "city" shall mean the City of New Smyrna Beach, Florida.

- (1) *Archaeological site* means a location which has yielded or may yield information on history or pre-history. Archaeological sites may be found within archaeological zones, historic sites, historic districts and other areas of the city. Archaeological sites are evidenced by the presence of artifacts and features above or below the ground surface indicating the past use of a location by people.
- (2) *Archaeological zone* means a geographical area which has or may reasonably be expected to yield information on local history or pre-history based upon broad prehistoric or historic settlement patterns.
- (3) *Artifact* means objects which are the product of human modification or objects which have been transported to a site by people.
- (4) *City archaeologist* means the individual or group in charge of assessing the archaeological resources of New Smyrna Beach and directing or coordinating, monitoring, testing and salvage excavations of these resources. The individual may either be a city employee, or may be an individual or corporation employed on a contract basis to perform the duties of the city archaeologist.
- (5) *City-owned property* shall mean property owned in fee or maintained by the City of New Smyrna Beach, and any property dedicated to the public use.
- (6) *Curation* means the long-term management and preservation of archaeological materials and their associated documentation.
- (7) *Curation facility* means a designated repository for archaeological materials which can provide accountable, professional curation of collections in a secure, climate-controlled environment on a long-term basis.
- (8) *Archaeological resource* means any prehistoric or historic district, site building, object, or other real or personal property of historical, architectural or archaeological value. The properties may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof relating to the history, government, and culture of the city, the State of Florida, or the United States of America.
- (9) *Disturbance* means the digging, excavating, or other such ground altering activities on or below the ground surface, which impact more than 25 square feet either separately or cumulatively.
- (10) *Monitoring* means observation of disturbances to determine if archaeological resources exist in an area, or when such resources are known to exist, the observation, recording and incidental recovery of site features and materials to preserve a record of the affected portion of the site. When monitoring indicates that a site has little archaeological significance, no further archaeological excavation shall occur. However, if monitoring indicates that a site is archaeologically significant, further excavation shall occur.
- (11) *Museum* means a permanent, nonprofit organization, essentially educational and often aesthetic in purpose, that acquires, interprets and cares for tangible objects, and prepares exhibits for the public on a regular basis.
- (12) *National Register of Historic Places* means the official listing of culturally significant buildings, structures, objects, sites and districts in the United States

maintained by the U.S. Department of Interior.

(13) *Repository* means a place or places used for the permanent curation of archaeological collections that must provide, at a minimum, (1) physical security, (2) climate control, (3) fire suppression, (4) collection monitoring, and (5) access by qualified researchers. These requirements demand adequate space and resources dedicated to the purpose of curation. Curation space within a repository must be organized to allow controlled access, efficient collection and retrieval, and optimum preservation. A professional staff, safe and secure storage, effective fire protection, and disaster and pets management plans are essential. Collections should be isolated from work areas and people to the greatest extent possible. In New Smyrna Beach, the Southeast Volusia Historical Society, Inc. will act as the repository for all archaeological artifacts discovered on public property.

(14) *Salvage archaeology* means the archaeological excavation of a site prior to its destruction by construction, erosion, vandalism, or any other form of site disturbance. Archaeological salvage excavations will be concentrated only within the areas to be disturbed in order to save site data which would be lost due to the disturbance, and the extent of the excavations may vary, depending on the significance of the site, time constraints, and the degree of evidence of archaeological resources, at the direction of the city archaeologist.

(15) *Testing* means surface or subsurface excavation, or the use of remote sensing techniques, to determine the type and extent of the archaeological site. Testing may include auguring and establishing archaeological excavation units and requires the screening of excavated material for artifact recovery. When necessary, archaeological salvage excavations may take place following, or in conjunction with, the testing procedures.

(16) *Emergency situation* means any case where the city building official determines that there are emergency situations or conditions dangerous to life, health, or property. In such situations, he or she may order the remedying of the situation or condition. The city building official shall promptly notify the city archaeologist and the city manager if such a situation or conditions occur.

(c) *Archaeological zones.* In order to regulate and restrict disturbances as hereinafter provided in this chapter, and to determine the extent of archaeological investigation and excavations that may be required in a given area, the incorporated area of New Smyrna Beach, Florida, is hereby divided into zones as shown on the archaeological base map entitled, "Archaeological Base Map for New Smyrna Beach, Florida," more particularly described as:

*See Exhibit "A" attached hereto and by reference made a part hereof.

Archaeological zones shall be updated on the base map as additional sites are documented. Zones as delineated on the base map are as follows with titles and abbreviations as indicated:

(1) *Archaeological zone I* is comprised of those areas within the city where there are known significant archaeological sites.

(2) *Archaeological zone II* is comprised of those areas that have a medium or high probability of containing archaeological resources as determined by The Search for Turnbull's Colony, an Archaeological Survey, a report by Southeast Archaeological Research, Inc., dated June 1999.

(d) *Interpretation of zone boundaries.* Where uncertainty exists as to the boundaries of zones as shown on the archaeological base map for New Smyrna Beach, Florida, the following rules shall apply:

(1) Boundaries indicated as approximating center lines of streets, highways or alleys shall be construed to follow such centerlines;

- (2) Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines;
 - (3) Boundaries indicated as approximately following city limits shall be construed to follow such city limits;
 - (4) Boundaries indicated as following railway lines shall be construed to be midway between the main tracks;
 - (5) Boundaries indicated as following shorelines shall be construed to follow the mean high water line. In the event of a change in shorelines, the boundaries shall be construed to move with the change except where such moving would change the archaeological status of a lot or parcel. In such case the boundary shall be interpreted in such a manner as to avoid changing the archaeological status of such lot or parcel;
 - (6) Boundaries indicated as parallel to or extensions of beaches indicated in subsections (1) through (5) above shall be so construed. The distance not specifically indicated on the archaeological base map shall be determined by the scale of the map.
 - (7) Where physical or cultural features existing on the ground are not in agreement with those shown on the archaeological base map or in other circumstances not covered by subsections (1) through (6) above, the city archaeologist shall interpret the zoning boundaries.
- (e) *Zone regulations.* On city-owned or maintained property, within archaeological zones I and II, the conduct of any ground disturbances on, or activities taking place at or below the present surface of the ground, shall be in compliance with the following regulations:
- (1) All proposed disturbances on city-owned or maintained property, including but not limited to those by the utilities commission, telephone, cable, and gas companies, the department of transportation, city contractors, and city subcontractors shall be reported to the city archaeologist before those disturbances take place. Furthermore, this chapter will apply only to city-owned or maintained properties within the boundaries of the proposed disturbances. Any additional archaeological testing or excavation by the city archaeologist, within areas outside the proposed disturbances, may be conducted only with written permission of the property owner.
 - (2) Within archaeological zones I and II, disturbances on city-owned or maintained properties shall be subject to intensive archaeological salvage excavations, to be conducted by the city archaeologist prior to any underground disturbance, building construction, or utility excavation, and paid for by the entity initiating the disturbance. The extent of the archaeological salvage excavations by the city archaeologist will be dependent on the extent of the proposed area of construction disturbance and the significance of the archaeological resource.
 - (3) Within archaeological zones I and II, the city archaeologist will be authorized to delay the proposed construction work or major disturbance for up to four weeks. The city manager, or his or her designee may grant additional time, if needed. Early notification of and by the city archaeologist, prior to any disturbances occurring, may minimize or eliminate the need for work delays. The applicant will be informed of any delays.
 - (4) Any disturbances on city-owned or maintained property, which are required to deal with an emergency situation, shall not be subject to the regulations of this chapter.
- (f) *Excavations on public property.* No individual shall be allowed to disturb or remove artifacts from public property without the written permission of the city archaeologist, the city manager, or his or her designee.
- (g) *Ownership of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring of city-owned or maintained properties shall

remain the property of the city. If additional archaeological testing or excavation by the city archaeologist is permitted within areas outside the proposed disturbances and artifacts uncovered, the city shall obtain written permission from the property owner to analyze, catalog, record, and conserve the artifacts for long-term storage, care, protection, and preservation.

(h) *Curation of artifacts.* Artifacts uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be washed, if the city archaeologist deems appropriate, cataloged, analyzed, recorded, and conserved by the city archaeologist. The Southeast Volusia Historical Society, Inc. will be the repository for artifacts discovered on city-owned or maintained properties.

(i) *Human remains.* Human skeletal remains, uncovered, recovered, or discovered during testing, salvage archaeology, excavation, or monitoring shall be coordinated with the local medical examiner, the city, city archaeologist, and the state archaeologist. Such remains shall be dealt with in accordance with the provisions of F.S. ch. 872, and are not subject to private ownership. Such material shall be sensitively treated and, following its analysis by a physical anthropologist, shall be curated at a designated repository or appropriately buried.

(j) *City archaeologist.* The city manager or his or her designee shall appoint a city archaeologist who shall meet the city's requirements and the standards for membership by the register of professional archaeologists and shall have a demonstrated background in historic and prehistoric archaeology. The city archaeologist shall review all applicable ground disturbances on city-owned or maintained property in archaeological zones I and II; shall conduct such testing, excavations, or monitoring as shall be required by this chapter; shall prepare or oversee preparation of a final report on all projects, which report shall meet the guidelines established for archaeological reports by the department of state, division of historical resources, and be in accordance with the Cultural Resource Management Standards and Operations Manual; shall record archaeological sites and develop strategies for preservation of the archaeological resources of New Smyrna Beach; and shall participate in the planning state of applicable projects, to minimize the potential impacts on archaeological sites by any activities proposed for such sites; and shall maintain and update the archaeological base map; and shall advise the city manager concerning archaeological issues.

(Ord. No. 133-05, §§ 1--8, 1-24-2006; Ord. No. 98-07, § 1, 10-23-2007)

Editor's note: Ord. No. 133-05, §§ 1--8, adopted Jan. 24, 2006, set out provisions that were not specifically amendatory. At the editor's discretion, said provisions have been included as § 50-13.

*Exhibit A, referenced above, is not set out herein, but is on file and available for inspection in the city offices.

Secs. 50-14--50-30. Reserved.

503 North Street
Daytona Beach, Fl. 32114
State Certified General Contractors
FDOT208366085001



P(386)253-3963
F(386)257-9676
CGC09472
CUC1224517

SA#3 C

City/CRA

Change Order

Variable Message Board for Businesses Open during Bikeweek

Two VMS Board for 8 days @ \$110.00/Day

\$ 880.00

WSA analysis of additional days requested

Item	Description	Requested		Comments
		days	WSA days	
2A	Myrtle Park additions	0	0	Not critical path activity
2B	Add planters w/ landscaping and irrigation	1	0	Not critical path activity
2C	ESI archeologist	0	0	Not critical path activity
2D	Backlot easement work	30	37	Critical path activity no. 1145
2E	Additional fence at Myrtle Park	0	0	Not critical path activity
2F	Crosswalk at S. Myrtle Ave.	4	0	Not critical path activity
2G	Widening at N. Myrtle Ave	3	3	Critical path activity no. 2365
2H	Tipton's driveway widening	0	0	Not critical path activity
2I	Lewis St. concrete pavement	3	0	Not critical path activity
2J	Myrtle Ave Drainage	8	8	Critical path activity no. 2365
2K	FDOT cross drains	12	12	Critical path activity nos. 2163, 2164, 1265, 1266
2L	Additional Brighthouse and AT&T conduit	10	10	Critical path activity no. 1161
2M	Type F curb bulbouts deleted	-1	0	Not critical path activity
2N	Emblem at Myrtle Ave deleted	-2	0	Not critical path activity
2O	Stamped concrete in lieu of brick pavers at crosswalks	0	0	Not critical path activity
2P	Engineering/design costs	0	0	Not critical path activity
2Q	Electrical Upgrades/changes	0	0	Not critical path activity
2R	Electrical upgrades/changes #2	2	0	Not critical path activity
Total		70	70	

Martin, Michelle

From: Gibson, Jonathan V. [jgibson@wilbursmith.com]
Sent: Wednesday, May 19, 2010 10:01 AM
To: Martin, Michelle
Subject: AON 11 - additional days requested by Thadcon
Attachments: Additional days for Change Order.pdf

Michelle,

Attached is my analysis of the additional days requested by ThadCon for the change order work. I compared the requested days to the accepted baseline schedule. I got the same total number of days. I recommend adding 70 days to the contract duration for these items. Please let me know if you have any questions or comments.

Thank you,
Jon

BY THE ENGINEER)

VICTORIA HOWELL LTD ESTY

3/16/2010

PROJECT ID# 41173424000086
NEW SANITARY POST NO: 17

REMOVE & REPLACE EXIST. PAVEMENT SEE DETAIL
8 LF OF 15" SRASP

3 LF OF 18" SRASP
MILL & RESURFACE

BEGIN PAVEMENT WIDENING STA. 21+70.60

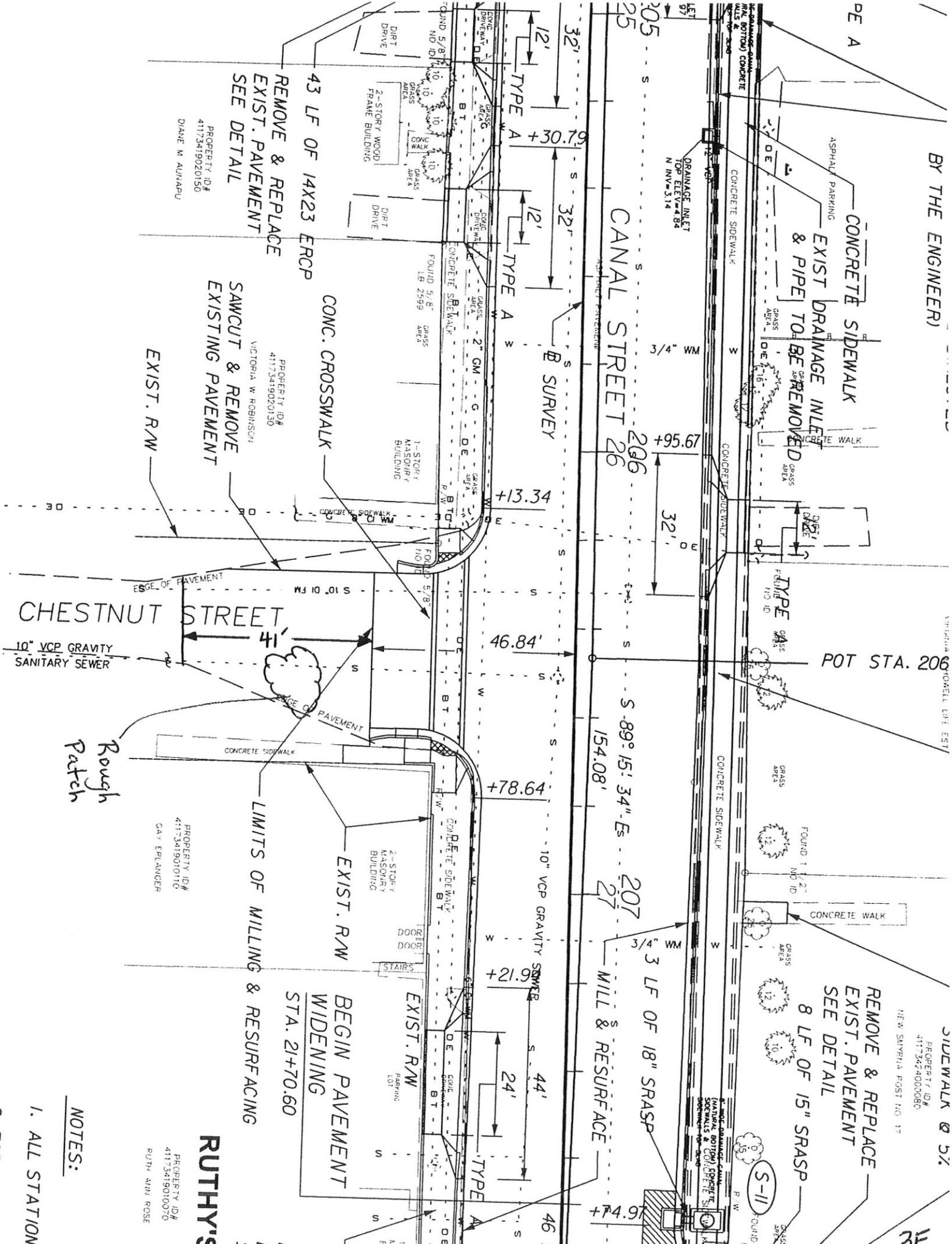
RUTHY'S

PROPERTY ID# 41173419010070
RUTH ANNI ROSE

PROPERTY ID# 41173419010110
GAY EPLANGER

PROPERTY ID# 41173419020130
VICTORIA W. ROBINSON

PROPERTY ID# 41173419020150
DAVE M. AJANAPU



NOTES:

1. ALL STATIONING

3E

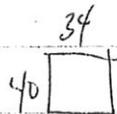
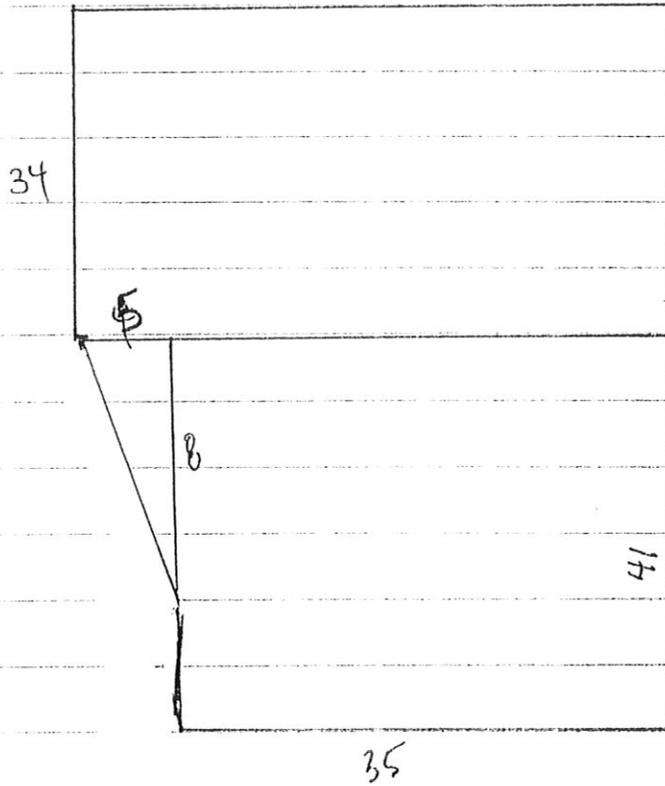




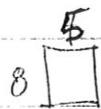
3E

N
↑
CHESTNUT

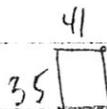
40



$$34 \times 40 = 1360$$



$$5 \times 8 \div 2 = 20$$



$$41 \times 35 = 1435$$

2815 SQ FT

313 54

17.5 TN

3E

11/10/2009 9:33:41AM

PROPOSAL / CONTRACT AGREEMENT



Ranger Construction Industries Inc.

1200 Elbow Way

Winter Garden Florida 34787

Contact: Blair Johnson Cell (407) 948-6100

Phone: 407-656-9255

Fax: 407-656-3188

Quote To: Thad Construction
Dick Sizemore
Phone: (386) 527-0220
Fax: (386) 257-9676

Job Name: West Canal Streetscape
Date of Plans:
Revision Date:

BID DATE: 11/10/09

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
	FC 9.5 Overlay 1" w/ tack (RAP)	352.00	TN	136.65	48,100.80
	Mill Existing Asphalt 1"	6,388.00	SY	3.00	19,164.00
	MOT	1.00	LS	4,300.00	4,300.00
GRAND TOTAL					\$71,564.80

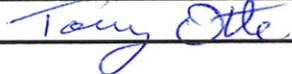
NOTES:

MOT price does not include any controls or personel for the railroad right of way, price includes MOT for the Eastbound lanes only.

General Conditions

- Ranger's proposal including all notes, terms and conditions mentioned here-in must be signed where stated.
- Should the Owner or Contractor require a form other than Ranger's Contract Agreement, Ranger's full proposal must be referenced as an attachment in the contract and must be signed by an authorized representative of both companies.
- Ranger's proposal was based on all work being completed by 08/30/2010 regardless of any delays. Should the project fail to be completed by that date, Ranger reserves the right to renegotiate an adjustment to the prices quoted.
- Ranger's bid was based on 1 mobilizations for the Asphalt paving operations. Each additional mobilization to be billed at \$3500 each.
- A mobilization is defined as any time Ranger needs to move to the project or move equipment to a different location on the project. Moving from one area to another on the project will be considered as multiple mobilizations if the transport is used.
- If the project includes any milling items, the number of mobilizations for the milling was based on 1 mobilizations. Each additional mob will be billed at \$3500 each.
- Prices were based on using recycled Asphalt products (RAP) unless otherwise specified. The asphalt thickness was based on average thickness (Not Minimum) unless otherwise specified.
- This quotation was based on Ranger receiving all applicable Asphalt and Fuel Price Index adjustments which may apply.
- Base to be stable, unyielding and graded to plan prior to Ranger mobilizing to the project.
- Unless the item is bid as a Lump Sum (LS) item, all prices are per unit and final payment to be based on the actual units of work performed on the project.
- Ranger will not be responsible for the protection or cleaning of any decorative brick pavers, curbing, bridge decks, driveways etc while performing our portion of the work.
- Ranger will not be responsible for any damage caused by vibratory rollers required to achieve the required densities on the project (i.e. broken windows, cracked foundations, structures etc)

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin											
Meeting Date: <u>8/4/2010</u>											
Action Item Title: Orange St Streetscape and Parking lot Improvements Project – Bid Proposals											
Agenda Section: Consent <input type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input type="checkbox"/>											
<p>Summary Explanation and Background:</p> <p>The bid opening for the above referenced project was conducted on July 27, 2010 and the following are the results:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Masci Corporation</td> <td style="width: 10%; text-align: right;">\$</td> <td style="width: 60%;">785,151.70</td> </tr> <tr> <td>ThadCon LLC</td> <td style="text-align: right;">\$</td> <td>799,047.50</td> </tr> <tr> <td>Britt Construction, Inc</td> <td style="text-align: right;">\$</td> <td>1,091,224.00</td> </tr> </table> <p>Masci Corporation was the lowest responsive bidder. There was a minor math error (+\$270.00) with line item # 47, 4" Concrete Sidewalk, and Staff will have them make the correction. Their total bid should be \$784,881.70.</p> <p>Since the total bid (base bid + bid alternate) amount came in lower than the amount currently budgeted for this project (\$985,575.00), Staff recommends to replace the existing 4" water main and fire hydrant system as per the Bid Alternate line items.</p>			Masci Corporation	\$	785,151.70	ThadCon LLC	\$	799,047.50	Britt Construction, Inc	\$	1,091,224.00
Masci Corporation	\$	785,151.70									
ThadCon LLC	\$	799,047.50									
Britt Construction, Inc	\$	1,091,224.00									
<p>Recommended Action/Motion:</p> <p>Recommend approval for Masci Corporation to be awarded the contract to construct the Orange St Streetscape and Parking lot Improvements Project, including Bid Alternate line items, for an amount of \$784,881.70.</p>											
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account:											
<p>Exhibits Attached: Attachments: Bid Opening Sheet, Masci Corporation Bid Tabulation Sheets</p>											
Reviewed By:	Name	Signature									
Department Director:	Tony Otte										
Commission Action:											



COMMUNITY REDEVELOPMENT AGENCY

CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168



SOUTH ORANGE ST STREETSCAPE PROJECT

PUBLIC BID OPENING

Sealed Bids for the above referenced project were opened publicly in City Hall on Tuesday July 27, 2010 at 2:00pm. The following is a list of the Contractors who submitted a bid for this project.

CONTRACTOR	BASE BID AMOUNT	BID BOND	ADDENDUM # 1 and 2	Attended Mandatory Pre-Bid Meeting?	Revised Bid Tabulation (2 nd)	BID ALTERNATE # 1	TOTAL BID AMOUNT
Commercial Landscape & Irrigation, Inc	\$	Y	N	Y	Y	\$	\$
Gibbs & Register, Inc	\$	Y	N	Y	Y	\$	\$
Britt Construction, Inc	\$ 1,009,766.00	Y	Y	Y	Y	\$ 81,458.00	\$ 1,091,224.00
Cathcart Contracting Company	\$	Y	N	Y	Y	\$	\$
P & S Paving, Inc	\$	Y	N	Y	Y	\$	\$
Masci Corporation	\$ 717,601.70	Y	Y	Y	Y	\$ 67,550.00	\$ 785,151.70
A.P.E.C., Inc	\$	Y	N	Y	Y	\$	\$
ThadCon LLC	\$ 743,612.50	Y	Y	Y	Y	\$ 55,435.00	\$ 799,047.50 799,047.50 DM
Halifax Paving, Inc	\$	Y	N	Y	Y	\$	\$
Pospiech Contracting, Inc	\$	Y	N	Y	Y	\$	\$
Traffic Control Devices	\$	Y	N	Y	Y	\$	\$
Crossroads Site Development & Underground Utilities, LLC	\$	Y	N	Y	Y	\$	\$
Semper Fi Services, LLC	\$	Y	N	Y	Y	\$	\$
Kirton Enterprises, Inc	\$	Y	N	Y	Y	\$	\$
Gomez Construction Company	\$	Y	N	Y	Y	\$	\$
Hazen Construction LLC	\$	Y	N	Y	Y	\$	\$
A&M SI Construction Company	\$	Y	N	Y	Y	\$	\$

Signature: [Signature] Date: 7/27/10

Witness # 1: [Signature] Date: 7/27/10

Witness # 2: [Signature] Date: 7/27/10

ORIGINAL

REVISED (2nd) BID PROPOSAL

SOUTH ORANGE ST STREETScape AND DOWNING STREET PARKING LOT IMPROVEMENTS 2009

CITY OF NEW SMYRNA BEACH, FLORIDA

Ms. Pam Brangaccio, City Manager
210 Sams Avenue
New Smyrna Beach, Florida 32168

7/27/, 2010

Dear Ms. Brangaccio:

Pursuant to and in compliance with your ADVERTISEMENT FOR BID dated 7/27/10 and the INFORMATION FOR BIDDERS AND OTHER CONTRACT DOCUMENTS relating hereto, the undersigned hereby proposes to furnish all tools, labor, equipment and materials to perform all the work necessary for the SOUTH ORANGE ST STREETScape AND DOWNING STREET PARKING LOT IMPROVEMENTS 2009, CITY OF NEW SMYRNA BEACH, FLORIDA, VOLUSIA COUNTY, FLORIDA, all as required by and in strict accordance with the Contract Documents, Schedules and Drawings, at the prices listed below.

South Orange St Streetscape and Downing Street Parking Lot Improvements 2009

Item #	Description	QTY	Unit	Unit Price	Amount
	ROADWAY				
1	MOBILIZATION	1	LS	\$ 37,330.-	\$ 37,330.-
2	MAINTENANCE OF TRAFFIC (INCLUDES ALL TRAFFIC CONTROL DEVICES, TEMPORARY SIDEWALK RAMPS, AND STRIPING AS NECESSARY AND AS PER THE LATEST FDOT SPECS AND INDEXES)	1	LS	\$ 18,000.-	\$ 18,000.-
3	EROSION CONTROL (INCLUDING STORMWATER POLLUTION PREVENTION PLAN, SILT FENCING, SYTHETIC HAY BALES, TREE BARRICADES, ETC)	1	LS	\$ 10,500.-	\$ 10,500.-
4	DEMOLITION, CLEARING & GRUBBING (INCLUDING REMOVAL OF DRIVEWAYS, SIDEWALK, ASPHALT, EX STORMWATER PIPE & STRUCTURES, BOULDERS, FENCING, TREES, RELOCATE MAILBOXES, ETC)	1	LS	\$ 45,000.-	\$ 45,000.-
5	8" RECLAIMED PORTLAND CEMENT CONCRETE, COARSE AGGREGATE BASE	2900	SY	\$ 14.-	\$ 40,600.-

101,430

6	12" TYPE "B" STABILIZATION (MIN. LBR 40)	2900	SY	\$ 2.-	\$ 5,800.-
7	2" (MIN) SP-9.5 SUPERPAVE ASPHALTIC CONCRETE	4400	SY	\$ 12.50	\$ 55,000.-
8	MILLING (2")	1500	SY	\$ 9.50	\$ 14,250.-
9	6" REINFORCED CONCRETE DRIVEWAYS	80	SY	\$ 34.-	\$ 2,720.00
10	6" REINFORCED CONCRETE SIDEWALK W / ROCK SALT FINISH (INCLUDING SIDEWALK CURB RAMPS & DETECTABLE WARNING SURFACES)	50	SY	\$ 65.-	\$ 3,250.-
11	4" CONCRETE SIDEWALK (W / ROCK SALT FINISH)	120	SY	\$ 26.-	\$ 3,120.-
12	4" CONCRETE SIDEWALK	530	SY	\$ 24.-	\$ 12,720.-
13	FDOT TYPE "F" CURB & GUTTER	1500	LF	\$ 12.50	\$ 18,750.-
14	24" WHITE STOP BAR, THERMO	120	LF	\$ 3.55	\$ 426
15	12" WHITE STRIPES (CROSSWALKS), THERMO	1100	LF	\$ 1.20	\$ 1,320.-
16	6" DBL YELLOW STRIPES, THERMO	850	LF	\$ 1.-	\$ 850.-
17	PAINT YELLOW CURBS	400	LF	\$ 1.-	\$ 400.-
18	6" WHITE STRIPES (PARKING), THERMO	320	LF	\$ 1.-	\$ 320.-
19	STOP SIGN (R1-1, 30")	8	AS	\$ 200.	\$ 1,600.-
20	4-WAY SIGNS (R1-3)	4	AS	\$ 100.-	\$ 400.-
21	STREETNAME SIGNS (INCLUDING ALL HARDWARE NECESSARY TO BE MOUNTED ON TOP OF STOP SIGNS)	6	AS	\$ 100.-	\$ 600.-
22	LOW CLEARANCE SIGNS (W12-2)	2	AS	\$ 350.-	\$ 700.-
	SUBTOTAL ROADWAY ITEMS			\$	\$
	STORMWATER QUANTITIES				
23	14"X23" ELLIPTICAL RCP	105	LF	\$ 50.-	\$ 5,250.-
24	29"X46" ELLIPTICAL RCP	620	LF	\$ 85.-	\$ 52,700.-
25	15" RCP	245	LF	\$ 35.-	\$ 8,575.-
26	18" RCP	145	LF	\$ 45.-	\$ 6,525.-
27	24" RCP	130	LF	\$ 55.-	\$ 7,150.-
28	12" RCP (STUB-OUT CAPPED FOR FUTURE USE)	10	LF	\$ 35.-	\$ 350.-
29	FDOT TYPE "3" INLET	3	EA	\$ 3,000.-	\$ 9,000.-
30	FDOT TYPE "4" INLET	4	EA	\$ 3,600.-	\$ 14,400.-
31	FDOT TYPE "C" INLET	8	EA	\$ 1,500.-	\$ 12,000.-
32	FDOT TYPE "J" MANHOLE	7	EA	\$ 2,100.-	\$ 14,700.-
33	POLLUTION CONTROL MANHOLE	1	EA	\$ 5,500.-	\$ 5,500
34	UTILITY CROSSING BURIALS / RELOCATIONS (GAS MAIN)	5	EA	\$ 1,500.-	\$ 7,500.-

35	UTILITY CROSSING BURIALS / RELOCATIONS (20" RECLAIMED WATER MAIN)	5	EA	\$	\$
				2,500	12,500
	SUBTOTAL STORMWATER ITEMS			\$	\$ 156,150.-
	LANDSCAPE & IRRIGATION				
36	LANDSCAPING (INC TREES, PLANTS, SOD, ETC, COMPLETE PER THE LANDSCAPING DETAILS ON SHEETS LS-01 THRU LS-03)	1	LS	\$	\$
				29,500.-	29,500.-
37	IRRIGATION (INC CONDUIT, SLEEVES, WIRING, SPRINKLER HEADS, SPRAY NOZZELS, BUBBLERS, VALVES, CONTROLER & PEDESTAL, RAIN SENSOR, 1" BFP, 1" WATER VALVE, ETC, SYSTEM COMPLETE PER THE IRRIGATION DETAILS ON SHEETS IR-01 THRU IR-05)	1	LS	\$	\$
				62,000.-	62,000.-
	SUBTOTAL LANDSCAPE & IRRIGATION ITEMS			\$	\$ 91,500.-
	STREETLIGHT SYSTEM				
38	STREETLIGHT POLE & FIXTURE ASSY (ROADWAY & PEDESTRIAN, INCLUDING ELECTRICAL SYSTEM CONDUIT INSTALLATION, WIRING, METER CAN ASSY, AND CONTROL PANEL, ETC, COMPLETE PER DETAILS ON SHEETS EL-01 AND EL-02)	1	LS	\$	\$
				79,500.-	79,500.-
	SUBTOTAL STREETLIGHT SYSTEM ITEMS			\$	\$ 79,500.-
	DOWNING STREET PARKING LOT IMPROVEMENTS				
39	DUAL 14"X23" ELLIPTICAL SLOTTED ERCPC (INCLUDING FDOT # 4 NON- CALCAREOUS ROCK & FILTER FABRIC)	130	LF	\$	\$
				45.-	5,850.-
40	12" RCP	35	LF	\$	\$
				35.-	1,225.-
41	FDOT TYPE "J" INLET	2	EA	\$	\$
				1,550	3,100.-
42	FDOT TYPE "D" CURB	500	LF	\$	\$
				18.-	9,000.-
43	8" RECLAIMED PORTLAND CEMENT CONCRETE, COARSE AGGREGATE BASE	840	SY	\$	\$
				18.-	15,120.-
44	12" TYPE "B" STABILIZATION (MIN. LBR 40)	840	SY	\$	\$
				6.-	5,040.-
45	1 1/2" (MIN) SP-9.5 SUPERPAVE ASPHALTIC CONCRETE	840	SY	\$	\$
				12.50	10,500.-
46	6" REINFORCED CONCRETE	50	SY	\$	\$
				65.00	3,250.-

	DRIVEWAYS (INCLUDING SIDEWALK CURB RAMPS & DETECTABLE WARNING SURFACES)				
47	4" CONCRETE SIDEWALK	90	SY	\$ 22.50	\$ 2,295.-
48	DETECTABLE WARNING SURFACES ON EXISTING SIDEWALK	1	EA	\$ 850.-	\$ 850.-
49	24" WHITE STOP BAR, THERMO	25	LF	\$ 4.-	\$ 100.-
50	6" WHITE STRIPES (PARKING), PAINT (2 APPLICATIONS)	400	LF	\$ 1.-	\$ 400.-
51	HANDICAP PARKING STALL STRIPING, PAINT (2 APPLICATIONS) (INCLUDING 6" BLUE, 6" WHITE, HC SYMBOL, SIGNS PER DETAIL A-A ON SHEET CE-6)	2	EA	\$ 400.-	\$ 800.-
52	STOP SIGN (R1-1, 30")	2	AS	\$ 200.-	\$ 400.-
53	LANDSCAPING & IRRIGATION (ALL INCLUSIVE FOR PARKING LOT, PER APPLICABLE DETAILS ON SHEETS LS-01 THRU LS-03 AND IR-01 THRU IR-05)	1	LS	\$ 12,500.-	\$ 12,500.-
54	STREETLIGHT POLE & FIXTURE ASSY (INCLUDING ELECTRICAL SYSTEM CONDUIT INSTALLATION, WIRING, METER CAN ASSY, AND CONTROL PANEL, ETC, COMPLETE PER DETAILS ON SHEETS EL-01 AND EL-02)	1	LS	\$ 27,500.-	\$ 27,500.-
	SUBTOTAL DOWNING STREET PARKING LOT IMPROVEMENTS ITEMS			\$	\$ 97,930.-
	ARCHAEOLOGICAL ITEMS (PER SECTION 50-13)				
55	MONITORING	1	LS	\$ 9,367.70	\$ 9,367.70
56	SALVAGE ARCHAEOLOGY	10	ED	\$ 500	\$ 5,000
57	CURATION	1	LS	\$ 1,200	\$ 1,200
58	DOCUMENTATION / FINAL REPORTING	1	LS	\$ 3,248	\$ 3,248
	SUBTOTAL ARCHAEOLOGICAL ITEMS			\$	\$ 18,815.70

TOTAL - \$ 717,601.70

TOTAL BID:

Seven Hundred Seventeen Thousand Six Hundred One Dollars and Seventy Cents

(Use Words)

\$ 717,601.70

(Figures)

Bid Proposal - 4

Bid Alternate (Water)

UTILITY ITEMS					
59	8" PVC BLUE C900 PIPE (INCLUDING 14G BLUE LOCATE WIRE, "CAUTION BURIED WATER" TAPE, AND ALL ELBOWS, RESTRAINTS, CONNECTIONS, FITTINGS, TESTING PER UC SPECIFICATIONS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	750	LF	\$ 35.-	\$ 26,250.-
60	WATER SERVICE (2" POLY TUBING INCLUDING ALL CONNECTIONS, FITTINGS, TESTING PER UC SPECIFICATIONS, ETC NECESSARY FOR A COMPLETE INSTALLATION) (FROM MAIN TO EX METER BOX OR BACK OF SIDEWALK)	18	AS	\$ 900.-	\$ 16,200.-
61	8" GATE VALVE	2	EA	\$ 1050.-	\$ 2100
62	6" GATE VALVE	2	EA	\$ 650	\$ 1,300.-
63	FIRE HYDRANT (INCLUDING 6" DIP, GRAVEL, 16"x16"x4" PRECAST BLOCK, ALL ELBOWS, RESTRAINTS, CONNECTIONS, FITTINGS, TESTING PER UC SPECIFICATIONS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	2	AS	\$ 3,500.-	\$ 7,000.-
64	8"x4" REDUCER	1	EA	\$ 200.-	\$ 200.-
65	8"x8"x6" TEE	2	EA	\$ 350.-	\$ 700.-
66	12"x8" WET TAP & VALVE @ LYTLA AVE	1	EA	\$ 3,500.-	\$ 3,500.-
67	4" LINE STOP	1	EA	\$ 2,500.-	\$ 2,500.-
68	4" - 45° DI FITTING	1	EA	\$ 250.-	\$ 250.-
69	6" - 45° DI FITTING	1	EA	\$ 350.-	\$ 350.-
70	8" - 45° DI FITTING	16	EA	\$ 450.-	\$ 7,200.-
SUBTOTAL UTILITY ITEMS				\$	\$

BID ALTERNATE TOTAL - \$ 67,550.-

BID ALTERNATE TOTAL:

Sixty Seven Thousand Five Hundred Fifty Dollars
(Use Words)

\$ 67,550.-
(Figures)

The undersigned bidder agrees to commence work within **TEN (10) CALENDAR DAYS** after the date of the Notice to Proceed letter, and shall complete the work within **240** consecutive days thereafter. The bidder further agrees to pay, as liquidated damages, the sum of **\$500** for each consecutive calendar day thereafter, until the work is completed.

The undersigned bidder hereby represents that he has carefully examined the drawings and the Contract, including all Contract Documents, and will execute the Contract and perform all its items, covenants and conditions, all in strict compliance with the requirements of the specifications and drawings. The bidder, by and through the submission of his bid, agrees that he has examined and that he shall be held responsible for having heretofore examined the site, the location and route of all proposed work and for having satisfied himself as to the character of the route, the location, surface and underground obstruction, the nature of the ground water conditions, and all other physical characteristics of the work, in order that he may include the prices which he bid, all costs pertaining to the work and hereby provide for the satisfactory completion thereof, including the removal, relocation or replacement of any objects or obstructs which will be encountered in doing the proposed work.

Enclosed is security consisting of Bidder's Bond

The undersigned hereby designates Masei Corporation
5752 S. Ridgewood Ave Port Orange, FL 32127
(Type or print business name and address)

as his office to which notices may be delivered or mailed.

DATED: July 27, 2010

Ivanna Masei Vice President
Name of Bidder and Title (Type or Print)

BY: [Signature]
Signature of Bidder

Masei Corporation

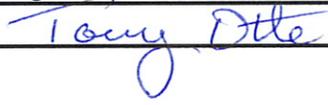
5752 S. Ridgewood Ave

Port Orange, FL 32127

Corporation Name & Address

(SEAL, if by a Corporation)

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin									
Meeting Date: <u>8/4/2010</u>									
Action Item Title: Mary Avenue Streetscape Project, Phase I – Bid Proposals									
Agenda Section: Consent _____ Public Hearing _____ Special Items _____									
<p>Summary Explanation and Background:</p> <p>The bid opening for the above referenced project was conducted on July 27, 2010 and the following are the results:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Masci Corporation</td> <td style="text-align: right;">\$ 871,770.72</td> </tr> <tr> <td>ThadCon LLC</td> <td style="text-align: right;">\$ 950,030.50</td> </tr> <tr> <td>Gomez Construction Company</td> <td style="text-align: right;">\$1,094,205.04</td> </tr> <tr> <td>Britt Construction, Inc</td> <td style="text-align: right;">\$1,337,560.90</td> </tr> </table> <p>Masci Corporation was the lowest responsive bidder.</p> <p>Since the total bid (base bid + bid alternate) amount came in lower than the amount currently budgeted for this project (\$1,512,597.11) Staff recommends to replace the existing 4" water main, fire hydrant system, and sanitary sewer system, as per the Bid Alternate line items.</p>		Masci Corporation	\$ 871,770.72	ThadCon LLC	\$ 950,030.50	Gomez Construction Company	\$1,094,205.04	Britt Construction, Inc	\$1,337,560.90
Masci Corporation	\$ 871,770.72								
ThadCon LLC	\$ 950,030.50								
Gomez Construction Company	\$1,094,205.04								
Britt Construction, Inc	\$1,337,560.90								
<p>Recommended Action/Motion:</p> <p>Recommend approval for Masci Corporation to be awarded the contract to construct the Mary Avenue Streetscape Project - Phase I, including Bid Alternate line items, for an amount of \$871,770.72.</p>									
Funding Analysis: Budgeted <u> X </u> If not budgeted, recommended funding account:									
<p>Exhibits Attached:</p> <p>Attachments: Bid Opening Sheet, Masci Corporation Bid Tabulation Sheets</p>									
Reviewed By:	Name	Signature							
Department Director:	Tony Otte								
Commission Action:									



COMMUNITY REDEVELOPMENT AGENCY
 CITY OF NEW SMYRNA BEACH
 210 SAMS AVENUE
 NEW SMYRNA BEACH, FLORIDA 32168



MARY AVENUE STREETSCAPE PROJECT – PHASE I
PUBLIC BID OPENING

Sealed Bids for the above referenced project were opened publicly in City Hall on Tuesday July 27, 2010 at 2:00pm. The following is a list of the Contractors who submitted a bid for this project.

CONTRACTOR	BASE BID AMOUNT	BID BOND	ADDENDUM # 1, 2 and 3	Attended Mandatory Pre-Bid Meeting?	Revised Bid Tabulation	BID ALTERNATE # 1	TOTAL BID AMOUNT
Commercial Landscape & Irrigation, Inc	\$	Y	N	Y	Y	\$	\$
Gibbs & Register, Inc	\$	Y	N	Y	Y	\$	\$
Britt Construction, Inc	\$ 1,179,251.50	(Y)	N	(Y)	(Y)	\$ 158,309.40	\$ 1,337,560.90
Cathcart Contracting Company	\$	Y	N	Y	Y	\$	\$
P & S Paving, Inc	\$	Y	N	Y	Y	\$	\$
Masci Corporation	\$ 729,270.72	(Y)	N	(Y)	(Y)	\$ 142,500.00	\$ 871,770.72
A.P.E.C., Inc	\$	Y	N	Y	Y	\$	\$
ThadCon LLC	\$ 793,990.50	(Y)	N	(Y)	(Y)	\$ 156,040.00	\$ 950,030.50
Halfax Paving, Inc	\$	Y	N	Y	Y	\$	\$
Posplech Contracting, Inc	\$	Y	N	Y	Y	\$	\$
Traffic Control Devices	\$	Y	N	Y	Y	\$	\$
Crossroads Site Development & Underground Utilities, LLC	\$	Y	N	Y	Y	\$	\$
Semper Fi Services, LLC	\$	Y	N	Y	Y	\$	\$
Kirton Enterprises, Inc	\$	Y	N	Y	Y	\$	\$
Gomez Construction Company	\$ 966,880.04	(Y)	N	(Y)	(Y)	\$ 127,325.00	\$ 1,094,205.04
Hazen Construction LLC	\$	Y	N	Y	Y	\$	\$
A&M SI Construction Company	\$	Y	N	Y	Y	\$	\$

Signature: [Signature] Date: 7/27/10

Witness # 1: [Signature] Date: _____

Witness # 2: [Signature] Date: 7/27/10

DMC

ORIGINAL

REVISED BID PROPOSAL

MARY AVENUE STREETScape PROJECT – PHASE I

CITY OF NEW SMYRNA BEACH, FLORIDA

Ms. Pam Brangaccio, City Manager
210 Sams Avenue
New Smyrna Beach, Florida 32168

7/27, 2010

Dear Ms. Brangaccio:

Pursuant to and in compliance with your ADVERTISEMENT FOR BID dated 7/27/10, and the INFORMATION FOR BIDDERS AND OTHER CONTRACT DOCUMENTS relating hereto, the undersigned hereby proposes to furnish all tools, labor, equipment and materials to perform all the work necessary for the MARY AVENUE STREETScape PROJECT – PHASE I, CITY OF NEW SMYRNA BEACH, FLORIDA, VOLUSIA COUNTY, FLORIDA, all as required by and in strict accordance with the Contract Documents, Schedules and Drawings, at the prices listed below.

Mary Avenue Streetscape Project – Phase I

Item #	Description	QTY	Unit	Unit Price	Amount
	ROADWAY ITEMS				
1	MOBILIZATION	1	LS	\$40,973.22	\$ 40,973.22
2	MAINTENANCE OF TRAFFIC (INCLUDES ALL TRAFFIC CONTROL DEVICES, TEMPORARY SIDEWALK RAMPS, AND STRIPING AS NECESSARY AND AS PER THE LATEST FDOT SPECS AND INDEXES)	1	LS	\$5,000.00	\$ 5,000.00
3	EROSION CONTROL (INCLUDING STORMWATER POLLUTION PREVENTION PLAN, SILT FENCING, SYTHETIC HAY BALES, TREE BARRICADES, ETC)	1	LS	\$10,500.00	\$ 10,500.00
4	DEMOLITION, CLEARING & GRUBBING (INCLUDING REMOVAL OF DRIVEWAYS, SIDEWALK, ASPHALT, EX STORMWATER PIPE & STRUCTURES, EX SANITARY SEWER PIPE & STRUCTURES, EX WATER PIPE, BOULDERS, FENCING, TREES, RELOCATE MAILBOXES, ETC)	1	LS	\$45,000.00	\$ 45,000.00
5	8" RECLAIMED PORTLAND CEMENT CONCRETE, COARSE AGGREGATE BASE	4700	SY	\$ 14.00	\$ 65,800.00

6	12" TYPE "B" STABILIZATION (MIN. LBR 40)	4700	SY	\$ 2.00	\$ 9,400.00
7	2" SP-9.5 SUPERPAVE ASPHALTIC CONCRETE (MIN)	4700	SY	\$ 16.00	\$ 75,200.00
8	6" REINFORCED CONCRETE DRIVEWAYS (INCLUDING SIDEWALK CURB RAMPS & DETECTABLE WARNING SURFACES)	750	SY	\$ 32.00	\$ 24,000.00
9	4" CONCRETE SIDEWALK	1600	SY	\$ 25.00	\$ 40,000.00
10	FDOT TYPE "F" CURB & GUTTER	3400	LF	\$ 12.50	\$ 42,500.00
11	24" WHITE STOP BAR, THERMO	180	LF	\$ 4.00	\$ 720.00
12	PAVEMENT MESSAGES, WHITE THERMO (RAILROAD CROSSING, includes "R" LETTERING, 16" X's, and 24" STOP BARS)	2	EA	\$ 350.00	\$ 700.00
13	12" WHITE STRIPES (CROSSWALKS), THERMO	1000	LF	\$ 1.20	\$ 1,200.00
14	6" DBL YELLOW STRIPES, THERMO	1200	LF	\$ 1.00	\$ 1,200.00
15	PAINT YELLOW CURBS	600	LF	\$ 1.00	\$ 600.00
16	6" WHITE STRIPES (PARKING), THERMO	350	LF	\$ 1.00	\$ 350.00
17	STOP SIGNS (POST MOUNTED) (R1-1) (30")	12	AS	\$ 200.00	\$ 2,400.00
18	4-WAY SIGNS (R1-3)	4	EA	\$ 75.00	\$ 300.00
19	STREETNAME SIGNS (INCLUDING ALL HARDWARE NECESSARY TO BE MOUNTED ON TOP OF STOP SIGNS)	10	AS	\$ 100.00	\$ 1,000.00
20	SPEED LIMIT SIGNS (POST MOUNTED) (25 MPH) (24"x30")	2	AS	\$ 200.00	\$ 400.00
21	PEDESTRIAN CROSSING SIGNS (POST MOUNTED) (W11-2)	4	AS	\$ 250.00	\$ 1,000.00
22	SUPPLEMENTAL ARROW PLAQUES (W16-7p) (24"x12")	4	EA	\$ 75.00	\$ 300.00
23	NO MOTOR VEHICLE SIGNS (POST MOUNTED) (R5-3) (24"x24")	2	AS	\$ 150.00	\$ 300.00
24	RAILROAD CROSSING SIGNS (POST MOUNTED) (W10-1)	2	AS	\$ 250.00	\$ 500.00
25	RELOCATE EXISTING VOTRAN BUS STOP SIGNS	2	EA	\$ 200.00	\$ 400.00
26	RELOCATE FENCE	1	LS	\$ 3,850.00	\$ 3,850.00
27	FDOT HANDRAIL (PER FDOT DESIGN INDEX 860)	20	LF	\$ 75.00	\$ 1,500.00
	SUBTOTAL ROADWAY ITEMS			\$	\$ 375,093.72

	STORMWATER ITEMS				
28	15" RCP	200	LF	\$ 35.00	\$ 7,000.00
29	12" RCP	1700	LF	\$ 35.00	\$ 59,500.00
30	DUAL 10" ADS-N12 (per AASHTO M294)	65	LF	\$ 35.00	\$ 2,275.00
31	INSITUFORM CIPP (UNDER RAILROAD TRACKS)	70	LF	\$ 240.00	\$ 16,800.00
32	FDOT TYPE "V" INLET	1	EA	\$ 2,130.00	\$ 2,130.00
33	FDOT TYPE "3" INLET	7	EA	\$ 2,550.00	\$ 17,850.00
34	FDOT TYPE "4" INLET	9	EA	\$ 2,750.00	\$ 24,750.00
35	FDOT TYPE "5" INLET	1	EA	\$ 2,550.00	\$ 2,550.00
36	FDOT TYPE "6" INLET	2	EA	\$ 2,750.00	\$ 5,500.00
37	FDOT TYPE "P" MANHOLE	13	EA	\$ 2,350.00	\$ 30,550.00
38	CONVERT EX INLET TO TYPE "P" MANHOLE	1	EA	\$ 2,500.00	\$ 2,500.00
	SUBTOTAL STORMWATER ITEMS			\$	\$ 171,405.00
	LANDSCAPE & IRRIGATION ITEMS				
39	LANDSCAPING (INC TREES, PLANTS, SOD, ETC, COMPLETE PER THE LANDSCAPING DETAILS ON SHEETS LS-01 THRU LS-03)	1	LS	\$ 23,000.00	\$ 23,000.00
40	IRRIGATION (INC CONDUIT, SLEEVES, WIRING, SPRINKLER HEADS, SPRAY NOZZELS, BUBBLERS, VALVES, CONTROLLER & PEDESTAL, RAIN SENSOR, 1 1/2" BFP, 1 1/2" WATER VALVE, 2"x6" WET TAP, ETC, SYSTEM COMPLETE PER THE IRRIGATION DETAILS ON SHEETS IR-01 THRU IR-03)	1	LS	\$ 7,500.00	\$ 7,500.00
	SUBTOTAL LANDSCAPE & IRRIGATION ITEMS			\$	\$ 30,500.00
	STREETLIGHT SYSTEM				
41	STREETLIGHT POLE & FIXTURE ASSY (ROADWAY & PEDESTRIAN, INCLUDING ELECTRICAL SYSTEM CONDUIT INSTALLATION, WIRING, METER CAN ASSY, AND CONTROL PANEL, ETC, COMPLETE PER DETAILS ON SHEETS SL-01 AND SL-02)	1	LS	\$ 140,000.00	\$ 140,000.00
	SUBTOTAL STREETLIGHT SYSTEM ITEMS			\$	\$ 140,000.00

CHURCH IMPROVEMENTS					
42	15" MITERED END SECTION	1	EA	\$ 486. ⁰⁰	\$ 486. ⁰⁰
43	18" MITERED END SECTION	1	EA	\$ 486. ⁰⁰	\$ 486. ⁰⁰
44	18" AREA DRAIN (ALL INCLUSIVE TO TIE INTO EXSTING 18" STORMWATER SYSTEM)	1	LS	\$ 500. ⁰⁰	\$ 500. ⁰⁰
45	RIP-RAP	1	LS	\$ 2,500. ⁰⁰	\$ 2,500. ⁰⁰
46	DESILT and VIDEOTAPE EX 15" CMP and 18" CMP	1	LS	\$ 3,500. ⁰⁰	\$ 3,500. ⁰⁰
47	SODDING	1	LS	\$ 4,800. ⁰⁰	\$ 4,800. ⁰⁰
	SUBTOTAL CHURCH IMPROVEMENTS			\$	\$ 12,272. ⁰⁰

TOTAL - \$ 729,270.72

TOTAL BID:

Seven Hundred Twenty Nine Thousand Two Hundred Seventy Dollars and Seventy Two Cents
(Use Words)

\$ 729,270.72

(Figures)

Bid Alternate (Water and Sanitary Sewer)

	UTILITY ITEMS (PER DETAILS ON PLAN SHEETS CD-3 THRU CD-5)				
48	6" PVC BLUE C900 PIPE (INCLUDING 14G BLUE LOCATE WIRE, "CAUTION BURIED WATER" TAPE, AND ALL ELBOWS, RESTRAINTS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	210	LF	\$ 30. ⁰⁰	\$ 6,300. ⁰⁰
49	4" PVC BLUE C900 PIPE (INCLUDING 14G BLUE LOCATE WIRE, "CAUTION BURIED WATER" TAPE, AND ALL ELBOWS, RESTRAINTS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	50	LF	\$ 25. ⁰⁰	\$ 1,250. ⁰⁰
50	WATER SERVICE (2" POLY TUBING INCLUDING ALL CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION) (FROM MAIN TO EX METER BOX OR BACK OF SIDEWALK)	26	EA	\$ 900. ⁰⁰	\$ 23,400. ⁰⁰
51	6"x6" TEE	1	EA	\$ 350. ⁰⁰	\$ 350. ⁰⁰
52	6"x4" TEE	1	EA	\$ 300. ⁰⁰	\$ 300. ⁰⁰
53	4"x4" TEE	1	EA	\$ 250. ⁰⁰	\$ 250. ⁰⁰
54	6"x6" WET TAP	6	EA	\$ 2,500. ⁰⁰	\$ 15,000. ⁰⁰
55	4"x6" WET TAP	1	EA	\$ 2,200. ⁰⁰	\$ 2,200. ⁰⁰
56	6" LINE STOP	1	EA	\$ 3,200. ⁰⁰	\$ 3,200. ⁰⁰
57	4" LINE STOP	2	EA	\$ 2,950. ⁰⁰	\$ 5,900. ⁰⁰
58	6" GATE VALVE	2	EA	\$ 650. ⁰⁰	\$ 1,300. ⁰⁰
59	FIRE HYDRANT (INCLUDING 6" DIP, GRAVEL, 16"x16"x4" PRECAST BLOCK, ALL ELBOWS, RESTRAINTS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	3	EA	\$ 2,500. ⁰⁰	\$ 7,500. ⁰⁰
60	RELOCATE FIRE HYDRANT	1	EA	\$ 500. ⁰⁰	\$ 500. ⁰⁰
61	RELOCATE 6" WATER MAIN (INCLUDING ALL ELBOWS, RESTRAINTS, THRUST BLOCKS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION)	2	EA	\$ 1,800. ⁰⁰	\$ 3,600. ⁰⁰

62	8" PVC GREEN SDR-35 PIPE	1250	LF	\$ 35. ⁰⁰	\$ 43,750. ⁰⁰
63	6" PVC GREEN LATERALS (INCLUDING CLEANOUTS, WYES, ELBOWS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION) (FROM MAIN TO CLEANOUT AT BACK OF SIDEWALK)	2	EA	\$ 650. ⁰⁰	\$ 1,300. ⁰⁰
64	4" PVC GREEN LATERALS (INCLUDING CLEANOUTS, WYES, ELBOWS, CONNECTIONS, FITTINGS, ETC NECESSARY FOR A COMPLETE INSTALLATION) (FROM MAIN TO CLEANOUT AT BACK OF SIDEWALK)	24	EA	\$ 475. ⁰⁰	\$ 11,400. ⁰⁰
65	SEWER MANHOLES	6	EA	\$ 2,500. ⁰⁰	\$ 15,000. ⁰⁰
	SUBTOTAL UTILITY ITEMS			\$	\$

BID ALTERNATE TOTAL - \$ 142,500.⁰⁰

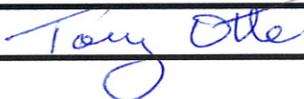
BID ALTERNATE TOTAL:

One Hundred Forty Two Thousand Five Hundred Dollars.
(Use Words)

\$ 142,500.⁰⁰

(Figures)

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 10, 2010		
Action Item Title: New Program: New Commercial Tenant Rent Incentive Program		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background <p>There are over a half-dozen vacant commercial spaces now on Canal Street. CRA staff has developed a program to attract businesses to locate to the CRA, modeled after an existing similar program in Delray Beach. This proposed program would provide rent incentives for up to one-third of the business's monthly rent or \$500 per month, whichever is less, for 12 months. The 12 months could be anytime during the first 18 months of a multi-year lease. The maximum total subsidy per business is \$6,000.</p> <p>There are a number of restrictions in the program (please see the attached program description). This program was briefly discussed at a meeting of the Canal Street property owners with spaces for lease, and there was interest expressed in any program that would help fill the spaces. (Please see the attached e-mail that contains a meeting summary.) Such a program would be available for any commercial space in the CRA.</p>		
Recommended Action/Motion: Approval		
Funding Analysis: Budgeted_____ If not budgeted, recommend funding account: A specific amount could be allocated from the Development Assistance & Incentives allocation in the CRA Master Plan Update. If grants were limited to \$5,000, then 10 businesses could be assisted for \$50,000.		
Exhibits Attached: 1. Program Description		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		



New Smyrna Beach
Community Redevelopment
Agency

PROGRAM GUIDELINES

BUSINESS DEVELOPMENT ASSISTANCE PROGRAM

PURPOSE

The Business Development Assistance Program is designed to help facilitate the establishment of retail small businesses within the Community Redevelopment District. The program allows the CRA to provide rental incentives that are intended to attract businesses to locations within the CRA.

PROGRAM

The Business Development Assistance Program would provide rent incentives of up to one-third of the business's monthly rent or \$500 per month (whichever is less) for twelve (12) months anytime during the first 18 (eighteen) months of a multi-year lease. The maximum total incentive per business is \$6,000.

FUNDING LIMITS & ELIGIBILITY REQUIREMENTS

Applicants must meet all of the following requirements in order to be eligible to receive assistance through the Business Development Assistance Program

1. Business must be located within the Community Redevelopment District.
2. The business must be a retail business.
3. The business must have been in operation for at least three years in another location and moving to the new location within the CRA, or opening an additional location within the CRA. Start-up businesses are not eligible for this program.
4. Business must have an executed multi-year lease (2-year minimum) for the new location in the eligibility area
5. Business must employ a minimum of two (2) full-time equivalent W-2 employees whose wages are reported to the State and Federal government; a position occupied by the business owner may count toward the required job position.
6. Business must be properly licensed and approved by the City of New Smyrna Beach
7. The following businesses will be considered automatically ineligible for assistance under the Business Development Program:
 - a) Existing businesses relocating from one area of New Smyrna Beach to the eligibility area

- b) Businesses with less than two (2) full-time equivalent W-2 employees
 - c) Businesses that do not report employee's wages
8. Rental incentives may be approved for one-third of the business's monthly rent, up to a maximum of \$500/month. Incentive payments will be paid in monthly installments for a maximum of twelve (12) months during the first eighteen (18) months of a business's operation.
9. The total incentive amount will not exceed \$6,000 per business.

GRANT TERMS & CONDITIONS

- Commercial lease must define the landlord-tenant relationship and at least specify the following:
 - a) A description of the space being rented;
 - b) Utilities included and not included;
 - c) Rental rate and deposits required, along with term of lease and methodology for rent increases;
 - d) Responsibility for interior and exterior repairs and/or improvements;
 - e) Insurance requirements;
 - f) Abilities to terminate; and
 - g) Consequences of default.
- Rental incentives will be paid on the behalf of businesses that are open for business and paying wages only.
- Incentives will not be paid during renovations or construction phases during which businesses are not in operation.
- The responsibility for all rental payments is between the contracted parties to the lease, as such, the tenant and the landlord. As grantor, the CRA neither bears nor accepts any responsibility for payment of rent at any time, nor penalties incurred for the late arrival of payments by any party.
- The CRA reserves the right to approve Business Development Grant Program applications and to discontinue payments at any time if in its sole and absolute discretion it determines that the business will not further the goals and objectives established for the economic development of the CRA District. The receipt of past payments is not a guarantee of future incentive payments.

PROCEDURE OF IMPLEMENTATION

1. **Application Process** – All applicants are required to meet with CRA staff in order to determine eligibility before submitting an application. Funding requests will not be considered until all required documentation is submitted to the CRA office. Application packets must include the following documentation:
- a) Completed/executed application brochure

- b) Copy of executed multi-year commercial lease
 - c) Landlord information
 - d) 3-year historical financials
 - e) A description of the business and the positions of employment
2. **Approval of Funding Request** – Once eligibility is verified and all required documentation has been submitted, CRA staff will present the funding request to the CRA Board of Commissioners for approval. Staff will notify the applicant and landlord of approval, if granted.
 3. **Incentive Payments** – Incentive payments will begin at the beginning of the first full month that the business is open for operations subsequent to the CRA Commission approval. Payments will be mailed directly to the landlord monthly. A maximum of twelve (12) consecutive monthly payments may be made.
 4. **Site Visits** – CRA staff will conduct a site visit before incentive payments begin in order to verify that the business is in operation. Staff may also conduct unannounced site visits periodically in order to ensure compliance with the terms of the grant agreement.
 5. **Reporting** – By accepting the grant, the applicant agrees to comply with any reporting procedures deemed necessary by the CRA staff to verify that the required job positions are properly fulfilled and maintained. Reporting may include, but is not limited to, payroll records, work schedules, and reporting forms.
 6. **Discontinuation of Payment** – The receipt of past payments is not a guarantee of future payments. The CRA retains the right to discontinue payments at any time according to its sole and absolute discretion.



PROGRAM APPLICATION

BUSINESS DEVELOPMENT
ASSISTANCE PROGRAM

New Smyrna Beach
Community Redevelopment
Agency

Applicant Name: _____

Business Name: _____

New Business Address: _____

Mailing Address: _____

Phone: _____ Fax: _____

Email: _____ Federal ID#: _____

Dates at New Location: _____ Monthly Rent: _____

Landlord Name: _____

Landlord Information: _____

Landlord's Mailing Address: _____

Where was this business previously located and for how long. _____

Previous Address: _____

I, the undersigned, being a principal of the business applying for assistance under the Business Development Assistance Program certify that the business represented herein is a business that wishes to locate in the CRA District, and has been in business for three years in another location that is not in the City of New Smyrna Beach.

I understand that a CRA staff person will visit my business on a monthly basis or as otherwise deemed appropriate to verify that staffing and operating requirements are being adhered to.

I understand that his application is not a guarantee of assistance. Should my application be approved, I understand that the CRA may, at its sole discretion, discontinue incentive payments at any time if in its sole and absolute determination it feels such assistance is no longer benefiting the furtherance of the CRA District.

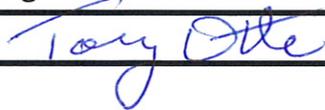
Applicant's Signature

Date

Printed Name

Title

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Brownfields Inventory and Priority Ranking		
Agenda Section: Consent _____ Public Hearing _____ Special Items <u> x </u>		
Summary Explanation and Background		
<p>The purpose of this study is to provide the City with a tool required to prioritize potential Brownfield projects and successfully manage the Brownfield program. This work will include:</p> <ol style="list-style-type: none">1. Meeting with staff to obtain local knowledge regarding the properties within the area of investigation to create a list of potential program sites.2. Working to further refine this information with the collection of basic site information and site reconnaissance.3. Conducting an in-depth screening for each property (as described in the attached).4. Reviewing the completed report and gaining a consensus with CRA and City staff on which sites are the best candidates for Phase I and Phase II Environmental Site Assessments. <p>This work is the next step in the implementation of the Brownfields program, funded with grant funds.</p>		
Recommended Action/Motion:		
Approval of CRA and City staff to execute a scope of work under the existing general contract for Brownfields work with Nodarse and Associates for an initial brownfield inventory and priority ranking		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
Funding for this work is available through the Brownfields Grant, line item 531016, Consultant Program.		
Exhibits Attached:		
1. Letter from Nodarse		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		



July 27, 2010
Project No. 01-10-0153-302

Ms. Noeleen Foster
CRA Program Manager
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, Florida 32168

**Revised Proposal to Perform Initial Brownfield Inventory and Priority Ranking
New Smyrna Beach, Florida**

Dear Ms. Foster:

Nodarse & Associates, Inc. (N&A) is pleased to provide this proposal to perform Brownfields Inventory and Priority Ranking services. The purpose of this study will be to provide the City of New Smyrna Beach (City) with a tool to prioritize potential Brownfield projects and successfully manage their Brownfield program. Throughout this process, N&A will be conducting, at a minimum, weekly update meetings with the City's Project Manager to discuss the status of the work being conducted by N&A. These weekly update meetings will be primarily conducted via tele-conference, but in person meetings will also be periodically conducted at the City's facility, as well as periodical site visits to certain properties.

This proposal presents a brief description of our proposed approach and scope of work, and a cost estimate for providing these services. Our method of performing the inventory and ranking will consist of two (2) phases or tasks.

Prior to the initiation of the first task, N&A will appear before the Community Redevelopment Agency (CRA) board as well as the City Commission to request approval of the contract, scope of work, and deliverables. N&A will also meet with City to discuss the geographic limits of the Task 1 activities and obtain local knowledge regarding the properties within the area of investigation in order to create a list of properties to be investigated.

Task 1 – Initial Site Screening

The goal of the initial phase is to collect an inventory of potential Brownfields sites based on geography, collect basic site information about the properties and screen out sites that clearly do not meet the criteria of a Brownfields site. **Brownfields** are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The work for Task 1 will be to identify and prioritize sites that are in need of redevelopments and/or have documented contamination or the potential for contamination. The sites to be screened during the process include sites where there is no pressing need for redevelopment and sites where there is little potential for contamination to exist. To accomplish these goals, N&A will do the following for each of the parcels in the study area:

- Obtain basic property information from the Property Appraiser's office including parcel identification, address and property owner information.
- Perform a cursory review of a database radius report (such as EDR or FirstSearch) to identify which parcels are on a state or federal database reports. These database reports have information from the federal National Priorities Lists (NPL), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) which is commonly known as Superfund, Resource Conservation and Recovery Act (RCRA), State of Florida Leaking Underground Storage Tank (LUST) list, Emergency Response Notification System (ERN), Tribal Lands (Indian Lands and Native Entities in Florida), State of Florida Brownfields Redevelopment Program, Florida Department of Environmental Protection (FDEP) Sinkhole list, and the FDEP Drycleaners list (an example database report was submitted previously). N&A will also conduct a cursory review of FDEP database management system call OCULUS. This database stores documents from the Storage Tanks, Hazardous Waste, Solid Waste, and Waste Cleanup Program areas. Reviewing OCULUS will allow N&A to see which parcels have open cases from environmental discharges.
- Based on what is discovered during the records review, the parcels will be ranked based on known and potential contamination impacts. Parcels with known contamination will be given a priority of "high," parcels with the potential for contamination will be given a ranking of "medium," and the remaining parcels will be given a ranking of "low." These designations will be reviewed in detail with the City's Project Manager prior to finalizing.
- Conduct site reconnaissance at each parcel to note the current use and condition of the property and note any obvious environmental concerns. The parcels will be ranked based on the use and condition of the property. The rankings may change slightly over the course of the investigation, but it is anticipated that vacant/undeveloped/blighted commercial property will be given a ranking of "high," "run down" residential and commercial property will be given a ranking of "medium" and the remaining parcels will be given a rank of "low."
- Prepare an overall priority ranking of sites based on the presence/potential presence of contamination rankings and current land use/need for redevelopment rankings. N&A will keep in close contact the City's Project Manager and other pertinent City personnel during this process to utilize the City's knowledge and experience.

Once this data has been collected N&A will prepare a report summarizing the work performed, prepare a spreadsheet with applicable data collected and a ranking for continued investigation, and maps depicting the different parcels meeting different criteria.

N&A anticipates that the initial site screening will be performed on approximately 380 sites. This includes the approximately 350 sites in the CRA and approximately 30 sites in the vicinity of the airport or other areas of the City. Given at least 200 sites, N&A can complete this phase of work for approximately \$50.00 per site. N&A anticipates that it will take four (4) weeks to complete the Task 1 activities.

At the conclusion of Task 1 activities, **N&A** will meet with the City Project Manager to gain a consensus on the parcels that are potential Brownfield sites and the direction and scope of additional work.

Because we do not know the results of the initial site screening at this time, it is difficult to accurately project the scope and costs for the follow up work. Depending on the number of high and medium priority sites that are identified in the initial site screening; we may be able to recommend performing Phase I Environmental Site Assessments (ESA) for a number of sites or we may recommend in-depth site screening to further refine the inventory and priority list. Below is a proposed work scope and cost based on projected results from the initial site screening. Actual scope and costs will be determined during the meeting at the conclusion of the Task 1 activities.

Task 2 – In-Depth Site Screening

Once the list of potential Brownfields site has been reduced, **N&A** proposes to perform an in-depth site screening on those sites. **N&A** estimates that 30 parcels will be selected for in-depth screening. The purpose for the work in Task 2 will be to identify and prioritize sites that have contamination or the potential for contamination that will not be addressed by third parties in the near future and are in line with the City's redevelopment priorities. The sites to be screened during the process include sites where there is little potential for contamination to exist and sites where contamination exists but will be addressed by third parties. To accomplish these goals, **N&A** review the following for each of the parcels in the study area. Activities to be performed in the in-depth site screening include the following:

- Review of available historical aerial photographs, U.S.G.S. quadrangle maps and soil surveys.
- Review of available City Directories and Sanborn Fire Insurance Maps.
- Review of available environmental permits.
- Review property ownership information (City to provide title searches).
- A thorough review of the EDR or FirstSearch radius report and FDEP database information. Access any contamination assessment or remedial action reports that are available from the FDEP database, OCULUS, and review these reports.
- Review of regulatory documents and reports and contact as appropriate relevant county, state, and federal agencies to ascertain whether any information has been recorded in their files concerning known or potential contamination on-site, or in the immediate vicinity of the site. If known contamination is present, information concerning date of release, extent of contamination, responsible party, regulating entity, cleanup program and status of cleanup will be gathered.
- Interface with the City's Geographic Information System (GIS) personnel to develop an interactive format that can be accessible on-line so the public can review a particular site and be able to access all of the information that has been collected. If this process cannot be accomplished by the City's GIS personnel, AECOM will be solicited to provide these services (the cost for this is not included in this proposal since it may not be necessary at this time).

- If enough information is available, an estimated cost to cleanup will be provided.
- Based on input from City officials, priorities for the development of different areas or corridors will be developed. At this time and for the purposes of this scope and cost estimate, N&A anticipates interfacing with relevant City personnel to evaluate the possible economic return and site development or redevelopment potential for identified parcels. Should it become necessary, further evaluations may be required and AECOM would be contacted to provide this more detailed evaluation process (the cost for this is not included in this proposal since it may not be necessary at this time).

Based on the data collected during Task 2 of the Brownfield inventory effort and input from the City, the sites will be re-ranked based on revised priorities and additional information. N&A will prepare a report summarizing the work performed; prepare a spreadsheet with applicable data collected and a ranking for continued investigation and maps depicting the different parcels meeting different criteria. And as mentioned above, N&A will work with the City GIS department to prepare a map with links to pertinent project information.

At the conclusion of Task 2 activities, N&A will meet with the City's Project Manager, other pertinent personnel, and officials to gain a consensus on the parcels that are still potential Brownfield sites and are good candidates for Phase I and Phase II ESAs. Given at least 20 sites, N&A can complete the above scope of work for approximately \$800.00 per site.

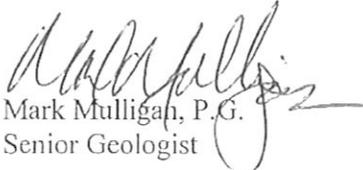
Assuming initial site screening is performed on 380 sites and in-depth site screening is performed on 30 sites, the total cost for the Brownfields Inventory would be **\$43,000** or 11% of the grant budget. Actual costs would depend on the total number of sites selected for initial and in-depth site screening and the negotiated work scope.

N&A appreciates the opportunity to submit this proposal, and we look forward to beginning work with the City of New Smyrna Beach on this project. If you have any questions or if we can provide any additional information, please feel free to call us at your convenience at 407-740-6110.

Sincerely,

NODARSE & ASSOCIATES, INC.


Howard Fowler, P.G.
Professional Geologist


Mark Mulligan, P.G.
Senior Geologist

NEW BUSINESS

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: August 4, 2010

Action Item Title: Commercial Property Improvement Grant: 600 East Third Ave

Agenda Section: Consent_____ Public Hearing_____ Special Items__x__

Summary Explanation and Background

This application requests improvements at Heath's Natural Foods Inc., located at 600 East Third Ave. The improvements requested are as follows:

1. A 577 square foot addition on the west side of the building (12.83x44.67)
2. Construction of a front porch approximately 280 square feet (48.5 feet long x 5 feet deep).
3. A seven foot awning on the south side of the building facing E. Third Ave.
4. Removal of the large shrubs on the southwest corner of the building and small shrubs where the new addition and porch are to be constructed.
5. Removal of the existing slab where the addition will be constructed.
6. Construction of a deck in front of the addition and in front of the existing building.
7. Construct an awning over the new deck
8. Install lighting fixtures with the porch, on the building walls.
9. Improve the west and south landscaped buffers with additional shrubs and an understory tree.

Recommended Action/Motion:

Staff recommends approval.

Funding Analysis: Budgeted X If not budgeted, recommend funding account:

\$10,000 from account number 120.51502. 583001, which currently has a balance of \$49,685. \$19,859.50 remains available if all other PIG grant applications (minus the alternate for 519 Canal Street) submitted in this agenda were approved.

Exhibits Attached:

1. Package submitted by the applicant
2. Score sheets

Reviewed By:

Name

Signature

CRA Director

Tony Otte

Commission Action

Property Improvement Grants Funding Evaluation

Property Address: 600 E Third Avenue

Did Applicant attend pre-application conference: YES NO

Does the proposed project substantially comply with the guidelines: YES NO

Review for Funding (26 Points Possible) (15 Points Minimum Required)

Circle a Score
for each category

Compliance with Guidelines:

Project substantially meets guidelines

No character defining features are inappropriately altered: ----- (3) Points

Location:

A corner building on Flagler, or Canal Street must do all façade visible to receive credit: --- 5 Points

Located on Canal St, Flagler Ave, N Causeway or Third Ave: ----- (4) Points

Other Locations in Grant Area: ----- 3 Points

Overall Impact / Improvements:

Condition improves from poor to excellent: ----- 5 Points

Condition improves from poor to good: ----- 4 Points

Condition improves from good to excellent: ----- (3) Points

Condition improves from average to excellent: ----- 3 Points

Condition improves from average to good: ----- 2 Points

Quality of Work Proposed:

Special treatment (removing "slipcover façade", rebuilding original character-defining features, substantial structural renovation, significant landscape improvement, etc): ----- (7) Points

Overall high quality: ----- 3 Points

Present Use:

Commercial / Office: ----- (3) Points

Current Vacant / reuse: ----- 3 Points

New INFILL construction on Flagler Ave or Canal St: ----- 4 Points

Bonus Points:

Special significance – historically or architecturally important, now or in the past, to the community: ----- 2 Points

Total 20

MARK H. RAKOWSKI
LAND PLANNING CONSULTING

REACH YOUR PROPERTY GOALS

July 23, 2010

Ms. Noeleen Foster, CRA Coordinator
Connor Library Building
201 Sams Avenue
New Smyrna Beach, FL 32168

Dear Noeleen,

It is with great pleasure that I represent Ms. Maria & Mr. Tom Heath, owners of Heath's Natural Foods, Inc. located at 600 East Third Avenue in New Smyrna Beach. Please find enclosed a copy of a completed Commercial Property Improvement Grant Application package including the following:

1. This cover letter responding to the four Project Proposal On Improvements items;
2. Completed application form;
3. Letter from Mr. Heath authorizing me to represent him in this application;
4. West and South elevations noting improvements and proposed materials and colors;
5. Pictures of the existing building showing the colors, materials and proposed light fixtures to be used; and
6. Site plan of the proposed addition and front porch.

The following addresses the four Project Proposal On Improvements items as requested on the application form.

Summary of Scope

The Heath's are proposing an approximately 577 (12.83 X 44.67-feet) square foot building addition on the west side of their existing store. In association with the addition the Heath's are interested in dressing up the front of their building to make it more inviting. They plan to do so by constructing an approximately 48.5-foot long by five-foot deep (approximately 280 square foot) front porch with a seven-foot deep awning on the south (facing E. Third Avenue) elevation (**See enclosed elevation drawings**). The design conforms to the CRA Third Avenue Design Guidelines. A more detailed list of the proposed activities is as follows:

1. Remove the large shrubs (wax myrtle & Spanish bayonet) on the southwest corner of the building, remove a few small shrubs (Indian Hawthorn) at the proposed corner of the new addition and remove the row of small shrubs (Indian Hawthorn) along the south side of the existing building where the front porch is to be constructed.
2. Remove the existing slab on the west side of the building where the addition is to go.

3. Pour a new foundation and floor and construct the addition. **See attached site plan & elevation sheets**
4. Construct a deck in front (south) of the addition and in front (south) of the existing building. **See attached site plan & elevation drawings**
5. Construct an awning over the new deck. **See attached site plan & elevation drawings**
6. Install lighting fixtures within the porch on the building walls. **See example of light fixture on front entrance picture**
7. Improve the west and south landscaped buffers with additional shrubs and an understory tree.

Color Photographs

Attached are color photographs of the building and black & white elevation drawings indicating proposed colors.

Sketch Plans & Specifications

Upon approval of the site plan and CRA grant construction documents will be completed. **See attached site plan & elevation drawings.**

Samples

The awning is to be dark green metal to match the existing metal roof over the entry (**see picture**) and the building is to match the existing building in materials (stucco over concrete block) and color. The porch is to be wood with the railings painted the same color as the metal awning, band around the building and entry roof (**see pictures**). The lighting within the porch is to match the lighting near the front entry (**see front entry picture**).

Please let me know if you have any questions and please direct all correspondence to me.

Thank you for your time and consideration in this matter.

Sincerely,

Mark H. Rakowski

Mark H. Rakowski, AICP
Land Planning Consulting

Heath's Natural Foods, Inc.
600 East Third Ave.
New Smyrna Beach, FL 32169
Phone: (386) 423-5126 Fax: (386) 423-8573

July 7, 2010

Ms. Noeleen Foster, CRA Coordinator
Community Redevelopment Agency
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Dear Ms. Foster,

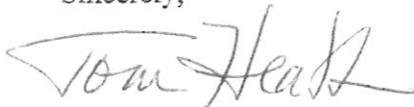
This letter is regarding applications for Heath's Natural Foods, Inc. Community Redevelopment Agency grants.

Please accept this as authorization to allow Mark Rakowski to represent me for a CRA property Improvement grant application and a CRA Impact fee grant application for Heath's Natural Foods, Inc. located at 600 East Third Avenue.

Thank you for your consideration in this matter.

Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Tom Heath". The signature is written in a cursive style with a large, sweeping initial "T".

Tom Heath, Owner
Heath's Natural Foods, Inc.

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: Mark H. Rakowski

PROPERTY ADDRESS: 822 E. 8th Avenue, NSD, FL 32169

TELEPHONE: 386.690.3880 (DAY) 386.690.3880 (EVENING)

TYPE OF IMPROVEMENT PLANNED:

Exterior X Painting _____ Landscape _____ Electrical _____

Signage _____ Awning / Parking Area _____ Other _____

PROJECT PROPOSAL ON IMPROVEMENTS

All Property Improvement Grant Applications must be approved by the CRA Board prior to work commencing. The following information must be included with the application.

1. Summary of the scope of work to be performed.
2. Color photographs clearly showing existing condition of the facade, neighboring buildings, and rear entrances. If applicable, historic photographs and photos of existing parking areas should also be included.
3. Sketch plans and specifications detailing the scope of work.
4. Samples of all paint colors and awning materials to be used on the building and signage.

ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 2,250,000
90,000
165,000

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 10,000

I UNDERSTAND THAT IN ORDER FOR MY REQUEST FOR GRANT FUNDING TO BE APPROVED, I MUST AGREE TO THE FOLLOWING CONDITIONS:

1. **To follow the design** recommendations as approved by the Community Redevelopment Agency.
2. **To adhere** to the Application Procedures and Guidelines and the Grant Agreement as specified.
3. **That I shall incur** all initial project costs and receive **reimbursement** only after:
 - A. All improvements have been **completed**.
 - B. **Final Inspection** of the improvements is approved.
 - C. **Proof of Payment** for project costs has been received.
4. Additional improvements or changes not approved will not be funded.

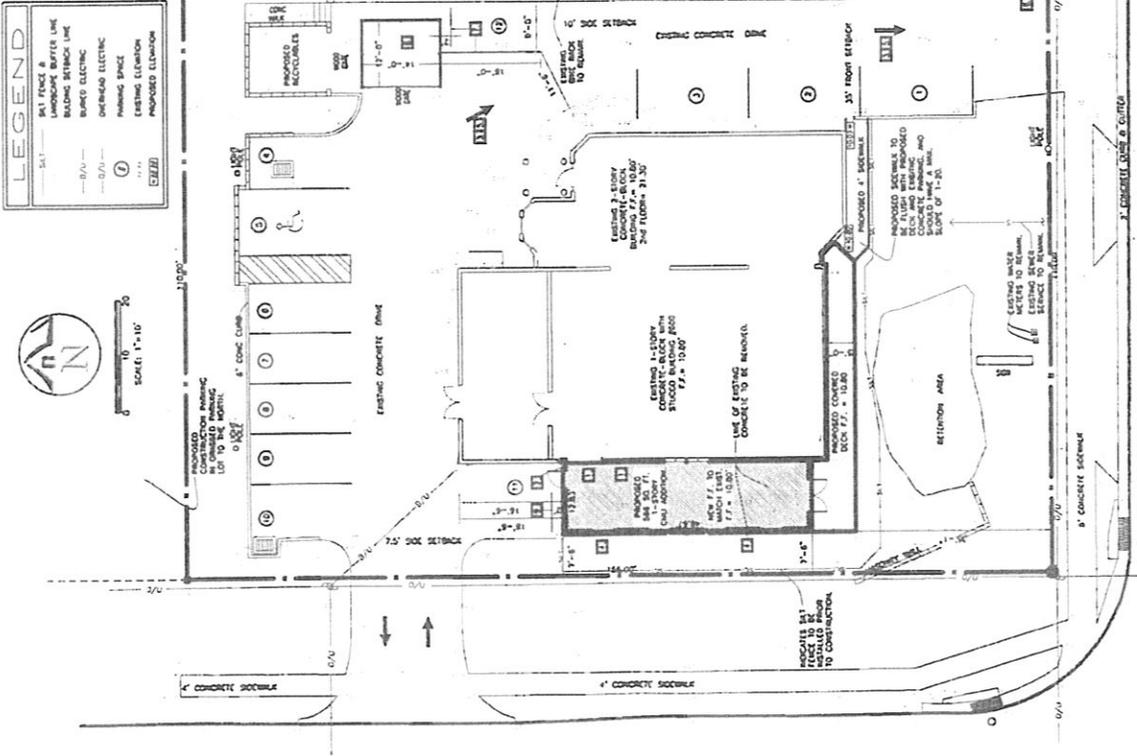
I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES, THE COMMUNITY REDEVELOPMENT COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM PROCEDURES AND THE GRANT AGREEMENT.

Richard Smith
APPLICANT SIGNATURE

7-23-16
DATE

LEGEND

- SET FENCE & LANDSCAPE BUFFER LINE
- BUILDING SETBACK LINE
- BURIED ELECTRIC
- OVERHEAD ELECTRIC
- PAVING SPACE
- EXISTING ELEVATION
- PROPOSED ELEVATION



GENERAL NOTES

- CONTRACTOR SHALL VERIFY AND SET HOME FOR THESE PERMITS AND CITY OF NEW HAMPSHIRE CONSTRUCTION STANDARDS.
- ALL DIMENSIONS IN THE PLAN ARE TO BE REPORTED TO THE ENGINEER OF RECORD.
- PERMITS CONTROL, MUST BE MAINTAINED THROUGHOUT CONSTRUCTION. SET SET FOR LOCATION.
- ELEVATIONS SHOWN ARE GIVEN IN FEET AND INCHES. 1/2\"/>

DEMOLITION NOTES

- REMOVE EXISTING AND NEW A.C. WIRE TO ROOF OF PROPOSED BUILDING.
- REMOVE 5' FENCE WALL ON SOUTH SIDE OF EXISTING A.C. WIRE.
- REMOVE EXISTING DIMENSIONAL ANCHORS ON CONCRETE FOOTING WHERE SHOWN.
- REMOVE EXISTING CONCRETE AND AS NECESSARY TO ACCOMMODATE PROPOSED BUILDING FOOTPRINT.

CONSTRUCTION NOTES

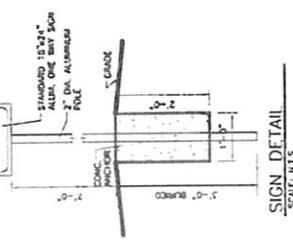
- INSTALL DIMENSIONAL ANCHORS ON CONCRETE FOOTING TO REQUEST ONE-WAY.
- INSTALL ONE WAY DO NOT ENTER SIGN PER DETAIL.
- INSTALL SIGNAGE STOP AND MICHIGAN WARNING FOR SPACE 412 PER DETAIL.
- INSTALL WOOD CURBSIDE IN LOCATION SHOWN PER DETAIL.
- REMOVE EXISTING STOP FOR PAVING SPACE 411 AS SHOWN FOR REUSED CURBSIDE.

STORMWATER NOTES

- EXISTING STORMWATER MANHOLE SHALL BE REPAIRED.
- IMPROVED GRADE ADDITION TO BE WORKY CONSTRUCTED OVER EXISTING MANHOLE.
- PROPOSED ADDITIONAL MANHOLES AND:
 - 81 TO 71
 - 308 TO 71
 - 504 TO 71
 - 508 TO 71
- CONTRACTOR TO BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NEW HAMPSHIRE.
- CUTTINGS FROM PROPOSED BUILDING TO BE DIRECTED TOWARD RETURN AREA IN THE FRONT OF THE BUILDING.

UTILITY NOTES

- EXISTING UTILITIES ARE PROVIDED BY THE UTILITY COMMISSION OF NEW HAMPSHIRE.
- EXISTING ELECTRIC SERVICE IS FED UNDERGROUND AND IS A 400 AMP SERVICE TO BUILDING.
- EXISTING WATER MAINS SERVICE CONNECTION SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING WATER MAINS AND SEWERAGE CONNECTIONS SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- ALL ELECTRICAL AND PIPING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF NEW HAMPSHIRE ELECTRICAL CODE.
- EXISTING SERVICE CONNECTION SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- ELECTRIC SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.
- EXISTING SERVICE SHALL BE IN ACCORDANCE WITH ELECTRIC SERVICE RULES AND STANDARDS, UTILITY COMMISSION, CITY OF NEW HAMPSHIRE.

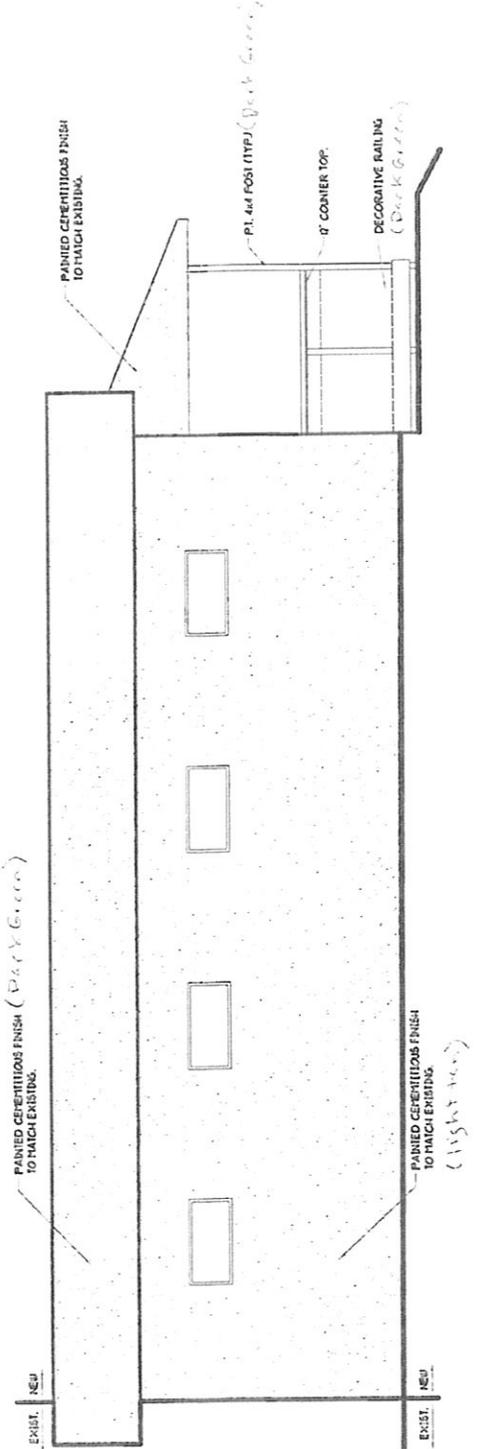


SET FENCE NOTES:

- MATERIALS, CONSTRUCTION METHODS AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE CITY OF NEW HAMPSHIRE CONSTRUCTION STANDARDS AND STANDARDS FOR CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE SET FENCE AND/OR SIGNATURE BARS AT ALL STORMWATER DISCHARGE POINTS FOR EROSION CONTROL AND SIGNATURE CONTROL (SEE CONDI).
- CONTRACTOR SHALL PROVIDE WATER BARRELS AND RETURN AREAS PER DETAIL.
- CONTRACTOR SHALL SET ALL PERMIT CONDITIONS AS ESTABLISHED BY THE CITY OF NEW HAMPSHIRE AND ALL OTHER APPLICABLE REGULATIONS BUT NOT LIMITED TO COUNTY, TOWN, AND THE STATE.

COOPER STREET (75' R/W)

3rd AVENUE - C. R. A1A (100' R/W)
ASPHALT PAVEMENT



EXISTING PAINTED CERAMITIOUS FINISH TO REPAIR

WEST ELEVATION

(Dark Green)
PAINTED CERAMITIOUS FINISH
TO MATCH EXISTING

NEW EXIST.

STANDARD METAL ROOFING TO
MATCH EXISTING *(Dark Green)*

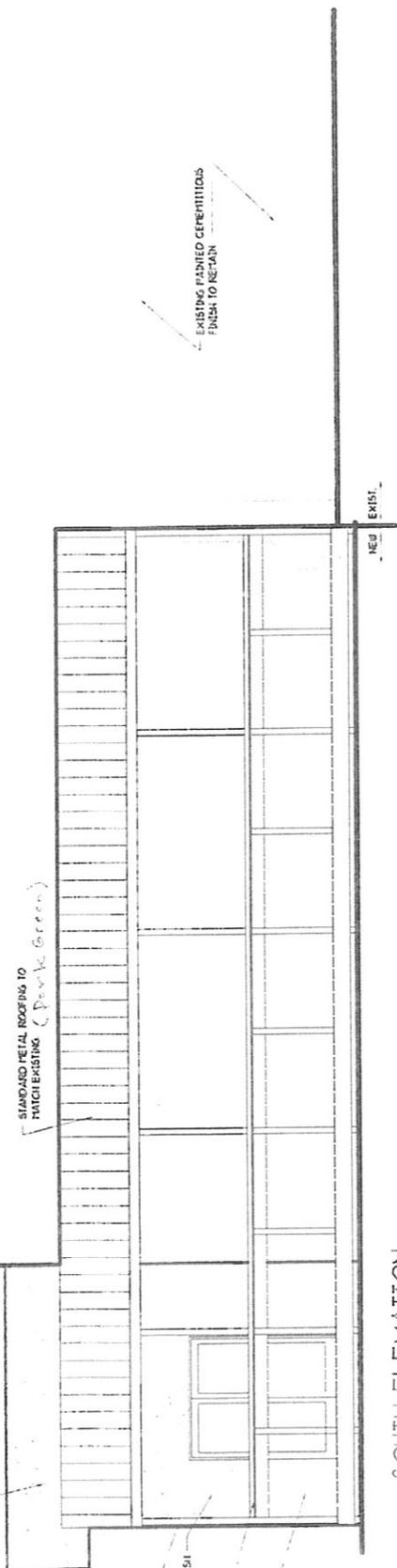
PT. 4x4 POST (TYP.)
PAINTED CERAMITIOUS FINISH
TO MATCH EXISTING
(Dark Green)
IF CORNER TOP

DECORATIVE RAILINGS
(Dark Green)

EXISTING PAINTED CERAMITIOUS
FINISH TO REMAIN

NEW EXIST.

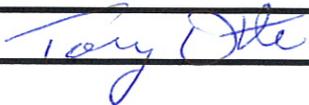
SOUTH ELEVATION







CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Commercial Property Improvement Grant: 227-231 Canal Street		
Agenda Section: Consent _____ Public Hearing _____ Special Items ___x__		
<p>Summary Explanation and Background</p> <p>This application requests improvements on the west side of the Wiley Building at 227-231 Canal Street. The design will architecturally flow with the front exterior. The improvements are planned as follows:</p> <ol style="list-style-type: none"> 1. Remove approximately 1,000 square feet of Mansard roof 2. Remove southwest planter 3. Re-locate power supply to traffic box area at the SW corner of the building 4. Cut asphalt and construct 8 2x2x2 foot footers, and install concrete block columns 5. Install concrete lintels and 3 concrete arches, approximately 16 feet in length and 6 feet in height 6. Install cedar beams, decking, and barrel tile 7. Remove concrete walkway and asphalt parking lot to install approximately 1,000 square feet of brick pavers 8. Stucco top of building 9. Install palm trees 10. Paint all columns and lintels <p>Some outdoor tables could be placed in the paver area, creating a pleasing shaded area which would compliment any street functions and events. J. Pendergast prepared the architectural drawings.</p>		
<p>Recommended Action/Motion:</p> <p>Staff Recommends Approval</p>		
<p>Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:</p> <p>\$10,000 from account number 120.51502. 583001, which currently has a balance of \$49,685. \$19,859.50 remains available if all other PIG grant applications (minus the alternate for 519 Canal Street) submitted in this agenda are approved.</p>		
<p>Exhibits Attached:</p> <ol style="list-style-type: none"> 1. Package submitted by the applicant 2. Score sheets 		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: Robert Wiley

PROPERTY ADDRESS: 227-231 Canal Street

TELEPHONE: (386) 690-4200 (DAY) (386) 690-4200 (EVENING)

TYPE OF IMPROVEMENT PLANNED:

Exterior x Painting x Landscape x Electrical

Signage Awning Parking Area Other x

PROJECT PROPOSAL ON IMPROVEMENTS

All Property Improvement Grant Applications must be approved by the CRA Board prior to work commencing. The following information must be included with the application.

1. **Summary** of the scope of work to be performed.
2. **Color photographs** clearly showing existing condition of the facade, neighboring buildings, and rear entrances. If applicable, historic photographs and photos of existing parking areas should also be included.
3. **Sketch plans and specifications** detailing the scope of work.
4. **Samples** of all paint colors and awning materials to be used on the building and signage.

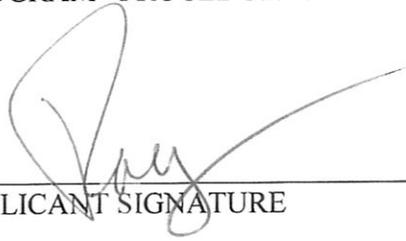
ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 82,875.00

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 10,000.

I UNDERSTAND THAT IN ORDER FOR MY REQUEST FOR GRANT FUNDING TO BE APPROVED, I MUST AGREE TO THE FOLLOWING CONDITIONS:

1. **To follow the design** recommendations as approved by the Community Redevelopment Agency.
2. **To adhere** to the Application Procedures and Guidelines and the Grant Agreement as specified.
3. **That I shall incur** all initial project costs and receive **reimbursement** only after:
 - A. All improvements have been **completed**.
 - B. **Final Inspection** of the improvements is approved.
 - C. **Proof of Payment** for project costs has been received.
4. Additional improvements or changes not approved will not be funded.

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES, THE COMMUNITY REDEVELOPMENT COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM PROCEDURES AND THE GRANT AGREEMENT.



APPLICANT SIGNATURE

7/23/10

DATE

TO: City of New Smyrna Beach
Community Redevelopment Agency

RE: Wiley Building (West side) 227 -231 Canal St.
Facade Grant Request

In an effort to continually revitalize my commercial property located from 201 Canal to 231 Canal St., I propose the following improvements. Enclosed in this application package are the new architectural drawings by J. Pendergast as well as some photos of before and after improvements since I purchased the property in 1979.

This project involves removing the old style green shingle overhang and replacing it with the newer architectural design as shown in the drawing. This was designed to architecturally flow with the recently redone Canal St. front exterior while at the same time adding a fresh exciting touch to the west side of the building. The stucco and brick and tile roof features will carry around to the new side using the same color scheme.

Also it is planned to remove the existing sidewalk and planter area and replace with a paver and palm tree appeal. Some outdoor tables could be placed in the paver area creating a pleasing shaded area which would compliment any street functions and events.

It is my hope that by doing this type of project it may well stimulate others to see the potential and consider improvements on their properties.

Your consideration is greatly appreciated.

Robert Wiley, owner

J. Brendel Ent. Inc.

1801 North Peninsula Avenue
New Smyrna Beach, FL 32169
386-428-5715
386-426-3979 CELL
386-428-8150 FAX
CB C060315

July 22, 2010

Bob Wiley
Wiley Building
200 Block of Canal Street

PROJECTED WORK-

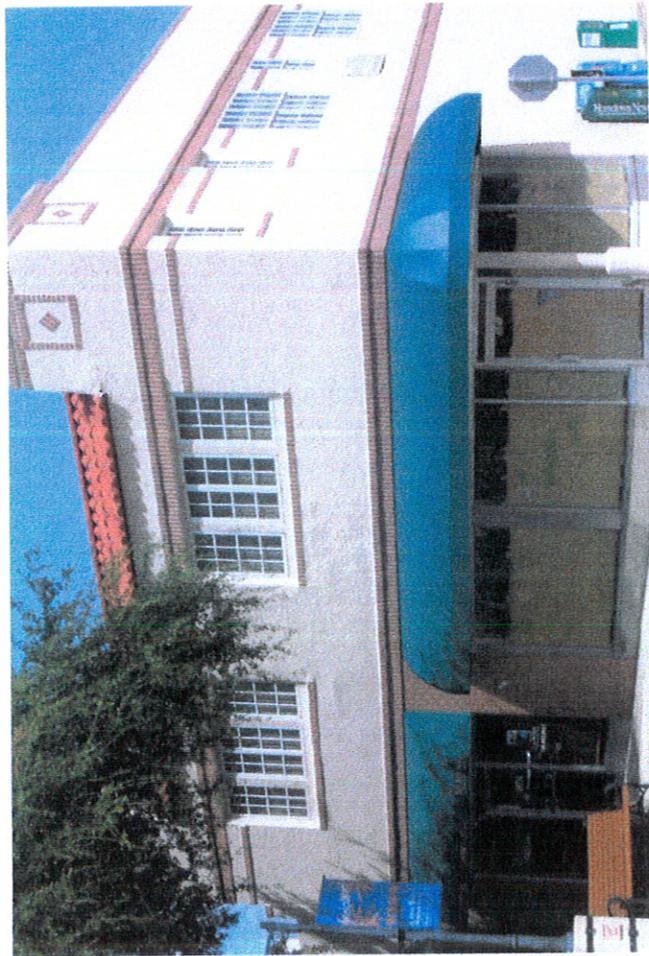
1. Remove approximately 1000 square feet of Mansard roof, shingles, plywood, and trusses
2. Remove southwest planter
3. Re-locate power supply to traffic box- move meter and pull new wire from power pole- approximately 175 feet
4. Cut asphalt and construct 8- 2X2X2 foot footers
5. Install 8- 16"X16" concrete block columns with #5 rebar- poured solid
6. Install 8X8 concrete lintels with #5 rebar and poured with concrete
7. Construct 3 concrete arches, approximately 16' in length and 6' in height
8. Install approximately 24- 4X10 rough sawn cedar beams- beams with 2X6 #1 tongue and groove decking
9. Install approximately 7 rolls peel and stick under-layment with Monier barrel tile between arches
10. remove concrete walk-way and asphalt parking lot, where needed to install approximately 1000 square feet of brick pavers with 6" concrete edge to separate pavers and asphalt
11. Stucco top of building and paint to match existing
12. Install palm trees and re-locate irrigation to accommodate 6-8 trees
13. Paint all columns and lentils, stain all wood (cabots)
14. Install gutter, if necessary
15. Remove all trash

PRICE- \$82,875.00 Pricing based on preliminary plans- Price subject to change when final plans are stamped and sealed and final landscaping is determined

All work to be approved by the City Building Department and Zoning Department

All permits and engineering are additional

Thank you, Jim Brendel CB C060315 QB#- 32039



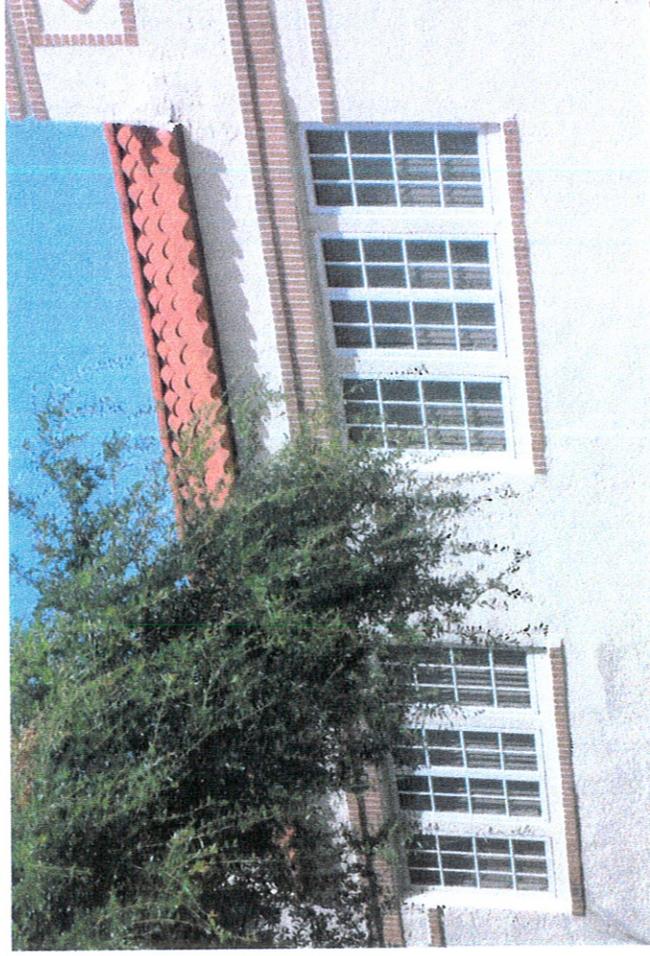
200 Block Canal Street Front and East Side of Building

2010



227-231 Canal Street West Side Building

2010



200 Block Canal Street Two Story Current Facade and Tile Roof Design

2010



227 Canal Street West Side Building

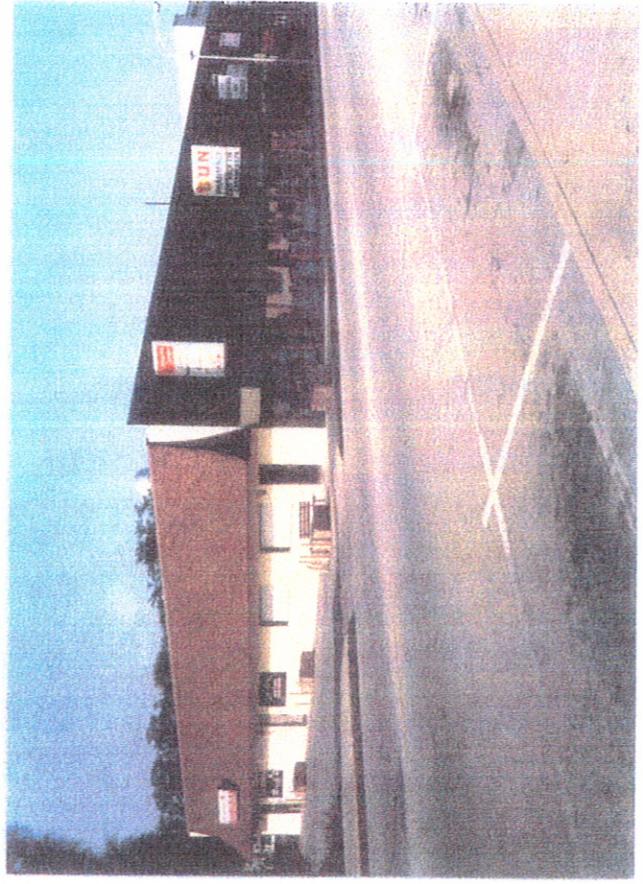
2010



200 Block Canal Street Front of Building and West Side

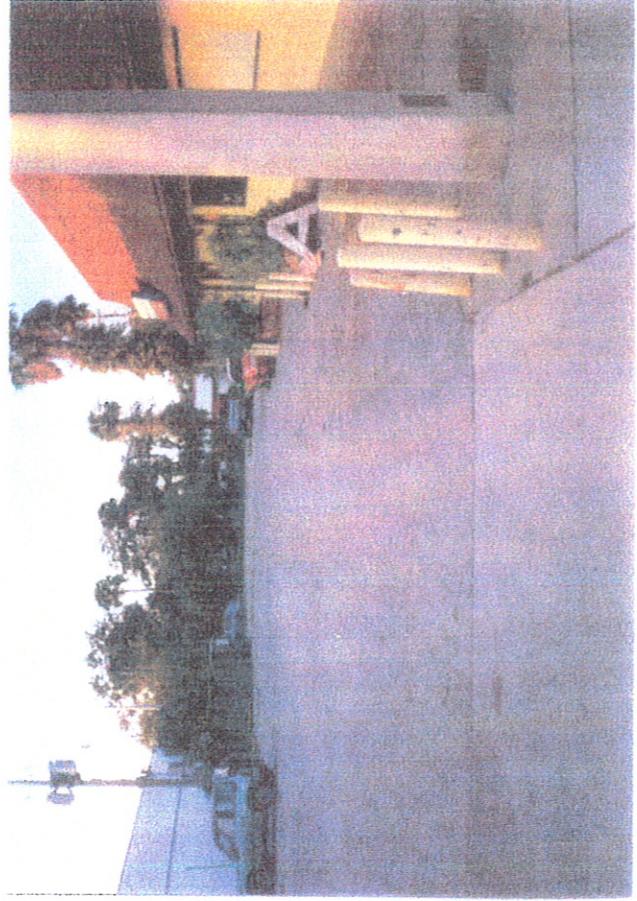
1980

Historic Canal Street Photos
200 Block Canal Street
227-231 West Side Canal Street
Facade Grant Reequrest



200 Block Canal Street Front of Building and West Side

1986



227-231 Canal Street West Side Building

1996

Property Improvement Grants Funding Evaluation

Property Address: 227-231 Canal Street

Did Applicant attend pre-application conference: YES NO

Does the proposed project substantially comply with the guidelines: YES NO

Review for Funding (26 Points Possible) (15 Points Minimum Required)

Circle a Score
for each category

Compliance with Guidelines:

Project substantially meets guidelines
No character defining features are inappropriately altered: ----- (3) Points

Location:

A corner building on Flagler, or Canal Street must do all façade visible to receive credit: --- 5 Points
Located on Canal St, Flagler Ave, N Causeway or Third Ave: ----- (4) Points
Other Locations in Grant Area: ----- 3 Points

Overall Impact / Improvements:

Condition improves from poor to excellent: ----- 5 Points
Condition improves from poor to good: ----- 4 Points
Condition improves from good to excellent: ----- (3) Points
Condition improves from average to excellent: ----- 3 Points
Condition improves from average to good: ----- 2 Points

Quality of Work Proposed:

Special treatment (removing "slipcover façade", rebuilding original character-defining features, substantial structural renovation, significant landscape improvement, etc): ----- (7) Points
Overall high quality: ----- 3 Points

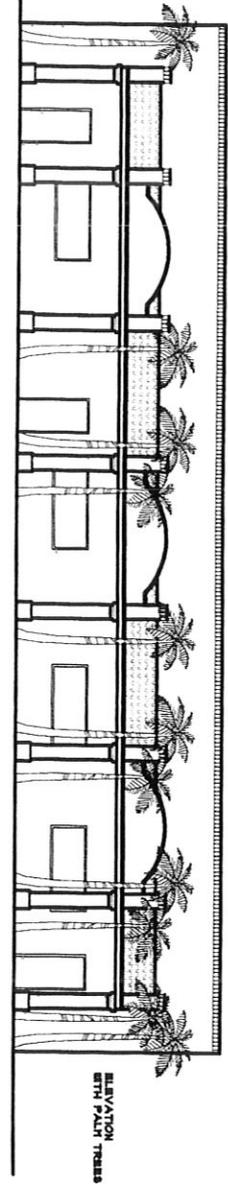
Present Use:

Commercial / Office: ----- (3) Points
Current Vacant / reuse: ----- 3 Points
New INFILL construction on Flagler Ave or Canal St: ----- 4 Points

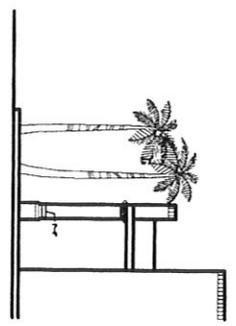
Bonus Points:

Special significance – historically or architecturally important, now or in the past, to the community: ----- (2) Points

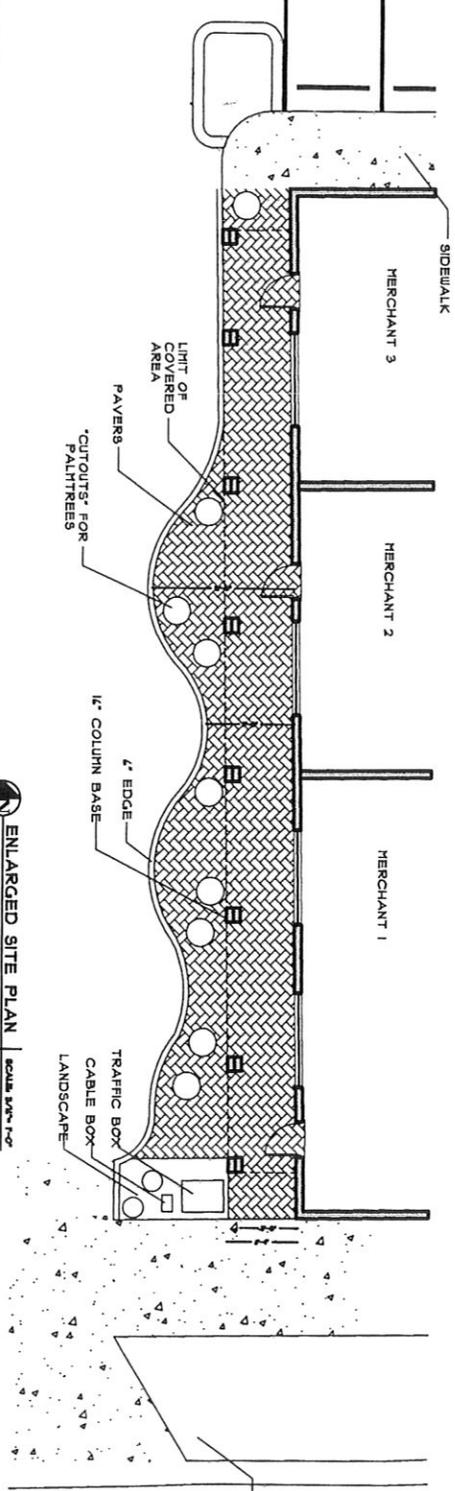
Total 22



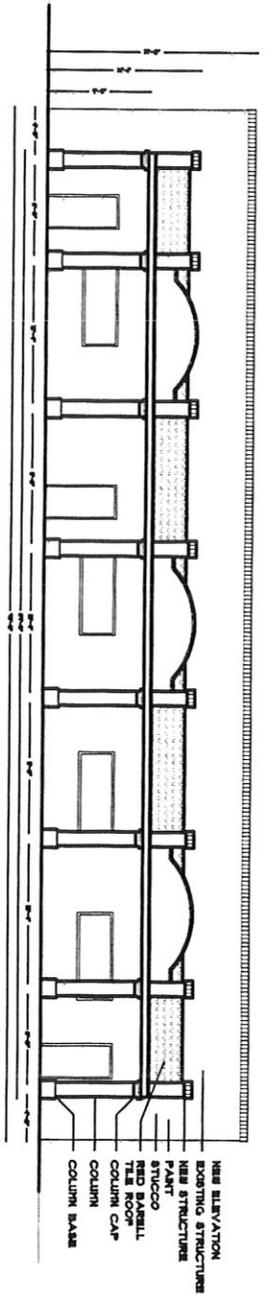
WEST ELEVATION
SCALE 3/8" = 1'-0"



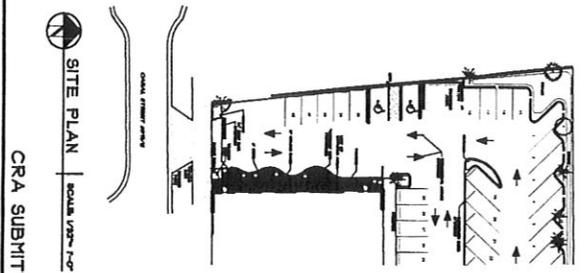
NORTH ELEVATION
CANAL STREET
SCALE 3/8" = 1'-0"



ENLARGED SITE PLAN
SCALE 3/8" = 1'-0"



WEST ELEVATION
SCALE 3/8" = 1'-0"



SITE PLAN
SCALE 1/8" = 1'-0"

CRA SUBMITTAL

DATE
REVISIONS 01/28/10

WILEY BUILDING
CANAL STREET
NEE SHYRKA BEACH, FLORIDA 3248

GERARD J. FENDERGAST
20 CANAL STREET, NEE SHYRKA BEACH, FLORIDA 3248
PH (360) 421-8002 FAX (360) 421-8001

ARCHITECTURE/PLANNING
AR 002-411

FROM

Southern Paint & Wallpaper
 605 S. Dixie Freeway(us-1)
 New Smyrna Beach, 32168

 Phone : (386) 427-9523

Invoice

Invoice No	Date	Page
N46954	02/08/2008	1

SOLD TO

WILE201
 Robert Wiley
 100 East Circle
 New Smyrna Beach, FL 32169

Phone	Fax	Clerk	Terms	PO Number	Required
(904) 428-2451	(904) 428-2452	HJ	0002 - Net 10 Days E O M	CANAL ST.	

Item Number	Description	Retail	Qty	U/M	Tax	Unit Price	Extension
410-1-05	Sealflex Satin White <i>Formula: C-Y42 I-30 L-3Y31 Body</i> <i>Color: INDIAN LT. SAND</i> <i>Info: Per Five</i>	\$166.39	2.00	5GAL		\$133.99	\$267.98
MG-7SM316	7x3/16"GlassMaster Red	\$3.19	1.00	EA		\$2.59	\$2.59
MG-3SM316	3x3/16"GlassMaster Red	\$2.09	1.00	EA		\$2.09	\$2.09
PR-16604	2" Allpro Amber Jack	\$7.99	1.00	EA		\$6.49	\$6.49
ZP-605	3" Z-Pro Standard Frame	\$1.79	1.00	EA		\$1.49	\$1.49
10-34-01	Sealflex Flat Deep Base <i>Formula: B-Y24 C-3Y3 F-Y27 Brick</i> <i>Formula: NEW BRICK MATCH</i> <i>Color: USE THIS FORMULA ONLY!!!!</i> <i>Info: Per Gallon</i> See Memo On 10-34 Formula!!!!!!! Replaces Previous Color Match.		1.00	GAL			

BRICK

Total Discount Savings \$67.20 MIXED PAINT IS NONRETURNABLE! RETURNS OR EXCHANGES ACCEPTED WITHIN 30DAYS ONLY W/ ORIGINAL RECEIPT. THANK YOU!	SubTotal	\$280.64
	Sales Tax	\$18.24
	Total	\$298.88

Duplicate Invoice

Copy

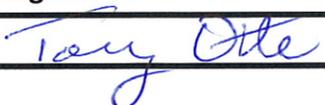
Received By :



Form 9-8-2007 03:42:26 AM

JEFF STADLER

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Commercial Property Improvement Grant: 521 and 523 Canal Street		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
<p>Summary Explanation and Background</p> <p>This application requests improvements to the area west of the building at 519 Canal Street, which will be done in conjunction with improvements planned for the area just east and north of 521-523 Canal St (the "Big Joe's Subs building and the two story house to the east of that building). The owner wishes to create an outdoor seating area to serve the restaurant, as well as a landscaped walkway to the parking lot to the north and Canal St to the south.</p>		
<p>Recommended Action/Motion: Staff recommends approval.</p>		
<p>Funding Analysis: Budgeted <u>X</u> If not budgeted, recommend funding account: \$10,000 from account number 120.51502. 583001, which currently has a balance of \$49,685. \$19,859.50 remains available if all other PIG grant applications (minus the alternate for 519 Canal Street) submitted in this agenda were approved.</p>		
<p>Exhibits Attached:</p> <ol style="list-style-type: none"> 1. Package submitted by the applicant 2. Score sheets 		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Property Improvement Grants Funding Evaluation

Property Address: 521-523 Canal Street

Did Applicant attend pre-application conference: YES NO

Does the proposed project substantially comply with the guidelines: YES NO

Review for Funding (26 Points Possible) (15 Points Minimum Required)

Circle a Score
for each category

Compliance with Guidelines:

Project substantially meets guidelines
No character defining features are inappropriately altered: ----- 3 Points

Location:

A corner building on Flagler, or Canal Street must do all façade visible to receive credit: --- 5 Points
Located on Canal St, Flagler Ave, N Causeway or Third Ave: ----- 4 Points
Other Locations in Grant Area: ----- 3 Points

Overall Impact / Improvements:

Condition improves from poor to excellent: ----- 5 Points
Condition improves from poor to good: ----- 4 Points
Condition improves from good to excellent: ----- 3 Points
Condition improves from average to excellent: ----- 3 Points
Condition improves from average to good: ----- 2 Points

Quality of Work Proposed:

Special treatment (removing "slipcover façade", rebuilding original character-defining features, substantial structural renovation, significant landscape improvement, etc): ----- 7 Points
Overall high quality: ----- 3 Points

Present Use:

Commercial / Office: ----- 3 Points
Current Vacant / reuse: ----- 3 Points
New INFILL construction on Flagler Ave or Canal St: ----- 4 Points

Bonus Points:

Special significance – historically or architecturally important, now or in the past, to the community: ----- 2 Points

Total 20

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: Big Joe's Subs/ Maitland Fruit Co. Inc. /Stull Construction Inc.

PROPERTY ADDRESS: 521 & 523 Canal St.

TELEPHONE: 386-527-1970 (DAY) 386-426-2964 (EVENING)

TYPE OF IMPROVEMENT PLANNED:

Exterior Yes Painting Yes Landscape Yes Electrical Yes
Signage Yes Awning Yes Parking Area Yes Other Yes

PROJECT PROPOSAL ON IMPROVEMENTS

All Property Improvement Grant Applications must be approved by the CRA Board prior to work commencing. The following information must be included with the application.

1. **Summary** of the scope of work to be performed.
2. **Color photographs** clearly showing existing condition of the facade, neighboring buildings, and rear entrances. If applicable, historic photographs and photos of existing parking areas should also be included.
3. **Sketch plans and specifications** detailing the scope of work.
4. **Samples** of all paint colors and awning materials to be used on the building and signage.

ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 23,500.00

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 10,000.00

I UNDERSTAND THAT IN ORDER FOR MY REQUEST FOR GRANT FUNDING TO BE APPROVED, I MUST AGREE TO THE FOLLOWING CONDITIONS:

1. **To follow the design** recommendations as approved by the Community Redevelopment Agency.
2. **To adhere** to the Application Procedures and Guidelines and the Grant Agreement as specified.
3. **That I shall incur** all initial project costs and receive **reimbursement** only after:
 - A. All improvements have been **completed**.
 - B. **Final Inspection** of the improvements is approved.
 - C. **Proof of Payment** for project costs has been received.
4. Additional improvements or changes not approved will not be funded.

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES, THE COMMUNITY REDEVELOPMENT COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM PROCEDURES AND THE GRANT AGREEMENT.



APPLICANT SIGNATURE

7/28/2010

DATE

Stull Construction Inc.
Michael J. Stull

General Contractor, CGC 059676
(386)426-2964 or (888)426-2964
1931 Evergreen Dr.
Edgewater, Fl. 32141

July 28, 2010



Project: Maitland Fruit Co.
521 & 523 Canal St.
New Smyrna Beach, Fl. 32169
7441-37-02-0060
Permit #

I, Michael J. Stull, have examined the project, and having visited the site and examining the conditions affecting the work, propose and agree to arrange labor and materials to complete the Scope of Work items listed below. This is a fixed price contract. The costs will be any materials, labor or fees needed to complete the Scope of Work. The deposit amount will be \$1000.00 due at signing of contract. Estimated cost to complete \$23,500.00.

Scope of Work

1. Drafting
2. Notice of Commencement
3. Permit application paperwork and fees
4. Inspections as required
5. Demo asphalt and prep area for concrete pavers
6. Install concrete pad footers for pergola support
7. Install pergola as per plans
8. Install concrete pavers as per plan
9. Install Landscaping as per plan
10. Install Signage
11. Restripe parking lot as needed
12. Cleanup and haul away any debris

There are no provisions implied or assumed by builder for additional materials, labor and /or services that are not listed in the scope of work. This Bid is based on preliminary inspection and all hidden defects are not included.

Exclusions to Proposal;

1. Any hidden defects found will be charged as a change order.
2. Any impact fees.
3. Any items not specifically listed in the Scope of Work.

Change order fees will be charged at \$35/hr general labor rate plus cost plus 15% for any materials needed to complete the Change Order.

Michael J. Stull, pres. July 28, 2010

owner's agent date

7/29/10

Stull Construction Inc.
Michael J. Stull

General Contractor, CGC 059676
(386)426-2964 or (888)426-2964
1931 Evergreen Dr.
Edgewater, Fl. 32141

July 28, 2010



Project: Maitland Fruit Co.
521 & 523 Canal St.
New Smyrna Beach, Fl. 32169
7441-37-02-0060
Permit #

SCOPE

We are requesting matching funds from the CRA to help facilitate the improvement of the properties located at the address above. The proposed improvements will not only help Big Joe's Subs increase seating areas but will help make it more feasible for the business to stay open longer into the evenings. Being directly on US1 and at the most visable corner of Canal St. We believe it would be a great improvement to the look and feel of our downtown community.

A handwritten signature in black ink, appearing to read "Michael J. Stull", is written over a horizontal line.

Michael J. Stull, pres. July 28, 2010



521-523 Canal Street – North Parking Area



521-523 Canal Street – North Side



521-523 Canal Street – North parking Area



521-523 Canal Street

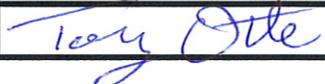


521-523 Canal Street – North parking Area



521-523 Canal Street – North parking Area

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Commercial Property Improvement Grant: 519 Canal Street		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background		
<p>This application requests improvements to the area west of the building at 519 Canal Street, which will be done in conjunction with improvements planned for the area just east and north of 521-523 Canal St (the "Big Joe's Subs building and the two story house to the east of that building). The owner wishes to create an outdoor seating area to serve the restaurant, as well as a landscaped walkway to the parking lot to the north and Canal St to the south.</p> <p>Please be aware that the Property Improvement Grant Guidelines state that <i>"each applicant may receive only one Grant Award in any one cycle. An applicant having more than one property applying for a Grant will be placed on an Alternate List, and may be considered if funds are still available."</i> The improvement project for 519 Canal is tying in with the Property Improvements for 521-523 Canal Street, which is also in this agenda for consideration.</p>		
Recommended Action/Motion:		
Staff recommends approval		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommend funding account:		
\$10,000 from account number 120.51502. 583001, which has \$19,859.50 available if all other PIG grant applications submitted in this agenda were approved and a balance of \$9,859.50 would remain if this alternate application gets approved.		
Exhibits Attached:		
1. Package submitted by the applicant 2. Score sheet		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Property Improvement Grants Funding Evaluation

Property Address: 519 Canal Street

Did Applicant attend pre-application conference: YES NO

Does the proposed project substantially comply with the guidelines: YES NO

Review for Funding (26 Points Possible) (15 Points Minimum Required)

Circle a Score
for each category

Compliance with Guidelines:

Project substantially meets guidelines

No character defining features are inappropriately altered: ----- (3) Points

Location:

A corner building on Flagler, or Canal Street must do all façade visible to receive credit: --- 5 Points

Located on Canal St, Flagler Ave, N Causeway or Third Ave: ----- (4) Points

Other Locations in Grant Area: ----- 3 Points

Overall Impact / Improvements:

Condition improves from poor to excellent: ----- 5 Points

Condition improves from poor to good: ----- 4 Points

Condition improves from good to excellent: ----- (3) Points

Condition improves from average to excellent: ----- 3 Points

Condition improves from average to good: ----- 2 Points

Quality of Work Proposed:

Special treatment (removing "slipcover façade", rebuilding original character-defining features, substantial structural renovation, significant landscape improvement, etc): ----- (7) Points

Overall high quality: ----- 3 Points

Present Use:

Commercial / Office: ----- (3) Points

Current Vacant / reuse: ----- 3 Points

New INFILL construction on Flagler Ave or Canal St: ----- 4 Points

Bonus Points:

Special significance – historically or architecturally important, now or in the past, to the community: ----- 2 Points

Total 20

CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY

APPLICATION FORM

COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM

NAME: Big Joe's Subs/ Maitland Fruit Co. Inc. /Stull Construction Inc.

PROPERTY ADDRESS: 519 Canal St.

TELEPHONE: 386-527-1970 (DAY) 386-426-2964 (EVENING)

TYPE OF IMPROVEMENT PLANNED:

Exterior Yes Painting Yes Landscape Yes Electrical Yes
Signage Yes Awning Yes Parking Area Yes Other Yes

PROJECT PROPOSAL ON IMPROVEMENTS

All Property Improvement Grant Applications must be approved by the CRA Board prior to work commencing. The following information must be included with the application.

1. **Summary** of the scope of work to be performed.
2. **Color photographs** clearly showing existing condition of the facade, neighboring buildings, and rear entrances. If applicable, historic photographs and photos of existing parking areas should also be included.
3. **Sketch plans and specifications** detailing the scope of work.
4. **Samples** of all paint colors and awning materials to be used on the building and signage.

ESTIMATED TOTAL COST OF PROPOSED IMPROVEMENTS: \$ 20,500.00

ESTIMATED AMOUNT OF GRANT ASSISTANCE REQUESTED: \$ 10,000.00

I UNDERSTAND THAT IN ORDER FOR MY REQUEST FOR GRANT FUNDING TO BE APPROVED, I MUST AGREE TO THE FOLLOWING CONDITIONS:

1. **To follow the design** recommendations as approved by the Community Redevelopment Agency.
2. **To adhere** to the Application Procedures and Guidelines and the Grant Agreement as specified.
3. **That I shall incur** all initial project costs and receive **reimbursement** only after:
 - A. All improvements have been **completed**.
 - B. **Final Inspection** of the improvements is approved.
 - C. **Proof of Payment** for project costs has been received.
4. Additional improvements or changes not approved will not be funded.

I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THE DESIGN GUIDELINES, THE COMMUNITY REDEVELOPMENT COMMERCIAL PROPERTY IMPROVEMENT GRANT PROGRAM PROCEDURES AND THE GRANT AGREEMENT.



APPLICANT SIGNATURE

7/28/2010

DATE

Stull Construction Inc.

Michael J. Stull

General Contractor, CGC 059676

(386)426-2964 or (888)426-2964

1931 Evergreen Dr.

Edgewater, Fl. 32141

July 28, 2010



Project: Maitland Fruit Co.
519 Canal St.
New Smyrna Beach, Fl. 32169
7441-37-02-0043
Permit #

I, Michael J. Stull, have examined the project, and having visited the site and examining the conditions affecting the work, propose and agree to arrange labor and materials to complete the Scope of Work items listed below. This is a fixed price contract. The costs will be any materials, labor or fees needed to complete the Scope of Work. The deposit amount will be \$1000.00 due at signing of contract. Estimated cost to complete \$20,500.00.

Scope of Work

1. Drafting
2. Notice of Commencement
3. Permit application paperwork and fees
4. Inspections as required
5. Demo asphalt and prep area for concrete pavers
6. Install fence as per plan (including garbage can area)
7. Install concrete pavers as per plan
8. Install Landscaping as per plan
9. Paint exterior to match 521&523 Canal St.
10. Install Signage
11. Restripe parking lot as needed
12. Cleanup and haul away any debris

There are no provisions implied or assumed by builder for additional materials, labor and /or services that are not listed in the scope of work. This Bid is based on preliminary inspection and all hidden defects are not included.

Exclusions to Proposal;

1. Any hidden defects found will be charged as a change order.
2. Any impact fees.
3. Any items not specifically listed in the Scope of Work.

Change order fees will be charged at \$35/hr general labor rate plus cost plus 15% for any materials needed to complete the Change Order.

Michael J. Stull, pres. July 28, 2010

owner's agent

date

7/29/10

Stull Construction Inc.

Michael J. Stull

General Contractor, CGC 059676

(386)426-2964 or (888)426-2964

1931 Evergreen Dr.

Edgewater, Fl. 32141

July 28, 2010



Project: Maitland Fruit Co.

519 Canal St.

New Smyrna Beach, Fl. 32169

7441-37-02-0043

Permit #

SCOPE

We are requesting matching funds from the CRA to help facilitate the improvement of the properties located at the address above. The proposed improvements will coincide with Big Joe's Subs addition and renovation. This property will be prime for additional future commercial activity. Being directly on US1 and at the most visable corner of Canal St. We believe it would be a great improvement to the look and feel of our downtown community. Blending the look of the properties on this corner of our city will help revitalize this downtown area.

A handwritten signature in blue ink, appearing to read "Michael J. Stull", is written over a horizontal line.

Michael J. Stull, pres. July 28, 2010



519 Canal Street – West Side Courtyard



Color Sample for 519 Canal Street – to Match 521-523 Canal Street



519 Canal Street – South Side Courtyard



519 Canal Street – North Side Courtyard and Praking Area



521-523 Canal Street – South Side



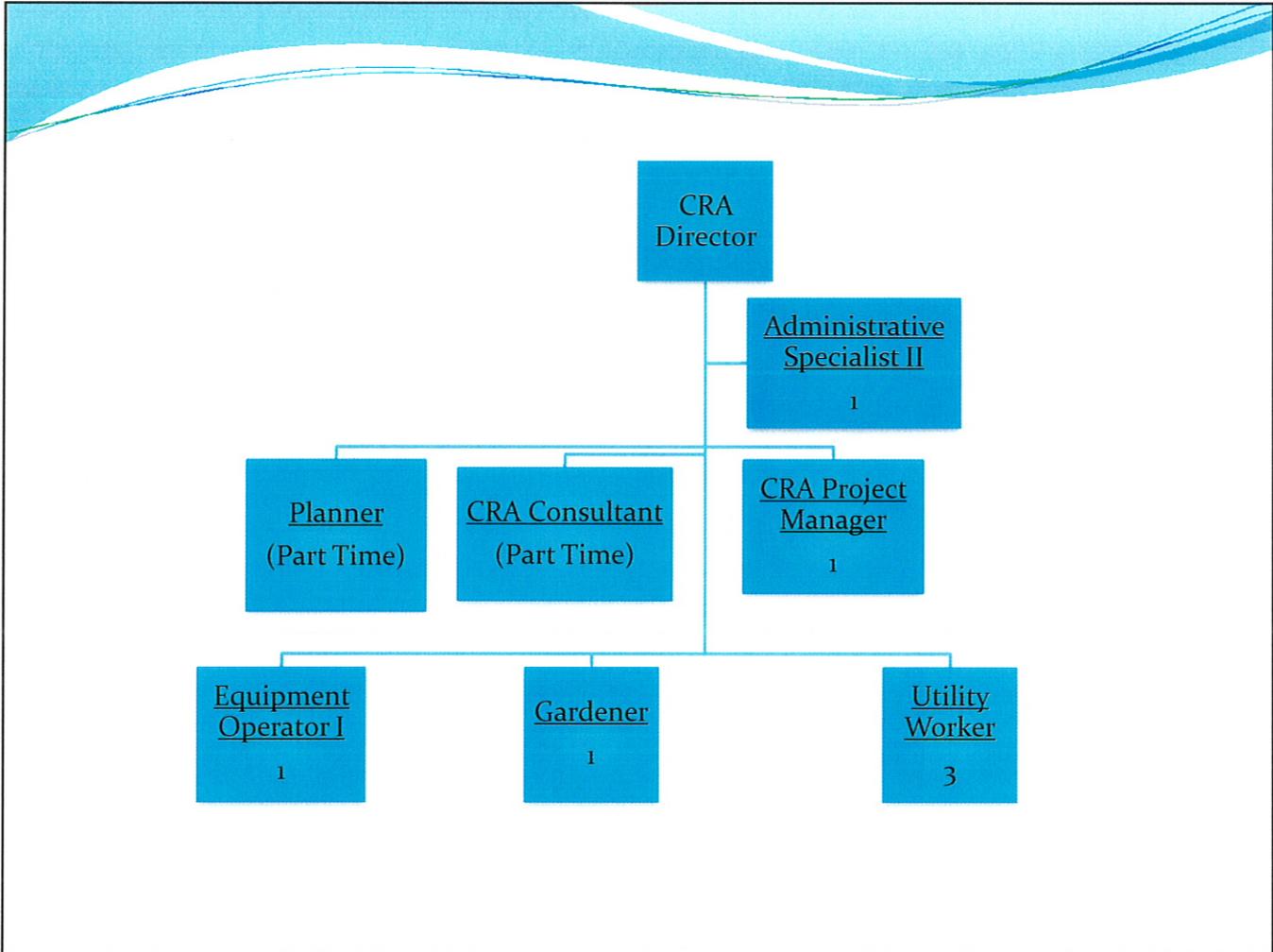
519 Canal Street – South Side

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Review of draft operational budget		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background		
<p>The attached presentation was provided to the City Commission during their budget workshop on July 28. The draft operational budget has the following features:</p> <ol style="list-style-type: none"> 1. The Personnel Services section deletes the CRA Coordinator position and has two new positions: a part-time planner, and a part-time consultant. Duties for the part-time planner will include planning related duties such as changes to the Land Development Code (a form-based code and/or other changes to remove impediments to redevelopment), the Arts Overlay District, Coordination of the US 1/Canal St design, the designation of city properties for development, and the Brownfields program. Duties for the part-time consultant will include the development of the business incubator, grant applications, employment related training, and coordination with partner agencies. 2. One of the key goals for the upcoming fiscal year is to move capital projects forward. At this point nearly every project on the capital project list has been initiated. 		
Recommended Action/Motion:		
Review and Approval		
Funding Analysis: Budgeted_____ If not budgeted, recommend funding account: x		
Exhibits Attached:		
1. Draft Operational Budget presentation		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

A blue gradient background with wavy lines at the top. The text is centered in a light blue color.

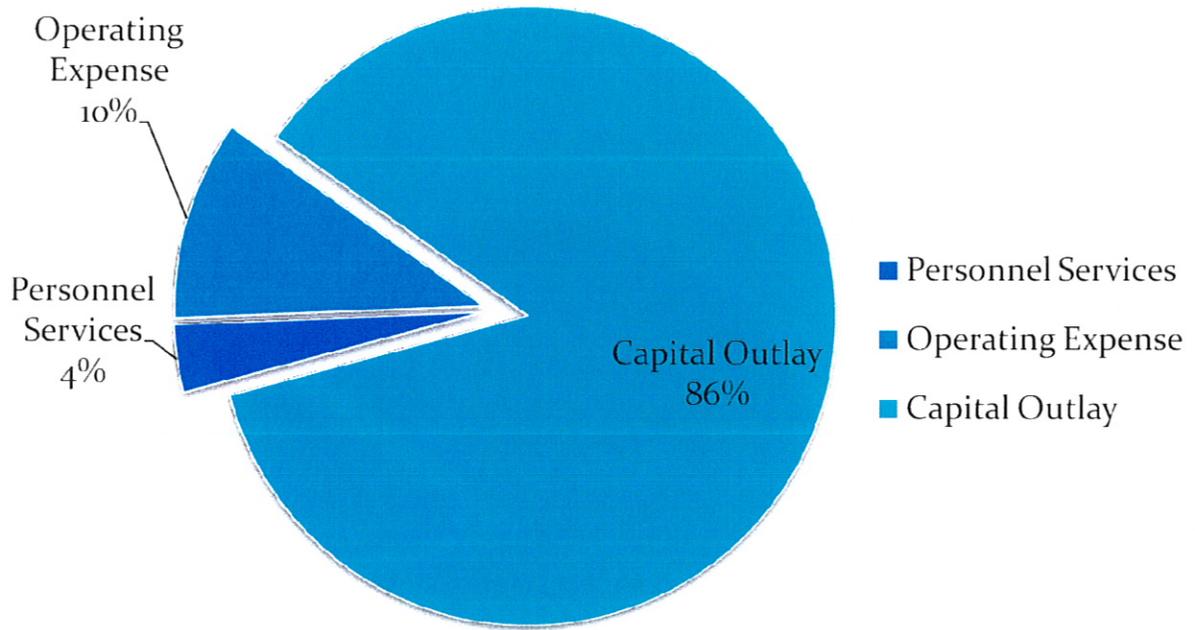
Community Redevelopment Agency

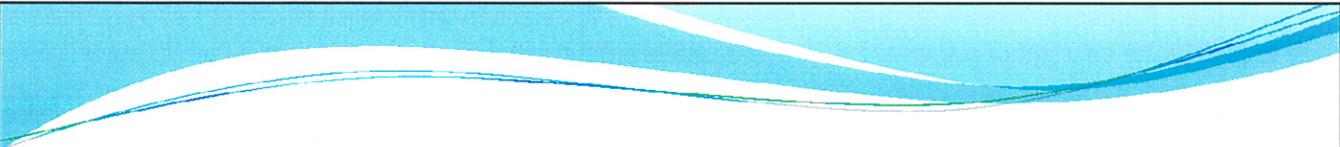


CRA FY 2011 Budget

	FY 09 Actual	FY 10 Budget	FY 11 Tentative
Revenue ~			
Tax Revenue	\$ 3,181,663	\$ 2,674,506	\$ 1,741,206
Misc Revenue	\$ 272,728	\$ 455,250	\$ 0
Capital Revenue	\$ 0	\$10,167,462	\$ 6,666,306
Debt Services	\$ (341,082)	\$ (341,265)	\$ (341,455)
Total Revenue	\$ 3,113,309	\$12,955,953	\$ 8,066,057
Expenditures ~			
Personnel Services	\$ 371,650	\$ 456,564	\$ 516,415
Operating Expense	\$ 673,182	\$ 1,354,638	\$ 1,336,642
Capital Outlay	\$1,028,566	\$ 11,144,751	\$ 6,213,000
Transfers	\$ 40,000	\$ 0	\$ 0
Total Expenditures	\$ 2,113,398	\$12,955,953	\$ 8,066,057

FY 2010 Expenditures



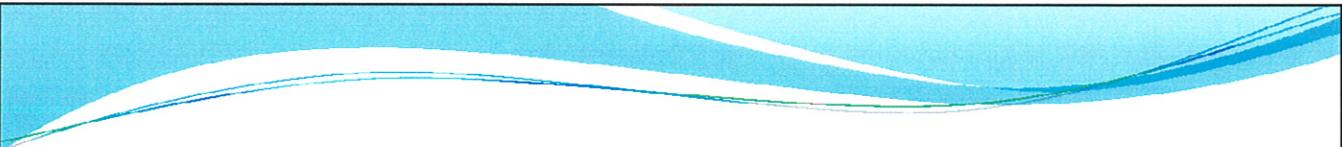


CRA STRATEGY

To identify and implement Public Investment or Policy that will induce quality private investment response in order to reach the desired character and economic potential of the area.

CHALLENGES

- Filling empty storefronts on Canal Street.
- Getting capital projects moving.
- Encouraging businesses to expand and recruiting new businesses.
- Implementing adopted plans: CRA Master Plan Update and Economic Development Plan.
- Declining tax base – reduced revenues.



OPPORTUNITIES

- Enhance our partnerships with the Economic Development Advisory Board, the Utilities Commission, the Canal Street merchants, the Flagler Ave merchants, the Westside community (Westside Community Plan being developed), the County, Bert Fish Medical Center, the Chamber, the Greater New Smyrna Beach Visitors Center, surrounding cities, and state and federal agencies including FDOT, FDEP, and the US EPA.
- Utilize available CRA Capital funds and the Brownfield's Grant.
- Explore the potential use of City/CRA owned properties.
- Enhance the use of the City's website for Economic Development.

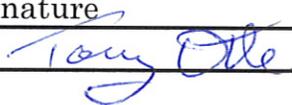
Adjusted Capital Improvement Project List

Priority	Recommendation	Estimated Budget	Reduce 7 % Across the Board	As per Direction of CRA Board at July 7, 2010 Meeting
A	Development Assistance & Incentives	\$1,695,562	\$1,576,873	\$1,379,533
A	Policy & Partnerships	\$200,000	\$186,000	\$186,000
A	Marketing & Promotions	\$500,000	\$465,000	\$465,000
A	Flagler Avenue Boardwalk Park	\$2,000,000	\$1,860,000	\$1,860,000
A	Signage and Wayfinding	\$300,000	\$279,000	\$279,000
A	Corneth Parking			
A	Washington Street Business District	\$300,000	\$279,000	\$279,000
A	Washington Street Improvements	\$1,000,000	\$930,000	\$930,000
A	North Atlantic Avenue Improvements			
A	Esther Street Park	\$935,000	\$869,550	\$869,550
A	Medical Services District Improvements	\$1,000,000	\$0	\$0
A	Flagler Avenue parking			
B	North Causeway Improvements			
B	Gateway Landscaping & Beautification	\$65,000	\$60,450	\$60,450
B	SR 44 Crossing Treatments			
B	Medical District Parking			
B	Riverside Park Seawall / Lighting	\$1,000,000	\$930,000	\$930,000
B	Streetscape Canal Neighborhoods			
B	Canal Street Parking			
B	Myrtle Avenue Infrastructure Project	\$500,000	\$465,000	\$465,000
	West Canal Streetscape	\$1,000,000	\$930,000	\$1,000,000
	Mary Avenue Streetscape	\$1,600,000	\$1,488,000	\$1,600,000
	South Orange St Streetscape	\$1,200,000	\$1,116,000	\$1,200,000
	Julia and Faulkner Parking Lot	\$5,000	\$4,650	\$0
	Flagler Dunes Parking Lot	\$58,000	\$53,940	\$68,000
	Chamber Restoration Project	\$200,000	\$186,000	\$200,000
	CRA Parking	\$51,400	\$47,802	\$0
	Public Art	\$13,600	\$12,648	\$13,600
	Contingency	\$200,000	\$185,220	\$0
	TOTAL	\$13,823,562	\$11,925,133	\$11,925,133
	Funds reallocated to operating budget	\$80,000	\$0	\$0
	GRAND TOTAL	\$13,903,562	\$11,925,133	\$11,925,133



QUESTIONS?

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin		
Meeting Date: <u>8/4/2010</u>		
Action Item Title: Additional Design Services for FDOT Utility Permit - Orange St Streetscape and Parking lot Improvements Project		
Agenda Section: Consent <input type="checkbox"/> Public Hearing <input type="checkbox"/> Special Items <input checked="" type="checkbox"/>		
<p>Summary Explanation and Background:</p> <p>Staff initially began the permit process with the FDOT, as it will be required when installing Stormwater Manhole # 1, however the FDOT returned with a lengthy list of requirements for the permit (please refer to the attachment) which could not be easily accomplished in-house. Therefore Staff has coordinated with AECOM to prepare and apply for the FDOT Utility Permit, addressing all of the FDOT's requirements, for an Added Services amount of \$11,100.</p>		
<p>Recommended Action/Motion:</p> <p>Recommend approval for Additional Services for AECOM (formerly Glatting Jackson Kercher Anglin) to prepare and apply for an FDOT Utility Permit for the S Orange St Streetscape and Parking Lot Improvements Project.</p>		
Funding Analysis: Budgeted <input checked="" type="checkbox"/> If not budgeted, recommended funding account:		
<p>Exhibits Attached: Attachments: Letter from the FDOT (dated 6/11/10) with the list of requirements and also AECOM's Added Services Request</p>		
Reviewed By:	Name	Signature
Department Director:	Tony Otte	
Commission Action:		



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

1650 North Kepler Road
DeLand, FL 32724

STEPHANIE C. KOPELOUSOS
SECRETARY

June 11, 2010

Michelle Martin
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

Re: Utility Permit Application No. 2010-H-591-82
Job Number: -
Section # : 79070, MP:
State Road: 44

Dear Ms. Martin:

The Utility Permit application received on 6/2/2010 by this office has been reviewed and found to lack sufficient information to approve. The items on the attached list need clarification or revision before this permit can be approved.

No further action will be taken regarding this permit application until this office receives your response to the items listed. Please respond to each item in writing with any additional documentation (3 sets) necessary to resolve the problem. Please be sure to reference this permit number.

As a courtesy, we will hold the application for 60 days, or until we receive your response. If the required response has not been received by 8/10/2010 the application will be considered as denied by this office by reason of the listed deficiencies.

If you have any questions concerning this matter, please call me at (386) 740 - 3456.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor LoPiccolo".

Victor LoPiccolo
Contracts/Permits Coordinator
FDOT DeLand Operations
victor.lopiccolo@dot.state.fl.us

VL
Attachment
cc: File

June 11, 2010

Utility Application No: 2010-H-591-82

- Three sets of applications (form dated 10/07) are required; one form was submitted but a required signature is missing on Page 1.
- A detailed cross section, from the centerline of the road (Lytle Avenue "off ramp") to the right of way line. Include all details (existing utilities, proposed work, roadway features, etc).
- A detailed location/vicinity map is required.
- Item 1 of the application must be completed.
- A proper Maintenance of Traffic plan for the proposed installation is required.
- Revise plans to clearly depict actual roadway features (curb and gutter, sidewalk, etc.). Include striping.
- Include a legend of abbreviations/symbols on the plans.
- Note the posted speed limit on the plans.
- Show the limits of the pavement tht will need to be open cut.
- Show all existing utilities in the right-of-way. Include depths and horizontal distances with respect to the edge of pavement (white line).
- Note the distance of the proposed installation with respect to the edge-of-pavement (white line).
- Please add the following note to the plans: "All construction within FDOT Right-of-Way shall conform to the latest editions of the FDOT Design Standard indices, the FDOT Standard Specification for Road and Bridge construction, and the FDOT Utility Accommodations Manual."
- Provide a pavement restoration detail. Refer to and include Index 307, Sheets 1 & 3.

ADDITIONAL SERVICES LETTER OF AGREEMENT

July 22, 2010

Tony Otte
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168
Telephone: (386) 424-2160
Facsimile: (386) 409-4759
Hereinafter referred to as Client.

Re: New Smyrna Beach/Orange Street Reconstruction Ph. 1
AECOM Project #10331774.31 - 10330214.01

Dear Tony:

AECOM Technical Services, Inc. (AECOM) is pleased to provide the scope of services outlined below to the City of New Smyrna Beach (Client) as an Additional Service to our Letter of Agreement dated July 29, 2003. All services will be provided under the terms and conditions of the above-reference Agreement and any approved amendment or modifications thereto.

SCOPE OF SERVICES**Task 7- Florida Department of Transportation (FDOT) Utility Permit**

GAI Consultants shall provide Civil Engineering services to prepare an FDOT Utility Permit. See the detailed scope described in Attachment A.

PROJECT SCHEDULE - AECOM is prepared to begin work on the project immediately upon receipt of this executed Additional Services Agreement. AECOM, in consultation with the Client, shall perform its work in such a manner as to comply with a mutually agreed upon schedule.

COMPENSATION

The fee for the Scope of Services detailed above shall be a lump sum fee of Eleven Thousand One Hundred dollars (\$11,100.00) including direct costs.

We look forward to continuing our work with you on this project. If you find these terms acceptable, please sign where indicated below and return one signed original to AECOM for our files. Please call me if you have any questions.

Sincerely,



Bruce C. Hall, RLA
Project Manager

AGREED TO AND ACCEPTED BY:

City of New Smyrna Beach

AECOM Technical Services, Inc.

By: _____
Tony Otte

By: Sharon K. Lamantia
Sharon K. Lamantia

Its: _____
CRA Director

Its: _____
Principal

Date: _____

Date: July 12, 2010

SGL _____

Attachment A
Scope of Services
GAI Consultants
Orange Street Streetscape
City of New Smyrna Beach, Florida
Project No. 10331774.31
July 12, 2010

Civil Engineering Scope of Services**1. Florida Department of Transportation (FDOT) Utility Permit**

1.1 Prepare for and conduct a pre-application meeting with FDOT for the anticipated Utility Permit.

1.2 Prepare a comment response package for submittal, processing, and approval for the anticipated FDOT Utility Permit. The package will address comments received from FDOT on June 11, 2010.

1.3 Develop an MOT plan using FDOT indexes for the proposed work within the FDOT ROW. The anticipated MOT will consist of one phase as follows:

- Full Closure of westbound Lytle Avenue from Orange St. to US 1

1.4 Develop a Lytle Avenue Site Plan to assist with permitting through FDOT. The site plan will include:

- A detailed cross section, from the centerline of the road (Lytle Avenue "off ramp") to the right of way line. Cross section will include existing utilities, proposed work, roadway features, etc.
- A location/vicinity map.
- Roadway features (curb and gutter, sidewalk, etc.).
- Posted speed limit.
- Legend of abbreviations and symbols.
- Limits of pavement restoration.
- All existing utilities within the right of way. To include depths and horizontal distances with respect to the edge of pavement (white line).
- Pavement restoration details in accordance with FDOT Index 307, Sheets 1 & 3.

1.5 Attend one team meeting, providing assistance with civil related items.

1.6 Respond to one RFI from FDOT addressing the proposed Utility Permit.

The following items are excluded from this scope of services:

- Additional MOT Phases.
- Additional RFI responses.
- Traffic Studies/Analysis.
- Off-site Improvements (other than those outlined in this scope of service).
- As-built Certification Drawings (surveyed).

- Additional meetings and out of state coordination meetings and associated expenses.
- Contractor related or other permits/permitting not outlined in this proposal, i.e. construction trailer permits, tree removal permits, ROW permits, etc.
- Design, permitting or scope not outlined within this proposal.
- Public involvement coordination or notification of commencement of construction, flyers, and utility outage reports, traffic rerouting reports, etc.

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte

Meeting Date: August 10, 2010

Action Item Title: CRA Emergency Business Retention Program Guidelines

Agenda Section: Consent _____ Public Hearing _____ Special Items x

Summary Explanation and Background

The primary objective of the CRA Emergency Business Retention Program is to make funds available to a building owner on a 1 to 1 matching basis not to exceed CRA funds of \$10,000 per project (\$20,000 total project cost) to make building repairs that will help keep a tenant business from closing.

At times there are unanticipated repairs that need to be completed on buildings and their mechanical elements. If these unanticipated repairs threaten the continued usefulness of a building and the occupancy of a valued tenant, the CRA may wish to be involved in order to maintain the existing business.

Specific goals of the CRA Emergency Business Retention Program include

1. Allowing property owners to properly maintain their buildings and the occupancy of their rental spaces.
2. The elimination of conditions that are detrimental to the public health, safety and welfare of the business's patrons.
3. The revitalization and/or preservation of properties deemed significant for their historical, architectural or design value

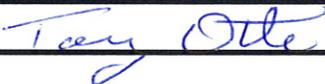
Recommended Action/Motion:

Approval

Funding Analysis: Budgeted _____ If not budgeted, recommend funding account: x
Funding for this program would come from the Development Assistance and Incentives program. This program is listed in the CRA Master Plan Update with a recommended level of over \$1 million. In the current operating budget, funding is available in the Façade Improvements line item (\$49,859 currently available)

Exhibits Attached:

1. Program Description

Reviewed By:	Name	Signature
CRA Director	Tony Otte	

Commission Action



COMMUNITY REDEVELOPMENT AGENCY
CITY OF NEW SMYRNA BEACH
210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA 32168



CRA EMERGENCY BUSINESS RETENTION PROGRAM

Introduction

The New Smyrna Beach Community Redevelopment Area contains a significant number of historic buildings. These structures reflect the history and heritage that help contribute to the distinctive character of the CRA area. It is important for the City to “revitalize” these historic buildings to create diverse and unique business districts within the CRA area.

The CRA defines “revitalization” as the process of returning a property to a state of utility, through repair, rehabilitation or alteration, which enables the efficient, contemporary use while preserving those portions which are significant the City’s historic, architectural and cultural values.

At times there are unanticipated repairs that need to be completed on buildings and their mechanical elements. If these unanticipated repairs threaten the continued usefulness of a building and the occupancy of a valued tenant, the CRA may wish to be involved in order to maintain the existing business.

Program Objectives

The primary objective of the CRA Emergency Business Retention Program is to make funds available to a building owner on a 1 to 1 matching basis not to exceed CRA funds of \$10,000 per project (\$20,000 total project cost) to make building repairs that will help keep a tenant business from closing.

Project Goals

Specific goals of the CRA Emergency Business Retention Program include:

1. Allowing property owners to properly maintain their buildings and the occupancy of their rental spaces.
2. The elimination of conditions that are detrimental to the public health, safety and welfare of the business’s patrons.
3. The revitalization and/or preservation of properties deemed significant for their historical, architectural or design value

Program Guidelines

- 1. No work for which a grant is sought shall commence until authorized by the CRA**
2. Funds shall be allocated on a first come first serve basis
3. Only one (1) grant from this program shall be awarded per structure.
4. All grant funds awarded require a matching dollar for dollar expenditure by the owner
5. Each structure within the CRA area is eligible to receive up to \$10,000 to perform general repairs and/or construction, which need to comply with current city, county and state codes to occupy the building
6. Facades of buildings not deemed historic shall be constructed to maintain a quality image consistent with the character of the surrounding CRA area
7. Buildings shall be designed and maintained to compliment the architectural features of the building and all accessories, signs, awnings and special features shall also be in harmony with the overall character of the building
8. No grants shall be awarded to government owned properties, to tenants within government owned properties, non-profit organizations, or residential conversions
9. Construction for which a grant is sought requires an estimate from an architect or licensed contractor
10. Applicant is responsible for obtaining any permits required to design and construct the project and the costs of permitting fees shall not be included in the CRA grant funding
11. Any unapproved changes may void the Grant (at the discretion of the CRA)
12. Upon CRA grant approval, applicant will be required to place signage recognizing the CRA participation (furnished by the CRA) and viewable to the general public, for the duration of the project

Eligibility Requirements

Applicants must comply with the following criteria and submit a complete application containing all required submittals prior to review. Approval of applications by the CRA will be based on the consistency of the proposed project with the goals of the adopted CRA Redevelopment Plan.

1. The applicant must be the owner of the building
2. Governmental entities, tenants of government owned buildings, non-profit organizations, and residential conversions are not eligible
3. The building must comply with or have approved plans for revitalization that would enable the building to comply with building and life safety codes
4. Property taxes, both City and County, must be current
5. The building shall not be subject to any type of code enforcement action.
6. Proposed business must commit to hours of operation that extend beyond 5:00PM and preference will be afforded to businesses who propose a commitment to extend hours of operation beyond 7:00PM
7. Business must be a permitted use as outlined in the City of New Smyrna Beach Land Development Code and meet the intent of the zoning code

Non-Discrimination

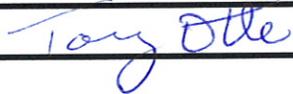
The program shall be available to anyone meeting the program eligibility requirements, and no one shall be denied the benefits of the program because of race, color, national origin, or sex.

Program Procedures

The CRA Emergency Business retention program is intended to encourage the retention of existing businesses deemed to be of high importance to the vitality of the area.

1. Only completed applications including all supporting documentation will be accepted, including but not limited to detailed information on the proposed repairs/construction, estimate from an architect or licensed contractor related to the proposed building improvements
2. CRA staff reviews program applications for compliance with submittal requirements
3. CRA staff schedules compliant program applications on the CRA regular meeting agenda (Note- the CRA regular meeting occurs on the first Wednesday of each month)
4. Upon approval by the CRA, a letter of commitment is provided to the applicant however no work shall start until written notice is received from the CRA
5. Applicant is responsible for obtaining any permits required to construct the project and funds received as part of the CRA program shall not be used for permit fees
6. Upon completion and inspection of the completed project by the City, the CRA will reimburse the applicant up to \$10,000 in matching funds
7. Applicant must submit a paid invoice for reimbursement from the CRA together with an affidavit from the contractor certifying the building improvements, as submitted, are complete
8. CRA staff will be available to offer any assistance needed and may seek outside guidance on any project being considered for funding from the CRA grant program

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Tony Otte		
Meeting Date: August 4, 2010		
Action Item Title: Application for 424 Canal St: Emergency Business Retention Program		
Agenda Section: Consent_____ Public Hearing_____ Special Items__x__		
Summary Explanation and Background		
<p>Canal Street from US 1 to Riverside Drive has a number of spaces for lease. The building at 424 Canal St is important as it houses a restaurant, a desired use in any historic downtown.</p> <p>The building at 424 Canal St received funding from the CRA in the amount of \$7,700 to make the building ready for its present use as a restaurant. However, it now appears that the air conditioning system was not designed to handle the full service kitchen that is used in the restaurant, including the commercial oven. The property owner has received a quote for installing new, additional air conditioning units to resolve the problem and requests assistance from the CRA, as this expenditure was unplanned. The business occupying the building is said to be losing customers due to the building's air conditioning system being inadequate and will have to leave if the problem is not resolved.</p>		
Recommended Action/Motion:		
Approval		
Funding Analysis: Budgeted_____ If not budgeted, recommend funding account: x		
<p>Funding for this program would come from the Development Assistance and Incentives program. This program is listed in the CRA Master Plan Update with a recommended level of over \$1 million. In the current operating budget, funding is available in the Façade Improvements line item (\$49,859 currently available).</p>		
Exhibits Attached:		
Proposed repair for 424 Canal St		
Reviewed By:	Name	Signature
CRA Director	Tony Otte	
Commission Action		

Subject: FW: Mexican Restaurant - 424 Canal Street

From: M.R. Davis, Corp. [mailto:theroot@bellsouth.net]
Sent: Friday, July 23, 2010 9:25 AM
To: Otte, Tony
Cc: DRose7105@aol.com
Subject: Mexican Restaurant - 424 Canal Street

Mr. Otte:

After reviewing the equipment and conditions at the above referenced address, it has been found that the air conditioning is under capacity for the current use for the first floor dining area. Specifically, the seating has tripled from the former restaurant use in addition to adding a full kitchen with open flame burners and exhaust hood. These additional heat loads are unable to be compensated by the existing five (5) ton system and recommend that two additional three (3) ton systems be installed at the following estimated cost:

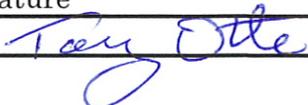
1) Two - 3 ton "mini-split" systems	\$7600.
2) Two core borings through 12" exterior wall.	400.
3) Structural pipe installation	300.
4) Electrical wiring and disconnects	600.
5) Plans & Engineering	700.
6) Permit	100.
7) Contractor coordination	900.
Total	<u>\$ 10,600.</u>

Please call me if I may answer any questions.

Sincerely,

Mark Davis
M.R. Davis, Corp.
State Certified General Contractor
CGC1515430
Leaders in "Green" Building and Consulting
LEED GA
Florida Green Building Coalition, Inc.
Mobil: 386-566-4646
Fax: 386-423-0455

CRA AGENDA ITEM SUMMARY

Staff Member Making Request: Michelle Martin	
Meeting Date: 8/4/2010	
Action Item Title: CRA Right-of-Way Enhancements Program	
Agenda Section: Consent _____ Public Hearing _____ Special Items _____	
<p>Summary Explanation and Background: The proposed new program, CRA Right-of-Way Enhancements Program, would be an annual program designed to <u>proactively</u> improve the safety and quality of the CRA District's streets and sidewalks, as well as enhance the <i>Charm</i>, with features such as:</p> <ul style="list-style-type: none"> • Resurfacing streets • Restriping streets • Constructing new sidewalk • Modifying existing sidewalk to implement ADA features • Repairing or replacing damaged sidewalk • Replacing stop signs and street name signs with decorative signing • Minor drainage improvements • Site restriction improvements • Trimming of trees, branches and overgrown shrubs • Sodding / Landscaping / Hardscaping <p>This program would be managed by the CRA Project Manager and implemented on an annual basis, similar to Volusia County's Annual Road Resurfacing Project in which the City "piggy-back's" on. Annually a Master Line Item List would be advertised for bidding and the winning Contractor would be furnished with a list of locations in which to implement the improvements, including detailed drawings, estimated quantities, and other specific details for the improvements.</p> <p>A recent "Dash Board" survey was conducted, and numerous streets within the CRA District were found to be in dire need of resurfacing, sidewalks in very unsafe conditions, and site conditions poor at a number of intersections. This program would correct these deficiencies and add to the <i>Charm</i> that the City is known for.</p> <p>This program addresses the following items in the CRA Master Plan Update:</p> <ul style="list-style-type: none"> • Strengthen the Neighborhoods, Annual Sidewalk, Lighting and Trees, Crossings (Pg 46) • Sidewalk and Crossing Enhancements (Pg 50) • Street / Gateway improvements at Canal/44 and 3rd (Pg 52) • Sidewalk and Bike Lane Improvements (Pg 58) 	
<p>Recommended Action/Motion: Consideration of proposed annual program to be implemented within the limits of the CRA District to improve and enhance the Right-of-Way.</p>	
<p>Funding Analysis: Budgeted <u> X </u> If not budgeted, recommended funding account: Recommend funding from the CRA General Contingency Account until the end of the year, and then from excess Mary Ave and Orange St Streetscape Projects funding</p>	
Exhibits Attached: Attachments: Program Concept	
Reviewed By:	Name
Department Director:	Tony Otte
Signature 	
Commission Action:	

CRA R/W & Safety Improvements Project Master Line Items List

Line Item #	Description	Unit	Unit Price
1	Maintenance of Traffic	LS, per Location	
2	Erosion Control (including Tree Barricades)	LS, per Location	
3	Removal of Existing Concrete Pavement	SY	
4	Removal of Existing Asphalt Pavement	SY	
5	Miscellaneous Trimming of Tree Branches and Shrubs	LS, per Location	
6	8" Reclaimed Portland Cement Concrete, Course Aggregate Base	SY	
7	12" Type "B" Stabilization (Min LBR 40)	SY	
8	Milling (1")	SY	
9	Milling (1 1/2")	SY	
10	Milling (2")	SY	
11	Milling (2 1/2")	SY	
12	Milling (3")	SY	
13	1" SP-9.5 Superpave Asphaltic Concrete	TN	
14	1 1/2" SP-9.5 Superpave Asphaltic Concrete	TN	
15	2" SP-9.5 Superpave Asphaltic Concrete	TN	
16	2 1/2" SP-9.5 Superpave Asphaltic Concrete	TN	
17	3" SP-9.5 Superpave Asphaltic Concrete	TN	
18	Miscellaneous Asphalt Pavement	SY	
19	Adjust Existing Manhole Cover	EA	
20	Adjust Existing Valve Cover (Water, Gas, etc)	EA	
21	Adjust Existing Stormwater Inlet Grate	EA	
22	Remove Existing Stormwater Inlet Grate and Replace with Pedestrian and Bicycle Traversable Grate (including modifying existing stormwater inlet top if necessary)	EA	
23	Desilt Existing Stormwater Structure	EA	
24	6" Reinforced Concrete Driveways or Sidewalks (including sidewalk curb ramps and detectable warning surfaces)	SY	
25	4" Concrete Sidewalk	SY	
26	Detectable Warning Surface (on existing sidewalk curb ramps)	EA	
27	FDOT Type "D" Curb	LF	
28	FDOT Type "F" Curb & Gutter	LF	
29	6" White Striping, Paint (reflectorized)	LF	
30	12" White Striping, Paint (reflectorized)	LF	
31	18" White Striping, Paint (reflectorized)	LF	
32	24" White Striping, Paint (reflectorized)	LF	
33	6" Yellow Striping, Paint (reflectorized)	LF	
34	18" Yellow Striping, Paint (reflectorized)	LF	
35	Yellow Curb, Paint	LF	
36	6" White Striping, Thermoplastic (reflectorized)	LF	
37	12" White Striping, Thermoplastic (reflectorized)	LF	
38	18" White Striping, Thermoplastic (reflectorized)	LF	
39	24" White Striping, Thermoplastic (reflectorized)	LF	
40	6" Yellow Striping, Thermoplastic (reflectorized)	LF	
41	18" Yellow Striping, Thermoplastic (reflectorized)	LF	

42	Removal of Existing Striping (grinding)	SF	
43	Single Post Sign, Relocate	EA	
44	Single Post Sign, Remove	EA	
45	Decorative Single Post Sign, Stop Sign (R1-1, 30")	AS	
46	Decorative 4-Way Signs (R1-3)	AS	
47	Decorative Single Post Sign, Pedestrian Crossing (W11-2)	AS	
48	Decorative Supplemental Pedestrian Arrow Plaque (W16-7p, 24"X12")	AS	
49	Handicap Parking Stall Striping (including Blue Stripes, Handicap Symbol, and all required Decorative Signing)	EA	
50	Decorative Streetname Signs (including all hardware necessary to be mounted on top of Decorative Stop Signs)	AS	
51	Sod, Bahia	SY	
52	Sod, St Augustine	SY	



Roadway in poor condition and striping almost non-visible



Sidewalk badly damaged causing tripping hazard



Low hanging branches over sidewalk



Overgrown landscaping covering Stop Sign



Site restrictions at an intersection



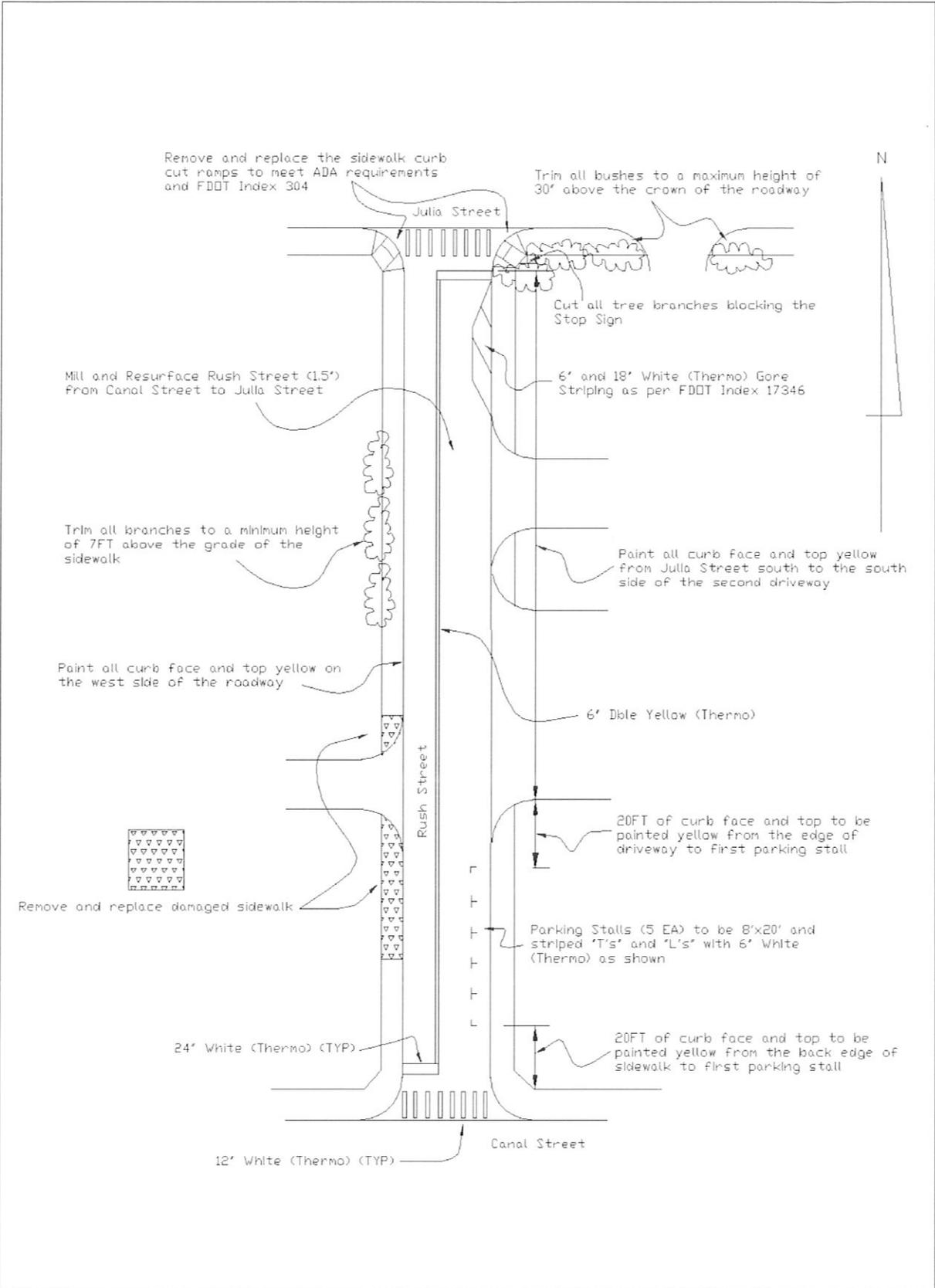
Roadway in poor condition and pedestrian curb cut ramp does not meet ADA Standards



Cannot see oncoming vehicles or pedestrians on sidewalk due to overgrown shrubs



Overgrown shrubs covering half of the sidewalk



Rush Street Estimate (Julia St to Canal St)

Item No	Description	Unit	Est QTY	Unit Cost	Amount
1	Mobilization	Location	1	\$5,000	\$5,000
2	MOT	Location	1	\$1,000	\$1,000
3	Erosion Control	Location	1	\$500	\$500
4	Removal of Existing Concrete Pavement (Sidewalk)	SY	30	\$18	\$540
5	Milling (1 ½")	SY	1338	\$2	\$2,676
6	Asphalt Surface Course (1 ½" SP-9.5 Superpave Asphaltic Concrete)	TN	100	\$85	\$8,500
7	6" Reinforced Concrete Sidewalk Curb Ramp (including Detectable Warning Surface)	EA	2	\$65	\$130
8	4" Concrete Sidewalk	SY	30	\$45	\$1,350
9	Miscellaneous Trimming of Tree Branches and Shrubs	LS	1	\$300	\$300
10	Decorative Single Post Sign, Stop Sign (R1-1, 30")	AS	1	\$750	\$750
11	Decorative Streetname Sign (including all hardware necessary to mount on top of Stop Sign)	AS	1	\$300	\$300
12	24" White Striping, Thermoplastic (Reflectorized)	LF	28	\$2	\$56
13	18" White Striping, Thermoplastic (Reflectorized)	LF	15	\$2	\$30
14	12" White Striping, Thermoplastic (Reflectorized)	LF	144	\$2	\$288
15	6" White Striping, Thermoplastic (Reflectorized)	LF	132	\$2	\$264
16	6" Dble Yellow Striping, Thermoplastic (Reflectorized) (per stripe)	LF	394	\$2	\$788
17	Yellow Curb, Paint	LF	620	\$2	\$1,240
				Total	\$23,712

REPORTS AND COMMUNICATIONS

CRA Director's Report
July 29, 2010

1. Form based codes – City staff has received four responses to a Request for Proposals for the development of a “Form-based Code”. This is a relatively new way of preparing land development regulations that is more specific than what is normally expected, with regulations on building setbacks and heights based on the type of area as well as the zoning district. I am going to meet to discuss this project with several Canal St business owners who may want to simply make changes in the current code to remove identified impediments to redevelopment rather than go through a lengthy process to develop a form-based code for the Canal St area.
2. Consultant - Donna Banks has been hired as a consultant to assist with the development of the business incubator, identifying and applying for grants, developing partnerships, and other work, to be done on a part-time basis.
3. DCA – City staff is making very good progress in resolving the problems that were discovered with the approval of comprehensive plan amendments.
4. Economic Development – CRA staff has had several meetings with Canal St property owners and the Economic Development Advisory Board. Two topics are being pursued:
 - a. Marketing – The CRA Master Plan Update calls for a variety of marketing activities. One area that CRA staff is now exploring is the use of the internet for marketing and “customer retention management” to track prospects for businesses wishing to relocate to the CRA.
 - b. Business Recruitment – The strategy being developed by the Canal Street group is to identify businesses located in other areas of the county or surrounding counties that would enhance the business offerings on Canal Street, and approach those owners about opening a second location on Canal St. CRA staff is preparing a memo with points to review with business owners in this regard, including listing the available spaces for lease, the assistance that the CRA can provide, and other pertinent information.
5. Brownfields – CRA staff is continuing to seek new properties for the program, which will be taken over by the planner assigned to the CRA part-time.
6. Training – I recently attended a two day class regarding the evaluation of companies for grant assistance, presented by the National Development Council and sponsored by the Florida Redevelopment Association. At this class I met several other CRA Directors, including Gail Hamilton from Kissimmee. I will be visiting there in the future to learn more about their programs.
7. County Report – the County ordinance regulating CRA's requires that a special “program-type” of financial report be prepared and submitted by August 1. This report will be properly submitted before the deadline.
8. CRA Master Plan Update revisions – AECOM has sent me their revision of the Master Plan Update, and I am in the process of checking it against the changes that were sent to them as approved by both the CRA and the City Commission at the May 19 joint meeting. One final revision, the revision of the project cost estimates as approved at the July 7 CRA meeting, will go to the City Commission on August 10 for approval.

9. City properties that may be available for development – this item was initially scheduled for the August 24 City Commission meeting, but is now going to a workshop on August 10. CRA staff is working with City staff to prepare this item, as it includes properties in the CRA; for example, in the budget presentation made to the City Commission on June 28 it was suggested that the shuffleboard court operations be consolidated to the courts on Flagler Ave, since those courts are scheduled for renovation. This would free up the shuffleboard courts and the former skate park area on Julia St as property that could be the subject of a Request for Proposals for a residential development – a key recommendation in the Master Plan Update.
10. Badcock building – the potential buyers of the property have asked to be listed on the September meeting agenda. They are actively preparing their presentation, including letters of interest from businesses who would lease space in the building, renovation cost estimates, plans, etc.
11. Further information on 304 Flagler Ave property improvement Grant application change order request from the July 7, 2010 meeting – This was the application that was denied at the July 7 meeting. It is noted that this grant application was approved at the October 7, 2009 CRA meeting, for \$5,000 – the maximum amount allowed at the time of approval. However, later in the same meeting, the maximum amount allowed was increased to \$10,000. CRA staff is checking on what items have been completed and which have not. It appears as of this writing that the items requiring the change order were completed before the change order was requested. Please see the attached pages for a cost breakdown.
12. Reminder: registration for attendance at the FRA annual conference on October 28-30 is now due! Please call Claudia to either register or let us know that you will not be attending. Thanks to everyone who has called already.



3005 Temple Trail
Winter Park, FL 32789

CPA Property Improvement Change Order Request for
Island Collection

304 Flagler Avenue

New Smyrna Beach, FL 32789

Actual

Anticipated Cost

<i>900</i>	\$ 750.00	Landscape Design
<i>3,123</i>	1200.00	Low Voltage Lighting
<i>\$1,598.73</i>	2000.00	Landscape and Irrigation Installation
<i>6,298.20</i>	2500.00	Gazebo Installation (actual quote)
<i>2,498</i>	1400.00	Fence Installation
<i>2,500</i>	2500.00	Removal of Garage Door and replace with French Doors (quote)

20,917.93 Total \$10,350.00

Overall Project Cost not part of CRA Funding

\$11,700.00	Furniture and Garden Ornamentation
425.00	Front Door to house replacement
No estimate yet	Possible wood deck
No estimate yet	professional graphics and signage
\$ 1100.00	three market umbrellas
\$ 7600.00	purchase of gazebo

5K was cap until Oct 7, '09



3005 Temple Trail
Winter Park, FL 32789

CRA Property Improvement Change Order Request for
Island Collection

304 Flagler Avenue

New Smyrna Beach, FL 32169

Actual Cost

\$ 900.00	<u>Landscape Design</u> Landscape Design – Hortus Oasis
\$1123.00	<u>Low Voltage Lighting</u> Electric outlets set underground to code – Merrick Services
2000.00	Install Exterior Lighting - Elegant Custom Images, Inc.
\$2931.32	<u>Landscape and Irrigation Installation</u> Hortus Oasis – irrigation and plant installation
87.00	Hortus Oasis - additional plants
1672.00	Justin Kennedy – purchase of plants
400.00	Hortus Oasis – demolition
200.00	Twin Oaks – removal of dirt (haul away)
23.41	84 Lumber – railroad ties
285.00	Don Edwards - Bamboo Plants
5,1598.73	
\$ 375.00	<u>Gazebo Installation</u> Architectural Services – Sidney Corhern, Architect
5243.20	Gazebo Installation – Island Dream Homes
680.00	Sumbrella Awning – Tops by Tony
6,298.20	
\$2498.00	<u>Fence Installation</u> Fence Installation – cut concrete – install railroad ties – All Phases
\$2500.00	<u>Removal of Garage Door and replace with French Door</u> Removal and replacement – Island Dream Homes
Total	\$20,917.70

20,917.93

**Florida Redevelopment Association
2010 Annual Conference
October 13-15, 2010 • Peabody Orlando
Tentative Program**

This year, for exhibitors, we have a few new items. Sign up by August 16, and you will receive a free card size ad in the Awards program Best Book, and one free lunch at the Thursday keynote luncheon. Also, we have continued the extended hours from 11:00 am Wednesday to 2:00 pm on Thursday. All the meal events, except the Thursday lunch and dinner, will be held in the exhibit hall. We will make sure to have coffee available at all times for participants so they can visit any time, as well as meeting areas for small groups in the hall.

Tuesday - October 12, 2010

4:00 p.m. - 6:00 p.m.	Registration Desk Open (register online or fax)
4:00 p.m. - 6:00 p.m.	Exhibitor Move-In
9:00 a.m. - 4:00 p.m.	FRA Certification Course: Redevelopment 101

Wednesday - October 13, 2010

7:30 a.m. - 11:00 a.m.	Exhibitor Move-In
7:30 a.m. - 5:30 p.m.	Registration Desk Open (register online or fax)
10:00 a.m. - 12:00 p.m.	Coffee Service
8:00 a.m. - 11:30 a.m.	Mobile Tour Winter Park Village and Downtown (see announcement for details)
8:00 a.m. - 11:30 a.m.	Preconference Session – CRA Board Member Training
11:00 a.m. - 7:30 p.m.	Exhibit Hall Open
11:00 a.m. - 12:30 p.m.	Welcome Luncheon in Exhibit Hall
12:30 p.m. - 2:00 p.m.	Opening Session – Welcome, State of the Organization, What Has FRA Done for You?
2:15 p.m. - 3:45 p.m.	Concurrent Workshops Public-Private Partnerships – Real Opportunities in Today's Market Construction Issues – Financing in Today's Markets - Loans, Incentives and Grants – No Speeches: Just Small Group Discussion and Everybody Participates
3:45 p.m. - 4:00 p.m.	Refreshment Break in Exhibit Hall
4:00 p.m. - 5:30 p.m.	Plenary Session – Legal Issues in Redevelopment 2010 – A discussion of court cases, legal opinions and Q&A session/Legislative & Amendment 4 Report
5:30 p.m. - 7:30 p.m.	Dinner Reception in Exhibit Hall

Thursday - October 14, 2010

7:30 a.m. - 9:00 a.m.	Continental Breakfast in Exhibit Hall
7:30 a.m. - 2:00 p.m.	Exhibit Hall Open
7:30 a.m. - 4:00 p.m.	Registration Desk Open
9:00 a.m. - 2:00 p.m.	Developer Match Up
8:00 a.m. - 9:30 a.m.	Concurrent Sessions

Redevelopment/Local Business Assistance Economic
Development Entities
Declining Markets and Revenues: Legal and Financial
Opportunities
Zoning, Land Use and Land Development Codes: How to Create
Redevelopment Ready Real Estate

9:30 a.m. - 10:30 a.m.

Refreshment Break and Gift Drawings in Exhibit Hall

10:15 a.m. - 11:45 a.m.

Concurrent Workshops

Commuter Rail and Redevelopment
Big Business Advertising for Small Business Owners
Lakeland's Dixieland Marketing Program/Lakeland Parker Street
Lessons Learned

All exhibitors who sign up by August 16 get one free lunch at the Thursday Keynote Luncheon

2:00 p.m. - 4:00 p.m.

Exhibitor Move-Out

Thursday - October 14, 2010 (cont'd)

12:00 p.m. - 1:45 p.m.

Keynote Luncheon/Annual Business Meeting

2:00 p.m. - 3:30 p.m.

Concurrent Workshops

Brownfield's
Sustainability – Neighborhood Development Rating System
(LEED), Green Streets TCEAs
Diversity and Demographics in CRAs

3:30 p.m. - 3:45 p.m.

Refreshment Break

3:45 p.m. - 5:15 p.m.

Concurrent Workshops

Ways to Attract the Perfect Visitors for Your Community – VISIT FL
Parks and Green Space for Redevelopment – Success Stories -
Density is not a Four Letter Word

6:00 p.m. - 9:00 p.m.

Awards Dinner in the Hotel

Friday - October 15, 2010

8:00 a.m. - 10:00 a.m.

Breakfast Topic Tables

9:00 a.m. - 4:00 p.m.

FRA Certification Course: Redevelopment Incentives

10:30 a.m. - 3:30 p.m.

Mobile Tour: Winter Garden Heritage Trail and Downtown

(See announcement for details)

7/15/10

**Florida Redevelopment Association
2010 Annual Conference
October 13-15, 2010 - Peabody Orlando
Conference Registration Form**

Please return completed forms and all fees payable to **FRA Annual Conference**, P.O. Box 1757, Tallahassee, Florida 32302-1757. Payments by Visa or MasterCard only may be faxed to (850) 222-3806. *Or register online at www.redevelopment.net.* If you have any questions, contact Melanie Howe at (850) 222-9684. **All advance registrations must be received by September 30, 2010.**

Please type or print information requested. Complete a separate form for each registrant.

Full Name: _____ Nickname: _____

Title: _____ Agency Affiliation: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____
(NOTE: If paying by credit card below, please use card billing address)

Phone: _____ FAX: _____ E-Mail: _____ @ _____

Spouse Name: _____ Nickname: _____
(Only if purchasing Spouse Registration below.)

Payment Must Accompany Each Registration

Check (Payable to **FRA Annual Conference**) Visa MasterCard

Credit Card Number _____ Exp. Date _____

Card Holder's Name _____ Signature _____

Billing Address (if different from above) _____

Registration Type	Member	Non - Member	Sub-Total
Full Registration*	\$295	\$375	
Wednesday Only**	\$235	\$260	
Thursday Only**	\$250	\$275	
Guest/Spouse*	\$220	\$250	

EXTRA EVENTS*** (NOTE: Wednesday's tour and the pre-conference seminar take place at the same time. Please do not choose both of these events.)

Extra Events	Member	Non - Member	Sub-Total
Wednesday			
Winter Park Tour (8:00 a.m. - 11:00 a.m.)	\$10 x _____	\$10 x _____	_____
Pre-Con Seminar (8:30 a.m. - 11:00 a.m.) CRA Board Member Training	\$25 x _____	\$25 x _____	_____
Friday			
Winter Garden Tour (11:00 a.m. - 3:30 p.m.)	\$35 x _____	\$35 x _____	_____

Cancellations must be received in writing by September 30, 2010 to entitle registrant to a refund of registration fees.

* **Full registration and Guest/Spouse registration** include **all** workshops and meal functions scheduled for the conference. **NOTE: Guests** are defined as spouses, partners or other non-professional relations of conference registrants. Guest registration **may not** be used for other staff or company representatives.

** **One-day registration** includes workshops and meal functions scheduled for that day **only**.

***The mobile tours and pre-conference seminar are **NOT** included with any registration package. These events **must** be purchased separately.

EXTRA TICKETS FOR MEALS ARE AVAILABLE BY REQUEST (\$25 for lunches, \$45 for evening events, \$25 for Friday breakfast. See preliminary schedule for times and dates of these functions at www.redevelopment.net.)

Special Needs: If you have special physical or dietary needs, please attach a written description to your advance registration.

Total Fees Enclosed: \$ _____

City of New Smyrna Beach
Community Redevelopment Agency
Project Status Report
July, 2010

Projects: \$ Allocated	Project Description	Current Budget	Status	Est Construction Completion	Contact
W Canal Streetscape	RR to Myrtle Streetscape	\$1,000,000 (CRA)	South side of street done; canal pipe installed; paving, north side sidewalk, and landscaping work left	November-10	MM
Mary Ave Streetscape	2 Phases: Phase I - Myrtle to US1 (not including RR RWV) (CRA \$) Phase II - RR RW (grant \$)	\$1,600,000 + grant	Four bids received on construction plans recently put out for bid. A bidder is scheduled for selection by the City Commission on August 24.	May-11	MM
S Orange Streetscape	Canal St to Lytle Ave. & CRA parking lot	\$1,200,000	Three Bids received on construction plans recently put out for bid. A bidder is scheduled for selection by the City Commission on August 24.	May-11	MM
Julia & Faulkner Parking lot	Improvements to surface to create a parking lot	\$5,000	The availability of this property for a project will be discussed at the August 10 City Commission meeting.		Tony
Flagler Dunes Parking	Improvements to create a parking lot & lease space	\$68,000	Project needs S,J,R,WMD permit, should start within 90 days	November-10	Tony
Chamber Bldg Rehab	Chamber of Commerce Building Exterior Rehab	\$200,000	Construction plans are nearing completion and will be put out to bid	March-11	Marissa
CRA Parking		\$51,400	The availability of this property for a project will be discussed at the August 10 City Commission meeting (property at Julia and Faulkner Street).		Tony
Public Art		\$13,600	This project involves support for art events which bring visitors and business patrons to the CRA.		Tony
Development Assistance & Incentives	Incentive funds for business expansion or start-ups	\$1,695,562	Hotel provided incentives, funded by land sale. New programs coming: a business rent subsidy program and emergency building improvement program being reviewed at the August 4 CRA meeting.		Tony
Policy & Partnerships	Partnership projects and form based codes	\$200,000	Form-based codes Request for Proposals are back and a committee is being formed to choose which firm to recommend.		Tony
Marketing & Promotion	Marketing and Promotional activities	\$500,000	Anticipated marketing for Canal and Flagler in next 90 days/ CRA staff is exploring internet marketing and customer retention management software.		Tony
Flagler Boardwalk	Replace seawall and possibly the structure	\$2,000,000	Seawall investigation and engineering is underway	FY 11	Khalid
Signage/Wayfinding	Design and Erect new wayfinding signs	\$300,000	City Commission approved short list of consultants; contract will be on August 10 City Commission agenda.	FY 11	Tony
Washington Business District	Development of a Business Incubator and start-ups	\$300,000	Concept plan is being discussed with the owners of the building at 533 Washington.	FY 11	Tony
Washington St Streetscape	2 Phases: Phase I - Myrtle to US1 Phase II - US1 to Riverside	\$1,000,000	Surveyor has been selected and has started work.	FY 11	MM
Esther St Park	Oceanfront park with parking & retention	\$935,000	Request for Proposal for Engineering of seawall are due back August 2.	FY 11-12	Gail
Medical Services District Improvements	Streetscaping etc in a new medical district at BFMC	\$1,000,000	This project may be removed from the list due to a reduction in revenues; however, partnerships for medical offices and other projects are being sought.		Tony
Gateway Landscaping	Improvements at Gateway corridors	\$65,000	Included in Wayfinding request for proposal package	FY 11	Tony
Riverside Park Seawall	Park design, seawall refurbish, new lighting	\$1,000,000	Engineering of Seawall underway	FY 11	Kyle
Myrtle Ave	Street and Sidewalk improvements	\$500,000	A meeting was held w/ Property owner, staff. Staff is studying the best design concepts in areas w/reduced ROW.	FY 11	Khalid

CORRESPONDENCE



July 28 2010
(407) 235-1126 - (cell)

3005 Temple Trail
Winter Park, FL 32789

DEAR CRA;

We would like to have the opportunity to re-visit our case concerning the CRA funding for Island Collection.

Last October we were told that we were approved for \$5,000⁰⁰ in funding if \$10,000 or more was spent to improve our property. Shortly after the approval and before we started the project Kloeleen Foster told us that CRA funding has been increased and now \$10,000⁰⁰ is available if the project went over \$20,000 in total cost. We were never told that we had to potentially re-apply for the additional funding. We simply started the project with the idea that the additional funding was going to be granted when the project was complete. Nothing was ever given to us in writing saying what funds was available to us.

It has been extremely difficult for Island Collection to pull the funds together to make



3005 Temple Trail
Winter Park, FL 32789

this project happen and we would not have been able to design and construct the project without the knowledge that the funding was available. When we were told the only \$5,000⁰⁰ was going to be available to us at the end of the project we could not understand why, and this decision has put a financial burden on Island Collection.

We respectfully request that you please re-consider our case and make the funding available that we always thought was available to make this project happen.

We will be available at the August 4th meeting.

A handwritten signature in blue ink that reads "Phil Carpenter". The signature is stylized with a large, looping initial "P".